D of J Integration Stand Seen Bar to Consent Plan
U. S. PROPOSES DISCRIMINATION CURE
U. S. Pix Gain in Foreign Screen Time; Receipts Fall

1,738 Features Produced Abroad in 1939; Increase of 39

While U. S. pix showed an increase of two per cent in foreign markets screen time during 1939, receipts from abroad decreased by about 10 per cent, it is revealed by Nathan D. Golden, Chief, Motion Picture Division, Bureau of Foreign and Domestic Commerce, in his Report of Foreign Film Markets During 1939, released here today. Screen (Continued on Page 18)

GARY THEATER MAY FIGHT SUIT OUTSTER

Chicago—Dismissal of the Gary Theater Co.'s anti-trust suit against Columbia Pictures, et al., by Federal Judge William Holly on Friday may be appealed to the Circuit Court of Appeals, it was indicated when defense counsel entered formal exceptions and reserved appeal rights.

The Court, sustaining the defense findings of fact and conclusions of (Continued on Page 15)

Picture Pioneers to Hold Spring Dinner on Apr. 26

Spring Dinner Conference of the Picture Pioneers will be held April 26, Jack Cohn said following the meeting of the Executive Committee at the Hotel Astor Saturday. New (Continued on Page 15)

RKO CONCLAVE OPENS MAY 27

Four-Day Sales Parley Will Be Held at Waldorf

RKO will hold its annual international sales convention at the Waldorf-Astoria Hotel, New York City, on May 27-30. Division, district and branch managers, as well as representatives from some foreign offices will attend.

It will be the earliest convention RKO has held since 1928 when the annual huddles were called for May 16. A. A. Schubart has been named chairman of the 1940 conference arrangements. Delegates are due to arrive on May 26.

Five More Radio Giveaways Referred to Justice Dept.

Washington Bureau of THE FILM DAILY

Washington—Five additional radio lottery programs, deemed to violate provisions of the Communications Act prohibiting lotteries, were turned over to the Justice Department yesterday for scrutiny by the FCC. They are "Music" broadcast by WGN, Chicago; "Songo," broad-

(Continued on Page 18)

Equity Suit Aimed at Fundamentals of the Trade, D of J Aide Asserts

Select Attractions, Inc. May Produce Own Pictures

Select Attractions, Inc, distributors, is planning to produce its own pictures, possibly starting later this year. Six stories, all authored by Bernard P. Arons, are being consi-

(Continued on Page 18)

Possibilities of settlement of the Government's equity suit became slimmer in face of conflicting statements made Friday by Paul Williams, Special Assistant Attorney General and Judge Thomas D. Thacher, attorney for Paramount, as to ultimate aims in the suit. Williams said "we believe that the integration of production, distribution and exhibition by the five large producer-exhibitor companies has (Continued on Page 18)

Control of Licensing to Newly Acquired Theaters

Said Advanced in Department of Commerce's Suggestions for Consent Decree

BY MILTON F. LUNCH, Washington Bureau of THE FILM DAILY

Washington—A remedy for the alleged practice of discriminating against independent exhibitors by distributors and methods of controlling the leasing of

SCHOOL SHORTS USE FOR YMCA CLASSES

Terre Haute, Ind.—Release of the $16,000,000 in 16 mm. shorts—comprising 500 shorts—made available through the MPPDA to American schools last July will be extended by Teaching Film Custodians, Inc., distributing agency, to teaching (Continued on Page 4)

Jos. Bernhard to Resume Warner Duties This Week

Joseph Bernhard, Warners' theater chief, returns from Miami early this week, and shortly will resume his official duties. Bernhard, who un-

(Continued on Page 15)

Distributors Expect Decision on Australia Import Rule

Paul Williams, Special Assistant Attorney General, in fighting an application Friday by attorneys for the majors before Federal Judge Henry W. Goddard, conceded that (Continued on Page 15)

SCANTY PRODUCTION DATA, ADMITS U. S.

American distributors are watching with interest the outcome of Australia's import licensing regulations which closed a four-month (Continued on Page 4)

$16,500,000 Gross Registered by GWTW

GWTW's gross receipts reached a total of $16,500,000 over the week-end. Picture was reported to be doing a strong business in Metropolis subsequent run. All negative charges have been paid off on the picture and net profit equaled $100 per cent on the negative cost has already been realized, of the picture continued its fourth month of exhibition.
Columbia to Pay 68 3/4c
Columbia’s board has declared a regular quarterly dividend of 6.83% per share on the $2.75 Convertible Preferred Stock, payable May 15 to stockholders of record May 1.

Scully and Heineman, “U” Sales Exec, on Coast

Accompanied by William J. Heineman, Western sales manager, William A. Scully, Universal’s sales chief, plans to oversee Paramount Pictures during his month-long trip and date for the company’s sales convention.

Form Todo Picture Corp. to Distribute French Pic

Announcement of the formation of Todo Picture Corp., to sell and distribute French films in this country and Central America, was made Friday. Firm has lineup of five French pic which will be offered shortly. Ely Toddsey is president of the company, the treasurer’s post is filled by A. Robert Mizzy, and A. E. Love is the general manager.

The Broadway Parade

Picture and Distributor
The Right for Line (20th-Film Service-Pare Lorente)-4th week

The Earl of Chicago (Metro-Goldwyn-Mayer)-3rd week

The Man to Singapore (Paramount)-2nd week

Virginia City (Warner Bros. Pictures)-2nd week

It’s a Date (20th-Film Service)-2nd week

The Human Monster (RKO Radio Pictures)-2nd week

The Man from Snow Town (Warner Bros. Pictures)-2nd week

Broadway Melody of 1940 (Metro-Goldwyn-Mayer Pictures)-2nd week

Rogers’ United Artists’ Selected Reissues-2nd week

Zanuck (Universal Pictures)

The Showdown (Paramount Pictures) (a)

Pincioch (RKO Radio Pictures-Walt Disney) (a-b)

The Courageous Dr. Christian (RKO Radio Pictures) (a)

TWO-A-DAY RUNS

Gone With the Wind (Metro-Goldwyn-Mayer-Selznick)-15th week

FOREIGN LANGUAGE FEATURES

The Human Beast (Unio Films)—6th week

The Baker’s Wife (The Baker’s Wife Co.)-6th week

Florida, S.S.-Fri, 5:15 Th. (Universal Pictures)

World, T.D.-83rd Street, 4th St. (Univ. Corp.)

The Lion (Paramount)-2nd week

RKO Radio Pictures (Paramount pictures) (a)

Pincioch (RKO Radio Pictures-Walt Disney) (a-b)

Claudine (French Pictures, Inc.)

FUTURE OPENINGS

The Life of Giuseppe Verdi (Esperta Films)-April 3

Outside the Three-Mile Limit (Columbia Pictures)—April 6

Global (Columbia)—April 6

If I Had My Way (Universal Pictures) (c)

Johnny Apollo (Warner Bros. Pictures)—April 10

Dr. Cyplocos (Paramount Pictures)—April 10

Adventures in Diamonds (Paramount Pictures)—April 4

Criterion

Isle of Destiny (RKO Radio Pictures) (c)

Rialto

Strange Cargo (Metro-Goldwyn-Mayer Pictures) (c)

Capitol

Bullets Code (RKO Radio Pictures)—April 3 (a)

Central

Hidden Menace (Principal Pictures) (April 3) (a)

Central

Grapes of Wrath (Twentieth Century-Fox) (April 4 (a-b)

Free, Blood and Twenty-One (Twentieth Century-Fox)—April 5 (a) Pal, ace (Acasta Films) (oo)

The Life of Giuseppe Verdi (Esperta Films)—April 4

(a) Dual bill
(b) Subsequent run
(c) Follows current bill.

WANTED

Information leading to the whereabouts of Charles B. Howard and John Russo. Reimbursement will be made to persons for any expenses incurred.

Please Communicate

DOUGLAS ROTHACKER
729 Seventh Avenue New York City

National Film Carriers to Meet Here May 12-14

Seventh annual convention of National Film Carriers, Inc., will be held at Park Central Hotel on May 12-14. Members from all the key cities will attend. There will be an executive committee meeting May 12 and the regular convention business meetings May 13-14. The usual annual meeting of the board of directors will take place on the closing day.

An important matter up for discussion will be the Interstate Commerce Commission’s new safety regulations. Elevation of officers will also be held. James P. Clark of Philadelphia is the retiring president.

Fight on Chi. Censorship May Reach Federal Court

Chicago—Civil Liberties Committee plans to start Federal Court proceedings shortly against the Chicago police censor board to permit showing of the Hoffberg release, “The Living Dead,” it was stated Friday by Ira Latimer, secretary of the organization. Picture was banned on several grounds despite the fact a Hays code had been given and it had been passed by censors everywhere else where it has been exhibited.

COMPANY

SI NYD R. KENT and MRS. KENT return from Florida this week.

JOSEPH BERNHARD, Warner theaters head, returns from his week in Florida.

WILLIAM SCULLY, Universal sales chief, and WILLIAM J. HEINEMAN, Western sales manager, arrive in New York this week.

RALPH BUDD, Warners’ home office personnel manager, returns from Burbank Friday.

WILLIAM C. GERHARDT, central division manager for 20th-Fox, returns to the home office this week after a Florida vacation.

HERMAN SCHLEIER, Eastern sales manager for the Hollywood Reporter, leaves for the Coast today for a three months’ stay at the paper’s Coast office.

FRANK McCANN, exploitation manager for Columbia and Frank Rosenbaum, his assistant, head to Washington, Va., to plug “Tree of Liberty.”

J. J. FELDER, New York Monogram branch manager, returns from the Florida trip.

LINDA DARNELL returned to the Coast Saturday after a short stay there.

EDWARD GOLDSTEIN, Screen's executive, is in Miami for a vacation.

HARRY FUCHS, is leaving Tuesday for Miami Beach, Florida.

RICHARD CARLSON is spending several days at Williams and Mary, Williamsburg, Va., preparing for a new picture.

MIKE RUDIN is vacationing in Miami.

CO-OP BENNETT told to the Coast Saturday via American Airlines.

GEORGE STEVENS is at the Waldorf.

RUDY SANDERS is spending a vacation in Miami.

A. A. SCHUBART, RKO manager of exchange operations, left Friday for a vacation in Florida. MRS. SCHUBART accompanied him.

“Parole Fixer” Teasers Cost Cortland Exhib $50

Cortland, N. Y.—A plea of guilty and a $50 fine were finishe here Friday, May 1, to the case of Garson Jaffa, local Schine manager, arrested on complaint of the State Parole Board for violation of parole ads. plug by “Parole Fixers” (Paramount) constituted misleading advertising.

Case taken from the film’s pressbook, appeared in the daily paper and were taken seriously by convicts in Attica State Prison, the Parole Board charged.

Edington Cocktail Party

Harry Edington, RKO’s executive producer who arrives this morning for his first visit to New York since leaving Los Angeles, April 5, will meet the trade press at a cocktail party at the Sherry Netherland this afternoon.

REQUESTED

Information leading to the recovery of four reel 16 MM. prints numbered “Nickel High Lights” and one reel 16 MM. print entitled “This Changing World.” Informant will be reimbursed for any warranted expense.

THE FILM DAILY BOX 1710
1501 Broadway New York City
"U. P."... (Paramount's famous "Union Pacific") was the tops. We thought so. You thought so. Old Man Box Office thought so. But now this slap-bang comedy romance teaming Bing and Bob for the first time and co-starring Dotty in her grandest role...is topping "U. P." from coast to coast...45 cities have already shown "Road" well out in front of "U. P."...proving Paramount knows how to make 'em laugh...which means Paramount knows how to make you money.

"ROAD TO SINGAPORE"

"BUCK BENNY RIDES AGAIN"
Jack, and Phil Harris and Andy Devine and Rochester, yes, and even Carmichael, the Benny Bear right out of the No. 1 radio show of the year into the No. 1 gag, gal, and gun-play picture of the year. Ellen Drew plays the role of the girl who gave the gate to Benny in the wild and not so woolly west.

"THE BISCUIT EATER"...
Preview audiences label this heart-tugging story of two kids and a dog, a "sleeper." This is the picture Paramount filmed on location in the Georgia bird dog country. Watch the trade papers for the announcements of the big Georgia World Premiere...biggest event in that state since the premiere of G. W. T. W.

"DR. CYCLOPS"...
Another in the Paramount spring parade of money-makers...tested in six cities and found to be the top exploitation picture of the year...Get the "Dr. Cyclops" press book and get the payoff on how to make money the "Dr. Cyclops" way.
SCHOOL SHORTS USE FOR YMCA CLASSES

(Continued from Page 1)

classes in all American YMCA's, it was announced here yesterday by Will H. Hayes, MPPDA proxy.

Hayes came here to deliver the dedicatory address at the opening of the city's new YMCA building. Decision to extend the releasing scope, Hayes said, was the result of a request recently made by the MP Bureau of the National YMCA Council.

Inquiry developed, Hayes said, that less than 50 per cent of the city YMCA's in the U.S. have individuals enrolled in formal educational classes equivalent to 125 colleges with 800 students each, with $250,000 more members enrolled in discussion groups. Letter will be served by 75 special character education shorts prepared recently from dramatic sequences in non-current feature pictures.

The same safeguards against theatrical competition will govern YMCA use of the shorts as apply to schools, Hayes stressed. Leasing fees start at $5 per reel for two weeks or less and range to $30 for three full school years.

Distrib. Expect Decision on Australia Import Rule

(Continued from Page 1)

trial-period at the week-end. The regulations, if continued, might limit the number of pictures that could be imported into the country and, in turn, would affect the exporting of money from Australia. Decision is expected shortly.

The test period was put into effect in order to ascertain in which category film would fall, the regulations became effective in December for a two-month period and then were extended for another two months, to expire at the end of March.

Okay Atlas-Curtiss Mergers

Directormates of Curtiss-Wright Corp., Wright Aeronautical Corp., and Atlas Corp. approved on Friday the merger plans of the companies.

Along the Malt with Phil M. Daly


- THE modern history of 6th Ave., and 50th St.,...where snuggles the intimate lil' Radio City Music Hall...can be very tersely written:..."1939: El razored by LaGuardia: 1946: 'Rebecca' raises "all"..."
- ON the basis of the powerful publicity-ad campaign...which rode in advance of the New York engagement of Mister Selznick's newest opus...and on the basis of the tremendous popularity of Daphne Du Maurier's novel...plus the fact that the said Mister Selznick has a fine way with him...in turning out potent pix...this corner knew that "Rebecca"...would be both a b.o. lure...and doubtless send the cash customers home with high satisfaction...But what this corner didn't realize...was the EXTENT of the power "Rebecca" packs...But this wasn't long in showing itself..."
- FIRST inkling this corner had that "Rebecca" possessed super-magnetism...was the eve of last Thursday's Music Hall opening...Mister Arthur Hirsch hobbed into town from north of the border, up Montreal way...where he's a Paramount partner and pilot of the Palace, Princess, His Majesty's, and Capitol Theaters...Mister Hirsch, shortly after landing at Grand Central Terminal, ran into Mon- roe (UA) Greenhalh...The latter exclaimed: 'Artour, I want'ya to see 'Rebecca'!'

So did Arthur...whereupon UA solon confidently phoned the Music Hall for reserved seats..."We're all sold out for Thursday, Friday, Saturday and Sunday..."...chirped the voice at the other end of the line...Hirsch, who was returning on the week-end to Montreal...allowed as how he appreciated the invitation to Selznick's latest...but on the face of things...he'd better wait to see "Rebecca" until it goes down into the subsequents...up in Labrador..."
- THAT "Rebecca" shattered the opening-day record of the Music Hall...that the cash customers brought croup-stools and sawed-off chairs whereon to park in the blocks-long waiting lines until they could get to the afar b.o. windows...and that a hard-pressed battalion of cops delivered soul-stirring pleas to thousands of fans, who obviously couldn't get into the show, to "please go away!!...is now history...Maybe Arthur Hirsch's Labrador idea ain't so dusty...cause there's no indication as to when the storming of the Music Hall is gonna cease..."
- SOME producers...in light of the present crop of biographical films...have been inclined to the belief...that musicals are on the wane...but that's just one of those ideas which in actuality is crushed under the weight of evidence...First instance, take a look at the box office demonstration which has, and is still being, put on...by Paramount's "Road to Singapore":...In addition to sporting a story geared right to public taste...this attraction teams Bing Crosby, Bob Hope, and Le Dottie Lamour...and hence has tremendous pop appeal...But it has something more in its treasury of entertainment...namely, a bevy of swell musical numbers...If producers think musicals are not b.o. magnets...it would be enlightening to them to see the enthusiasm of the crowd in the N.Y. Paramount...Not only hereabouts...but in some 40 other keys..."Road to Singapore" has been rolling up slick bids...in many instances topping Para.'s ace grosser of last year, "Union Pacific"...which proves that there is always room for good musicals...from any producer...and at any time...
ALL THESE NAMES

GINGER ROGERS • • • CARY GRANT • • • IRENE DUNNE
ANNA NEAGLE • • • JOEL McCREA • RONALD COLMAN
MAUREEN O’HARA • • RAY MILLAND • • • • ADOLPHE MENJOU • • • • RAYMOND MASSEY • • ANNE SHIRLEY HERBERT MARSHALL • • • • RANDOLPH SCOTT • • GAIL PATRICK • ROLAND YOUNG ALAN MARSHAL • • • • MAY ROBSON • • BILLIE BURKE FREDDIE BARTHOLOMEW • • SIR CEDRIC HARDWICKE • •

ON YOUR SCREEN THIS SPRING AND SUMMER FROM RKO-RADIO
The Play That Shocked New York And Rocked Broadway With Laughter!

GINGER ROGERS
JOEL McCREA

in
PRIMROSE PATH

with
MARJORIE RAMBEAU
HENRY TRAVERS
MILES MANDER
QUEENIE VASSAR
JOAN CARROLL

Screen Play by Allan Scott and Gregory La Cava

Produced and Directed by GREGORY LACAVA
"In Her Sweet Little Alice Blue Gown, She’ll Be The Toast of Your Town!"


Produced and Directed by HERBERT WILCOX.
Daringly Themed! Powerfully Acted!
From a Play That Made New York and London Gasp!

A BILL OF DIVORCEMENT

MAUREEN O'HARA • ADOLPHE MENJOU
FAY BAINTER • HERBERT MARSHALL

and DAME MAY WHITTY • PATRIC KNOWLES • C. AUBREY SMITH • ERNEST COSSART

Produced by Robert Sisk • Directed by John Farrow • Screen Play by Dalton Trumbo • From the Play by Clemence Dane
Undoubtedly One of The Biggest Hits On The RKO List of Big Ones!

IRENE DUNNE
CARY GRANT

MY FAVORITE WIFE
with
RANDOLPH SCOTT • GAIL PATRICK
Written for the Screen by Bella & Samuel Spewack
A LEO McCAREY PRODUCTION
Directed by Garson Kanin
The Two Stars Above All Others Your Folks Will Want To See TOGETHER!

GINGER ROGERS
RONALD COLMAN
LUCKY PARTNERS
(TENTATIVE TITLE)

DIRECTED BY LEWIS MILESTONE
Sidney Howard’s Prize-Winning, Two-Season Stage Sensation

CHARLES LAUGHTON
CAROLE LOMBARD

in THEY KNEW WHAT THEY WANTED

PRODUCED BY ERIC POMMER. DIRECTED BY GARSON KANIN
One of the Great Best Sellers of All Time Screened in All Its Wide Appeal!

**TOM BROWN’S SCHOOL DAYS**

SIR CEDRIC HARDWICKE • FREDDIE BARTHOLOMEW

JIMMY LYDON • JOSEPHINE HUTCHINSON

ERNEST COSSART • GALE STORM • Directed by Robert Stevenson

Produced by GENE TOWNE and GRAHAM BAKER
The Picture Acclaimed By Press and Public
As One of The Greatest Of Our Time!

ROBERT E. SHERWOOD'S PULITZER PRIZE PLAY

ABE LINCOLN IN ILLINOIS

with

RAYMOND MASSEY

GENE LOCKHART · RUTH GORDON · MARY HOWARD · DOROTHY TREE

HARVEY STEPHENS · MINOR WATSON · ALAN BAXTER · Produced by

MAX GORDON · Directed by JOHN CROMWELL · Screen Play by Robert E. Sherwood
Beloved "Anne" Returns In A Story Even Better Than Her Famed "Green Gables"

ANNE SHIRLEY
ANNE OF WINDY POPLARS

ALL THESE SHOWS
FOR YOUR BEST PLAYING TIME THIS SPRING AND SUMMER FROM RKO-RADIO
SCANTY PRODUCTION
DATA, ADMITS U. S.

Commerce Dept. Proposes Arbitration
As Means of Setting Discrimination

(Continued from Page 1)

he Government has information only of a general nature as regards
cases of monopoly and discrimina-
tion, in the production of motion pictures,
was told by Williams said that
investigations into production by
Government agents had ceased in 1938.
The D of J was forced to admit that it had not obtained specific in-
tances of what independent pictures
had been discriminated against in
Distribution in its investigation of
production. Information obtained
from 23 independent producers
had merely covered generalities and
Government agent's reports so
that no definite evidence was

Charges were made by defendants
that the hearing that the Government
had proceeded with its suit without
obtaining evidence in production to
back its claims.

Judge Goddard, in passing on the
application of the majors for fuller
answers to the defendants consoli-
dated interrogatories, stated that the
D of J had failed to answer them
completely and suggested that
the Department make efforts to do so.

Williams, in response, said that
he would consult his files and
would answer within a week's time.

Judge Joseph M. Proskauer, re-
ently retained by Warners as trial
attorney, stated emphatically that
he information, at hand was insuf-
ficient to advise the defendants of
what charges they would have to meet
in trial. Other attorneys made
the same contention.

Question of pre-trial conferences
was also discussed, with Judge God-
vard suggesting that any such
be conducted by attor-
neys in eliminating issues which
were not controversial. The Judge
also denied that he had read the
trial, and remarked jealously that he felt that attorneys would
comply despite the fact that a num-
er of them were being paid by the

Attorneys for the defendants
stated that they would submit to
Governments counter proposals to
be stipulated before trial. Sub-
sequent discussions will then be had
in this subject, the Court said.

A preliminary application of
Columbia to compel the Government
to answer 10 interrogatories was
also heard. As a result of Judge
Goddard's suggestion, Columbia's at-
orneys will confer with the D of J
in an effort to adjust them amicably.

“Our Constitution” Ready
First release of the Academic Film
Corp., “Our Constitution,” a documen-
tal on subject dealing with events
leading to the Constitutional
Convention in 1878, is ready, it was an-
counced yesterday. National release
for the subject is being negotiated,
it was said.

of a competing affiliated house, the
question would be subject to arbitra-
tion, according to the proposals.
Then, under the provisions, the
arbitrator shall find that the inde-
pendent theater is a better house
than the competing circuit theater
and that the distribution is evident,
an award will be issued prohibiting
the offending distributor from leasing
pictures to the circuit house ex-
cept under a separate contract for
each picture or group of pictures.

It is also reported that the award
shall further provide that the of-
fending distributor shall not impose
upon or accept from the offending
circuit theater, as a condition of
leasing pictures in other circuits,
the lease of pictures in that
circuit theater. It is understood
that such awards may be appealed to
the appeal board of three, reported
provided under the arbitration set-
up advanced.

To Control Leasing
A definite policy in respect to
the leasing of pictures to new acquired
theaters is proposed by the
Commerce Department. If an individual
or corporation leases, builds or buys
and acquires an interest in an additional
theater in any situation, a distribu-
tor may lease its pictures for ex-
hibition in the additional theater
only under a lease agreement which
relates solely to the said additional
theater "as if such theater were an
independent theater and not part of
a circuit," informing sources assert.

Additional Theater Defined
Going further into this subject,
the Department of Commerce pro-
posed, it is said, that in any case where an
individual, firm or corporation ceases
to operate a theater or theaters in
a situation and replaces or substi-
tutes the independent theater with
a newly acquired theater
in the same situation, the
substituted theater shall not be con-
strued as an additional theater within
in the meaning of this provision if
the seating capacity of the substi-
tuted theater is not 25 per cent
greater than the total seating ca-
pacity of the discontinued theater
or theaters.

However, if the seating
capacity of the substituted theater
is 25 per cent greater than the total
seating capacity of the discontinued
theater or theaters, the substituted
theater shall be regarded as an addi-
tional theater within the meaning
of this provision.

Can Appeal Award
Disputes arising from such a con-
dition or involving "advantageous
" treatment of the additional theater
with subject to arbitration
and the award appealable to an appeal
board of three, it is proposed.

Separate Contracts
To further the purpose of these
provisions, it is provided in the
proposals that should any individual,
firm or corporation "be engaged
to lease exhibition pictures for additional
theaters, then and in that event with
respect to such additional theaters,
awards may be made for exhibition
in each of the addi-
tional theaters only under a lease agree-
ment which relates solely to the said
additional theaters and not part of
a circuit," informing sources assert.

Gary Theater May Fight
Ouster of Trust Suit

(Continued from Page 1)

law, in effect found that the evi-
dence failed to prove restraint of
trade on the part of the major dis-
tributing companies in favor of the
affiliated circuits.

Suit, filed in July, 1938, by V. U.
Young's company charged inde-
ependent exhibitors in the Chi.-area were prevented
from showing pix until 10 weeks
after national release and four
weeks after Loop first-run.

Fields in “Bank Dick”
Hollywood — W. C. Fields will make “Bank Dick” for Universal un-
der a new pact.

Lowell Bank Night Case
Headed for Upper Court

Lowell, Mass.—Michael J. Hurney
of Quincy, manager of the Tower
Theater here, was convicted in dis-
trict court last week of lottery pro-
motion in connection with a Bank
Night and was fined $50.

He was released in $200 personal
recognizance for a superior court
appeal. His counsel said he was
prepared to carry the case to the
Massachusetts Supreme Court.

Hurney had entered a plea of in-
nocent but through counsel agreed
to accept the guilty finding for a
test case.

THE WEEK IN REVIEW

D of C Consent Plan
By L. H. MITCHELL

DOMESTIC

EQUITY CASE: Commerce Dept. reported that the U. S. district court
has awarded a restraining order in or-
bition "with teeth." . . . As Gov't
started notifying its equity case wit-
nesses, the SEC received more Gov't
answers to interrogatories . . . W.

F. Rodgers told Gov't, in his exam.,
there had been no sales policy con-
fronts. Local 306, operators, obtained
15 per cent wage increase over a six-
year period, with a present 8 per cent
jump retroactive to Sept. 1, 1939, . . . FCC revoked its order per-
mitting commercial tel-e next Fall, while
RCA offered a compromise that
would allow one station each in
New York, Chicago and Los An-
geles to operate . . . NBC filed ap-
lication for three tele stations—in Wash-
ington, Philadelphia and Chi-
ago. NBC exec. asserted that a
year's supply of pix for tele was
available.

FOREIGN

QUOTA: Future of the British
Quota Act was up for consider-
ation last week with likelihood of decision
being forthcoming this week.

FRANCE: Government reported
considering plan to finance motion
picture production.

Picture Pioneers to Hold
Spring Dinner on Apr. 26

(Continued from Page 1)

members elected are, R. J. O'Don-
oll, W. Ray Johnston, Gilbert Jos-
ephson, Douglas D. Rothacker,
Charles L. O'Reilly, J. P. Morgan,
Jack Bowlen, Lou B. Metzger, Jerome
Moss, W. Lowman, H. M. McNichol,
Louis W. Schine, J. Myer Schine and
Samuel Strausberg.

FINANCIAL: Film Year Book,
just off press, gives industry pay-
roll in 1939 at $410,760,000 . . . 20th-
Fox announced a 1939 net of $4,146,-
812, RKO's 1939 net was $1,243,523,
with K-A-O net profit at $765,627 . . .
Republic announced its revenue for
1939 had increased 7 per cent to $7,-
922,334 . . . UA's 30 pic for 1940-41
will cost $25,000,000 company stated
Claims against RKO are expected to
reach $2,000,000.
She's On Her Way!

This is the Book
FLASH!

Last night the luxurious TWA Skychief took off from LaGuardia Airport for California with a load of 1940 FILM YEAR BOOKS, all personal copies of studio executives located in Glendale, Hollywood, Culver City, Universal City and Burbank!

There's nothing like first class passage for a first class passenger!!
huge indoor skating rink with seating capacity of 25,000 planned for philly

philadelphia—exhibits, hereafter face another competitive headache this summer. ground will be broken tomorrow for the philadelphia garden, to be erected at broad and lehigh aves, by ray fabiani, sports promoter, at a cost of $500,000. garden, to be open in mid-june, will have 20,000 square feet of ice, the largest and seating capacity of 25,000. fabiani says he will present sonja henie, the shubert-produced "nol's a poppin' on ice," which will have its premiere here; dorthy lewis, helen chandler, belka turner, adelle inge, armand perret and edwina blades, among other skating champs. gov. arthur h. james and mayor robert l. lamberton will preside at the ground-breaking.

conventions give gwtw tenth week in cleveland

cleveland — gwtw, scheduled to bring its record nine-week run at loew's stillman to a close thursday, is held for one more week. change of plans was occasioned by the fact that two conventions, in session here this week, included gwtw as one of their major attractions. conventions are the american college of stockholders april 3 and 4, and the cleveland dental clinic bringing 2,000.

pittsburgh — gwtw closed its first-run engagement here, after a nine-weeks' run at the warner theatre on thursday, during which time it played to approximately 300,000.

expect rca will show gain in first quarter

present indications, at the close of the first quarter of 1940, are that rca, continuing to employ a series of operating economies that enables the corporation to carry the major portion of a 10 per cent increase in gross income directly to net profits, will show a net income slightly higher than that recorded during the corresponding period last year.

the corporation's two most profitable subsidiaries, rca manufacturing co. and nbc, continue to operate at continued increases in gross incomes.

will reconsider "mice"

chicago — the chicago censor board will take a second look at "of mice and men" with a view to making cuts that would remove the "adults only" pink ticket.

gte to pay 20 cents

gte directors friday declared a dividend of 20 cents per share on the capital stock, payable april 15 to stockholders of record april 8. last dividend was 15 cents, paid dec. 18.

"it's funny, will, isn't it. we can pack these things carefully enough. but, faith and hope and dreams, they get smashed no matter what we do.

"the dark command"

raoul walsh • director

with claire trevor • john wayne • walter pidgeon

roy rogers • george hayes • porter hall

marjorie main • raymond waburn

"d of j stand seen bar to consent plan

(continued from page 1)

directly brought about a violation of the sherman act.

"this integration," williams said, "has resulted in inequality in direct violation of the act. there are now two classes, the afl and the independents. we will strike out against the fundamental conditions of the trade. there is a failure of open competition for both buyers and sellers. we are not concerned with isolated cases, but with the fundamental situation."

judge thacher, in rebuttal, said, "we claim that this discrimination charged by the government is illegal and necessary, although it may be termed monopoly by the government. after presentation of our evidence on trial, we expect to convince the court of its lawfulness.

pari-mutuel enabling act goes to governor lehman

albany, n. y.—the state legislature on friday passed the pari-mutuel enabling act legislation and sent the bill to governor lehman for his signature.
Gov't Discloses 103 More Exhibs. as Suit Witnesses

RKO PLANS 52 PIX, WITH BUDGET AT $20,000,000

Griffith Interests Add 30 In Oklahoma and Missouri

lew Company Takes Over Isley-Moran Southwestern Circuit

Okla City—Thirty theaters in Oklahoma and Missouri operated by Southwestern Theaters, Inc., have been acquired by a new company headed by L. C. Griffith. The new is known as Griffith Southwestern, Inc., with T. R. Isley and W. F. Moran retaining interests they have in eight houses in Tulsa and other places, and others in Picher, Pawhuska, Chickasha and Springfield.

ATHE FILM'S 1939 NET AT $424,489

Net profit in 1939 of $424,489.34 is interest and federal taxes was recorded by Pathe Film, financial statement for the year ended Dec. 31. This figure is an increase of $347,331 over the net of $77,158 earned in 1938. After deduction of $420 to cover dividends on the $300,000 of common stock, preference stock, earnings remaining equalled 64 cents per share of the $81,270 shares of common stock.

 dividends received by Pathe during the year.

y to Give Two Talks Here

Today on FCC's Tele Stand

James L. Fly, FCC chairman, is to present the Committee's position in the television hearing occasioned by its order regarding the limited commercial opera-

sney Preferred to be Offered at $25 a Share


WARNERS Plotting Industry's Most Unique Sales Convention: Sears Off To Set Plans

"Plans of what will be the most unique sales convention in industry history will be the subject of discussion with Burbank executives this week and ready for announce-ment in complete detail upon my return," Grad Scars, Warners' general sales manager, said before entraining yesterday for the Coast where he will huddle with H. M. Warner, Jack L. Warner, Hal B. Wallis and Charles Einfeld. Accompanying Scars is S. Schneider, home office executive. Another phase of company activities to be huddled over will be the merchandising plans for Spring and Summer product.

MONO. SALES MEETING IN DALLAS APRIL 20-21

Monogram will hold its annual sales convention in Dallas on April 20-21, allowing the franchise holders and branch managers to attend the Variety Club convention activities prior to the huddles.

Production plans, sales policies and the 1940-41 lineup will be revealed at the convention.

Meanwhile, an important meeting of the board of directors is scheduled for today.

Three Majors Ask Dismissal of Waldo Corp. Trust Suit

Portland, Me.—Loew's, 20th Cen-tury-Fox and RKO Radio have filed motions for dismissal of the charges against them contained in the $250,000 anti-trust damage action.

"Pandora," New Fleischer Feature, to Start June 1

Miami—Max Fleischer will start work on his second Paramount cartoon feature, "Pandora," about June 1. Scripting is by Edmund Severn. Dan Gordon will direct. Pix will cost about $1,500,000.

Govi's Expects Its New Witnesses to Show Coercion in Theater Buying

Five Studios Will Start Eight Features This Week

Western Bureau of THE FILM DAILY

Hollywood—Eight new pictures are scheduled to go into production this week.

At Columbia: "Babies For Sale"

(Continued on Page 8)

GTE REPORTS 1939

NET OF $696,062

Consolidated 1939 net profit of GTE, after all charges including Federal income tax and a $11,665 reserve against investments in and advances to subsidiaries not consolidated, amounted to $665,062, according to the annual report sent to stockholders yesterday by Earl G. (Continued on Page 8)

May Seek to Overturn Mohawk's GN Purchase

Efforts to have the awarding of Grand National's picture assets to Mohawk Film Corp. set aside is reported to be in work. Bidders whose offers were rejected in favor of Mohawk's bid of $17,500 advance against 30 per cent of the revenue (Continued on Page 7)

Krieger Quits "U" Post in Cincy: Rosian Named

Cincinnati—Col. Paul Krieger, for more than 10 years manager of Universal exchange here, has resigned. Krieger's shoes will be filled by Peter Rosian, from Universal's Cleveland office.

Harry Edington Will Supervise 20 A's; Six More Also in "A" Class

A minimum of 52 pictures costing between $18,000,000 and $20,000,000 will comprise RKO Radio's 1940-41 program, it was revealed yesterday by Harry Edington, executive producer, who is in New York for a brief stay. Current season's budget was set at $20,000,000 and the new lineup's budget will cost at least that figure, if not more, it was said.

At least 20 pictures will be included in the group to be supervised by Edington in the "A" class. Six More

(Continued on Page 6)

(Radio's)

103

offered by RKO at $20,000,000.

RKO has purchased John Max-well's stock in Mayflower Productions, giving the American company a substantial interest in the British organization, it was said yesterday by Erich Pommer, Mayflower executive, who will produce at least five pictures for RKO release next season.

Pommer said that his contribution to the season's product would be of

(Continued on Page 6)

(Continued on Page 7)

(Continued on Page 7)
Morgan Walsh, San Francisco Circuit Executive, Expires

San Francisco — Morgan Walsh, veteran film executive and vice-president and general manager of Redwood Theatres, National Theatre Syndicate of California and Associated Theatre Enterprises, in association with George M. Mann, operating more than a score of houses in the local and surrounding territory, died here at midnight Sunday from a heart attack, following a year of failing health. His widow survives.

Walsh at one time headed Fox Film's Los Angeles branch, resigning to enter the theater field in San Diego. He then held the Warner franchise for California, but sold out to become Warner's Western district manager, and afterwards took over the T & D Theater in Oakland. In 1932 he engaged in the enterprise which he saw as an active interest until his death.

Bert Lytell Heads Equity Slate to Succeed Himself

Complete slate of officers to be voted on by Equity members at the forthcoming election was yesterday by the nominating committee. Bert Lytell heads the slate to succeed himself, but other candidates will not be made public until later week when an after-week have been received.

"Brigham Young" Romantic Lead Assigned to Power

Tyrone Power, arriving in New York yesterday for the "Johnny Apollo" radio preview of the CBS Kate Smith Hour Friday night, received telegraphic notification from the studio that he would have the romantic lead in "Brigham Young," in which Dean Jagger will play the title role.

"Florian" Premiere Said Set for Dayton April 12

"Florian," Winfield Sheehan's production for Metro, will have its world premiere at Loew's, Dayton, O., on April 12, it was reported yesterday.

A F of L to Revocate Charter of Agencies-Employees Union

West Coast Bureau of THE FILM DAILY

Hollywood—President William Green of the A F of L has notified Kenneth Thomson, executive secretary of SAG, that the charter of the American Federation of Musicians to the A F of L justifies the move and that the charter will be revoked.

On behalf of the A A A Thomson has urged negotiation of the charter charging that the organization was a small group of booking and employment agencies appearing in the guise of a labor union. The union had attempted to resist licensing by the AGVA but AGVA members had voted to deal only with agents licensed by it.

Majors' Counsel Summing Up in M & R Monopoly Suit

Boston—Edward McElleen, main attorney for the majors, held the floor yesterday at the anti-monopoly hearing. Boston, as summation started in the anti-monopoly actions brought against major distributors and the Motion Picture of the Long Island circuit of C. and George Walsh and Louis Anger, former operators of the Metropolitan in Providence.

It is estimated that these closing proceedings will take upwards of three weeks, at the end of which time Philip Hendrick, Master of the U. S. District Court, will take the litigation under advisement for report and recommendations to the court.

Actor Unions to Seek Deals with Fair's Concessionario

With the New York World's Fair holding that it can not legally instruct concessions to sign closed shop agreements with employer unions of the A A A, it was reported yesterday that the unions would move against the concessions individually.

Warners Closes Two-Year Pin Deal With Associated

Cleveland—Ted Mendelsahn, local Warner branch manager, announced that he has closed a two-year all product deal with the Associated Theater circuit. The deal, first important Warner circuit deal closed in Cleveland this season, involves 24 houses.

Para. Signs Grace McDonald

Hollywood—Paramount has signed Grace McDonald, young Broadway musical comedy actress, for "Dancing on a Dime."

Open New London House

London, Ky.—Minnie & McClure opened their new Southland yesterday.

Kahn, Weiss on Tour

Hollywood—L. B. Kahn and Louis Weiss, of Gateway Productions, are making a country-wide tour of exchanges in the interests of two series of six pictures each, and four exploitation pictures they will make for the 1940-1941 season. Their first stop is Dallas.

III. Pix Legislation Threat

Chicago—Gov. HornerHorner may include film legislation in his call for a special session in the Illinois Legislature this month.

FINANCIAL

NEW YORK STOCK MARKET

Am. Stock. 10411 10411 10411 10411
Col. Pcts. v.t. 25.1% 25.1% 25.1% 25.1%
Columbia Pcts. 215 215 215 215
Com. 25.1% 25.1% 25.1% 25.1%
Com. Pct. do. 8% 8% 8% 8%
East. 17/2 17/2 17/2 17/2
Loew's, Inc. 8% 8% 8% 8%
do 8% 8% 8% 8%
Paramount 8% 8% 8% 8%
do 8% 8% 8% 8%
Pathé Film 12 11/2 11/2 11/2
RKO 9% 9% 9% 9%
20th Century 9% 9% 9% 9%
do 9% 9% 9% 9%
Univ. Pict. 105 105 105 105
Vanguard 10% 10% 10% 10%
do 10% 10% 10% 10%
NEW YORK BOND MARKET

Survey:

Keith B. F. ref. 6666
Loew's deb. 31/2 31/2 31/2 31/2
Parke B. 141/2 141/2 141/2 141/2
Parke B. 342/2 342/2 342/2 342/2
Parke B. 342/2 342/2 342/2 342/2
Parke B. 342/2 342/2 342/2 342/2
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Parke B. 342/2 342/2 342/2 342/2

When You Think of CURTAIN CONTROL & TRACKS Think of Vallen
The ear-splitting salvo at the unadvertised Hollywood Preview started the applause that will be heard 'round the world for Warner Bros. and "Til We Meet Again" starring Merle Oberon, George Brent, Pat O'Brien, Geraldine Fitzgerald, Binette Barnes, and Frank McHugh. Directed by Edmund Goulding, "Til We Meet Again" was also produced by Warner Bros. and written by Robert Lord. The poster also mentions Geralynne Fitzgibbon and Binne Barnes, and the witticism "We Could Hear It in New York!" is prominently displayed.
ON THE AIR...AS NEWEST
CHES SCREEN!

Latest Crossley rating of radio pop-
ularity gives "Dr. Christian" pro-
gram, over CBS network, a new all-
time high figure...meaning more
pre-sold customers than ever for this
second of the film feature series!

The well-loved central characters
of the radio drama, brought to the
screen in a heart-warming story of the
type that has made the doctor and his
intimates eagerly awaited and wel-
comed callers in millions of homes.

★

THE
Courageous
DOCTOR CHRISTIAN

with
DOROTHY LOVETT • ROBERT BALDWIN • TOM NEAL
MAUDE EBURNE • A STEPHENS-LANG PRODUCTION

Directed by Bernhard Vorhaus
Original Screen Play by Ring Lardner, Jr. and Ian McLellan Hunter
RKO PLANS 52 PIX; 20 MILLION BUDGET
(Continued from Page 1)

others will be included to come under the “A” classification. Those who will make product under the “outside producer” classification are Max Gordon and Harry Goetz, Herbert Wilcox, Towne and Baker, Orson Welles and Harold Lloyd.

Present commitments call for two Charles Laughton pictures, two Carole Lombards, one Ronald Colman, two Anna Neagles, two Cary Grants, two Ann Shirleys, two Mauricenn O’Harras, one Irene Dunne, one Lucille Ball and at least one each for Laughton and Carole Lombard and Laughton and Elsa Lancaster.

At a press conference and cocktail party yesterday for Edington and Eric Pommer, at the Sherry Netherland were George Schaefer, president; R. C. Patterson, chairman of the board; Ned DeHaven, vice-president; Phil Reisman, vice-president; Cresson Smith, Barret McCormick, Rutgers Neilson, William Clark, Harold Hendee, Henry Holman, Arthur Willi, Leon Bamberger, H. M. Richey, Terry Turner, W. J. Merrill, John Farmer, M. G. Poller, William J. O’Shea, Eric Pommer, Gunther Lessing and Harry Gittleman, all of RKO; Chester B. Bahn and Al Steen, Film Daily; Martin Quigley, Sam Shaw and Sherwin Kane, Motion Picture Daily; Floyd Stone, Jim Ivers and Mike Vogel, Motion Picture Herald; Jack Harri son, Hollywood Reporter; Herb Golden, Variety; Dave Golden, Boxoffice; Bob Wilde, Showmen’s Trade Review; Lew Mentlik, Jay Emanuel Publications.

Edington leaves for the Coast Friday.

To Distribute Spanish Pix

Formation of the Spanish-American Film Offices, a three-way business at 723 7th Ave. to handle Spanish productions in this country was announced yesterday. Company will handle films produced by Sono Film and Lumiton, Buenos Aires organizations. Firm is headed by Raul Ancona.

ALONG THE DIAMO
WITH PHIL M. DALY

\[
\text{IT pays to advertise...particularly with well planned copy and art...This big axiom is brought home with a bang via lamping the hundreds of noosepapers...which pour into this life's trade publication each week...via a most impressively large "exchange list"...Examining said noosepapers' amusement pages and r.o.p. columns...one cannot help but marvel at the manner in which circults and individual exhibs. the land over...have been using the ads outa the press book of Warners "Virginia City"...It's all most unusual...and here's why...}
\]

\[
\text{IN many instances...regardless of the film attraction...theatemen are given to changing press book ads...-
\]

\[
\text{sorta "adapting" them to theoretically meet local needs...In light of this practice...it's significant to note...hole houses everywhere have been using the "Virginia City" campaign copy verbatim...together with the accompanying art...Outlets have merely added to the WB mats...the individual house's sig...and patron info such as b.o. scales and time shows commence...}
\]

\[
\text{THERE's always satisfaction resulting from a job well done...so 'twas only natural that WB's ad forces should feel a bit blythe o'er the wholesale employment of their brain children by Mr. Exhib...}
\]

\[
\text{The latter should feel a bit blythe, too, re his astuteness...in wrestling with the problem of getting maximum patronage for "Virginia City"...and in solving that problem in the manner of the best wrestlers...by "going to the mat"...The answer is that the immensely entertaining "Virginia City"...has been given over 300 dates in important stands...and in some 95 per cent of these...the attraction has been held over...}
\]

\[
\text{OVER Brooklyn's Harbor Theater there's a shadow...which is of more consequence to patrons and management...than those which move upon the house's screen...for "Pop" is ill..."Pop" is 70-year-old Charles Pfenninger...who, in his brown and eggshell uniform, has been called to the mat...and endeared himself to young folks and grown-ups alike...Since "Pop" was taken sick...queries re his progress back to health come upon such an avalanche from the Harbor's customers...that the management has found it necessary to give daily bulletins about his condition...from the stage!}
\]

\[
\text{Mitchell Rawson of Warners' h.o. promotional forces is taking music lessons...and is rapidly becoming a pianist of note...—one note...}
\]

\[
\text{LION Swallows Trailers...which is to say that the Metro basketball quintet...devoured National Screen Service's sharpshooters...for the local championship last Sat'day night...by the count of 39-34...on the court of the Riverside Plaza Hotel...Content, which was a thriller, had its closete of big-wig fans...Charley Moskowitz, Marvin Schenck, Eugene Picker, Mike Rosen and La Patricia Reis were among the rooters for the victors...while Herman Robbins & Son plus the Gaston Sterns were prominent in the NTS cheering section...Hy Maltisky, Metro co-captain, was high scorer with 14 points...Heads held high even in defeat, the NTS boys are looking to next year for revenge...for having been sunk by the Lion...their battlecry of the future is..."Remember The Man!"}
\]

MAXWELL MAYFLOWER STOCK SOLD TO RKO

(Continued from Page 1)

the lower budgeted class but that it was expected he would make more important pictures next season. His first feature will be "Have It Your Own Way," an original by Vick Baum, and featuring Maureen O’Hara, Louis Hayward, Lyle Talbot and Barbara Read. Pommer returns to the Coast tomorrow.

Krellberg Signs Joe Louis for Role in "Zombies" Serial

Joe Louis, world heavyweight champion, will play a leading role in Sherman Krellberg’s 15-episode serial, “The Sign Of The Zombies,” it was disclosed yesterday.

Aimed for presentation in both Negro and white theaters, the project is concerned with G-Man activities in routing out racketeering gangs who prey upon negro communities.

In addition to the serial, an eight-reel feature version of the film will be made. Production is scheduled to start on May 1.

Machamer Cartoon Will Plug Hope and Goodwill

Paramount has made a tie-up with the McNaught Syndicate whereby Jeffersom Machamer’s cartoon strip and Sunday feature will carry a three-week continuity revolving around Bob Hope and Paulette Goddard, stars in The Ghost Breaker. Continuity, which will appear just before the release of the picture, will run in 60 key city newspapers, reaching an estimated circulation of 35,000,000. It’s said to be the first tieup of its kind.

Warner Studio Bowlers Entered in ABC Congress

West Coast Bureau of THE FILM DAILY

Hollywood—Warner’s studio bowl ing team of William Swan, Vincent Tognieri, Carl Stoerkel, Michael Helfer and Harold Magnuson, with Max Stein as captain—leaves at the weekend for Detroit to bowl in the ABC Congress. H. M. Warner is the team's sponsor.

Fire, Fire!!

Thick clouds of yellow smoke billow ing from the roof and windows of the New London factory building which has been serving as the studio for the feature “The Ramparts We Watch,” greeted 14 RKO and Time, Inc., executives on their arrival Saturday. However, except for some slight strains in the electric and nervous systems, no harm resulted from the episode after which studio head just produced Louis de Rochemont’s idea of a preforked April Fools gag, done with smoke pots and crates of apples to operate the local fire ladder.

In the party were Ned Depinet, Phil Reisman, Andy Smith, Creton E. Smith, Philip Stone, Daniel Landay, C. D. Jackson, Richard de Rochemont, John Wood, and Albert Sindlinger.
MAJORS ASK DISMISSAL OF WALDO TRUST SUIT

(Continued from Page 1)

rught by the Waldo Theater Corp. of Waldoboro.

Other defendants in the action, based upon the claim of inability to remain a "trust"-run, include Joseph O’Donnell, and the Rockland Amuse-

ment Co. of Rockland, M. & P. The-

aters Corp., New England Theaters et., and Publix-Netco Theaters et., all of Boston; Paramount, Vi-

graph, Inc.; United Artists, and

versals.

rocky Mt. Exhibitors’ Unit Defers Business to Summer

Denver—The Theater Owners and

managers of the Rocky Mountain

region, Inc., decided its few diffic-

ulties could be worked through

the summer season, so it just

postponed discussion and threw its

all effort into making the Founders’

Day Celebration of the Rocky Moun-

tain Screen Club a success.

Founders’ Day banquet at the

Joseph H. Ricketson Hotel attracted more

than 50. With Frank H. Ricketson Jr.

acting as toastmaster the principal

speaker was Robert J. O’Donnell,

head banker of the Dallas Variety

Club. Local screen members are

suing all the idea of joining Na-

tional Variety. Harry Sherman,

producer of the “Hopalong Cassidy”

films, with Russell “Lucky” Hayden,

were present at the banquet, and

Sherman made a short talk.

Paramount was the host at lun-

cheon at which Sherman, Hayden

and O’Donnell were guests of honor.

With exchange and theater men as

guests.

Midnight premiere at the Broad-

way theater of “Abe Lincoln in Il-

linois” had a $1 admission with pro-

ceeds going to the Club’s charity

fund.

Roxy Holds “Primrose Path”

“Primrose Path” in the first three

days of its second week at the Roxy,

snapped the first three days of the

initial week by 15 per cent and

is being held for a third week.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Van Nuys, Calif.—Noah Reutter Jr., and Maxine Jones, daughter of film

actor Buck Jones, were married

Saturday at the Jones ranch near

Wallace, Idaho. The bride’s groom’s

uncle, was the best man.

Springfield, Mass.—The engage-

ment of Miss Emma E. Goldstein, daughter of Samuel Goldstein, vice-

president of the Western Massachu-

setts Theaters, Inc., and Mrs. Gold-

stein, to Dr. Stephen L. Gumpert of

New York, has been announced.

Col. to Dip “In Old Monterey” in Dye Vat

West Coast Bureau of THE FILM DAILY

Hollywood—With “Arizona” to be made in black and white instead of color, Co-
lumbia will dip “In Old Monterey.” Charles R. Rogers production, into the dye vat. It’s

to be an outdoor musical spectacle, with Rita Hayworth as Lola Montez. William

Pierce will do the story.

Fly to Give Two Talks Here

Today on FCC’s Tele Stand

(Continued from Page 1)

lations, in two speeches today, Fly

will address the New York Advertis-

ing Club at 12:30 p. m. extempore-

aneously and speak on the same sub-

ject tonight over a nation-wide

radio hook-up at 9 p.m. Mutual and

the Red network of NBC are expec-

ted to carry the evening talk.

Hearings are scheduled to start

on April 8 on the FCC charges that

RCA’s merchandising program is

retarding the development of tele-

vision.

Disney Preferred to Be

Offered at $25 a Share

(Continued from Page 1)

cent cumulative convertible prefer-

end, through underwriters at $25 per

share sold to employees at the same

price. The statement also provides

for 155,000 shares of $5 par common,

reserved for conversion.

Four New Race Tracks

Loom in New York State

Albany—Highlights of the three

months’ session of the state Legis-

lature were adoption of pari-mutuel

enabling legislation and the signing

of the two Assembly thumpings handed

outdoor advertising control bills.

While exhibits admit patrons who

pay from a dime to 40 cents for pic

are not likely to be driven in droves
to bet on horses with minimum ad-

mission of $1.50 and no purses, the Dun-

ving-Penny bill permits two new

tracks upstate and two in the met-

ropolitan area. Likely spots upstate

are either near Buffalo or midway

between the Bison City and Roches-
ter and in the Syracuse region. Syra-

cuse already has the State Fair track.

The Senate passed and sent to the

Governor the Mitchell bill providing

for a limit of 75 cents above printed

ticket price on all admissions.

Condon projection booth measure, applicable to localities where no fire-

proofing provisions now are mandated

and making more stringent future

construction of booths failed to come

to a vote in the Senate, lying on

final passage order for the few days

before adjournment.

Fleischman Rites Held

Philadelphia—Funeral service was

held here yesterday for Gilbert

Fleischman, 44, who died Sunday

after being ill for some time. He

had been in film biz more than 20

years.

“Equilibrium” for Metro

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has purchased

“Equilibrium,” unpublished story by

Ladislaus Vajda, for 1940-41.

Files “Swanee” Plagiarism

Suit Against 20th-Fox

Suit charging alleged infringement

was filed yesterday in Federal Court

by Earl Hobson Smith against 20th-

Fox. Plaintiff, who asks for an in-

junction, accounting and damages,

claims that the 20th-Fox film “Swa-

nee River” infringes upon his play

“Stephen Foster, or Weep No More

My Lady.”

Walter C. Miller Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Walter C. Miller, 48,

film actor, is dead here. His screen

career began with the old Biograph

Company under D. W. Griffith, and

was one of the first actors to receive

a salary of $1,000 a week.

Miller’s body will be sent to Chi-

cago for services and interment.

Col. Signs Miriam Hopkins

West Coast Bureau of THE FILM DAILY

Hollywood—Miriam Hopkins, yester-

day was engaged by Columbia for

the feminine lead in “Singapore,”

(1mp. title) opposite Melvyn Dou-

gall.

PATHE FILM’S 1939

NET AT $424,489

(Continued from Page 1)

ning the year on the 25 per cent of

the outstanding Dupont Film Manu-

facturing Co. stock which it owns

amounted to $455,000. Earnings for

Du Pont during the year amounted

to $1,650,273.97, equal to $165.02

per share on the outstanding stock,

according to the Pathe financial

statement.

Statement also discloses that an

outstanding loan of $500,000 had

been reduced during the year until

it total as of Dec. 31 amounted to

$125,000.

May Seek to Overturn

Mohawk’s GN Purchase

(Continued from Page 1)

derived from the pictures are un-

derstood to be considering a move to

have the auction reopened.

At a previous meeting, it was

said, Referee Peter B. Olney re-

fused to consider a percentage bid,

but at a second meeting he accepted

the percentage offer of Mohawk. A

flat bid of $25,000 was rejected.

Dorothy Lemire Expires

Detroit—Dorothy Lemire, biller at

20th-Fox, is dead.

...THE KIND OF HEART TROUBLE AUDIENCES LOVE!

LORETTA YOUNG • RAY MILLAND

The Doctor Takes a Wife

Screen play by George Seaton and Ken Englund

Directed by ALEXANDER HALL • Produced by William Perlberg

A COLUMBIA PICTURE
WRITER GROUPS WOULD
CONTROL TELE RIGHTS

Writers’ organizations, following
the lead of actors unions, are seek-
ing to obtain control of television
rights to radio scripts, plays and
scenarios, although all arrangements
have been conducted without fan-
dom. One of the largest organiza-
tions believe that definite rules and
conditions will be developed as
television progresses. It is possible,
however, that eventual tangles may
develop between these writer or-
ganizations and picture or play pro-
ducer and telecasters because of
interpretations of rights.

Trial of Buffalo Ex-Mayor’s
Bingo Organization Starts

Bingo—Trial began yesterday in
a county court here of old Vienna,
Inc., former Mayor Frank X. Shub,
who was convicted of operating
Bingo in the former Gayety theatre,
in conjunction with film shows.

In
dictment of corporation charges
the management of Buffalo and
Sault
charge violations of anti-lottery
laws.

First 30 jurors, were
withdrawn
by Judge George Rowe after a mo-
tion for a mistrial by defense coun-
sel because of remarks by the As-

asstt. Prosecutor. Defense wanted
trial
postponed
also, Judge
Rowe insisted on continuing, and
ob-
tained another panel. Trial will take
the rest of the week.

Bickford Story Bought
for John Charles Thomas

West Coast Bureau of THE FILM DAILY

Hollywood — Producers Corpa-
ration of America has bought Charles
Bickford’s original story “Make Your
Own Miracles” to star John
Charles Thomas. Bickford will also
appear in the picture which will
fo “Kingdom Come,” Thomas’
initial starring vehicle for Producers
Corporation of America. Latter is
by John M. March, and David
Bohm will do the screenplay.

Bioff Counsel Seeks Wit

Chicago—Counsel for Willie Bioff
has filed application for a writ of
supersedeas and bail bond pending
a Supreme Court review of his
conviction.

Election Free Beer
Too Much for B. O.

Detroit — Business in Hamtramck,
Michigan, suburb about a dozen
theaters, was poor last week, despite
anticipated Eastertide pickup. Loc-
tal citizens were enjoying unexpected free beer and sandwiches at two dozen
merging is blamed.

Gov’t Expects Its New Witnesses
to Show Coercion in Theater Buying

(Continued from Page 1)

James E. Chauvin, Wallace. Hepker, Fox-
$70,000; with Edward Oppenheimer, Liberty—Lafayette (Paramount); William
E. Barnett, Tel-Aurora (Paramount); 
Harry Nudnick, Ansonia—Matchbox
(Paramount); Harry Callahan, Rich-
land (Paramount); Kurlik Minow, 
W. C. Enterprises, Inc., Glendow, 
Centenary (Paramount);

MAINE—Willard G. Hartwood, 
Strand—Producer (Paramount); 
Arthur Goodch-, Strand—Portland (Paramount).

MICHIGAN—W. A. Cavendy, Fricc, 
McDonald (Paramount).

MlXNESOTA—Joseph Friedman, Tower 
Pond (Paramount).

MISSISSIPPI—H. H. Alexander, Cre-
scence—Helani (Paramount); E. D. Lawrence, Valdosta (Paramount); James 
Roberts, Shall—Temple (Paramount); 
Inde-

Missouri—Walter D. Eats (Paramount); 
Mrs. A. J. Deoeto, Topeka (Paramount).

MISSOURI—G. L. Hooper, Tiger—Carth-
y—Joplin (20th-Fox); A. C. Bowman, 
Arbo—Nebraska (20th-Fox).

NEBRASKA—C. L. Monroe, Rivoli — 
Hastings (Paramount); George L. Monroe, 
Maxloe—North Omaha (Paramount); W.
Rogers, Omaha—Park Street (Paramount).

NEW JERSEY—Eugene Mori, Landis— 
Parsippany (Paramount); C. W. Johnson, 
Newark (Paramount); George B. Johnson, 
New lark (Paramount).

NEW MEXICO—Joseph Barnett, Sun-
shine—Albuquerque (Paramount); Vic-
tor Perez, Mesilla—Albuquerque (Paramount).

NEW YORK—B. S. Moss, Criterion— 
New York (Loew’s); Benjamin Borden, 
Projection—New York (Loew’s); 
Charles G. Smith, Waldorf—New York 
(Loew’s); Frank M. Adler, Madison— 
New York (Loew’s). 

PENNSYLVANIA—Harry Fry, Suburban 
Cinema—Philadelphia (Paramount); 
Charles A. Dorrance, Ed—York (20th
d-Fox); David J. Dorrance, East—York 
(20th-Fox); George Burns, Palace— 
Philadelphia (Paramount); William P. 
James, Strand—Philadelphia (Paramount); 
William Frankford, Roosevelt—Philadelphia 
(Paramount); William Miller, Strand— 
Philadelphia (Paramount).

OHIO—Theodore and Gus Chifolzo, 
Strand—Middletown (Paramount); Earl 
Sweat, Sr., Zanesville (Paramount).

OKLAHOMA—George W. Carter, 
Ward—Tulsa (Paramount); George L. 
Wright, Union—Wilmington (Paramount).

PENNSYLVANIA—Harry Fry, Suburban 
Cinema—Philadelphia (Paramount); 
Charles A. Dorrance, Ed—York (20th
d-Fox); David J. Dorrance, East—York 
(20th-Fox); George Burns, Palace— 
Philadelphia (Paramount); William P. 
James, Strand—Philadelphia (Paramount); 
William Frankford, Roosevelt—Philadelphia 
(Paramount); William Miller, Strand— 
Philadelphia (Paramount).

SOUTH CAROLINA—Elli Bumblent, 
Grundea—Lexington (Paramount); Ellis 
Bumblent, Carolina—Lexington (Par-
amount).

SOUTH DAKOTA—Benny Berger, Metro-
poll, Strand—Orpaham—Grand Forks 
(Paramount). 

TEXAS—Texas—B. C. Smith, El-
Ambar (Paramount); J. C. Peck, Big 
Spring (Paramount); J. C. Peck, Big 
Spring (Paramount).

WASHINGTON—Robert H. Jenks, 
Spokane—Yakima (Paramount); W. F. 
Chase, Enterprise—Spokane (Paramount); 
B. R. Young, Lincoln—Spokane 
(Paramount).

VIRGINIA—J. V. Trent, Lynchburg— 
Paramount (Paramount); C. W. Applegate, 
Lexington (Paramount).

WEST VIRGINIA—Don Tabagii, 
Capitol—Wheeling (Paramount); 
H. W. Smith, Wheeling—Wheeling 
(Paramount);

Vermont—J. A. McWilliams, 
Amherst, three unknown theaters—Fond du Lac 
(20th-Fox); J. E. Fiski, Melonds— 
Fox; G. A. Brown, Scotch Hill—Scotch 
Hill (Paramount); H. P. Fitt, 
Rockville (Paramount).

WISCONSIN—G. H. Fassett, Beloit— 
Chicago (20th-Fox).

WISCONSIN—G. H. Fassett, Beloit— 
Chicago (20th-Fox).

GTE REPORTS 1939

NET OF $696,062

(Continued from Page 1)

Hines, president. Net profit was equivalent to approximately $1,172 per share on $595,877 shares of capital stock outstanding at the same end and compares with $67,5 per share of $507,267, or approximately $9 per share, charging the cost to paid-in surplus.

Five Studios Will Start
Eight Features This Week

(Continued from Page 1)

with Rochelle Hudson, Glenn Ford
and Isabel Jewell; (20th-Fox). 

with Wesley Ruggles’ “Arizona” starring
Jean Arthur with William Holden, 
Peter Muncie, Warren William and 
Lloyd Bentson’s “Free of Liberty” starring Cary Grant.

At Paramount: “A Night at Earl” 
Bickford, Dick Foran, Lull Desti and John Sutton; “No Exit” with Wallace Ford, Donald 
Woods, Kathryn Adams and Mona 
Barrie.

Auto Injuries Kill Lacy

Detroit — Edward M. Lacy, 62,
cheetor for M-G-M, died in receiv-
ing hospital as the result of an au-
tomobile accident. Lacy was chief of 
staff and a former commander of the 
Department of Michigan, United 
Spanish War Veterans. His widow 
and one son survive.

STORKS!

A daughter was born to Mr. and 
Mrs. Saul Jacobs, March 24, in Port 
of Spain, Trinidad, B.W.I., where 
Mr. Jacob is brigade manager for 
Paramount. The child has been named 
Diane Margarit.

Milwaukee—Dick Pritchard, man-
ger of the Amusement Mart, book-
ling agency, is the father of twins, a 
girl and a boy.
New England Exhibs. Take Stand Against Consent Plan

CONGRESS MAY GET REVISED D OF C CONSENT PLAN
Franchise Holders To Acquire $100,000 of Mono. Stock

Missouri Supreme Court Denies Writ of Review in Nick and Weston Ouster

St. Louis—Missouri Supreme Court on banc at Jefferson City yesterday denied last week's petition of John P. Nick, vice-president of the IATSE, and Clyde A. Weston, deposed business manager of local 149, operators' union, for a writ of certiorari to review the decision of the St. Louis Court of Appeals upholding their removal from control of union affairs.

The review was sought on the ground that the ruling of the Appellate Court was in conflict with controlling decisions of the Supreme Court. The Court of Appeals decision Feb. 6 affirmed a judgment by Circuit Judge Ernest F. Oakley ousting Nick and Weston and appointing temporary receivers for the union.

Fly Defends FCC's Order Rescinding Start of Commercial Tele in Fall

Television officials were asked not to sell "this stripping—television—down the river" yesterday by FCC Commissioner James Lawrence Fly at an address given at the Advertising Club's radio luncheon. Fly made a vigorous defense of the FCC's recent action in rescinding its order regarding limited tele commercialization, basing the FCC's action on his belief that public interest were at stake. Stating that the FCC was charged with fostering research,

Kurtzman and Raymond New Loew Div. Managers

Joseph R. Vogel, Loew executive, yesterday made two appointments in his district manager staff. Charlie Kurtzman, Loew manager in Pittsburgh, was named as division manager with headquarters in Boston, filling the vacancy caused by the resignation of H. M. Addison.

Election of Davidson Faces Court Challenge

Federal Judge Samuel Mandelbaum will be asked to vacate today the designation of James A. Davidson as trustee of Educational Pictures, Inc., on the ground that he was not properly elected by creditors of the company. The application, which is made by Harry G.

Independent Exhibitors, Inc., Notifies Jackson It Opposes Any Consent Plan

Boston—The board of directors of Independent Exhibitors, Inc., yesterday presented a unanimous front against the granting of a consent decree in Government equity suit. The organization met on film row yesterday in company with a number of invited non-affiliated circuit representatives.

FRANK LYDON, president; ARTHUR K. HOWARD, executive secretary; and

ATLANTIC CITY MEET FOR "U" IN PROSPECT

Atlantic City is favored as Universal's convention city, it was learned yesterday. Parley, it is understood, will open about May 15 if present plans carry.

Definite decision and announcement awaits the return from the Coast of William A. Scully, sales chief.

Floods Close Theaters in Three Penn. Towns

Flood waters along the Susquehanna River yesterday caused theater business to be suspended in Sunbury, Plymouth and Kingston, Pa. Theaters were operating in Wilkes-Barre and Scranton, although the situation was such that conditions might change during the night.

Court Directs Dismissal of Lloyd Plagiarism Suit

Dismissal of the infringement suit of William Jordan Rapo and Lowell Brentano against Harold Lloyd and Harold Lloyd Corp. was ordered yesterday by Federal Judge Henry W. Goddard after trial lasting several

Commerce's Proposals Still in "Talking Stage," Says D of J

Washington—Further revision of the Department of Com-merce proposals for out-of-court settlement of the New York equity suit against the majors and their submission to Congress looms as at least a possibility, it was leared last night.

Such a move, of course, would tie in with House consideration of the Neely bill, and its possible

METRO SALES PARLEY IN CHI. ON MAY 20?

Metro's branch managers in the East will convene today at the New York exchange to discuss GWTW from the subsequent-run standpoint.

Industry Execs. Attend Louis Frisch Luncheon

Testimonial luncheon was tendered yesterday to Louis Frisch at Dinty Moore's by a number of industry execs, upon the circuit exec's return from Florida. Arrangements for the luncheon were made by Edward Schnitzer and Roy Akins.

Among those present were Samuel

Central Casting Corporation Slated for Reorganization

West Coast Bureau of THE FILM DAILY
Los Angeles—Association of Motion Picture Producers will appoint a committee to reorganize Central Casting Corp., which has been se-verely criticized by the SAG.

Association has arranged to place

To Complete FCC Conclave Program at Meet Tomorrow

West Coast Bureau of THE FILM DAILY
Hollywood—Final meeting of the program committee for the first an-nual convention of the Pacific Coast Conference of Independent Theater Owners to be held at the Ambassa-dor Hotel on May 8-10, has been

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(Continued on Page 10)
Buffalo Contentsions that Old Vienna, Inc. the former Gayety Theatre at 1315 Main, is operating without a permit and with assertions that its three operators showed old cheap pictures and made $100 a month, have been marked yesterday's Buffalo Bingo Test case in County Court. One highlight was admission by a police officer that the public participate in prize distribution without paying dollar admission tickets. Numerous police and patrons were scheduled to testify today. County Judge George Rowe has put the 12 jurors and an alternate in the charge of sheriff's deputies and quartered all at the Statler Hotel. Interest is high because former Mayor Frank X. Voigt has held the corporation. He always has insisted that operations have been as prescribed by Appeals Court rulings.

Call Police and Patrons in Buffalo's Bingo Test

The Boys From Syracuse

The Boys From Syracuse, Jules Levey's first production for Universal, will have its world premiere in Syracuse in August, with the up-state city already giving a thought to the high jinks. Martha Raye, Ritz Bros. and Allan Jones, of the cast, will attend, the Coast delegation including as well virtually the entire “Syracuse colony” if plans can be worked out to get everybody with Syracuse antecedents are expected to come on New York for the civic celebration, centered about the premiere, tentatively set for the K-A-O Schine Keith's.

Story of “The Boys From Syracuse” has nothing of up-state Salt City, but Jones for a time was enrolled at Syracuse University, making everything perfect.

West Coast Bureau of THE FILM DAILY

Hollywood—Joe Penner has been signed to appear in Jules Levey’s RKO production, “The Boys From Syracuse.”

Va. MPTO Sets Conclave for Old Point Comfort

Richmond, Va.—William F. Crockett, President of MPTO of Virginia, has announced that the Mid-Summer convention of the Association will be held at the Chamberlin Hotel, Old Point Comfort, on June 24. Committee on arrangements includes Syd Gates, chairman; Graham Barbee and Lee Greenwood, Norfolk, and Leonard Gordon, Newport News. Prexy Crockett says that he will increase the committee later in time to participate in the final arrangements.

Oriental Keeping GWTW?

—Chicago—Oriental theater may extend the run of GWTW which has played to 500,000 attendance.

Trans-Lux Ad-News Corp. Incorporated in New York

Albany—Trans-Lux Ad-News Corp., formed in Manhattan, has been issued incorporation papers by the Secretary of State to conduct a general advertising business. Stock issue of 24,000 shares of common stock at $1 each, and 5,000 preferred shares at $10 each, was approved. Directors are given as Perry N. Fisler and Percival F. Purdy, 275 Sixth Ave., and Robert L. Dade, 60 Hudson St., New York, while subscribers are Allen G. Miller, Frank J. Zito and Helen F. Tuohy, 120 Broadway, New York. Attorneys filing were Hunt, Hill and Betts.

It is understood that the new corporation will handle bids attending a recently developed ad machine for outdoor advertising. Company is an associate organization of Trans-Lux Corp.

Producers Releasing Corp. Incorporates in New York

Producers Releasing Corp., successor to Hollywood Trans-Lux Corp., has been incorporated as a New York organization. Capital is listed at 1,000 shares of no par value stock. Incorporators are Robert S. Benjamin, Seymour Peyser and Sidney Friedberg.

Other incorporations announced in Albany last week were Empire State Industrial Corp., Twin Theaters Inc., and Popular Theaters, Inc., all of New York City for the purpose of exhibiting motion pictures. Incorporators of the trio were Thelma Godin, Philip Wood and Louis Drell. Papers in all cases were filed by Continental Lawyers Albany Service.

Chi. Indie Circuits Talk Elimination of Tripples

Chicago—With Illinois Allied tackling the triple feature evil generally, the GCS circuit, the Metzger Bros. chain, the Oscar Brotman theaters and the M-10 circuit management are concentrating on triplets elimination in the Logan Square district.

RKO to Rush in “Lincoln” as Stage Show Quits Chi.

Chicago—With “Abe Lincoln in Illinois” leaving Raymond Massey, about to terminate one of the most successful stage engagements of the season here, it is expected that RKO will rush in the film version for an extended run.

Truck Traffic Limitation Proposal Hit by Carriers

Chicago—Petition by the railroad unions to the Illinios Commission that truck traffic be prohibited over main highways Sunday operations is being energetically protested by film carriers.
RENCH PIX THEATERS
UP 52 DURING 1939

Paris (By Cable)—Total amusement tax received by the French government during 1939 from film theaters amounted to $1,018,800, an increase of $170,000 at the present change rate.

Number of houses operating in France, including the North African colonies of Algeria, Tunis and Morocco, as of Jan. 1, was 4,151, check just completed, reveals.

During 1939, 52 new film houses are constructed in France, 19 being built in the Paris area. In the North African colonies, 14 more were erected.

ixe Adds Fourth House to String in Milwaukee

Milwaukee—Saxe Amusement Management, Inc., has increased its local circuit to four by annexing the Eden, formerly operated by Fox, even other local houses are operated under a Warner-Saxe tie-up.

ET May Pay On Common

Toronto—Business of the Eastern theatres, Ltd., since the first of the year has shown considerable improvement over the similar period 1939. R. W. Bolstad, vice-president, held shareholders at an annual meeting. Bolstad said it was his policy to resume a dividend on the common this year. Lease on the operty housing the Imperial Theatre in Toronto had been renewed for 21 years.

Earl Askam Stricken

at Clear Branch of THE FILM DAILY Hollywood—Earl Askam, a member of the cast of “Northwest Mount Police,” was stricken with a fatal heart attack while playing golf with Emitt Maynard. He was brother Perry Askam, concert star. His body will be sent to San Jose, Calif., for burial.

Welcome for Frank Lloyd

Williamsburg, Va.—Local committee, headed by Gov. James H. Price, will tender a reception here today Frank Lloyd and cast members of Jumbo’s “Tree of Liberty,” on air arrival. Sequences will be held locally this week.

Pink Ticket Stays

Chicago—The local Police Consor refused to remove the pink ticket on “Of Mice and Men,” keeping a pink in the adult category.

Credit, No Cash

Washington Bar, THE FILM DAILY

Washington—Bureau of Internal Revenue yesterday determined that the Charles Chaplin Film Corp., Los Angeles, was over-assessed $32,899.17 in income tax and surtax on undistributed profits for 1931. Chaplin received credit for that amount with the Bureau.

CENTRAL CASTING
SLATED FOR REORG.

(Continued from Page 1)

10 free beds in Cedars of Lebanon Hospital as a part of Will Rogers Memorial plan. The hospital plan will be administered by MP Relief Fund.

Producers’ organization will also lend financial aid to “I Am an American” Panegyric Foundation which will hold its second Americanization program at Hollywood Bowl in June.

“Virginia City” Held Over
For Third Week in Frisco

San Francisco—Warners “Virginia City” has gone into its third hundred week here for a continuous first-run to the St. Francis following a two-week engagement at the Fox.

Parisian Biz on the Rise

Paris (By Cable)—Opening here at the Le Paris theater of “The Rains Came” brought an optimistic note to the film industry when the picture broke all house records for grosses in its first week of exhibition, despite the fact that only 60 per cent of the theater’s seating capacity was used. Theater business generally in the Paris area has showed a decided upturn in the past few weeks.

Jane Winton for Operetta

West Coast Bureau of THE FILM DAILY

Hollywood—Jane Winton has been signed on a contract by Peggy Cleaver, who is producing “Million In May” operetta, that will open at the Los Palmas Theater, Hollywood, April 22.

Cleveland Holds “Rebecca”

Cleveland—Loew’s State theater is holding “Rebecca” a second week. This is only the second time in 10 years that a picture has been held a second week. Other hold-over was “San Francisco.”

Mrs. Sherman Dies

Mrs. Bertha Sherman, mother of Al Sherman, editor of the Columbia Mirror, died Saturday in Newark, and was buried Sunday, it learned yesterday. Two sons and two daughters survive.

Cohan as Cohan?

West Coast Bar, THE FILM DAILY

San Francisco—Harvey Cohan’s production of “99 and Per Cent” will be released by Cohan in about a month and will star Cohan as Cohan.”
“Lights Out in Europe”  
Mayer & Burstyn  66 Mins.

POWERFUL DOCUMENTARY FILM CONTAINS A STRONG ANTI-WAR PLEA.

Europe preparing for war last summer and fall, and Europe actually at war are powerfully depicted in this film. The material is excellent and the editing job is fine. A fine narrative has been written for the picture by James Hilton, and an equally fine commentary is given by Fredric March. Picture was produced and directed by Herbert Kline with Peter Mayer acting as his assistant and associate producer. Taken in Poland, France, England and France, the events depicted, and the people themselves, are a grim reminder of the horrors of war. Studies of peasants are particularly telling as the camera depicts the hope for peace, the terrible shock of war at first, and the bitterly gripped expressions of hatred and sullen fear of the future on their faces. Innocent victims of war-mongers, nothing more than pawns in the inevitable cast of Hollywood talent as politicians, it is these people that more truly represent the actuality of war than marching troops trained crow and death. Bombers also play their part in the camera, unrelenting and uncompromising to public taste as the stupid brutality inflicted on innocent people are depicted. No hatred theme for one side or another is preached in the film, but is left to the facts. An effective and grim presentation of the facts the camera found, the picture tells a more eloquent story than any outright propaganda picture could. Naturally the picture will have exhibition difficulties in any country that is at war, but it should serve the purpose in this country of reminding everyone who sees it that eternal vigilance and impregnable might is the only hope of peace in the world today.

CREDITS:  Producer and Director, Herbert Kline; Associate Producer, Peter Mayer; Cameraman, Alexander Hacken- schmid; Production Manager, Rosa Harvan Kline.

DIRECTION, Fine. PHOTOGRAPHY, Fine.

“Zanzibar”  
with Lola Lane, James Craig, Eduardo Cianelli

Universal  69 Mins.

RIP-ROARING ADVENTURE STORY IS FIRST-RATE THRILLER FOR THE ACTION AUDIENCE.

Replete with every possible type of action that could be encompassed in one picture, “Zanzibar” is first rate action fare. Picture has a shipwreck, jungles and wild animals, savages, sacred skulls, intricate murder, romance and a few more items to make it entertaining. Film has a good pace and rousing climax when a volcanic eruption. Exhibitors should be able to exploit the picture in a big way as it offers unlimited possibilities in this field. Lola Lane, a hunter, James Craig, an adventurous American, and Eduardo Cianelli, a spy, head the cast. Able support is provided by Tom Fadden, Vincentmaps, Robert C. Fisher, Henry Victor and Samuel S. Hinds. Harold Schuster directed from an original screenplay by Barry More and Maurice Wright. Lola is commissioned by the English consul to try to find a sacred skull during a hunting trip. Craig joins her party; against her wishes, and Cianelli also joins it. Their ship is wrecked, Cianelli murders the captain and the survivors are further decimated by jungle animals before they manage to reach a native village. Here, Cianelli tips the sail to the real object of Lola’s trip and ship and Craig are trapped when they search for the skull. However, after a rousing climax in which they escape death at the stake, a volcano erupts, Cianelli is killed and they fight their way through a mass of crocodiles, they manage to make a safe getaway with the skull.

CAST: Lola Lane, James Craig, Eduardo Cianelli, Tom Fadden, R. C. Fischer, Clarence Muse, S. S. Hinds, O. O’Shea, A. Biberman. L. Pape, E. Brown, H. Stubbs, M.

CREDITS:  Producer, Warren Douglas; Director, Harold Schuster; Original Screenplay, Maurice Tombragl and Maurice Wolfe; Cameraman, Milton Kranson.

DIRECTION, Good. PHOTOGRAPHY, Good.

“Ghost Valley Raiders”  
with Donald Barry, Lona Andre, Le Roy Mason

Republic  57 Mins.

ACTIONFUL WESTERN WITH DONALD BARRY STARTS NEW SERIES OFF WITH A BANG.

First of a new series of westerns Republic is producing with Donald Barry starring, picture is first-class action teller that should please the cowboy fans. Donald Barry is acceptable as a western hero, being aggressive, able to ride and shoot, and possessed of a pleasing personality. Picture itself has plenty of action, a fast-moving story, able direction and a capable cast. Supporting Barry are Lona Andre, Le Roy Mason and Jack Ingram, two first-rate villains, and Tom London, Barry, a government agent, is secretly sent to a town where an unprecedented wave of unpro- voked attacks were committed by the bandits. He arrives posing as a noted outlaw. After pictures of him have been plastered over the town offering a reward. The rustlers and bandits get in with the gang as they have blamed the stage robberies on the outlaw he is impersonating and they don’t want him capturing them. While trying to find out how the gang operates and after a number of complications the sheriff helps him round up the entire gang.

CAST: Donald Barry, Lona Andre, Le Roy Mason, Tom London, Jack Ingram, Horace Murphy, Ralph Peters, Curley Detroit, Takuma Canutt.

CREDITS:  Associate Producer and Director, George Sherman; Screenplay, Bennett Cohen; Original Story Idea, George Sher- man, Cameraman, Ernest Miller; Editor, Lester Orzech.

DIRECTION, Fast. PHOTOGRAPHY, GOOD.

“The American Gang Busters”  
Times Pictures  60 Mins. FACTUAL ACCOUNT OF SMASHING OF PUBLIC ENEMIES BY “G” MEN IS SLIPSHOET EFFORT.

Comprised of a number of newsreel clips and a few posed scenes, this release deals with a number of notorious public enemies liquidated in one form or another by the FBI and other law agencies. Material used is sometimes exciting, and it undoubtedly makes up a moral lesson, “crime does not pay.” But the camera work is often very bad and the picture as a whole has little value as entertainment. Probably the gangster minded and morbid type of fan who enjoys pictures of this ilk will go to see it, but those who expect cheap thrills, but the film will be decreed by most audiences as a cheap effort to exploit lawlessness, which is certainly black eye enough to the country at large without pointing it up and showing material of this type to children. John Dillinger, Machine Gun Kelly, Pretty Boy Floyd, Alvin Karpis, the Urschel kidnappers, Raymond Hamilton and others are seen in the film. Of particular interest is the court scene of the sentencing of the Urschel kidnappers.

CREDITS:  Produced, Edited and Directed by Captain A. F. Dion.

DIRECTION, Fair. PHOTOGRAPHY, Poor.

“Texas Stagecoach”  
with Charles Starrett, Iris Meredith, Bob Nolan

Columbia  59 Mins.

BALLADS, BULLET, FAST RIDING ANI FIST FIGHTS APLENTY FOR THE WESTERN FANS.

Latest of the Charles Starrett series Columbia produces, this release measures up to what the western fans expect from the cowboy heroes. Starrett fights, shoots and rides rapidly across the countryside with equal aplomb. His supporting cast, including attractive Iris Meredith, Bob Nolan The Sons of the Pioneers and the village Dick Curtis, are all adequate. Joseph Lewis directed, Starrett and his father run a stage line, with Iris and her brother, Nobles friendly business rivals. MacDonald, locals, and his stooge, Curtis, starts a road building project between the two towns. Both companies to a new town, causing trouble between them at the same time. This leads to another and open warfare between the stage line and the film. Finally Starrett sees what is happening behind the scenes. His father is murdered by Curtis and MacDonough comes down on his son to Iris and her brother, taking their stage line away after blocking Starrett’s. How ever, Starrett rounds up Curtis and gets the goods on the vandals. The peace reigns once more with wedding bells in the offering.


CREDITS:  Producer, Leon Barsha; Direc- tor, Joseph Lewis; Original Screenplay, Frank Myron; Cameraman, George Meehan; Edit- tor, Charles Nelson.

DIRECTION, Fast. PHOTOGRAPHY, Good.

FOREIGN

“Claudine”  
(French dialogue, English titles)
French Motion Picture Corp.  84 Mins.

NEW YORK POST: Appealing pic- ture, more of a character study than adolescence than a narrative with plot.

HERALD TRIBUNE: Utterly captivat- ing Gallié film, may come to rival with other French triumphs.

NEW YORK TIMES: We must label “Claudine” a film of doubtful value, only on cinematic face.

WORLD TELEGRAM: Acting is good, but direction is static and unim-AGD

CREDITS:  Producer, Jacques Malot; Di- rector, Jean de Poligny; PLAYERS: Bla- clette Brunoy, Max Dearly, Margo Lion.

RKQ to Trade Show “Irene”  
RKQ will trade show “Irene” in all exchanges in the U. S. and Can- ada. News of its announcement yester- day. Picture is slated to be re- leased late this month.
Recent Developments in

THE LAW OF MOTION PICTURES

By LOUIS NIZER
Prominent motion picture attorney

A 28-page documented treatise on motion picture law, conveniently divided into such convenient classifications as:

Censorship • Libel • Literary Property • Trademarks • Restraint of Trade
Unfair Competition • Remedies of Distributor Against Exhibitor • Lotteries
Author Versus Producer • Negligence of Theater-Owner • Taxation • Patents
Disparagement and Inducement of Breach of Contract

What is the extent of a theater owner’s duty to patrons?
May distributors cooperate in dealing with an exhibitor?
May exhibitors cooperate in dealing with a distributor?
How can an author protect his copyrighted novel or play?
How may theater owners advertise legitimately?
What is the position of the inventor in the industry?
What state or local regulation of exhibition is permissible?

The answers to these questions, and to a host of other legal problems will be found in the 1940 FILM YEAR BOOK

THE 1940 YEAR BOOK IS NOW BEING DISTRIBUTED —
TO FILM DAILY SUBSCRIBERS
D OF C CONSENT PLAN MAY GO TO CONGRESS

(Continued from Page 1)

 amendment, a course first advanced by Co-operative Theaters of Michigan, was recently reported by THE DAILY on Feb. 8.

At the Department of Commerce, it was emphasized it is the basis to indicate to the film industry changes in practice and procedure which it felt necessary to place the industry on a national basis and that the matter essentially was up to the Department of Justice.

D of C "Very Hopeful"

It was also stated at the D of C that high departmental officials are "very hopeful" of a settlement effected on the basis of the depart-

ment's report as the same would represent a major success and open up "unusual work" in that direction by the D of C for the benefit of all American industry.

Several officials declared they had "neither approved nor disapproved" the findings in the report. They added the entire "Commerce plan" was at an impasse and that no agreement has been reached.

Neely Bill Way Clearing

Meanwhile, work on the Wheeler-

Lea Transportation Bill—chief ob-

stacle to action on the Neely bill before the House Interstate and Foreign Commerce Committee—is in its final stages. THE DAILY leads: The bill has reached the third degree of business after the transpor-

tation measure is disposed of.

Conferences on the Wheeler-Lea bill are scheduled to meet this week to formulate a final draft, it was learned, after which the Neely bill will return to the Senate floor, headed off by the current Justice-

Commerce-Industry negotiations.

Senator Matthew Hatfield, Demo-

crat, W. Va., told THE DAILY late yesterday he would watch with greatest interest any consent decreted worked out by the Government and majors as a settlement of the New-

York equity suit now scheduled to go to trial May 1. On studying such decree settlement, Needy said, he would then decide what effect it would have on his pending legisla-

tion.

Senator Neely Skeptical

"I must say," added Needy, "that knowing Will Hays and Charles Pettijohn as I do I cannot believe they would be a party to a consent decree which would achieve the ob-

jectives of my bill. In such a case.

Those Were the Days!

West Coast Barn, THE DAILY

Hollywood—Hollywood, California, who completed directing the "Lillian Russell" production for 20th Century-Fox, is sending his estimates of the old-time cigarette pictures of Miss Rus-

sell.

And if they don't mean anything to you, "Park Illusion," which he used to trade a Lillian Russell for a Dollar.

The film is now playing in Den-

Moore, Idaho, where he got cheated on the hike measure.

Fly Defends FCC's Order Rescinding Start of Commercial Tele in Fall

(Continued from Page 1)

although he conceded that he found it an "awfully entertaining device."

In his second speech yesterday broadcast at 9 p.m. by MBS and National, Neely stated in part: I do believe, however, that the American public would deem the Commis-

sion's decision on this question to be the adopted, or standing by permitted at this time the crystallization of any set of standards for television contrary to the engineering opin-

ion of the industry and without ade-

quate trial, or that did not give promise of the satisfaction of public service over a reasonable peri-

od of time.

Declaring that the FCC wanted to be perfectly plain on the question of public participation, Neely stated that the Commission does not wish to dis-

courage the public from the field. But it is important for the public to know that in purchasing sets that "they are definitely partaking in a pro-

cess of self-satisfaction." It does not not believe that persons in a posi-

tion to afford television entertain-

ment at this time will be any longer de-

terred by that knowledge from getting the immediate benefits which are now available in areas served by television transmitters.

Kostelanetz Warner Plug

Warner Bros. has declared its entire half hour "Tune Up Time" program on CBS to be "All-Cast True," next Monday. Ann Sheridan, Jeffrey Lynn and Humphrey Bog-

gart of the cast will appear on the broadcast.

Harry Michalson Weeks

As part of the Neil Deplin Drive, RKO has designated the period from April 13 to April 20 as Harry Michalson weeks, a tribute to the company's short subjects sales man-

ager.

I will of course keep on plugging for my bill, while viewing with the utmost interest just what is pro-

duced in New York. Let me add that any settlement that does not pro-

hibit blind-buying and book-

looking will not achieve the objectives of the bill.

Needy declared that his book-

looking bill been law there would have been no New York equity suit and adding that enactment of the pres-

ent measure will "free the motion pic-

ture industry from litigation by the Federal Government for long years to come."

Ford Introduces Editorial

Meanwhile yesterday Representative Leland M. Ford, California Re-

publican, introduced a resolution opposing the Neely bill, from the Argonaut, San Francisco, entitled "Legisla-

tive
FRANCHISE HOLDERS TO GET MONO. STOCK

(Continued from Page 1)

standard Statistics Corp., was elected a member of the board at the meeting. "Johnston stated that more than 40 pictures are planned for the new season, where those on this year's program, with product lineup to consist of 26 features and 24 westerns, are excluded." A total of 26 features and 24 westerns, plus 10 "special entries," will be announced at the New York meeting of the board, which will be held on Wednesday, April 12.

Walter Johnston, president of the John- son Sales Co., is expected to attend the meeting. The company is also expected to attend the meeting of the National Association of Retail Theaters, which will be held in Chicago on Wednesday, April 12.

KO Launches Newspaper Feature Plugging Shorts

RKO Radio has launched a series of movie shorts that are planned as a result of a decision to cover the entire range of the company's production. The shorts will be shown in all theaters, and the company plans to use them to promote the company's new circuit, the "RKO Circuit," which will be shown in all theaters.

Fromage to Orchids

entire Coast Bureau of THE FILM DAILY

Hollywood — Smiley Burnette, the principal figure in the form of a newspaper feature, is supervising the construction of a greenhouse at his San Fernando Valley ranch home. The greenhouse, which was built to accommodate several varieties of orchids, is expected to open in the near future.

Mary Hughes in "Four Sons"

entire Coast Bureau of THE FILM DAILY

Hollywood — Mary Beth Hughes will have the lead opposite Don DeFore in "Four Sons" in place of Nancy Kelly.

Rep. Bowlers Still Lead

Chicago — With three games remaining on the schedule, Republic's wipers continue to lead the local P. B. W. League National League.

Star, Davenport, Burns

Davenport, Ia.—Dampness totalling 0.000 resulted from a fire at the Star theater.

WEDDING BELLS

Yuma, Ariz.—June Lang, film actress, and John Roselli, were married in San Francisco earlier this month. The bride's father, William J. Lang, was married here on Monday. The bride's father, William J. Lang, was married here on Monday.

Court Directs Dismissal of Lloyd Plagiarism Suit

days. Plaintiffs had charged that the defendants have not copied plaintiffs' work. Phillips & Nizer were attorneys for the defendants.

Monty Westmore Buried

Monty Westmore, movie artist, and brother of Per, was buried in Dearborn, Michigan, on Saturday. He was a graduate of the University of Michigan, and had been a member of the University of Michigan's football team.

Brandt Books

Paul Duke, internationally known magician, who recently appeared on NBC television, has been booked over the Brandt circuit.

The DARK COMMAND

RAOUL WALSH • DIRECTOR

with CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON

BOY ROGERS • GEORGE HAYES • PORTER HALL

MARGIE MAIN • RAYMOND WALSBERG

"Cantrell's guerrillas are burning and pillaging northern and southern towns!"
FEWER FEATURES SEEN BY TRI-STATES EXEC.

Des Moines, Ia. — G. Ralph Branton, general manager of Tri-State Theaters Corp., returned from an extended trip to Hollywood, predicts better pictures because Hollywood is “discovering America.”

Branton said that because of the loss of foreign markets since the outbreak of the European war, producers have been forced to revamp production schedules and concentrate on stories for the domestic market.

“You are going to see a lot more pictures like ‘Dodge City,’ ‘Trail of the Lonesome Pine,’ Union Pacific and ‘Virginia City’,” Branton declared.

If, as some producers have predicted, the double feature goes out of existence, Branton said it will be because fewer—and better—pictures are going to be made.

The pictures will be fewer in number, he said, because labor is being paid more money, actors who are good box-office are getting larger salaries, and more money is being paid for good stories.

The movies are moving fast to take their place in drawing North and South America closer, Branton said. The South American market is being worked hard, he declared, and some companies are even talking of producing movies there.

“Biscuit Eater” In Demand

Atlanta, Ga.—Fifty prints of “The Biscuit Eater” will be delivered for showing in more than 100 theaters, principally in Georgia, during the week following the world premiere of the picture at the Albany Theater, Albany, on April 11, it is announced by Kirby, local Paramount branch manager. Maximum number of prints of a picture ordinarily handled by Kirby’s office is five.

WB Drops Hornell House

Operation of the Majestic Theater, Hornell, has reverted to its local owners, Mr. and Mrs. Fred F. Peters. Lease held by Warners expired.

Tom Gaffney Stricken

Boston—Tom Gaffney, operator of the Casino theater at Taunton, is dead.

What? Only Films? ??

Cleveland — Douglas George, manager of the Cleveland Theatre circuit house, thinks he is playing a one-reeler policy, he regularly shows single features, and he offers no games, no premiums, no giveaways of any kind, and claims to be the only local subsequent run indie house playing such a policy. Neighborhoodита is backing him.

“Swing With Bing” (Produced and Directed by Herbert Polesie and Bing Crosby)

Two-reeler 13 mins.

This is a very little short which will be of interest to golf fans because of the golf playing of the game’s biggest names in action, and to picture fans because of the singing and playing of Bing Crosby as he is without benefit of grease paint and a script. There is little effort put forth to tell a story, but the playing a comedy role, a dub golfer, helps carry the audience through the maze of big names, assisted by a clever narration by Roger Keene. The whole picture has the charm and informality of a day on the greens with good friends. Appearing, in the film, produced by Bing Crosby and Herbert Polesie, and photographed well by Al Wettel, are Ty Cobb, Byrom Nelson, Jimmy Thompson, Bud Ward, Walter Hagen, Clayton Huf, the Jimmy Demetrius, Biscuit Little, Ed Oliver, Frank Ro- dia, Leo Deigal, Tony Penna, Scotty Chisolm, former golf champion, Henry McLemore, sports writer, and Richard Arlen, screen-star golfer. An original song, “The Little White Flag on the Little Green Hill,” by John Burke and James Monaco, as rendered twice by Bing in the picture, should become very popular. It is a natural Crosby number covered with lots of swing. The short was made at Crosby’s Rancho Santa Fe course with the cooperation of professional Golfers Association of America.

“Working on the Railroads”

“The Country Goes to the Dogs” (Going Places No. 73)

Universal Satisfactory

Elimination of the “clickety-clack” sound as railroad cars speed over tracks due to the change from 32- to 38-foot rails comprise the first part of this interesting short. Real shows how the replacement of the old tracks is changing the pleasure of railroad travel. Second half of the reel shows how dogs get expert care in a Long Island dog hospital. Scenes at the swanky Morris & Essex dog show in New Jersey are also shown. Dog lovers should like this one.

“Darkest Africa Comes to Light!” (Going Places No. 72)

Universal Worth While

Rhodesia, a land carved out of veldt and jungle, is revealed in this informative short. Due to Cecil Rhodes, who foresaw the possibilities of the fertile plains, this country in 50 years has become a land of rich cities and modern industries. A panorama of this new Rhodesian territory is unfolded in an interesting manner. Graham Mac-Namara narrates.

“Aristocrats of Fashion”

Al Bondy 10 Mins. Exellent Ad Short

Responsible in the hues of Technicolor, this fashion reel,—a Roland Reed production for the account of Monteverday and World’s Fair, is a fitting tribute to the feminine eye and heart. Consequently, it is a “natural” for women film patrons everywhere, depicting as it does the versatility, tastefulness and practical- ity of rayon in the style creations of today. The particular modes pre- sented in the footage are those conceived by the eminent Tobe, whose head office is world-famed. While the reel is, of course, aimed at exciting the feminine gender, nevertheless it is one of those rare fashion shorts capable of interesting the male col- lective of fans. This quality is due both to the physical beauty of the production itself, plus the physical beauty of the bevy of John Powers models displaying the garments. Throughout there is smooth and natural action which impresses even the most professional eye with the fact that it represents a far cry from the stiff, wooden-like action, which, of yore, brought little grace to film programs. “Aristoc- rats of Fashion” is, in brief, cleverly styled and thoroughly in the mode of currently advanced showmanship. Film will be made available without cost to first-runs,—one in each key city.

“Tree of Liberty” Start to be Plugged by 2 Nets

Start of production on Columbia’s “The Tree of Liberty,” which has been nationalized by broadcasts on major net- works on successive nights, the programs emanating from Williamsburg, Va., used for location.

On Monday, NBC’s “True or False” program, in which Sir Cedric Hard- wick, Richard Carlson, Frank Floyd, and a cast will participate, will be aired from the College of William and Mary campus. On Tuesday, at 9 p.m., remote control broadcast is set via CBS from “The Tree of Liberty” location site. Latter will be re-broadcast at 12:30 a.m. for Western audiences.

Nortown Scale Boosted

Chicago—With B & K’s Nortown theater going into “B” week from “C,” h.o. scale has been upped from 20 to 25 cents for matinees and from 25 to 40 cents evenings.

Two Circuits Book “Face”

Both RKO and Skouras circuits have liked “The Face Behind the Bar,” according to Norman Elson, sales manager of Film Alliance of the U. S.

MPPDA AIR PROGRAMS

SET WORLD APPLAUSE

Weekly broadcasts on American pictures, inaugurated in six languages last July to Latin-America and Europe over NBC and CBS short-wave facilities, have been going on all over the world,” Will H. Hays has informed the MPPDA board.

Scripts for the broadcasts, now in their 40th week, are prepared by the Hays Office Public Information Department under Ken Clarke’s direc- tion from material submitted by the majors. According to Hays, the MPPDA has been advised by one of the nets that “the quality and quantity of the material thus furnished has surpassed anything of the kind received from any other industry.”

Hays informed his directors, “Notwithstanding the war, a large portion of the material has been received from producers and editors, and listeners commented especially on the movie broadcasts prepared by the Association.”

Hays Office Comm. Service Dept. On Coast Active in Radio WEST COAST BUREAU OF THE FILM DAILY

Hollywood—MPPDA’s Community Service Department here is becoming increasingly active in the radio field.

During the past year, scripts prepared and distributed on request to hundreds of community workers included:

“Amerikanism to the Keynote of 1939 Pictures,” “Reviewing Motion Pictures,” “Films for the Family,” “Newsreels Cover the World,” “Collecting the Family Picture,” “Motion Picture Music,” “Americana—Motion Pictures,” “Motion Picture Records,” “Faces from Hollywood,” “Films from Stage Plays” and “Children Making Screen Murals.”

In addition there were many scripts based on outstanding picture and technical sidelights in studies.

Eastern hoodlums trying to muscle in on Extras

WEST COAST BUREAU OF THE FILM DAILY

Hollywood—Sheriff’s office investigating reports that Eastern hoodlums are trying to muscle in on extras and bit players, following complaints said to have been filed by SAG members.

Hamden Opening Apr. 10

Hamden, Conn. — New 936-seat Whitney Theater Corp. house will open next week.

(Un)happy Vacation

Cincinnati—While vacationing in Flor- ida, burglars broke into his Norwood Theatre three times, and a fire in the theater resulted in $100 loss to Andy Nettlesheimer.
Forecast 12 Per Cent Business Gain For B & K Last Year

ALLIED WEIGHS D OF C'S CONSENT PLAN

Bare All Master Contracts In U. S., Mori Case Order

Plaintiff Scores Signal Victory in N. J. Anti-Trust Action

Philadelphia—Plaintiff in the Morin Island case, N. J. anti-trust suit scored a signal victory when Federal Judge W. H. Kirkpatrick appointed David Bachman a Special Master, and announced that beginning Tuesday, April 9, the plaintiff to examine, before the master, all the books and records of the defendants, Warner Theatres and major distributors.

All clearance books, indicating clearance in the Philadelphia area since 1935 up to the present; all (Continued on Page 7)

GINSBERG HEADS PARA-STUDIO OPERATIONS

East Coast Bureau of THE FILM DAILY

Hollywood—Henry Ginsberg has been appointed manager of studio operations at Paramount. His appointment does not conflict with George Bognar's work as executive manager of the studios.

Larry Kadis Coming East in Court Contempt Case

East Coast Bureau of THE FILM DAILY

Hollywood—After conflicting testimony between Federal officials and defendant's medical expert as to whether it would be injurious to the health of Harry Kadis, a former S. revenue agent, to return to New York to answer a charge of contempt of Federal Court for failure of Kadis to appear to a subpoena the New York grand jury in some tax matter concerning Hol...

Court Reserves Decision in CFI Stockholders Suit

New York Supreme Court Justice Arell G. Walter yesterday reserved decision after a two-week trial in... (Continued on Page 6)

UA REMAINS WITH MPPDA

Hays Re-elected; Wagner New Board Member

United Artists and the MPPDA have patched up their differences and the distributing company will remain with the Hays organization, it was indicated yesterday when Maurice Silverstone, U.A. treasurer, was re-elected to the MPPDA board of directors. It had been reported that U.A. had sent a letter of resignation to become effective March 1.

Will H. Hays was re-elected president of the MPPDA for the 19th consecutive year and Walter Wagner, who has been on the board increasing the directorate to 17, whereas 16 comprised the board previously.

The board meeting yesterday was a continuation of the session held on... (Continued on Page 7)

Illinois Supreme Court Nixes Willie Bioff Plea

Chicago—Application of Willie Bioff, IATSE exec., for a writ of supersedeas and bail, pending final decision in his case, was denied yesterday by the Illinois Supreme Court. Counsel for Bioff immediately announced that they would file a motion... (Continued on Page 7)

$21,537,577 PROFIT FOR EASTMAN KODAK

Eastman Kodak Co. enjoyed in 1939 the third most profitable year in the existence of the company and its predecessors—a span which commenced in 1889, according to the organization's annual report, released today.

Consolidated net of the company and wholly-owned subsidiaries... (Continued on Page 6)

Nova Scotia Repeal Move Halted by Lynn Objection

Toronto—Delay in having the Legislature of Nova Scotia repeal Bill 92, giving Nova Scotia Government the power to regulate the exhibition end of the film business in that province, has occurred owing to objections raised by E. R. Lynn... (Continued on Page 7)

12 Per Cent Increase in Business In 1939 Over 1938 Seen for B & K

Bert Allenberg Named Prexy of Artists' Managers Guild

West Coast Bureau of THE FILM DAILY

Hollywood—Bert Allenberg has been elected president of the Artists' Managers Guild; Frank Vincent, vice-pres; John McCormick, secretary, and Leland Hayward, treasurer (Continued on Page 6)

Failure to Accept May Block Suit Settlement—First Units to Act Emphatically Opposed—Conn. Demands Trial

By MILTON F. LUNCH, Washington Bureau of THE FILM DAILY

Washington—Department of Commerce proposals for settlement of the New York equity suit via a consent decree have been under advisement by national Allied's board of directors for several weeks, it became known yesterday.

D of C action in transmitting the proposals to Allied is regarded as tacit admission by the Department that Allied approval is as vital to successful culmination of the continuing negotiations as the okay of the Department of Justice and acceptance by the major defendants. Allied Reaction Negative

Thus far, no Allied board meeting has been held and no formal action taken by National Allied... (Continued on Page 6)

GARMES TO DIRECT JESSEL-HECHT PIX?

Lee Garmes is slated to act as director and head cameraman for the Ben Hecht-George Jessel Eastermannmade picture, "Before I Die," it was reported yesterday. Negotiations between the Hecht-Jessel interests and Garmes are said to have been completed.

Garmes recently produced "Be...(Continued on Page 7)

Leon Fromkess Appointed Aide to Rathner at PRC

Appointment of Leon Fromkess, former Monogram treasurer, as executive assistant to Harry Rathner, president of Producers Releasing... (Continued on Page 7)

British Statement on Quota Now Expected Next Week

London (By Cable)—The long awaited statement by the Board of Trade on the quota situation and do... (Continued on Page 6)
The Film Daily

Trotta and Gould Named to Fill Ampa Slate Gaps

Trotta and Gould were designated yesterday by Vincent Trotta of Advertising Accessories, and Joe Gould, UA, as candidates for the offices of vice-president and secretary respectively on the organization’s slate.

Addition of Neville E. Neville, English producer, to the United Artists roster, the company is listing 19 producers to date for the 1940-41 season. Neville, executive for Neville Aurora Pictures, Ltd., having formerly been associated with Aldwyck productions, and will make three pictures.

Mary Pickford is listed among the 19 producers although she has no actual control over any project for this season. The others include Charles Chaplin, Samuel Goldwyn, David Selznick, Walter Wanger, Hal Roach, Edward Small, Sol Lesser, Ernst Lubitsch, David Loew, Richard Rowland, James Roosevelt, Gabriel Pascal, A. Weston, Denis, Aldwyck Productions, Neville E. Neville, John Ford and World Windows.

"An Englishman's Home," which was made by Neville, will be released in the U. S. by Columbia under the title of "Invasion," but will be released elsewhere by UA.

Bank Night Decision Held Favorable Despite Reverse

Des Moines, Ia.?—Theater operators using Bank Night view as favor of a Iowa loan company involving a dispute over a $275 prize, although the high tribunal reversed a trial court which absolved the bank from paying the claim and ordered a new trial.

Exhibit is the Supreme Court's decision on a previous case which held that Bank Night was not a lottery. The court could have held that Bank Night was a lottery and upset the present setup.

In the present case, Mrs. Ruth St. Peter of Jefferson, Ia., sought the $275 prize from the Pioneer Theater Corp., Iowa Theater at Jefferson.

Court Refuses to Dismiss Waldo Anti-Trust Suit

Boston — Motion brought by Loew's, Inc., RKO and 20th Century-Fox seeking dismissal of the 3,000 anti-monopoly litigation brought against them and other major distributors in the history of the Waldo Theater Corp., operating the new Waldoboro, Me., theater, has been dismissed by the Federal District Court sitting at Portland, Me.

M. P. Film Editors Win 10 Per Cent Wage Tilt

West Coast Bureau of THE FILM DAILY

Hollywood—Members of the Society of Motion Picture Film Editors have been granted a 10 per cent increase retroactive to Feb. 20. In the event the IATSE unions relinquish their 10 per cent wage increase, the editors also agreed to rescind their pay check.

Single Feature on Tele

NBC’s television program for next week sees feature films down to one—"Rainbow’s End." From Gibson western, to be televised March 13 as a night event.

United Artists Listing 19 Producers; Neville Added

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"Broadway Melody of 1940", another M-G-M lavish musical splash. Eleanor Powell and Fred Astaire dance brilliantly. Cole Porter's music is worthy of his genius, and the settings and costumes are as striking and effective as any we've seen.
—Harold Tribune

"M-G-M's 'Broadway Melody of 1940', melodious, sensational; funny gags throughout. The kind of merry musical movie which can not miss.
—Post

"Astaire and Powell new dancing team in a happy musical. One of the pleasantest in a long, long time... replete with good music by Cole Porter."
—Mirror

"Even M-G-M hasn't done a better musical unless it was 'Great Ziegfeld'.
—Brooklyn Eagle

"Gay, lively... A treat of major proportions."
—Daily News

"Audience enthusiastic. Gay and sparkling entertainment."
—World-Telegram

"It's good to welcome Fred Astaire, Eleanor Powell and George Murphy back to the screen. Big musical numbers, with laughs and expert dancing."
—Sun

"Superior... Mr. Astaire's rhythmic arabesques even more fascinatingly intricate than ever before! Miss Powell blends in beautifully."
—Times

"Handsome, racy and tuneful... the routines leave you gasping with their brilliance. Effervescent screen entertainment."
—Journal-American
M-G-M's GREATEST TRANS 
“20 MULE 
WALLACE BEERY, star of M-G-M’s giant dramatic thriller "20 MULE TEAM" launches this amazing promotional triumph in Los Angeles today! 
Greater than M-G-M’s world-famed "Trackless Train"! Greater than M-G-M’s sensational Travelling Motion Picture Studio! Today M-G-M once more electrifies the industry with another nationwide showmanship scoop!
CONTINENTAL TOUR
TEAM"
TODAY! Starting from Los Angeles on its way across America!

Wallace Beery as Skinner Bill Bragg.
D OF C CONSENT PLAN WEIGHTED BY ALLIED

(Continued from Page 1)

the Allied reaction has been distinctly negative. Both Independent Exhibitors, Inc., the New England unit, and Allied Theater Owners of Connecticut have gone on record emphatically opposed to a consent decree.

It is understood that national Allied headquarters has received other individual views from Allied leaders, but these have not been divulged pending action.

Connecticut Allied, at a meeting in New Haven Tuesday, adopted by unanimous vote a resolution expressing "unalterable opposition" to a consent decree and declaring "in favor of the Government prosecuting to the full extent of the law against the motion picture monopoly."

The resolutions were transmitted to Thurman Arnold, Assistant Attorney General and chief of the D of J anti-trust division, with a copy signed by Mr. Ray Myers. Our views regarding any possible settlement are expressed by our General Counsel, Mr. Reid.

Myers Maintains Silence

Myers, however, has made no comment upon the D of C proposals and is not expected to do so until formal action is taken by Allied's board, "if and when."

This much, observers believe, is certain: Failure of Allied to go along with the settlement move, whether by consent decree or some other avenue, virtually precludes acceptance of the D of C proposals—fully and authoritatively outlined in THE FILM DAILY last Friday and Monday—by Arnold and his superior, Attorney General Robert Jackson.

D of J's 100 to 1 Shot

Coincidentally, one high-ranking Justice Dept. official told The Film Daily there is a 100 to 1 the New York case will be tried, adding that if any settlement is effected it will come after May 1 when the case is scheduled to go to trial.

"We have never postponed a suit due to negotiations for settlement," he said.

Neely Has His Own Cabinet Selections

Washington, D.C.—At the Film Daily Washington Bureau, Neely M. Neely, D.W.Va., proponent for anti-blockading and anti-sideling legislation, may or may not have the "President's behind him, but he told a luncheon group of Monongahela in his home state this week that if he were in the White House, he'd make John M. "Wade" Hesfeld, Navy and World's War's "Champ," Joe Louis, Secretary of War.

Observers on Capitol Hill point out that as a Cabinet maker, Neely seems to have derived inspiration from a speech made here in January by William M. "Alfalfa" Lewis at the Alfalfa Club dinner. Later proposed an all-Lewis cabinet, Neely was war secretary and John L. as labor secretary.

Beatrice Votes Sunday Films at 6th Election

Beatrice, N.B.—Sunday shows, an issue for the sixth time in 10 years in this Nebraska key town of 10,000, hailed interested citizens to the polls here Tuesday in city election and vote was 72 to 1,873 for the proposal to open the box-offices to Sunday trade.

Beatrice is one of the biggest towns west of the Mississippi River to hold out so long against open Sundays, yet it's a very movie-conscious place and has been ever since giving a native son, Robert Taylor, to the screen.

Sunday shows have been more than an election issue, and for the past several months, many of the local forces in the town have been made subject to whether or not open Sundays carried at the polls. Holders of leases agreed to pay more if the vote went over this time.

Galais, Me.—Local voters rejected Sunday motion pictures by a vote of nearly two to one at the annual city election.

Court Reserves Decision in CFI Stockholders Suit

The majority stockholders' suit against Consolidated Film Industries, Inc., Republic Pictures of Delaware, Setay Co., CBS and Celco Co. The plaintiffs claimed during trial that Consolidated lost approximately $2,000,000 in deals with Republic and CBS.

Bert Allenberg Named Prexy of Artists' Managers Guild

(Continued from Page 1)

Application to set aside the designation of James D. Davidson as trustee of Educational Films was adjourned yesterday to April 10.

"Along the Rhine"

WITH PHIL M. DALY

THE musical score that Arthur Honegger—distinguished French composer—wrote for Marcel Pagnol's "Harvest"—will have its world radio premiere tomorrow night over WOR—under Alfred Wallenstein's baton. And thereby hangs a little story... When Charles Jahrbum was cutting the film...he liked the music so much...that he wrote to Honegger...suggesting a concert version. Honegger accepted the idea—the concert version being essentially the same arrangement used in the film...It will be published as... "Suite from the Motion Picture Harvest"...

LOOKS as though the...11th annual dance and entertainment...of the Press Photographers Association of New York...at the Hotel Astor...a week from tomorrow night...will draw Broadway of its classics...Dated up to appear already are...John and Elaine Barrymore, Eddie Cantor, Ruth Gordon, George Jessel...Joan Edwards, Milton Berle, Henny Youngman, Adrienne Ames, Harry Hesheld...Kate Smith, Nick Kenny, Julie Haydon, Bob Ripley, Leu Lehr...Wynn Murray, Fred Waring, Arthur Boran, William Gaxton, Marion Pierce...Ben Venuta, Pop Popoff, Molly Picon, Clyde Hager...Dinah Shore, Bert Wheeler, Benny Baker, Ella Fitzgerald, Teddy Wilson...Will we be seen...yuh, too?

AS an example of smart timing...we nominate...the decision of W. Ray Johnston, Eddie Golden, et al...to stage the 1940 Monogram sales convention...in Dallas this month...the vogue...of the national Variety Clubs convention...Call it the Showman's Perfect Blend...100 proof...Business and Pleasure...Book of the Month Club's June selection is announced as "I Married Adventure"...title of which is identical with that of Osa Johnson's new Columbia picture...

$21,537,577 PROFIT FOR EASTMAN KODAK

(Continued from Page 1)

amounted in 1938 to $21,537,577, equal to $8.55 per common share, after deducting dividends paid on preferred. This compares with 1937 consolidated net of $17,338,040, or $7.54 per share.

Total consolidated sales, the company and wholly-owned subsidiaries in 1939 amounted to $140,- 331,900, an increase of 9.4 per cent over 1938 when sales were $128,- 262,832.

The report discloses that the amateur photographic field led total sales with 33 per cent of its sales in this line and commercial bracket accounting for 21 per cent; motion picture film, negative and positive for the motion picture industry, 16 per cent; cellulose acetate products, 14 per cent; photographic accessories, 6 per cent; chemicals, 6 per cent; and miscellaneous, 4 per cent.

Sales of the company and wholly owned subsidiaries in the U. S., were $104,470,778, equivalent to a 17 per cent increase over 1938. Sales of foreign subsidiary companies and branches (exclusive of those located in Germany) amounted to $35,861, 212 in 1939 as against $33,965,828 in 1938. Appreciation in the value of foreign currencies amounts, it is asserted, for this loss, which is de- scribed as not appreciable.

Pursuant to the approval given by the Eastman directorate on March 13, last, for the issuance of 225,095 shares of common at a price of $127.50 per share, the report disclosed that 98.27 per cent of the shares offered were subscribed for and warrants issued to the stockholders, with the small balance taken up by the underwriters.

British Statement on Quota Now Expected Next Week

(Continued from Page 1)

mestic production was deferred yesterday until next week. In all probability, the announcement will be made on Tuesday.

HAPPY BIRTHDAY

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

APRIL 4
Harold B. Franklin
Agnes Ayres
Camel Myers
Alison H. Rice
Rosemary Lane
Gone Reynolds
Richard Rosson
BARE MASTER PACTS,
IS MORI CASE ORDER

(Continued from Page 1)
master contracts throughout the United States between the defend-
dants; all records relating to ac-
quition of theaters by Stan-
el Warner in this area, with names, log-
ns, dates, etc., and specific ques-
tions to be answered.

Defense Cuts Gene Mori
The defense is also allowed to ex-
amine Eugene Mori, one of the plain-
tiffs, Manager Herbert Lubin, and all
records of the plaintiff's.

Date of trial has now been set
back to May 6.

The defense attorneys particu-
larly fought against introduction of
all master contracts in the country,
as it believed that this is the first
cross examination from an anti-
Trust case, that this has been al-
lowed by the Court.

The plaintiff's attorney maintained
that this was necessary to prove
the alleged monopoly and splitting
up of operation centers by the de-
defendants throughout the U. S.

Settlement Talked, but Doubted
Batchman, prominent referee in
bankruptcy, will act as special mas-
ter and will decide on all arguments
that might arise during the course
of the inspection of the records. In-
spection will be made in his office.

Gossip has it that a large settlement is
still possible, but those close to the situation state
that Mori, operating the Landis at
Vinceland, is determined to see the
whole matter through.

Leon Fromkess Appointed
Aide to Rather at PRC
(Continued from Page 1)
Corp. was reported yesterday. Pro-
ducers Releasing Corp. is the new name of
Producers Distributing Co.,
change being effected recently.

Company also plans to move from
its present quarters into the Para-
mount building the latter part of this
month, it was said.

Pathé Film Stockholders’
Meeting Set for April 30
(Continued from Page 1)
Annual meeting of the Pathé Film
Corp., stockholders has been set for
April 30 in room 735, RCA Building,
at 2 p.m., it was learned last night.

Principal business before the meet-
ing is the election of the board of
directors, with entire board up for
re-election, with no indication any
change will occur in the present di-
rectorate.

Cameros In Dual Suicide
Boynton, Fla.—Bodies of Charles T. “Pop” Camero and his wife were discovered in an auto here by their daughter, Helen Camero, wore of the Four Cemeros, vaudeville head-
liners for years. On vaudeville’s fadeout, Camero operated the Be-
lieck & Schaefer circuit with only two
Loop houses, the Oriental and Mc-
Vicker’s.

Harry Kadis Coming East
in Court Contempt Case
(Continued from Page 1)
wood figures, Kadis agreed to leave
the Coast Friday and to be in New
York next Wednesday.

Agreement was made because of
long negotiations before the hearing
between Kadis’s counsel and Assistant U. S.

Kostelantz at which time
Kostelantz agreed to try to quash
the contempt charge and expedite
Kadis’s questioning and his return
to court.

A $500 bond was posted with the
U. S. Court Commissioner David
Head to guarantee Kadis’s appear-
ance in New York.

UA to Remain Member
of the Hays Organization
(Continued from Page 1)
March 25 when Hays issued his an-
noyance report. Elected directors were Barney
Balaban, Nate J. Blumberg, Jack
Cohn, Cecil B. de Mille, E. W. Ham-
thorn, E. R. Hatrick, Will H. Hays
(chairman), F. L. Herron, Sydney R.
Kent, Sol Lesser, Hal Roach, George J.
Schafer, Nicholas P. Sovern, Maurice Silverstone, Walter Wanger,
Albert Warner and Harry M. War-
ner.

General industry problems were
considered at yesterday’s meeting.

D. E. Griffiths to Direct
Sales of GWTW in Britain

“Gone With the Wind” will have
its British premiere in three London
theaters on April 18, it was learned
yesterday. D. E. Griffiths, former
Warner Bros.-First National man-
ger in London, has been appointed
by M-G-M to supervise the sales of
the picture in England.

The opening will be held simul-
taneously in the Empire, Ritz and
Palace Theaters, policies calling for
two shows a day at the Ritz and
Palace and continuous shows at the
Empire.

Admission prices at the Empire
and the Ritz will be, under the nor-
mal rate of exchange, 87 cents for
matinees and $1.12 for evenings. At
the Palace, the top price will be
$3.12.

Chi. La Salle to Pass?
Chicago—Demolition of the LaSalle
Theater building, now under con-
sideration, would leave the Jones,
Lin-
ick & Schaefer circuit with only two
Loop houses, the Oriental and Mc-
Vicker’s.

One Week’s Attendance at Toronto Theater
Brings Enough Giveaways to Furnish House

Toronto—Height of giveaway and premium activity for any theater either in Tor-
onto or the continent has been achieved by the Queen Theater, local nobs, which is doing
a land office business. Every week at the Queen, dinner-set pieces are given
on Mondays and Tuesdays; on Wednesdays, the giveaways include twin comforters, fine
tablecloths, electric toasters, wool blankets, fancy mops and glass sets; on Thursdays
and Fridays, horsey is given; on Saturday nights, the giveaways include five-piece steel
bridle sets, silverware, electric irons, wicker hamper and smoking stands, and at the Saturday matinees for children, free candy is the lure.

Harry Kadis Coming East
(Continued from Page 1)

Nova Scotia Repeal Move
Halted by Lynn Objection
(Continued from Page 1)

Strand Theater, Sydney, N. S., who, although a member of the Nova Scotia
Conciliation Board, now takes
the stand that the independents in
Nova Scotia need the protection of
such a statute.

Recently, the independents held a
meeting and requested the repeal of
Bill 92, believing it had served its
purpose in view of the fact that the
conciliation plan set up as an alter-
native during the past year had
worked out satisfactorily.

Illinois Supreme Court
Nixes Willie Bioff Plea
(Continued from Page 1)

dition with the Court to reconsider.
Unless the latter is acted upon be-
fore Monday, when Bioff is to ap-
pear before Judge John Prystalski
in Criminal Court, the labor leader
must serve out his sentence, it is
said.

FORECAST 12% Biz
Gain for B & K in ’39
(Continued from Page 1)

shares of seven per cent preferred
stock outstanding and $1 a share on
the 264,206 shares of common
stock.

A small amount of serial notes,
bank-held, are being paid off rapidly.
Both common and preferred stocks
of the company are strong, the cur-
rent market is from 55 to 60 for the
common and 106 bid for the
preferred. Very little stock is changing
hands, according to a leading Chi-
icago broker who has been unable to
obtain stock to fill standing or-
ders.

B & K is calling all seven per cent
preferred stock at 110 and accrued
dividends on May 1. Funds will be
provided mainly through a bank
loan.

The annual stockholders meeting
will be held here next month.

Garmes To Direct Eastern
Pix for Jessel and Hecht
(Continued from Page 1)
yond Tomorrow” for RKO, a picture
which originally was scheduled for
production in New York but later
was shifted to Coast studios. “Be-
fore I Die” is to be made at the Bio-
graph studio and will be released by
Columbia.

THE DOCTOR TAKES A PULSE...

LORETTA RAY

YOUNG * MILLAND

The Doctor Takes a Wife

Screen play by George Seaton and Ken Enge

Directed by ALEXANDER HALL - Produced by William Perlberg

A COLUMBIA PICTURE

(Continued from Page 1)
“THE BEST AUDIENCE REACTION OF ANY TRAVEL SUBJECT”

ever shown at the Rivoli Theatre, New York City

“WORLD WINDOWS”

Available for immediate bookings...

ETERNAL FIRE
FOX HUNTING
ROMAN SYMPHONY
JERUSALEM
WANDERERS OF THE DESERT
PETRA
ARABIAN BAZAAR
RUINS OF PALMYRA & BAALBEK

Released thru UNITED ARTISTS
British Exhibitors in Drive for Lower Film Rentals

D OF C’S PLAN NO SUBSTITUTE FOR BILL--NEELY

J. S. Gets Order For Subpoena Service On Witnesses

oldinson, Rowland, Chadwick--Among 14 to be Called to Testify

The Government yesterday took a big step in its preparations for trial in the case of the New York equity suit when it obtained an order from Federal Judge Samuel Mandelbaum which directed the U. S. marshal to serve subpoenas upon 14 witnesses or their appearance at the start of a trial on May 17. It was also learned that the House of 100 subpoenas will

(Continued on Page 3)

LASKEY’S YORK FILM

AS WARNER RELEASE

West Coast Bureau of THE FILM DAILY

Hollywood—Jack L. Warner yesterday announced the conclusion of an agreement with Jesse L. Lasky whereby Lasky will produce the Amazing Story of Sergeant Alvin C. York at the Burbank studios in

(Continued on Page 6)

Cowdin, Blumberg Renamed by Two Universal Boards

Boards of directors of both Universal Corp. and Universal Pictures Co., yesterday re-elected all officers of both corporations.

Universal Corp.’s officers are J. (Continued on Page 6)

Hot Dog! ! !

Albany, Ga.—Paramount will put on the dog, literally, for the world premiere of its “The Biscuit Eater” at the Albany Theater next Thursday. Twenty-four blue-blooded hunters, evenly split to the last blue eyes, will be decked out in formal attire and, escorted by local dignitaries, will ride in state to the opening, a la Hollywood. Also in good, old Hollywood custom, there will be 50 or so ready made mitts in fur and autograph seekers waiting in the lobby. Mayor W. B. Haley will welcome the hounds.

(Continued on Page 5)

Michigan Construction Boom Grows; Plans Disclosed for 6 More Houses

Detroit—Six new theaters are to be erected in Michigan in addition to the dozen or more already planned around Detroit and previously reported.

Wisper & Wetsman, who are currently starting construction of the Royal, in partnership with United Detroit Theaters, will start work on a new 1,000-seat house in the west end suburb of Dearborn, half a mile west of their present Calvin Theater. Charles N. Agree is the architect.

In addition, United Detroit Theaters signed a 15-year lease for the new 1,000-seat house to be erected in Birmingham by the new Bloomfield Theaters Corp. Plans for this

(Continued on Page 8)

Retention of British Quota and Admiss Taxes Forecast

There will be no change in the present status of the British Quota and there is little likelihood that the Government will agree to exhibitors’ petitions for reductions in admission taxes or representations for reductions in film in the opinion of Harry Curry, British distributor and

(Continued on Page 6)

One-Third of Columbia’s Customers Buy 100 Per Cent

Only 33 percent of Columbia’s customers buy 100 per cent of the season’s product, A. Montague, Columbia sales manager, declared yesterday at his examination in the Government’s equity suit. Montague disputed a Government inference that exhibitors were compelled to

(Continued on Page 8)

CEA General Council Will Get Rental Course of Action at Meet Next Week

“Our Town’s” Premiere at Music Hall May 24

“Our Town,” produced by Sol Lesser for UA release, will have its world premiere at the Radio City Music Hall on May 24. Pix is now in the cutting room.

London (By Cable) — Exhibitor agitation here for lower film rentals is scheduled to crystallize into definite action next Wednesday when the General Purposes Committee of the CEA will report a definite course of action to the General Council. Rentals have been moving upwards

(Continued on Page 5)

Senator Sees No “Enduring Benefits”; Opposes Five-Year Blocks


Neely, who said he had obtained a copy of the draft submitted by the Department of Commerce as a tentative consent decree from “an authoritative source,” declared that, “If this copy should be agreed upon as the basis of a consent decree, no enduring benefits would follow com-

(Continued on Page 6)

GROUP THEATER WILL SEEK FILM FINANCING

For the first time since the Group Theater was formed, that organization will seek a finance alliance with motion picture interests of Hollywood, whereby a major producing company would back Broadway plays,

(Continued on Page 3)

Slot Machine Projectors Said in Development Stage

The nickel-in-the-slot film projection machines to be introduced under Roosevelt-Mills auspices are “merely in the development stage,” ac-

(Continued on Page 5)

Mass Tele Protest

Radio and television retailers are planning a mass protest of the FCC’s action in barring limited tele commercialization when they convene in Washington next Monday, it is learned. The groups are up in a speech made by Chairman James L. Fly Tuesday when he defended the FCC move. While there is no announcement of the plan to be followed, it was learned that the retailers will offer a joint protest at the inquiry.

(Continued on Page 5)
Carroll, Treasurer of NTS, Dies; Burial is Tomorrow

Matthew V. Carroll, treasurer of National Theater Supply Co., died yesterday. Funeral services will be held at St. Christ Church, Bruno street, at 2:15. Burial will be private.

"Pot O' Gold" Air Show to Change Giveaway Plan

Horace Heidt's "Pot O' Gold" air show will modify its present format starting with the April 30 broadcast, but will continue the "telephone technique," and prize money, an executive of Stack-Goble Advertising Agency which has arranged the air shows for Tums, disclosed yesterday. Present plans call for the elimination of the wheel device in the weekly $1,000 award show, but it was said that this arrangement may not be final as other changes have also been considered.

There have been consistent reports of possible changes in the show because of Department of Justice and other inquiries. Lewis-Howe Co. sponsors it Tuesday, 8:30-9 p.m. on NBC Red.

Pollock vs. Bamberger for Presidency of Am-pa

Opposition slate for the forthcoming Am-pa election was announced yesterday, with Louis Pollock nominated to run for president in opposition to Leon Bamberger, candidate for president on the slate picked by the regular nominating committee. Other candidates on the slate are to be announced at a later date.

Deter Anti-Neely Radio Show Tell After Hearings

Radio campaign against the Neely Bill will be withheld until after the public hearings in Washington, which was learned yesterday. If the bill is reported out of committee, advocates of the air campaign are of the opinion that the programs will have more weight with House members. In any event, it was said, the plan to use the radio in the drive against the Neely Bill has not been discarded.

A. H. Blank's Tri-States Expanding in Des Moines

Des Moines—Expanding here, Tri-States Theater Corp. has closed a partnership deal with Lewis L. Leopold involving the Iowa Theatre-East Des Moines. Deal gives the A. H. Blank outfit its ninth local house and first in the East Des Moines area.

Tri-States also will build a new nabe in East Des Moines in the fall. The Iowa will be renovated and re-equipped.

"Russell" and "Maryland" Release Dates Moved Up

Rescheduling of release dates by the 20th-Fox sales department yesterday moved up two of the company's forthcoming specialties—"Lillian Russ-

eral"—was moved forward to a May 24 release date, originally being scheduled for release June 14, and "Maryland" will be released July 5 instead of July 19.

Release schedule for May, June and July now stands as follows: May 3, "So This Is London"; May 10, "I Was An Adventuress"; May 17, "On Their Own"; July 24, "Lil-lian Russell"; and May 31, "Marriage In Transit" (temporary title). June 5, "Earthbound"; June 14, "Four Sons"; June 21, "Charlie Chan's Murder Cruise" and June 26, "Lucky Cisco Kid." July 5, "Maryland"; July 12, "Girl In 313"; July 19, "Sailors' Lady" and July 26, no release.

Sue for Negatives' Loss In Storage House Blaze

Charging the loss of 13 negatives by reason of the defendant's negligence, Atherton Productions, Inc., Peck's Bad Boy Corp., Serial Productions Corp., and Principal Pictures Corp., filed suit yesterday in the New York Supreme Court against Twentieth-Century-Fox Film Corp., and De Luxe Laboratories, Inc. Atherton seeks $42,864 damages; Peck's, $26,700; Serial, $4,768; and Principal, $6,014. Loss of property was allegedly caused in a fire on July 9, 1937, at defendants' film storage house in Little Ferry, N. J.

Ann Rosenthal, Former FN Counsel, Now Cal. Lawyer

Ann Rosenthal, former counsel for Grand National Films in New York, has passed the California bar examinations and will be sworn in as an attorney today, she has informed Friends here. Miss Rosenthal has been with the William In Beverly Hills as an assistant to Harry Friedman since November.

Fred Leamy Quits Para

Hollywood—Fred Leamy, who has been with Paramount for the past 14 years, has resigned as production control manager. He is succeeded by T. T. Glennon who will be studio manager.

COMING AND GOING

NICHOLAS M. SCHENCK has returned to Florida from Los Angeles.

DARRYL F. ZANUCK and WILLIAM COIT are expected here from the Coast in about two weeks.

ARTHUR JACOBSON, head of Paramount's east coast department, arrives here Sunday night.

NAT WACSBACHER, vice-president of the New York office, has returned from Europe.

RAY MILLAND and ELLEN DREW arrive here Monday morning for a guest appearance on Kate Smith show next week.

THUNDER CLOUD, Indian actor, flew back to Hollywood last night.

HAROLD CLURNAN, director of the Gross Theater, left yesterday for the Coast.

FRED LANGE, Paramount's continental eastern manager, and LEWIS BUDDY, Paramount New York head for the continental division, sail tomorrow on the Washington for their respective posts.

PETE HARRISON returns today from Palm Beach.

AL STEFFES is in Washington.

SAM FORMAN, of the Grand and Delco Theatres, Detroit, is in town.

DAVE IDEAL of the Fox Theater, Detroit, returned to his home after a brief stay in New York.

H. M. RICHEY has returned from Philadelphia.

JOE PASTERNAK and LOU POLLOCK were back last night from Washington.

A. H. BLANK returned to Des Moines last night.

JOE ROSENBERG and AARON STEIN, all attorneys in the Chicago Adelphi trust case, are in the East for conferences.

Jones Heads Entertainment Com. for Allied Conclave

Chicago—Jack Kirsch, presxy of Illinois Allied, yesterday appointed Johnny Jones as chairman of the entertainment committee for the June national Allied convention. Van Nomikos was designated chairman of the housing committee, other chairmen are to be named later in the week.

"GIVE ME CITY"

Pick up your phone and express the preference of discriminating advertisers who appreciate fine craftsmanship.
J. S. SUBPOENA ORDER
FOR EQUITY WITNESSES

(Continued from Page 1)

e issued for other witnesses within the next few weeks.

The Government order was obtained on an affidavit of Special As-

itor Paul Will-

who stated “that the testimony of said witnesses is material and

cessary in the trial of the suit, and without the testimony of said witnesses the U. S. can not

proceed to trial.” Those named in the order were:

William W. Hodkinson, Carlsbad, Calif.; Richard Rowland, Los An-

gles; T. L. Tally, Los Angeles; I. C. Chadwick, Hollywood; Chris Lamo-

cas, Farrell, Pa.; Joseph, William and Al Weiss, McKeepsport, Pa.; Wil-

am D. Davis, Triangle Theater, Pittsburgh; Thomas A. Gilbert, New-

field, Pa.; Theater, Pittsburgh; Charles L. C. Rover, Boston; H. A. Basta-

ini, Alme Theater, Punxsutawney, Pa.; M. Ouelander, Pinebook

Theater, Ellenville, N. Y.

The order to subpoena witnesses required under the Federal Code

Procedure, because the witnesses side over 100 miles from the place

trial. Other witnesses, who live nearer to the court will be served

without a prerequisite permissive

New Title for “Flotsam”?

est Coast Bureau of THE FILM DAILY

—David L. Loew and

bert Lewin, who will make Erich

aria Remarque’s “Flotsam” as

irst UA release, conferred with

Raymond Everritt, vice-president

Little, Brown & Co. regarding a

able title change.

Cortez on “No Exit”

est Coast Bureau of THE FILM DAILY

—Stancio Cortez is photo-

“No Exit,” at Universal.

picture is being directed by

ules Lamont and the cast in-

cludes Wallace Ford, Donald Woods, nathan Adams and Mona Barrie.

Friday, April 5, 1940

ALONG THE RIALTO

with PHIL M. DALY

• • • WHO should bob into our office yes’day but Fred Perry

and we don’t mean the tennis player. although the Fred

Perry we mean has certainly shown some excellent net results (forgive

the pun). …managing plus publicizing pix houses …Down Bing-

hamton way, Mister Fred Perry has carved a nice niche of prestige for

himself … as a guy who knows both how to run a house … and

head herds of folk toward the h.o. … to lamp ‘most any kinda

film attraction. … in that, he’s a go-getter … who gets ‘em to go.

• • • THIS corner has vivid recollections of Mister Perry

… in the days when he was serving under the banner … of

Kornblite & Cohen … whose house eventually found their way

into the Mike Comerford camp … with Dave Cohen as asso-

icate. … “Twas in those days that Mister Perry began a bevy of

brilliant ballyhoo which really put the “Bing” in Binghamton

… How’d he do it? … Savvy and initiative, yes … but

more than that …— free rein … His employers operated on the

wire theory … that a theatreman should be a showman …

and that a showman should know not only how to manage a

house … but how to manage the matter of bringing in the cus-

omers … The Messrs. Kornblite & Cohen figured further …

that if they managed to refrain from interfering with the man-

ager … everything would be hot-to-toty … The result was

RESULTS …

• • • MISTER Perry must have enjoyed at least one grand

and glorious feeling … In that he didn’t have to make a long distance

phone call … to a district or home office … every time he wanted

buy a mazda lamp … or a phial of metal polish … Perhaps

that’s why he had the time and heart … to go out and mingle with

the local newspaper gentry … and build contacts, and effect de-

spus, with community folks who could render valuable assistance …

to the theater … materially and on the score of good-will …

• • • FEW appreciate the many house managers there are

… who, frankly, are fettered not merely by the gnawing fear …
of spending a few bucks here, there and legitimately … but by a

commensurate fear that they are forever under unness-

sary scrutiny … on duty and off … House personnel at large

of times is “fear bitten” … We recall particularly the instance of a

New England house … Some years back, a great genius in a cir-

cuit h.o. got the brainwave to employ some idle college gals …

whose “intriguing” duties rivaled Mata Hari … Out went the

spying femmes disguised as plain patrons … to get anything they

could on theater personnel … One gal uncovered a terrible

scandal … which amounted to the fact that the fiancée of a

house publicist called for him one night at the theater … The

spy reported that the gent was entertaining women in his office

after hours … To the everlasting credit of the publicist …

he paid his own expenses to New York in order to resign …

where the resignation would be most emphatic.

• • • YEAH, we’re still getting phone calls … from folks who

want to know … what picture was meant … when we talked Tues-

day afternoon … the failure to drive home … its merits to the trade …

Would you believe it … some seven features have been guessed

to far … And in that, too, there is certainly … still more food

for thought …

GROUP THEATER WILL SEEK FILM FINANCING

(Continued from Page 1)

it was learned from reliable chan-

nels, coincident with the departure

eyesterday for the Coast of Harold

Curman, director of the Group The-

ater plans, it is asserted to re-

main in Hollywood for several

months for negotiations to be

launched and commitments ar-

anged.

One phase of the Curman plan, it is said, concerns collaboration be-

between the Group Theater and the yet

undesignated film organization

on the matter of suitable scripts.

These would be selected with an eye to both stage and screen

suitability, with the services of top-bracket Holy-

wood writers enlisted.

Curman's departure follows closely

on the heel of the westward trek of

George S. Kaufman, whose mission

is reported to involve the produc-

tion of “The Man Came to Dinner.”

Kaufman and his associates aim to

produce a property which they would

convert to the screen themselves, with

release being handled by a major

outfit in the 1941-42 season.

Kaufman's project may go to Warners, although the bidding is understood to still be open.

Film production of the Allan woods comedy, “The Weak Link,” is assured by recent purchase of

rights by Warners for a reported $15,000 as a vehicle for Eddie

Albert.

Ernest Lubitsch's negotiations for

screen rights to “Margin for Error” are

still in near-closing stages, ac-

cording to sources close to the

Aldrich & Myers offices, the other

principal in the proposed deal. Cur-

rent barrier is asserted to be an

agreement on price.

The picture rights to Aldrich & Myers' “My Dear Children,” are re-

ported being sought by David O. Selznick, who will arrive today. Any

sale would call the film services of John Barrymore.

“Primrose Path” Clicking

RKO reports that “Primrose Path” is tapping the grosses recorded by “Gunga Din” in its early pre-release

engagements.

WEDDING BELLS

Engagement of Ruth Jean Bolle, daughter of Otto Bolle, South Afri-

can manager for 20th-Fox, and Mrs.

Bolle, to Neville Edward Roca

Sauer, a Johanesburg business man, 

was announced this week.

Impending marriage of John Ring-

ling North and Germaine Austin of

New York, future members of the

Fleming family, is understood to have

been announced in. New York. The

wedding will be held in the spring.

WEDDING BELLS
“It All Came True”
with Ann Sheridan, Humphrey Bogart, Jeffrey Lynn

Warners 97 Mins.
WELL-TALENTED STORY AND GOOD CAST MAKE MOVIE A SOLID ENTERTAINMENT FOR AUDIENCES GENERALLY

Exhibs. should do first rate business with this picture. It is highly entertaining, peopled with able and entertaining characters, well paced and effectively written for the screen. The story, based on a novel by Louis Bromfield, is interesting in plot make-up. A real comedy is in going on in the background. Special mention must be given Ann Sheridan. Her performance is realistic, her singing voice is highly effective and, on the basis of this picture, she should look much larger as a box office attraction. Humphrey Bogart turns in his usual capable performance and Jeffrey Lynn is effective in the other top male role. Excellent characterization by such fine performers as Zasu Pitts, Una O’Connor, and Grant Mitchell and Jessie Busley help to contribute to the picture’s caliber. Lewis Seiler’s direction is grade A, and Michael Fessier and Lawrence Kimble contribute a smooth screenplay. Ann returns home to a boarding house for old people run by her mother, Una O’Connor, and her partner, Jessie Busley, after an unsuccessful stage venture. Shortly, Lynn, son of Miss Busley, also returns after a five-year absence. However, he brings Bogart, a gangster fugitive with him as he must protect Bogart to protect himself in a framed murder case. Life at the boarding house spruces up, and finally Bogart decides seeing the people in the house is better than being cooped up in his own rooms. Lynn, however, gets too big for his boots and decides to back the two women in turning the house into a night club. Everything works out fine with the exception of the difficulties between Ann and Lynn over his mistaken interpretation of her attentions to Bogart. The police catch up with Bogart the morning after the opening of the club, according to the kindness shown him by the two old ladies and other members of the mothers’ home, leaving him with Ann, and a rosy future in prospect for the whole family. Miss Sheridan sings two numbers with Bing Crosby. The Gas, Snodage and “Angel In Disguise.” Picture as a whole is appealing, entertaining and can be safely recommended as a film that any audience will thoroughly enjoy.


CREDITS: In charge of production, Jack L. Warner; Executive Producer, Hal B. Wallis; Director, Lewis Seiler; Screenplay, Michael Fessier and Lawrence Kimble; Cameraman, Emile Hauser; Editor, Thomas Richards.

DIRECTION, Expert, PHOTOGRAPHY, Good.

Thomas Gaffney Dead

Taunton, Mass.—Thomas B. Gaffney, 82, a former Taunton Mayor and pioneer operator of motion picture theaters in this city is dead. He is a member of the city planning board.

“The Showdown”
with William Boyd, Russell Hayden, Britt Wood

Paramount 65 Mins.
WELL-TALENTED CAST, ACTION-PACHED WESTERN WITH STRONG APPEAL TO OUTDOOR FANS

Several factors make this latest Harry Sherman-produced drama of the cavalry genre a treat for the devotees of Westerns. The story is usually good; action is unflagging from start to finish; and there is both substance and logic to the pulpings. Further, the Sherman “touch” is omnipresent via backgrounds of scenic magnificence, while Howard Bretherton’s direction of a thoroughly adequate cast, and efficient photography by Russell Harlen, are in the best traditions of the “Hopalong” Casy series. Added spice is injected by the original story of Jack Jungmeyer, based on characters created by Clarence E. Mulford. Initially, we must cite the fact that William Boyd as “Hopalong” is a hard-riding, straight-shooting hero who uses his horse for something besides chasing the sexes. The result is a film of real entertainment value. Westerns, however, are never really in the “real” world, but are more in the background of a professor. The astonishing feature is the surgical genius of Karloff, an arch-criminal medicos. The man with the “switched” brain is Stanley RIDGES, who commits overt acts of horror and murder, as seen in the scenes of the city, the law, the lady and the confidante. Loder, who is planning a get away with a haul of diamonds sized in the direction of another woman, plans to use Brent as a stooge. However he gets away with the diamonds himself. He turns to him to his police commissioner, friend, Brent, and they plan to catch Loder who has been the object of the police for a long time. Plans are set when the lady and the girl, who is the other jewel gang turns up and she is given to help Brent trap them after Bruce agreed to her release. Her imperiousness of a couple supposedly delivering jewelry, the gang is delivered by the jewel thief and they are trapped. Bruce comes to the rescue and the gang is straightened out with her help winning her unconditional release.

CAST: Boris Karloff, Bela Lugosi, Stanley Kramer, Anne Nagel, Anne Gwynne, Virginia Brissac, Edmund MacDonald, Paul Fix, Murray Alper, Jack Mulhall, Joe King, John Kelly.

CREDITS: Associate Producer, Burt Kelly; Director, Arthur Lugosi; Original Screenplay, Kurt Siodmak, Eric Taylor; Cameraman, Elwood Bredell.

DIRECTION, Okay, PHOTOGRAPHY, Fine.

“Adventure In Diamonds”
with George Brent, Isa Miranda, John Loder, Peter Lorre

Paramount 70 Mins.
CLEVER THRILLER YANK WHO SHOULD SATISFY FANS THRIVING ON “SCAREY” SCREEN FARE.

Built against a background of medical science, or, more exactly, pseudo-science, for the case of transplanting. The other, this thriller represents the current perpetuation of the chiller-thriller type of screen fare, and as such will find a niche in the theaters whose audiences relish that sort of thing. To lure the patrons who like to shudder, Boris Karloff and Bela Lugosi, each of whom is a screen symbol of the “scary” school of Hollywood acting, are in the top roles. The yarn itself is an ingenious affair, which recounts the transplanting of a patient’s brain on the gangrene-stricken body of a professor. The astonishing feature is the surgical genius of Karloff, an arch-criminal medicos. The man with the “switched” brain is Stanley RIDGES, who commits overt acts of horror and murder, as seen in the scenes of the city, the law, the lady and the confidante. Loder, who is planning a get away with a haul of diamonds sized in the direction of another woman, plans to use Brent as a stooge. However he gets away with the diamonds himself. He turns to him to his police commissioner, friend, Brent, and they plan to catch Loder who has been the object of the police for a long time. Plans are set when the lady and the girl, who is the other jewel gang turns up and she is given to help Brent trap them after Bruce agreed to her release. Her imperiousness of a couple supposedly delivering jewelry, the gang is delivered by the jewel thief and they are trapped. Bruce comes to the rescue and the gang is straightened out with her help winning her unconditional release.

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DIRECTION, Okay, PHOTOGRAPHY, Fine.

Metro’s 20-Mule Team Starts Across Country

West Coast Bureau of THE FILM DAILY

Los Angeles—M-G-M’s coast-to-coast exploitation tour, the 20-Mule Caravan, left here yesterday on its transcontinental trek. Wallace Beery, star of “20-Mule Team,” members of the cast and Mayor Bowen officially started the sendoff from City Hall. The stunts is the company’s biggest since the railroad train and the traveling studio. The caravan includes the original wagons used to bring the borax to the mines in the 1880’s and are hauled by carefully selected animals. Howard Dietz of the script department has been carrying out by William R. Ferguson and Frank Whetlock.

Collection of 20-Mule borax dealers has been obtained in exploiting the picture. The tour will cover 37 cities, “20-Mule Team” is scheduled for May release.

Roach’s “1,000,000 B.C.”
Bowing in at Louisville

Louisville, Ky.—Hal Roach’s “1,000,000 B.C.” opens in a special premiere here tonight, a corner of its extensive national campaign. Victor Mature, star of the picture, will be a p.a. star. Roach has cut a p.a. tour for Mature and Gover Johnson will participate in the exploitation of the film. The pictures will be in the festivities arranged for tonight.

United Artists is launching a large nation-wide campaign for the picture, leading up to the national release date on May 3.
THIRD OF COLUMBIA'S CUSTOMERS BUY 100%

(Continued from Page 1)

purchase all of a season's production--the exhibitor wished to obtain Columbia pictures, his company averages 29 units to an account and at the time the exhibitor selected the pictures at the time he signs a contract, Montague said.

He conceded that Columbia has no negotiation clause in its contracts. When Montague took over the salesmanship, Columbia had decided on a policy of favoring large independent exhibitors, he testified. His policy, which had been inaugurated in New England, has succeeded very well, he stated, and the company has continued to favor independent exhibitors for the past seven years. An independent account generally pays more and is given more consideration, he declared. Montague also discussed clearance, and said that Columbia was not big enough to change the clearance systems.

Col. Daily viewed clearance only as how it will affect its income, he said. Generally speaking, he contended, Columbia finds it more obnoxious to fix clearance between independent exhibitors than between affiliated companies. Columbia splits product equally in a town where there are two single-run customers, he said. The method used, he added, is to allow the independent to make the division and allow the other to elect the half he preferred. He completed his testimony by detailing first-run counts in the Government's list of key cities.

Adolph Zukor testifies today, and William J. Kupper and William usman will testify following Zukor on Wednesday.

Lot Machine Projectors Said in Development Stage

(Continued from Page 1)

According to a signed letter by Fred Mills, proxy of the Mills Novelty Co., received by Mills distributors here, Mills says that the story broke prematurely, that it was not released by Mills, inferring that the Roosevelt subscriptions were the source, and that "there are still a great many Negroes which will have to be worked up before we can go into production." As to its effect on the phonograph dustry, Mills says that the automatic projectors' cost will restrict it to "an exceedingly small number of gh-class locations" and that "when gets into production," it will be "chiefly for advertising pur-

STORKS!

Pittsburgh—A baby daughter was born to Mr. and Mrs. H. G. Curly, at the Strand Theater, Monongah, Va., at the Clarksburg Hospital.

REVIEWS OF NEW FILMS

"Dark Command" with Claire Trevor, John Wayne, Walter Pidgeon

Republic 94 Mins. EXCITING, FINELY DIRECTED HISTORICAL SAGA WHICH IS SURE B.O. IN ALL SITUATIONS.

Republic has a box office winner in this recasting of the formative stages of Kansas history, contemporaneous with the Civil War era. That it is the first big extra-budget production since "Man of Conquest" is significant from both the standpoint of the company as well as exhibition outlets both large and small. Under the skilful aegis of Raoul Walsh, who directed the picture, the action is swift, interesting, and of a quality which urges the onlooker to the edge of the theater chair. Exhibitionism is everywhere in evidence, whether one theater or a circuit will do well to make note of the power and appeal of this attraction, for, in the veritable, it has what it takes to make profits, and send patrons homeward with keen satisfaction. In short it's a "natural." John Wayne, as the young justice-loving Marshall and in love with Claire Trevor, contributes what is undoubtedly the best performance of his career. The comely Trevor is equally outstanding, as are the other principals, all meticulously cast. Roy Rogers as the aforementioned Miss Trevor's young and Southern-sympathizing brother gives a brilliant characteriza-

"The Life of Giuseppe Verdi"

(Continued from Page 1)

...for some time, and while there have been murmurings, it was left for conditions created by the war to stir the CEA into concrete action, with the significant point that the major circuits are believed to support the general viewpoint.

Total abolition of percentages and application of the Anti-Profitearing Act to film contracts both have been advanced. In lieu of the former, flat rentals or a sliding scale are proposed in some CEA quarters.

The London and Home Counties Branch of the CEA has been leading the fight for rental reductions, actuated by the fact that 22 films either recently or now being released are being offered at 50 per cent.

Reasons cited for the higher rentals prevailing at CEA debates are: The Quota Act and restriction of booking to six months; solidarity of the KES, the percentage system, the number of theatres, the growth of the circuits, competition and greed of the exhibitors, high-powered salesmanship and present need for rentals, the weakness of the CEA, because of its democratic constitution, large membership and lack of loyalty, and shortage of films.

BRITISH EXHIBS. SEEK LOWER FILM RENTALS

"The DARK COMMAND"

RAUL WALSH • DIRECTOR

with CLAIRE TREVOR • JOHN WAYNE • WALTER PIDGEON

ROY ROGERS • GEORGE HAYES • PORTER HALL
MARGURIE MAIN • RAYMOND WABURN

"I thought I'd born a man when I first heard you squawlin'... but I didn't, I born a dirty, murderin' snake that's broke my heart to see it crawlin' along."

"(Continued from Page 1)

JOHN WAYNE • WALTER PIDGEON

ROY ROGERS • GEORGE HAYES • PORTER HALL
MARGURIE MAIN • RAYMOND WABURN

"I thought I'd born a man when I first heard you squawlin'... but I didn't, I born a dirty, murderin' snake that's broke my heart to see it crawlin' along.

Republic PICTURE
LASKY’S YORK FILM AS WARNER RELEASE

(Continued from Page 1)

sociation with Hal B. Wallis. The picture will be a $2,000,000 production and the World War hero will be technical adviser.

The deal with Lasky marks the advent of the second individual producer on the Warner lot, the other being Frank Capra, whose “The Life of John Doe” will be filmed there and released by Warners.

“Verdi” Opposing “Verdi”

“ ”Italian film being distributed in this country by Esperia Films, is now running in opposition to itself in New York, playing simultaneously at the Fine Art Theater and the Cinecitta, where it had its second opening inside of a week. The version playing at the Cinecitta is dubbed in English, also a new move for an Italian film.

No RKO Dividend Action

RKO board of directors yesterday afternoon considered the matter of a quarterly dividend payable May 1, 1940. Although earned in the quarter by consolidated company, in view of uncertain conditions in the industry, particularly those resulting from the war, the board took no action to pay the quarterly dividend.

Frank Heacock Critically Hurt

West Coast Bureau of THE FILM DAILY—Little hope is held out for Frank Heacock, a Warner publicity man, who was critically hurt in an automobile accident.

Retention of British Quota and Admind Taxes Forecast

(Continued from Page 1)

special sales representative of Spectator Films, Ltd., who arrived here this week from England.

Curry pointed out that war costs virtually prohibit any action by the Government in reducing any form of taxation. He reported that various plans are still being discussed whereby Government assistance might be given in the form of a subsidy, but that no concrete action has been taken. He said that Denham, Piney, Tvelldaan, Shepherds Bush, Elstree and Waltham studios were operating to some extent, but no large scale production program is being carried on.

All restrictions have been removed from theaters on seating, with houses throughout the country now allowed to use seats to capacity. Hours have been extended to 11 p.m., however, patrons are still refused admittance unless carrying gas masks.

Spectator Films, Ltd., which Curry is representing for world-wide distribution deals, is producing a series of one-reel documentaries called “Point of View,” dealing with all phases of England at war. He brought the first four releases with him: “Drifting in Danger,” “Trans-Atlantic Trial,” “Guns and Butter,” and “Why Work At All?” He also has a feature-length documentary under way under the direction of the Press Office dealing with the British army entitled “The Boys With the Guns.”

He expects to conclude a distribution deal shortly, returning to Europe next week.

Cowdin, Blumberg Renamed by Two Universal Boards

(Continued from Page 1)

Cheever Cowdin, chairman; Nate J. Blumberg, president; Charles D. Prutzman, general counsel and vice-president; Peyton Gibson, secretary and treasurer, and Margarita M. Ollivian, assistant secretary and treasurer.

Two elected officers of Universal Pictures are Cowdin, Blumberg and Prutzman in the same capacities, and Mortimer J. Fox, William A. Smelter, Joseph H. Siedelman and Cliff Work, vice-presidents; Peyton Gibson, secretary; Samuel I. Machmer, treasurer and assistant secretary; Ed Muhl, assistant secretary; Harold S. Brewster and Eugene F. Walsh.

CONSENT PLAN NO NEEDY BILL SUB

(Continued from Page 1)

parable to the benefits which my bill seeks to achieve.

The sponsor of the bill to outlaw block-booking and blind-selling later conceded that abolishment of the bill solving one of the points of the Commerce draft—would represent an “achievement” in the light of his measure, but added emphatically: “I will not consent to a modification of the bill to allow five-picture block sales.

Neely, apparently taking cognizance of the industry plan to campaign against the Neely bill on the radio, said he might make a radio address on the film industry as well as his definite Senate speech.

“Fair System of Settling Disputes” Favorled by ITOA

The ITOA is in favor of any move which will offer a fair and equal system of settling industry disputes. Harry Brannan, president, said yesterday in commenting on the arbitration provisions in the Department of Commerce proposals for a consent decree in the Government’s equity suit. By the same token, he added anything that will remove litigation and legislation from the industry is a good thing.

“We are not in favor of eliminating block-booking,” he said, “but we are against blind-selling.”

N. Y. Post Opens Up on Neely Bill With Series by Meyer

Under the title, “Sense or Sens?” the New York Post, via Ernest L. Meyer, columnist and feature writer, started a discussion of the Neely bill yesterday. Series of three daily articles are planned. Pointing out that nowhere in the Neely bill is there a clause compelling an exhibitor to show the films which are stamped OK by pressure groups, Meyers says that the exhibitor will continue to select and buy the films he likes as at present, and that this means—citing examples—1,292 exhibits will cancel such films as “A Christmas Carol” while only 13 will carry such pix as “The Last Gangster.”

PC of ITOA Completing First Convention Program

West Coast Bureau of THE FILM DAILY—The committee outlining the program for the initial convention of the Pacific Conference of Independent Theater Owners will complete its work today. The membership committee, headed by George Hines, is laying plans to bring out a large attendance.

Roosevelt Flying to Coast

Chicago—James Roosevelt and his daughter are flying via TWA to Hollywood today. He says, Globe-Mills production of film-vinging machine is going along satisfactorily. He expects to start work on “The Bat” at Hollywood studios as soon as production plans are completed.
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New York City
Six More Projects Swell Michigan’s Building Boon

Brings Total of New Theater Construction Enterprises to 18 (Continued from Page 1)

A house bound in snow soon will be ready for a late Fall opening. Sloan’s new East side house, the Alpine, will be started in the Fall, with plans originally announced revised from a 3,000-seat to a smaller 1,200-seat house. Details of operating leases for the new theaters are not disclosed.

Plans for the new theater to be named the Parkside were disclosed with registration of the name by Erving A. Moss, owner of the Van Dyke Theater.

Wright & Rogovoy, theatrical architects, are preparing plans for a new theater to be built in Plymouth for Harry Lush. They also will prepare plans for remodeling of two Detroit theaters, one owned by Wispers & Wetsman, and the other by the O. A. Bishop Co., recently acquired, and the Uptown.

The other upscale houses are in smaller towns, each having one small theater at present, in at least one case operated only on Sundays. Olson Bros. will erect a new 400-seat Houghton Theater at Houghton Lake, to open June 30, in time for the northern Michigan resort season. Harry Roboth of Inlay City will erect a theater at Davison, as yet unnamed.

Second New Theaters Planned For Morgan Park and Glencoe

Chicago—With the Gollos Bros. circuit already planning a new house in Morgan Park, an announcement was made yesterday that the Westminster Amusement Corp. had closed a 20-year lease on a second theater for which Architect Ned Sonn is completing plans.

Another competitive enterprise was disclosed yesterday for Glencoe where Sam Myers will erect the Glenview from plans by Rapp & Rapp. Second Gollos project is that of George Vallos, formerly a Gregory Circuit exee. Ervin G. Frederick is the architect who is rushing plans for a new West Side house, while the State Theater Co. has been organized at Fallin to operate the State Theater there. C. M. Goldman and J. Leventhal are company’s principals.

FPC-Winter Will Build New Monetcon N.B., House

Moncton, N. B.—A new theater will be built here by the Famous Players, in conjunction with F. W. Winter, a veteran exhibitor. It will seat between 1,000 and 1,200. Operation will be jointly by Winter and FPC. This will be a 500-seat new theater built in the maritime provinces within the past six months. Those will be 10 FP houses April 17.

Winter was of Torrie & Winter, operating the Capitol and Empire, until linking up with the FP.

Chicago Company to Operate Cleveland Newsreel Theater

Cleveland—Cleveland will get its first newsreel theater as a result of a leasing deal just closed by the Newsreel Company of Chicago, with Union Properties, Inc., for a 500-seat house to be located in a building at 241 Euclid Ave. Plans are being prepared by Architect G. H. Burov.

Dobrow to Erect New Theater Building, Returnish Another

Pahokee, Fla.—A call for bids is being made by Abe Dobrow of the Pahokee and Palm Beach Theatres for a new structure to replace the present building housing the Prince theater. Bids will be accepted April 6. Plans also call for complete refurnishing of the Everglades theater.

Erecting Drive-In for Memphis, Tenn.—A 500-car Drive-In theater is being erected by Century Theaters. Bernard Woomer, president, has closed a contract with RCA Photophone for sound equipment, utilizing individual loudspeakers and metal baffles for the car locations. Service and maintenance are also included in the contract.

Allisons Replacing Rivoli

Ebensburg, Pa.—An entirely new building, estimated to cost approximately $50,000, is being constructed to replace the former Rivoli Theater, a unit of the Allison Circuit, which was destroyed by fire several months ago.

K. F. Childs Will Build Jacksonville, III.—Kenneth F. Childs of Streator, has announced plans for the construction of a new theater here to cost about $45,000. Construction will start in 60 days.

Remodeling In Cazenovia New York—Cazenovia, N. Y.—N. L. Googin is enlarging and remodeling his Town Hall. To complete the modernization he has contracted with RCA Photophone for new sound equipment.

New Hudson to Bow in Hudson, O.—Loren Sother of the Falls Theater, Chagrin Falls, plans to open his new Hudson Theater near April 21 as possible.

Hampden Adding Theater Baltimore—The Hampden Amusement Co., operating the Hampden here, will build a new house at nearby Westport.

Interstate to Remodel Melba Dallas—Plans are set being completed by Peteraweg & Worley, architects, for the remodeling of the Interstate’s Melba theater. The auditorium will be revamped, the stage and foyer renovated and a new front built.

Past Office Into Theater Barberton, O.—Nate Schultz, Pastime Theater owner, has constructed two Drive-Ins Among New Houses, Remodeling in Many Spots

Two Drive-Ins will be among new buildings to be erected in a 15-year lease deal with Nat Marcus of the Boston Chas Stores of Findley who has purchased the old Post Office Building for theater conversion. The new house will have 200 seats. George Erblin, Cleveland architect, is preparing the plans.

Rebuild Royal At Opp

Opp, Ala.—The new Royal Theater, under construction on the same site where a Monroe building burned in March, is expected to open early in June. The new building an equipment will cost $27,000. George S. Owen, owner-manager.

700-Seater for Goldberg

Flamouth, Ky.—Max Goldberg, erecting a new 700-seater here.

WB Erecting Exchange Bidg.

Milwaukee—Warner’s new $600,000-air-conditioned film exchange building will be ready May 15.

Ed Loomis Replacing House Elk Rapids, Mich.—The Community theater here, owned by Harry Loomis, will be replaced by a new 400-seat, scheduled for late July opening.

1,000-Seater for Sparks

Tallahassee, Fla.—E. J. Sparks, president of Tallahassee Enterprises, Inc., operators of State and Ritz Theaters, discloses his company has purchased a Monroe building and will build a 1,000-seater.

New Smith $75,000 Drive-In

Hathaway City, Mo.—Mid-West Drive-In Theaters, Inc., Phil Smith subsidiary, will open a new $70,000 Santa Fe Theater here in May to accommodate 500 cars.

$186,000 San Leandro House

San Leandro, Cal.—The San Leandro Theater Co., subsidiary of Golde State, is starting construction of new theater here which will cost a total of $186,000.

1,200 Seater in Logansport

Logansport, Ind.—The Alliance Theater Corp. is building a new 1,200-seat here, to be ready June 1.

Fred Pennell To Build

Churubusco, Ind.—Fred Pennell owner of the Boston Theater will build a new 450 seat theater here.

Matinees Get Men

Detroit—Business at the United Artists is about 85 per cent male trade at matinees, reports from the showing of ‘Northwest Passage’ indicates, reversing the usual female trade. The house is one of the few that the film Sunday to normal business, after roadshowing ‘Gone With the Wind’ five weeks. The UA will continue a single bill policy, with no men, being the only first-run to play singles.

GWTW Detroit Mark

Detroit—Closing of GWTW yesterday at the Wilson Theater set all-time record for the show in sitting between the two house showing. Film is also showing at the Cadillac Theatre under same management. Former record was 19 weeks, set by the Annette Kellerman film, ‘Neptune’s Daughter.’ In 1914-1915, the house also ran ‘Man of Mystery.’
American Companies Asking Quadruple Quota Credits

LACK OF UNITY BY MAJORS SAID BAR TO CONSENT

Better Domestic Biz Depends On Quality--Selznick

Legality of Bingo to be Fought Out Before U. S. Supreme Court in Appeal in Wis. Case

Milwaukee—Council for Mr. and Mrs. Edward Zrimsek, operators of the Rahn Frei hall here, has been granted an appeal to the U. S. Supreme Court from a ruling by the State Supreme Court holding Bingo to be a lottery.

Original action against the Rahn Frei was brought by Charles W. Traupe, head of Monogram-Midwest Film Exchange here, who secured a circuit court injunction against the games at the hall. In an appeal by the defendants, the high court sustained the Circuit Court's ruling.

23 STARS SLAP NEELY BILL IN JOINT LETTER

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Twenty-three of the industry's top ranking stars have jointly expressed their opposition to the Neely bill in a letter forwarded to Rep. Clarence F. Lea, chairman of the House Interstate Commerce Committee, it was learned Saturday.

Expressing inability to understand why the bill was introduced in the

New York Theater Lease Sold by Consolidated

Consolidated Amusement Enterprises, Inc., has sold its lease of the New York Theater, now under construction at 43rd and Broadway, to David Zimmerman, an attorney representing an undisclosed exhibitor.

Pre-Trial Depositions Can Be Used in a New Case, D of J View

Washington—Lack of unity on the part of major defendants in the New York equity suit stands as a further virtually unanswerable barrier to its settlement by consent decree, it was indicated by the Department of Justice Saturday.

Recognizing the split among the defendants on several vital points, notably divestiture and theater affiliation, a high Department official told THE FILM DAILY pointedly, "There's hardly any sense trying to agree with some one who doesn't represent the industry."

He referred specifically to the dif--

Quadruple Quota Credits For Films Costing £8 Per Foot, U. S. Request

Dave Fleischer to Direct Original Cartoon Feature

Miami—Published reports to the effect that Fleischer Studios would start work on "Pandora," feature cartoon, for Para. release on June 1, have been described as misleading by Dave Fleischer.

Fleischer says that the studios are

London (By Cable) -- American companies are reportedly asking for quadruple quota credits for films costing £8 per foot, it was reliably learned yesterday on the eve of today's momentous trade conference summoned by the Board of Trade.

Continued delay in determining future quota requirements, an important factor in the British production scheme, is irritating the industry no

Majors Denied Dismissal of Vermont Trust Action

Boston—Distributor motions seeking dismissal of the anti-monopoly suit of Andrew Tegu, Vermont ex--

De Luxe Would Oust Brown as Education's Trustee

De Luxe Laboratories filed application Friday for an order to set aside the designation of William S.
Penn. Chain Tax Refunds
Must Wait Until 1941

Harrisburg, Pa.—Theater operators and the tax collectors who paid in a total of $560,582 in the chain store tax, declared unconstitutional last week, by the state supreme court, will have to wait at least until June 1, 1941, before they can get their money back. It has been reported that the state board of finance and revenue will decide on the status of the money collected.

Under the chain store tax act, which was estimated to bring in millions of dollars from the large chains, which were taxed $500 a theater or store if they maintained $50,000 or more, into the general fund, and all of it has been spent. Had the money been segregated, the refunding board could have made payments long ago, but as matters stand, the revenue department said, the legislation of 1941 will take the money before refunds can be made.

 Majors’ Sound Directors
Arrive Today From Coast

Sound directors of majors’ Coast studios arrive here today from Hollywood as guests of Erpi to survey and study sound recording equipment under development in Jatter’s labs.

Contingent comprises Clifford W. Smith, Hollywood vice-president of Paramount; Douglas Fairbanks, M-G-M; E. H. Hamsell, 20th-Fox, Trena-
ton; Samuel Goldwyn; Loren Ryder, Paramount; Bernard Brown, Universal; John Lavady, Columbia; Elmer Raqua, of Hal Roach; Jack Whitney, General Service; and K. F. Morgan, Erpi.

Kuykendall, Cole Invited to Address PCC of ITO Meet

West Coast Bureau of THE FILM DAILY

Hollywood—Invitations have been wired to Ed Kuykendall, MPTOA general counsel, and to Col. H. A. Cole, Allied head, to speak on May 9 at the convention of the Pacific Coast Conference of ITO. Further details of the convention will be announced this week.

"Westerner" Release Date

West Coast Bureau of THE FILM DAILY

Hollywood—Invitations have been wired to Ed Kuykendall, MPTOA general counsel, and to Col. H. A. Cole, Allied head, to speak on May 9 at the convention of the Pacific Coast Conference of ITO. Further details of the convention will be announced this week.

SamoUL Goldwyn returns to Hollywood today from an Arizona vacation.

GILBERT MILLER sailed Friday for a six-week tour of Chile and other South American countries.

VINCENT SHEEAN left Friday for a six-week vacation at Palm Beach.

RICHARD DE ROCHOMONT, European managing editor of THE DAILY, will arrive Friday on the S. S. Washington. Also arriving Friday will be Mrs. JOSEPH FRIDMAN, French-speaking chief of the London office of Columbia abroad.

VINCENT SHEEAN, accompanied by Mlle. SHEEAN, sailed Saturday on the Italian liner Vulcana for Europe.

G ENE RAYMOND expects to return to the coast next week for a role in RKO’s “City Romance.”

DAVID S. SELZICK is stopping at Sherry-Netherland.

RAY MILLAND arrives at LaGuardia Field, morning from Hollywood.

MARK SANDRICH was due to arrive at Gr. Co. headquarters yesterday for the “Buck Bros Rides Again” premiere.

HENRY FONDA left at the week-end for Hollywood after a 10-day vacation in New York.

JACOB PAS TERNAK leaves Washington Tuesday to go to the Coast to start preparations for Des Dunbire’s “Spring Parade” for “U.”

ELLEN DREW is due today on a business trip to Twentieth Century from the Coast.

BLANCHE YURKA left Saturday on a month-long tour in which she will do a one-week foreign tour.

JOE DIETZ, film buyer for Tri-State, turned to Des Moines at the week-end.

Mr. JACOB, head of Para’s, is in department, and MRS. JACOBSON were at the Coast yesterday.

HELEN webpage, head of the Larker org. and MRS. LASKER are back in Chicago now, beginning a winter vacation at Palm Springs.

CARY GRANT and RICHARD CARSLON in Director Frank Lloyd at Williamsburg, Va., for the week-end for filming of “The Millionaire.”

BILLY WILDER and JOHN SZEKELY, P publishers, were scheduled to arrive here from Coast at the week-end.

DORE SCHARY is in Washington for rites for “Life of Simon Bolivar.”

A. H. WOODS is in Hollywood seeking to get stage show, “The Cobra Strikers.”

TOA of Carolinas’ Meet

at Myrtle Beach June 2

Charlotte, N. C.—The North and South Carolina Theaters Owne’s directors have selected Myrtle Beach, S. C., as the place for Summer convention to be held June 8—11. Headquarters will be at Ocean Forest Hotel.
"TO MY DOG!"

Wondrous devotion lies behind his eyes,
His love's a magic charm
That safeguards me from harm;
His courage, faith and deep abiding trust
Will last eternal until we both are dust.

Stephen Harkness

We're not poets... so we won't attempt to describe in words the power and glory of this true-to-life drama of two boys and their trouble-making dog. Instead, Mr. Exhibitor, we offer this picture, "THE BISCUIT EATER," which we believe fully captures the realness and sincerity which made this Saturday Evening Post story so different from other stories. Paramount's "THE BISCUIT EATER" is a great heart picture. And the human heart and the box office heart beat ever the same.

"...there is no romance in the world like the romance of a boy and his dog..."
end, but today's conference, described as "final," is expected to ensure a full statement by mid-week... The announcement may coincide with the meeting Wednesday of the CEA's General Council at which time the General Purposes Committee will present its course of action on the film hire issue, as exclusively published in The Film Daily Friday.

The CEA is on record as favoring retention of the present Films Act with slight change. It is urging the exhibitor to start at 10 per cent, be progressive but provide a margin of choice. Additionally, the CEA suggests that American companies be compelled to produce a minimum of 40 features here in 1940-41. (American companies, it is reported, have offered to guarantee the production of 14 features here during the new quota year, and are understood to be willing to double that number if necessary.)

Other points in the CEA representations embrace approval of the proposed Films Bank, seen as making possible 40 productions in its first year, and requests that the legality of co-op production and pooling of bookings be established, and that non-British subjects — meaning American companies — be prohibited from acquiring control of British theaters through the use of "frozen" remittances.

Incidentally, the CEA is critical of the remittance agreement made in effect, and has advised the Board of Trade that, in its judgment, "a much better agreement could have been negotiated."

"We trust, when another agreement is being discussed, greater firmness will be displayed by the Board of Trade and the resulting document will afford greater protection to British film interests," says the CEA.

The remittance agreement extends to Oct. 31.

Saunders to Open "Wind" Parleys in Chicago Today

Chicago — Ed Saunders, M-G-M's Western division manager, open parleys here today with field men in connection with "Gone With the Wind" subsequent dates. Approximately 14 openings are set for April 17.

Industry Figures Buying Pix Stocks

Credence to the report that industry figures are buying leading shares in film stocks is given by the Wall St. Journal, which points out that such stocks are more active and stronger. Paper cites that many of the leading seasoned buyers have brought out "excellent" b.a. response, with some records broken.

- - - THERE'S a sequel to the colomn that appeared in this here space last Wednesday....In which we contended that it's a helluva shame... how an certain current feature of a certain major company... is being given only a weak-kneed, wishy-washy trade campaign... despite the fact that the attraction artiently has a load of merit... and is capable of grabbing a lot more revenue... if Mr. Exhib, were informed about the film... We said that the attraction is going strong in a parcel of situations... which is true... and we also said that Mr. Exhib, at large... hasn't been told about the film's good record.... Consequently, he can't be expected to buy a pig in a poke... which is also true.

- - - NOW the sequel is this:...... Perhaps the company doesn't know that it has a hit on its hands....... Perhaps it doesn't care.... We don't profess to know.... But it doesn't make sense that the picture is being treated as though it were a paoloko...... If it were there would be every justification for putting on the soft promotional pedal...... We subscribe to the strategy that if a picture is a paloloko... DROP IT!...... so that's the only ethical thing to do...... cause anyway you look at it..... it's a shoddy practice to deceive the exhibitor...... and put him on the spot with his patrons.

- - - YEP, if it's a paloloko... DROP IT!...... Mr. Exhib takes a lot of stock in the records pictures make in situations...... which are ahead of him in clearance...... That means that he's interested in premiere performance...... first-run performance...... second-run performance...... and, in the case of the small exhib, even what the picture did in a nearby situation...... prior to eligibility for his own screen...... Such all-along-the-line performances are used by Mr. Exhib...... as a gauge of how much effort and cash are deserving of going into the picture's campaign when he gets it...... So when he reads in his trade papers' ads...... the success of a film in its various stages of distribution...... he becomes really sold...... it's only loose lingo to say that an exhib, is "sold"...... merely because he puts his John Hancock on a license agreement...... Exhibs, ARE sold "on product"...... ONLY when they become convinced of attractions' merits...... and attractions in their houses live up to their advance reputations.

- - - JUST this past week...... we were humming with an out-of-town exhib... who allowed as how he was naturally interested in how pix fare in the larger keyes...... but, to his mind, this was not an altogether convincing yardstick...... because the theaters affine are relatives of the producing company...... and the full promotional heat is turned on to create big opening-day patronage...... "It's the in-between stands...... which play the film before I get it...... so that furnishes the yardstick for me"...... He asked why the producer-distribs didn't think it important...... to tell exhibs, about strength and performance of pix in such outlets....... it's for food for thought.***

- - - AS we said, if it's a paloloko drop it...... but if it isn't...... it should be promoted strongly supported to the hilt...... down through distributional stages...... for there's no denying that in this age of advertising it's REPETITION that builds REPUTATION......

REPUBLIC STRIKE QUICKLY CALLED OF

West Coast Bureau of THE FILM DAILY

Hollywood — The strike of some technicians at Republic on Friday lasted only an hour. Harold Smith in touch with William Bioff, who advised that the men go back to work. Bioff said he would handle negotiations himself.

The agreement union Ed Bal, signed new contracts with 200 independent-Gold Seal, Roland Reprise, etc., that Technispace/Spectro Effects Corp.

New York Theater Lease Sold by Consolidate

(Continued from Page 1)

Circuit. The theater is being co-owned by the New York Life Insurance Co. and is expected to be completed in two or three weeks.

"Flexibility" For Tele Key to DuMont's Stan

Position of Du Mont Laboratories Inc., in relation to the present FI-RCA controversy over television was clarified in a statement released this week-end. Du Mont, which affiliated with Paramount Pictures Inc., maintains that it is not opposed to the FCC's original approval "limited commercialization" of television but that it favors "flexibility" in both receiving sets and transmitters so that standards will not be "frozen." In connection with the stand, Du Mont officials emphasized that their sets are capable of receiving 441 to 800 line images and that a guarantee has been issued to dealers in which it is agreed to "guarantee against loss above 20 lines per thousand frames."

At Local 702's Ball

Second annual entertainment award of local 702, motion picture laboratory technicians, was held Saturday night at the Edison Hotel. A capacity attendance turned out for the affair.

John Wray, Actor, Dies

West Coast Bureau of THE FILM DAILY

Hollywood—John Wray, 52, actor, died Friday of liver trouble.

WEDDING BELLS

Edward Farrell, of International Projector Corp., and Anne Murphy, secretary to W. C. Michel of 20th Fox, were married on Saturday morning in Holy Cross Church, West 42nd Street. Couple left immediately for Washington, D. C., where they will spend their honeymoon.

West Coast Bureau of THE FILM DAILY

Hollywood—Eleanor Powell will wed Merrill Pyle, art designer, next March.
BETTER BIZ DEPENDS ON QUALITY, SELNICK

(Continued from Page 1)

that "GWTH" would play in England on a 70 per cent basis, at two London houses at a reserved seat policy and a third on an unrestricted basis. A picture like this would probably be hubbed for countries. He will file foreign deals on both "Wind" and "Ol' Decca" while here and look at other plays.

He said that he had given up any idea of buying "The Natchez" due to prejudicial difficulties, and was not particularly interested in "My Dear Children." discussing pictures and costs, Selznick expressed the opinion that costs must be high for quality; without that quality domestic business will be weak, and that a low margin of profit, if at all, must be recouped here; a variety of admission prices is a stimulus to trade; higher admission prices may be feasible for some pictures with big names and big stories, citing a possible example by Metro of "Ben Hur" as an example of a subject that would deserve admission differences, and if business is poor, exhibits must be encouraged to do their best.

Continuing on the question of costs, he advocated no attempt to "cook the books"; stated that he was writing costs and story material, and writers desire high salaries.

He foresees a continued swing to independent unit production on an increasing scale, with more independent producing improved grade of product a whole, although not necessarily increasing the annual Hollywood output.

He said that it had been reported on the Continent that Warner Bros. were considering setting up an independent sales organization to handle the product of their general sales with independent producers. Selznick foresees a revolutionary change in the picture industry, resulting from general policy changes. Deeying the synopsis clause in the Neely Bill, Selznick expressed the opinion that it might force bad pictures as it is virtually impossible for any producer to adhere to an original script.

Selznick said that the shorts he was considering in conjunction with Robert Benchley would be made, with a release deal to be set in the next week or two, possibly with UA. It will remain here for several weeks starting work on the "Joan of Arc" script in eight or nine weeks. He expects to take a full four-month vacation before he actually starts his production work, however.

Selznick said he had no commitments apart from his UA pact.

Strand Holding "True"

Warner's "It All Came True," with Eddie Foy Jr. in the title role, stays a second week at the N. Y. Strand where the bill opened to excellent business. Film had 174 city openings over the weekend.

THE WEEK IN REVIEW

Consent Plan Echoes—Sales Convention

By L. H. MITCHELL

DOMESTIC

EQUITY SUIT: D of C's stand against integration of production, distribution and exhibition was brought to court in an attempt to make the govt. change its consent decree, considers its stand unconstitutional, and claims the decree gives discrimination cue in control of licensing of highly admired theatrical.

GoVt. disclosed names of 100 new exhib. witnesses through whom it expects to prove coercion in theater by govt. admitted public information on production... N. E. Exhib. unit went on record as opposed to any consent decree, while parent Allied body weighed the consent plan of the D of C... It was forecast that Congress might get a revision of D of C's consent plan, while Senator Matthew M. Neely stated that the plan was no substitute for a black-booking bill.

GoVt. obtained order for subpoena on its witnesses.

SALES MEETINGS: RKO sales meeting set for New York's Waldorf-Astoria starting May 27... Metro meet will probably be held in Chi., starting May 20... Universal will likely have an Atlantic City conclave around May 15... Monogram meet is set for Dallas, April 20-21.

FINANCIAL: Pathe Film reported a 1939 net of $424,489... Eastman Kodak announced a 1939 profit of $21,537,077... General Theaters Equipment net for 1939 was $696,062.

MISCELLANY: Henry Ginsberg named head of Para, studio operations... Group Theater reported seeking film backing... All major contracts in U. S. ordered by court in the Mori (Vineland) trust suit... Gary Theater was reported ready to fight shortly of its anti-trust suit... UA will remain a member of MPFD... RKO plans a $20,000,000 budget for 52 pix... Floods closed a number of theaters in Pa., towns... FCO's chairman declared his body's order resisting start of commercial tele programs in the Fall... Increased biz in 1939 of 12 per cent forecast for B & K.

PRODUCTION: RKO to dip its racetrack film, "Photo Finish," in dye vat... "U" signed W. C. Fields for another film, "Bank Dick"... Select Attractions listed six titles it may produce... Tyrone Power gets romantic lead in 20-Fox's "Brigham Young" with Dean Jagger in title role... Para. signed Broadway actresses, Grace MacDonald, for "Dancing on a Dime"... Metro bought Vajda's "Equilibrium"... Col. signed Miriam Hopkins for tentatively titled "Singapore"... Frank Lloyd started "Tree of Liberty" for Col. at Williamsburg, Va... RKO will trade "Irene"... Lee Garmes will direct the Jason-Hecht pic, "Before I Die," at the old Biograph studios... Roach's "$1,000,000 B.C." to premiere in Los Angeles.

MAJORS' DISUNITY SEEN CONSENT BARGAIN

(Continued From Page 1)

ferences among the majors and the obvious fact that they were not working together for a settlement, and expressed the belief—quickly echoed by another equally highly placed D of J official—that there will not be a consent decree before trial starts.

On the legal question of splitting of defendants, it was stated that such a step could very properly be undertaken. If some of the defendants wished to accept a consent decree and others did not, it was explained that the decree would be entered against the willing parties and the remaining defendants would proceed to trial as planned.

Depositions now being taken at the pre-trial examination in New York can be used at a later date and are regarded as public testimony, it was stated at the Department. The depositions and settlement arrangements could always be introduced as testimony in a new case, it was explained. However, terms of the settlement could not be held to bind those not participating in it, although it might be introduced as evidence.

Announcement

Motion Picture and Allied rights in the literary properties listed below, vested in certain individuals and corporations, are represented by the undersigned as exclusive agent.

STORY OR PLAY

AUTHOR

Manhattan Madness ... Frank and Chas. Daye
My Lord of Double "B"... Morton S. Parker
Ship of Souls... Adolph Zukor
Two Can Play... Gerald Myatt
Children of the Whispered... Le Roy Scott
Seasland Daily... Frank L. Adams
Share and Share Alike... Reginald Wright Kaufmann
Substitute Wife... Katherine Smith
Self Defense... Elizabeth York Miller
Wandering Fire... Warren Fabian
Silver Launderers... Ethel Dandridge
Shadow of the Law... E. Loring Muller
Writings... Rufus King
Barriers Burned Away... Rev. E. P. Roe
Great Confederation... L. M. Washburn
Her Market Value... Frances Nordstrom
Omar the Tentmaker... Richard Walton Tully
Keep Her Smiling... John Haxton Booth
The Flame... Richard Walton Tully
A Strange Life... Richard Walton Tully
Gradsiva... Wilmer Jemson and Sigmund Freud
The Pack (Love Master)... Lawrence Trumble
The Sign (Hippier W. M.)... Jane Murfin
Heaven of the North... Lawrence Trumble
Pawed... Jane Murfin
The Price of a Party... Wm. Mac Harg

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W. RAY WALKER

Phone: WH 3-3130
Room 3207, 70 Pine St., N. Y. C.
FILM ALLIANCE WILL HANDLE 50 BRIT. PIX
(Continued from Page 1)
liance in a top spot among independent distributors of foreign and domestic product.
Wachsberger brought back the distribution rights to 25 completed negatives from British studios and commitments involving 25 other stories to be made this year at the Denham, Elstree, Ealing and other studios. "Let George Do It," a popular anti-Nazi comedy, which Wachsberger said was the No. 1 hit in England, is considered the most important of the picture rights he brought over.
Two important European producers are scheduled to arrive in the U. S. shortly to be associated with Film Alliance, Wachsberger said, adding that several French directors would join the studio setup. Wachsberger leaves later this week for the Coast to prepare for production.
Norman Elson, sales manager, announced that in some cities Fine Arts would operate its own exchanges and in others the company would continue to distribute through franchise holders.

IN OLD MISSOURI

WEAVER BROTHERS and ELVIRY

De Luxe Would Oust Brown
As Educational's Trustee
(Continued from Page 1)
Brown as trustee of Educational Films Corp. of America. The hearing will be held Wednesday along with an application to vacate the designation of James R. Davidson as trustee of Educational Pictures, parent organization.
Earle Hammons, president of both companies, was examined yesterday at a meeting of creditors of Educational Films. He testified as to the details of contracts which transferred the 55 mm. rights of Educational films to Grand National.

GE Orders Up 12.2%
Schenectady—GE first quarter orders totaled $97,490,047 as against $86,882,953 in 1939, gain of 12.2 per cent.

Film Carriers Comply
Chicago—Checkup shows all film carriers operating out of here have complied with the new state motor law.

Will Rogers Theater Week
Start Deferred to Apr. 25
(Continued from Page 1)

23 STARS SLAP NEELEY BILL IN JOINT LETTE

(Continued from Page 1)
first place, the 23 declare, "We are convinced that this bill is high harmful to the American screen against the best interests of the American public."
Signers embrace Joan Crawford, Fredric March, Edward G. Robinson, Tyrone Power, Don Ameche, All Faye, Ralph Morgan, Billie Burke, Conrad Nagel, Jean Hersholt, Jo McCrea, Madeleine Carroll, Bob Hope, Gary Cooper, Joan Blondie Dick Powell, Eddie Cantor, Robert Taylor, Norma Shearer, Walter Beery, Ralph Bellamy, Jeffrey Lynn and Joan Bennett.
Asking that their views be brought to the committee’s attention "at the proper time," the stars write, partially:
"Anyone acquainted with the law of pictures knows that the advance synopsis section of the bill is an absurdity. It would build a stone wall around production, destroy the experimental progress so vital to the development of a screen and result in pictures being turned out like automobiles on a assembly line.
"Picture that are most entertaining pictures we have appeared in have been the ones in which there has been constant revision, gradual shaping of plot structure, compromises, strengthen story values—in other words, exceptional pictures never are cut to a pattern. Pictures are made to entertain the public. We do not believe the Congress of the United States would wish to be responsible for the imprisonment of this service to all the people. In fairness to our industry—we have demonstrated that we can produce, under present methods, truly excellent pictures—the Neil bill should be defeated. We can’t see why it was proposed in the first place."

Majors Denied Dismissal of Vermont Trust Action
(Continued from Page 1)
hibitor, have been denied followings federal court hearing at Burlington, Vermont. Also denied was a motion to void parts of original complaint, which was brought by Attorney George S. Ryan.

Schary on “Bolivar” Mission
West Coast Bureau of THE FILM DAILY
Hollywood—Dore Schary left last week for Washington, D. C., on a mission for M-G-M in connection with the proposed filming of “The Life of Simon Bolivar.” The writer will confer with the U. S. Cabinet of ficers and Ambassadors from Latin American countries on the approach to the subject matter. He will return to Hollywood in about two weeks.
THE 1940 FILM YEAR BOOK of more than twelve hundred pages covers the industry from every angle — Production, Distribution and Exhibition. Between its covers will be found: A list of more than 17,000 titles of pictures released since 1915 — Credits on all pictures released in 1939 — Features imported during the past year — The Ten Best Pictures of 1939 with all credits — Serials released since 1920 — under new titles — Short Subject Series — Producers and Distributors — Personnel of Important Companies, Studios, Associations — Work of Players, Directors, Authors, Screen Play Writers, Cameramen, Film Editors, Song Writers and Dance Directors — Telephone numbers of Players’ Agents — Financial Structures of motion picture companies — An up-to-the-minute Equipment Buying Guide — A survey of Foreign Markets — Non-Theatrical Section — A comprehensive Showman’s Manual of Exploitation — A complete list of Theaters in the United States, Alaska and Canada — Addresses of Producers, Distributors, Exchanges, Laboratories, Trailer Companies, Insurance Brokers, Projection Rooms, Agents, Play Brokers, etc. — Motion Picture Publications — Books — The trend in theater building and equipment — Television and —

a thousand and one other important items of interest and value.

**IMPORTANT!**
The most valuable asset you can have is a full knowledge of the business in which you are engaged. There is no better place to obtain such knowledge than in THE FILM YEAR BOOK. The 1940 edition surpasses all others. Get it! Keep it for handy reference! It’s worth its weight in gold!

**THE FILM DAILY**
is the BEST $10.00 investment anyone can make who is interested in the Producing, Distributing, or Exhibiting of motion pictures.

Sign the coupon and mail it today.
Special Assistant Attorney General whether he still maintained that view, Zukor answered, that circumstances and conditions had changed. The Para. exec. pointed out that First National, a theater owning as-

sociation, in 1918 had made considerable progress in the production-distribution field by producing and distributing films and by bringing talent under contract. This situation, Zukor claimed, had seriously threatened Paramount's acquisition of company's entry into exhibition. At the present time, he added, costs of pictures have so increased that a producer must be assured of a permanent outlet for his product. Zukor, who described his early days of operating a chain and his negotiations which resulted in the acquisition of a number of theater circuits, insisted that there had been no national policy established, but that each purchase was the result of an individual situation which made it necessary. In 1925-26, because Fox was acquiring a large number of theaters, Paramount, in order to protect its interests, renewed its activity in that field, he said.

Sidney E. Kent, will testify Wed-
nessay, along with William Kupper and William Sussman. Efforts will be made, the Government said, to take out a testimony of Charles Mos-

kowitz and Nicholas M. Schenck

next week.

Garber Succeeds Solomon

Chicago—Jack Garber has joined B & B's publicity and advertising staff, succeeding Eddie Solomon, for new York City to join 20th-Century-Fox staff. B & K press department and friends, gave Sol-

omon a dinner and shift at the B & K Employees Club.

And Who's Next?

FILM DAILY's suggestion, via the liner, that daily printing movie time tables as a related service, including a second trip to the starting time, has been adopted by the Brooklyn Eagle Eagle. Paper is the second to fall into line, the Enquirer pioneering.

1940 IS NOT 1918,
ZUKOR TELLS GOVT'

(Continued from Page 1)

Historical Judge Harry W. Gaddard Friday designated room 15th as the court room for trial of the equity suit and ordered William B. Cowen to re-

serve the court room for a May 1 trial.

REVIEWS OF NEW FILMS

"Ma, He's Making Eyes at Me" with Tom Brown, Constance Moore, Richard Carle Universal 60 Mins. (HOLLYWOOD PREVIEW)

THOROUGHLY ENJOYABLE ENTERTAINMENT MARKED BY EFFECTIVE DIRECTORIAL TOUCHES.

This long-titled Universal production probably proved a pleasant surprise to studio officials who apparently didn't invest a lot of money in it. It is a light, cleverly written, and with that directorial touch that makes good pictures out of cheap pictures. Harold Schuster, with astute use of the camera, and a swift, light handling of char-
acters and sequences, makes every moment of the story telling thoroughly enjoyable. Harold's set is delightful and should be, and altogether realistic at all times. The original story, credited to Ed Sullivan, is simple—done before—but credit is due Charles Grisby and Edmund L. Hart-
mann for their witty dialogue and believable situations. The music under the direction of Charles Previn, featuring the old timers—"Ma, He's Making Eyes At Me" is light and pleasantly incidental. The story con-

cerns the efforts of Tommy Shaw (Tom Brown) to prove his genius as a high-pow-
ered press agent to his now-and-then em-

ployer, C. J. Woodbury, played beautifully by Charles Rich Carle. For this reason he joins the plot as "Miss Manhattan," Shaw's brainchild, who eventually pulls Mister Woodbury's swanky emporium out of the swank class—but out of the red. Several excellent Variety turns are used to advantage. Tom Brown plays a small role, and is given a cleverly written, time song and dance number. Jerome Cowan, as a columnist, swings through his role with ease. Anne Nagle, also gives a creditable performance as Shaw's secretary. Fritz Feld does his usual good job, and clocks many a laugh as a nonce floorwalker. The picture is well produced and directed, and actor Larry Williams at the tag, and the picture ends with practically the entire cast getting married.

CAST: Tom Brown, Constance Moore, Richard Carle, Anne Nagel, Jerome Cowan, Elizabeth Risdon, Fritz Feld, Larry Williams, Frank Mitchell, Peggy Chamberlin, Vivien Fay, Marie Greene and Her Merry Minstrels.

CReditS: Associate Producer, Joseph Garber; Director, Harold Schuster; Author, Ed Sullivan; Screenplay, Charles Grisby and Edmund L. Hartman; Camera, Ernest Balaban, Ernest Bolstad, ASC; Art Director, Jack Otterson; Associate, Ralph M. DeLacy; Editor, Ed Curtis; Musical Director, Charles Previn; Songs by Frank Skinner and Sam Lerner; Con Conrad and Sidney Clare; Richard Carle and E. R. Kalisz. DIRECTIONS, Excellent. PHOTOGRAPHY, Good.

Keys Succeeds Factor

Chicago—E. H. Keys succeeds Max Factor as a booker for the Great States circuit.

Lang, Architect, Dead

David S. Lang, 55, architect who designed the new New York Theater, Times Square, is dead.

Donat as "Jekyll-Hyde"

Metro, which has purchased the rights to Robert Louis Stevenson's "Dr. Jekyll and Mr. Hyde" from the late John G. Keyes of Para, is planning a production for England, with Robert Donat in the dual starring role.

LOU DIAMOND, PARA. EXEC. DIES SUDDENLY

(Continued from Page 1)

night, following a heart attack in the Waldorf Astoria's Empire Room. He was in the process of concluding the opening of the engagement of Orrin Tucker's Orchestra.

Diamond, was stricken just as he finished dancing to a melody, "The Isle of May," which he had pub-

lished.

He started his motion picture career in 1915 with Pathe, and joined Paramount in 1927, and for the past decade he had headed that organ-

ization's shorts department.

Surviving are his widow, Mrs. Celia Diamond; two sons, Paul, of New York, and Jack, of Hollywood, and three sisters, Mrs. Anna Millik and Mrs. Rose Kaufman, of New York, and Mrs. Bessie Sperling, of Hollywood.

Young to Be in Charge of All RKO Scenarists

(Continued from Page 1)

the studio, Harry Edington, exec-

utive producer, said Friday in New York. Edington said that formerly only stories were handled through this office while writers' agents made their contact direct with various producers. Edington returns to the Coast today.

Renee Balaban, Freeman To Directorate of FPC

Toronto — FPC shareholders re-


M. Selznick Sues 20th-Fox

West Coast Bureau of THE DAILY FILM.

Los Angeles—Myron Selznick & Co., Inc., has filed suit in Superior Court asking an injunction to re-

strain 20th Cent.-Fox from continuing its alleged boycott of the agency's clients.

Frank Carey Dead

Lebanon, Ind.—Frank Carey, 82 of Carey & Bredell, circuit oper-

ators, is dead. Widow and brother survive.

Stahl Plans "Webster"

West Coast Bureau of THE DAILY FILM.

Burbank—(Via Stahl) plans to produce "The Life of Daniel Web-

ster," probably with Walter Huston in the title role.

Pix-Turkey ... Dinner

Raton, N. M.—El Portal Theatre ad-

vertises "Theater Dinner Sundays" con-

junction with the El Raton Restau-

rant, covering a turkey dinner at the latter and "The Fighting 69th" at the former.
Forecast Italian Offer To Barter For American Films

Western Indie Circuits Form New Corp.; Huish, Prexy

Vill Operate in 5 States; Charter Permits Tele, Radio Activities

Salt Lake City—Theaters Security corp. has been organized by a group presenting four of the largest independent circuits served out of the six Lake City exchanges. The company is expected to have a big program, probably will own or control her houses and affiliated lines of business, including radio and television.

Organization was completed recently.

EFEREE UPHOLDS GN NEGATIVE SALE

Referee Peter B. Olney yesterday refused to sit aside the sale of negatives of Grand National Pieces to Mohawk Pictures and ruled, after argument, that there had been fraud in the bidding which had swayed Mohawk's price. The application to vacate the sale was made by Gustave De Lemos who said that the bidders had been misled and that the Creditors' Committee had not been notified of the sale.

best Production Gains; 13 Pictures Set to Start

east Coast Bureau of THE FILM DAILY

Hollywood—Thirty pictures are scheduled to go into production this week.

At Columbia: "Singapore" and "Tarahumara"

restrictions on Juvenile Attendance Proposed in Md.

Baltimore—Enactment of legislation which would require labeling of film suitable for children under 16 "family pictures" by the Maryland State Department of Education was reported to have been completed between the State board of education, the operators of the four houses operating the circuit.

British Hear Gov't May Restrict Imports: U.S. Distrib. Are Without Confirmation

Foreign departments of the major companies yesterday were without confirmation of the report that Great Britain, in a further effort to strengthen its war-time financial condition, was considering the importation of American-made pictures. Report, which forecast Board of Trade announcement this week, was published in English national dailies at the week-end, and was accepted as authoritative by American correspondents and press services.

Loew's and Para. Earnings Ahead Despite Foreign Drop, Wall St. Holds

Wall Street sources assert that earnings of Paramount and Loew's, Inc., for the last six months are ahead of a year ago, despite the drop in foreign income due to war in Europe.

The Wall Street Journal estimates that Paramount would report a bigger net for the quarter ending March 31 than did for the same quarter last year when the common stock earned 41 cents a share. This is due, it is said, to production operations being in the black and the company's theaters doing better business than a year ago.

Because of GWTW, Loew's profits this year may approximate the $6,975,000 earned in 1938, the Journal predicted.

Warners' half-year net, ending in

French Producers Shifting to Italy—Wachsberger

While production in France is at a virtual standstill, French producers are gradually shifting their activities to Italy, it was said yesterday by Nat. Wachsberger, vice-president of Film Alliance of the U.S., who returned last week from Europe.

According to Wachsberger's observations, only three pictures were in work in all of France but that there appeared a definite move on the part of producers to make Italy their production headquarters. If the war continues and Italy remains neutral, the production facilities there may become a source of supply for this country.

New Italian Plan Proposes to Barter for U.S. Films, Dr. Macaluso Reveals

Expect Shea to Take Over Brown Zanesville Theaters

Zanesville, O.—An exchange of options on each other's theater holdings is reported to have been completed between the Shea circuit and the operators of the four houses operating the circuit.

New plan for the barter of Italian pictures for American product will be tried out shortly in this country, it is disclosed by Dr. Francesco Macaluso, head of Esperia Films, Italian distributing company in this country, upon his return from Italy. Esperia also is going to experiment with exhibition here of completely dubbed-in-English versions of lead-
Magnetic Tape Machine Revealed by Bell Labs.

A new magnetic tape machine by means of which voices may be recorded and instantly reproduced without the delay occasioned by processing in sound tracks was demonstrated by sound directors of major studios at Bell Telephone Laboratories yesterday. The directors, who arrived here yesterday from the Coast, were guests of Dr. I. E. Buckley, exec. vice-prexy. Erpi is the group's host on the trip.

In addition the directors were shown a variety of new magnetic materials; a series of recently developed sound measuring instruments; a device for reproducing sounds so high in pitch as to pass beyond the range of hearing of the ordinary ear; and finally some of the recent advances which have been made in the much heralded frequency modulation system of radio broadcasting.

Mexico Bans "Ninotchka"; Cuba Halts Anti-Nazi Pix

Mexico—A protest by the Confederation of Mexican Workers is reported to have resulted in the banning of Metro's "Ninotchka" by the Federal Government.

Havana (By Cable) — Although published by the embassy, the arrest of Gonzalo Aguirre [in] "Inquisition," Cuban title for "Hitler, Beast of Berlin," has been suspended at the Comedia Theater, due to Nazi squawks.

Kent, Sussman, Kupper Examinations Deferred

Scheduled examinations of 20th Century-Fox executives in connection with the Government's equity action against the majors were postponed yesterday to next week, it was learned. Under changed plans, William Kupper will testify a week from today; William Sussman on the following day; and Sidney R. Kent, 20th-Fox president will conclude next week's examinations on Thursday, April 18.

New York Theater Lease Passes to Strand Circuit

The Brandt circuit has acquired the New York Theater, now under construction in Times Square. It was reported in THE DAILY yesterday that Consolidated Amusement Enterprises, which held the lease on the house, had sold its lease to an attorney representing a circuit. The New York was erected on the site of the old George M. Cohan Theater.

MPPDA Defers Meeting

Lack of a quorum prevented the MPPDA board of directors from holding the scheduled business session yesterday. Meeting may be held later this week.

Rifkin Appoints Powell to General Managership

Springfield, Mass.—Herman Rifkin, president of the Liberty Theatre Corp., announces that William T. Powell of this city has been appointed general manager of his theater interests which includes five theaters in Springfield, as well as theaters in Holyoke and Northampton. For the past 17 years, Powell had been associated with Paramount subsidiaries.

Burnett Succeeds Kurtzman in Pittsburgh for Loew's

Jos. R. Vogel of Loew's, yesterday announced the transfer of Martin Burnett, manager of Loew's Theatre, Jamestown, Pa., to Loew's, Pittsburgh, succeeding Charles Kurtzman, newly appointed Northeastern district manager. Sam Gilman moves from Harrisburg, Pa., into the Dayton house. Wm. Elder, Bijou, New Haven, will replace Gilman in Harrisburg.

Kuykendall Accepts, Cole Declines PCC of ITO Bid

West Coast Bureau of THE DAILY

Hollywood — Ed Kuykendall, MPTOA proxy, has accepted the invitation of the Pacific Coast Conference to attend its convention here on May 9 and deliver an address. Col. H. A. Cole, Allied proxy, was unable to accept due to pressure of other business.

500 Exhibs. Will Attend Variety Club Convention

Dallas—Five hundred exhibs. are expected to attend the Variety Club National convention here at the end of this week, it is reported, will have a total attendance of about 1,500.

Week's Delay for Bioff

Chicago—One week delay on issuance of a Court order that would return him to jail was granted yesterday to William Biff by Chief Justice John P. Fratzalski. Extension was granted to April 15 on plea by Biff's attorneys that no action be taken until the State Supreme Court has ruled on another phase of the case.
WARNER BROS. present

"THE CAVALCADE OF ACADEMY AWARDS FROM 1928 TO 1939"

Personally supervised by Frank Capra

THE STRONGEST STAR VALUE EVER ASSEMBLED! THE STRONGEST EXTRA ATTRACTION EVER OFFERED!

Showmanship Unequalled in Short Subject History! Pre-release starts this month by WARNER BROS. The Showmanship Company

THE WHO'S WHO OF HOLLYWOOD! EVERY STAR AND EVERY PICTURE THAT WON THE AWARD!

FREE TRAILER!
HOUSE COM. GETTING
GOV'T NEELY VIEWS

(Continued from Page 1)

Commerce, has not yet been an-
swered, it is reported, the Depart-
ment evidently desiring to hold off
until it has an opportunity to weigh
the chances of a settlement in the
New York equity suit.

Texts of the D of J and FTC
statements will be released at the
public hearings on the Neely bill,
it is understood.

In all probability the hearings
will get under way some time in April
and, according to the Committee's
office, may run a month at the rate
requests to testify are coming in.

Meanwhile, it was learned that in
connection with the suit the D of J has
been broadcasting questionnaires
to theater owners requesting the
following information:

Theater locations, address, when built,
or remodeled; capacity in orchestra
and balcony; admission scales during
1936-37 season; playing policy;
changes per week; pictures in the
program; general description of the
equipment and theater; approximate
number of pictures used during
1936-37 season released by indepen-
dent distributing companies other
than (the 8 majors); the signature,
whether owner, manager, etc.

Traverse City Business
Closed for Foster Rites

Traverse City, Mich.—As a mark
of civic respect, all business houses
here closed during the funeral of
Conrad H. Foster, 64, Butterfield
Circuit manager and former mayor.
Foster had been in show business
since 1899, and for 14 years was
assistant treasurer for Ringling Bros.
His widow and an adopted daughter
survive.

Maclntyre, Michalon Back

Herb Maclntyre, captain of the
Ned Depinet Drive, and Harry Micha-
lon, short subjects sales manager,
have completed their second swing
around 38 exchanges in the interest of
the RKO sales campaign which
ends May 10.

ITALY PLANS BARTER
OFFER FOR U. S. PL.

(Continued from Page 1)

ing Italian films, it was learned.
Dr. Macaluso expressed the opin-
ion that there might be some future
modification of Italian law, aver-
ing distribution there, but foresaw
no immediate changes. He stated
that there is marked improvement
in all phases of Italian production
with the studios scheduling about 15
productions for this year, with possibly
40 will be distributed in the U. S. by
Esperia.

Lowet, Para. Earnings Up
Despite Foreign Decline

(Continued from Page 1)

February, probably will compare
favorably with the half-year earn-
ings of a year ago when $1,665,000
or 30 cents a share, was reported
it was declared.

Rites for Wm. Faversham
at Bay Shore, L. I., Today

Funeral services for William Fava-
sham, 72, stage star and former
film actor, who died Sunday, will be
held at the White Funeral Home
Bay Shore, L. I., at 2 p.m. today.
Burial will be at Huntington.

Surviving are his widow, the for-
mer Edith Campbell, and two sons
Philip and William Faversham, Jr.,
both born to his second wife, the late
Julie Opp.

Heacock Rites on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services for
Francis Heacock, 28, Warner studio
publicist, fatally hurt in an auto
accident, were held yesterday.

WEDDING BELLS

Albany's film row has a new
engagement in Alice Smith, switch-
board operator for Warner distrib-
uting group and Bill Gaddoni, M-
G-M booker. Date for wedding has
not yet been announced.

Pittsburgh.—Floyd Bender, of the
Grand Theater, Millvale, Pa., was
married to Miss Olivette Webster
of DuBois, at the Millvale Lutheran
Church. They are an Eastern
honeymoon.

Charleston, W. Va.—Mr. and Mrs.
Gene Coster celebrated their 27th
wedding anniversary by attending
the wedding of their son Jack, per-
formed on the same day, at Charleston.

Pittsburgh.—The marriage of Mar-
tin Seed, son of Harry Seed, local
branch manager for the Warner-
Vitagraph exchange, to Miss Eleanor
Wolk, will take place on June 25.
Republic’s “Dark Command” to Play Roxy

“Dark Command,” Republic’s first extra-budget production since “Man of Con- quering Courage,” which was released through a back door, will be opened this week by sources close to the company. The date, it was stated, will be announced later.

Injunction Proceedings Aimed at Buffalo Bingo

Buffalo — After a jury disagreement in the so-called Bingo test case against Old Vienna, Inc., which is headed by former Mayor Frank X. Schwab and operating in the old Gayety Theater here, District Attorney Leo J. Hagerty Monday indicated he planned to pursue injunction proceedings in seeking to obtain a final and au-

termaryed act of the game as Old Vienna operates.

Plans call for application for an injunction on the facts of the in-
dictment. Then a Justice in equity term of Supreme Court would try the matter, without a jury, and de-
cide whether the prosecutor is entitled to an injunction restraining the corporation from operating.

It was reliably reported that the jurors were evenly divided when dis-

charge.

Steinbeck and Kline Will Produce Feature in Mexico

Feature dealing with the natives of Mexico will be started next month, or sooner by Herbert Kline and John Steinbeck. It was learned yesterday, Kline stated that the picture would have a story and scenario by Stein-

beck. and it would not be a docu-

mentary. It is expected that the Mexican Government will cooperate.

Major distribution deal is planned when the picture is completed.

Kline and Peter Mayer re-
cently made “Lights Out in Europe.”

“1,000,000 B. C.” Clicking

Louisville—In its pre-release show-
ing at Loew's here, “1,000,000 B. C.,” Columbia will show the picture that was done by “Too Hot to Handle” and “Babes in Arms” which held open-

ning day records.

San Diego—“1,000,000 B. C.” in its week's engagement at California Theater established as the lega-

ty record for this season.

Neil's Starts First

West Coast Bureau of THE FILM DAILY

Hollywood — Sigmund Neild's, Inc., starts its first picture this week for Producers Releasing Corp., “Son

of the Finest,” story by William A. Ulman, Jr., screenplay by George Bricker. Sherman Scott will di-

rect and the cast includes Gordon Jones, Joyce Compton, Craig Reyn-

olds, J. Farrell MacDonald, Robert Homans, Guy Usher and Sam Flint.

M-G-M Buys Steinbeck Novel

West Coast Bureau of THE FILM DAILY


REFFREE UPHOLDS GN NEGATIVE SALE

Referee Upholds GN Negative Sale

(Continued from Page 1)

mmediate ruling, said the GN is not entitled to the court's proposed agreement.

Restrictions on Juvenile Attendance Proposed in Md.

(Continued from Page 1)

Land Census Board, with juve attendance restricted to such films, is proposed by the Citizens League for Better Motion Pictures. League, nided by the Federation of Women’s Clubs and the Congress of PTA, will wage a state-wide campaign. It contends the Censor Board has been “very lax.”

Willie Funeral Held

Fort Worth, Texas.—Funeral services for Willie Willits, killed by fire and gasoline with the Majestic Theater, San An-

tonio, for seven years, were held here in his former home. He was the father of Raymond Willits, dis-

trict manager for Interstate Cir-

cuit Theaters, with headquarters at Dallas.

A. R. Warner Has Stroke

Detroit—Alton R. Warner, manager of the Vic Theater, is the victim of a stroke. Alfred G. Wil-

son is managing the house, now playing GWTW, personally in his absence.

Millend’s Precedent

Roy Millend, who arrived from the Coast yesterday, will attend the New York openings of three of his pic-

tures, each made for different companies, during the next three weeks. Fix are “French Without Tears,” Para. “T網絡,” RKO, and “The Doctor Takes a Wife,” Col. It’s a situation probably without parallel.
INDIE CIRCUITS FORM NEW CORP. IN WEST

(Continued from Page 1)

ently at a meeting in Blackfoot, Idaho, and was incorporated under the laws of Oregon. Application also has been made for the incorporation to transact business in Utah, headquarters being in Salt Lake City and Blackfoot.

Authorized capital is $500,000 with a stock par value of $100 each. C. E. Huish, Salt Lake City, is president; I. H. Harris, Burley, Idaho, vice-president; Claude Hawx, Salt Lake City, secretary; Paul De Mordaunt, Blackfoot, Idaho, treasurer. The board of directors includes Hugh Drennan, Rexburg, Idaho, C. C. Voeller, Buhl, Idaho, L. C. Denton, Caliente, Nev., V. A. Gilhool, Salt Lake City.

Function of the new company is to "own, lease, purchase and operate motion picture theaters in Idaho, Utah, Nevada, Wyoming, and Oregon, and may extend its operations to any part of the United States; may buy and distribute film or may engage in the theater supply business; may acquire television franchises or own and operate radio stations; may purchase, lease or mortgage real and personal property; or may acquire, hold and dispose of securities of all kinds and stocks in other corporations."

NEW YORKERS GOING TO DALLAS, TEXAS

PLEASE NOTE

SUBJECT: VARIETY CLUB NATIONAL CONVENTION.

WHERE: To be held at Dallas, Texas, on April 18th, 19th and 20th.

TRAIN ARRANGEMENTS: A special section will be operated via New York Central R. R. leaving New York, Tuesday, April 16th at 3:35 P. M. from Grand Central Station and running direct to Dallas without change.

DIVERSIFICATIONS: A special diner-lounge reserved for our exclusive occupancy will provide the necessary space for this party to get together and do the things they like to do while we speed to Dallas and three solid days of celebrating with the Variety Club Conventioneers.

PULLMAN SPACE: A limited number of rooms are still available on this special section. Reservations should be made as early as possible to insure proper accommodations.

MAKE YOUR PULLMAN RESERVATIONS NOW IF YOU WANT TO TRAVEL WITH THIS PARTY. GET IN TOUCH WITH:

"CHICK" LEWIS
1501 BROADWAY
NEW YORK CITY
TEL.: BRYANT 5-5006

Adirondacks Exhibs. Expect Heavy Play as Vacationists Give '40 Fair the Go-By

Albany—Adirondack Mountain area exhibs., booking at local exchanges, tell THE FILM DAILY that summer resorts find advance reservations much better than last year. Reason, they say, ia that steady repeat customers mixed in with the mountains last year to attend the World's Fair, but in writing for early 1940 reservations, have indicated they are not going again.

Expect Shea to Take Over Brown Zanesville Theaters

(Continued from Page 1)

-created by the late Caldwell Brown. It is understood that if either party wishes to get out of the town, the other will have the right to acquire the properties.

Shea has one theater in Zanesville; the Brown interests have four. Reports here indicate that Shea will exercise its option shortly. E. C. Granger, Shea executive, is due here tomorrow.

Gordon Morris Expires

West Coast Bureau of THE FILM DAILY

Los Angeles—Gordon Morris, actor and author, is dead, following a six months' illness. Surviving are his mother, Mrs. William Morris, two brothers, Chester and Adrian, and a sister, Wilhelmina.

15 Galvin Tele Models

Chicago—Galvin Manufacturing Co. has constructed 15 different models of tele receivers from which final selections will be made for mass production.

"Birth of a Baby" Again Before N. Y. Appeals Court

Albany, N. Y.—Exposition of the medical and educational auspices under which "The Birth of a Baby" was produced in the effort of several medical societies to get the subject properly before the public was prepared before the Court of Appeals yesterday as the American Committee of Maternal Welfare, in renewed its efforts to obtain the overruling of Censor Esmond in banning the play in New York State. Decision of the court is expected in two or three weeks.

Paramount May Produce Second Feature in Ga.

Albany, Ga.—Paramount is planning to produce a second pix hereabouts, according to Jack Moos, responsible for "The Biscuit Eater" which bows in here Thursday night. Moos says James Street will write the story in which Billy Lee and Cordell Hickman, seen in "Eater," will also appear.

Moos is coming on for the "Eater" premiere as are Billy Lee, Jean Cagney, William Henry, Stuart Heisler.

From Atlanta will come William K. Jenkins and P. E. Whitaker of Lucas-Jenkins Theaters; R. B. Wilby and J. H. Harrison of the Wilby-Kinecy Circuit; Charles Karr of the Martin Theaters; John Harrell of the Martin and Thompson Theaters; William, manager of the Paramount Theater; Riley Davis and Sid Reams of the Theatrical Printing Company and Harold Wilkes and John Kirby of the Paramount exchange.

Auto Injuries Kill Padgett

Remington, Ind.—Grover Padgett, manager of the Remington Theater here, died as the result of injuries received in an auto accident. He was returning from a trip to Chicago where he had picked up film for the

HARD-TO-GET-TO" PEOPLE ARE EASY TO GET TO BY POSTAL TELEGRAPH

CHARGES FOR TELEGRAMS "PHONED IN APPEAR ON YOUR TELEPHONE BILL.

TOP BLOCK-BOOKING CHAIRE IN PROPOSAL

(Continued from Page 1)

was learned, there were various interpretations of its provisions.

It was agreed generally, however, that the Commerce Dept. slight to regulate the situation by stipulating where a distributor sold per centage pictures in blocks of three or four, one additional picture would be offered on a single contract in the same terms. The number of single, or separate, pictures would be in proportion to the size of the blocks. For example, where a block includes seven pictures, the number of single pictures would be increased to three. The scale gets upward, so that where 20 or more pictures are offered in blocks, nine pictures would be offered separately.

While the clause has been elimi- nated, its text was as follows: "A distributor who distributes during a calendar year four or more feature pictures at more than 27 per cent of the gross receipts (first-run pictures generally shall distribute singly in each exchange district during the 12-month period starting April 1 of that calendar year, the following number of pictures: (The table was then given.)

Philly Allied Opposes Slot Machine Picture

(Continued from Page 1)

tion, against nickel-in-the-slot machines and also against the use of the fraternal films in 16 mm.

The next general meeting of A-4 will be held next Tuesday, when the next upstate meeting will take place at Mount Carmel on Friday.

Diamond Funeral Today

Interment to be Private

(Continued from Page 1)

be private at the Mt. Pleasant cemetery in Westchester. The Paramount short subjects have died of a heat attack shortly after midnight Friday while attending the opening of Orrin Tucker's orchestra at the Water-Astoria.

Mrs. M. Lewis Dies

Chicago—Mrs. M. Lewis, mother of Edwin Lewis, manager in Aurora Ill., for the Great State Circuit-dead.

STORKS!

Indianapolis—Timothy Cleary, G-M of Cleary's is the father of a baby boy named Patrick at St. Vincent's Hospital.

South Bend, Ind.—Hugh Martin manager of Great States Coast THERE Theater, announced with a smile the arrival of a son, James.
1. Naughty, naughty, M.P.H.! I said I was the leader in paid circulation in the U.S.A.—and that doesn't mean the Fiji Islands, Borneo, Zanzibar or Timbuctoo!
Just what Loretta ordered!

Just what the doctor ordered!

You won't have to have a doctor in the house to know it's CONTAGIOUSLY LAUGH-PACKED!

Just what the exhibitor ordered!

LORETTA YOUNG * MILLAND

The Doctor Takes a Wife

with REGINALD GARDINER • GAIL PATRICK
EDMUND GWENN • GEORGES METAXA

Screen play by George Seaton and Ken Englund
Directed by ALEXANDER HALL • Produced by William Perlberg

A COLUMBIA PICTURE
Theater Divorcement Bill—Washington—Senator Matthew Neely, Dem., West Virginia, yesterday introduced a theater divorcement measure in the Senate to supplement his block-booking bill, now awaiting action in the House. The measure would bar producers and distributors from owning, controlling, operating, or investing in film theaters.

British Deny Planning Restrictions on U. S. Film Imports

SCANDINAVIAN MARKET MENACED BY NAZIS' DRIVE

Theater Construction Pace Accelerated in the South

Look Magazine Makes Entry in Film Biz
Through Tie-up With American Pictures

Look Magazine-American Pictures tie-up will launch its first feature production on Saturday, to be followed by two completed shorts and five others in preparation. "Lights Out in Europe," initial Look-Amplex release, opens at the Little Carnegie in New York on Saturday, the picture having been produced in England, Poland, France, and the Western Front by Herbert Kline, director of "Crisis."

STEREOPHONIC SOUND USE PUT TO FILM BIZ
Characterizing the Bell Telephone Laboratories' stereophonic reproduction of enhanced music as "the most significant development in sound in the last decade," T. K. Stevenson, Erpi's president, declared last night during the special invitation demonstration held under Bell auspices in Carnegie Hall that it is now for the industry to determine how rapidly it is justified in applying the new technique of recording and reproducing every sound that ear.

Film and Music Notables Mourn for Lou Diamond
Film biz and Tin Pan Alley joined yesterday in mourning for Lou S. Diamond, late Paramount exec, when funeral services were conducted at Riverside Memorial Cha.

REPORTS BRITISH PLANNING TO RESTRICT AMERICAN FILM IMPORTS SAID UNFOUNDED

Universal now plans two sales conventions in early May, with Atlantic City and Chicago as the probable choices, it was announced yesterday by W. A. Scully, vice-president and general sales manager. "It will release the same number of pictures in 1940-41 as were released in the present season, Scully added.

American Majors' Business in Four Countries Said $4,000,000
Fate of the Norwegian and Danish film markets was a huge question mark last night as American film companies watched with apprehension the latest developments in the European war. Occupation of Denmark and Norway by German armed forces may mean, temporarily at least, the end to one.
Actor's Equity to Elect May 24; Lytell Tops Slate

Regular slate of candidates selected by the Equity-Eliminating committee was announced yesterday, with Bert Lytell running to succeed himself as president. Annual meeting and election will be held May 24. Other candidates for executive posts include: Walter Huston, running for first vice-president; Thomas Reed, second v-p.; Augustin Duncan, third v-p.; Peggy Wood, fourth v-p.; Paul Dulzell, treasurer; and John Beal, recording secretary. Candidates for the Council were also selected.

Any opposition ticket must be filed by three weeks before the date of election, with no opposition reported to be looming.

Syndicate, Trade Press Off for "Biscuit Eater" Debut

Intensive national syndicate and trade paper coverage was given the world premiere of Paramount's "The Biscuit Eater," at the Albany Theater, Albany, Ga., tomorrow night with the departure today of ace reporters and photographers to cover.

Abroad the special Paramount cablegram tells that it leaves Penn Station early this afternoon will be the following syndicate, magazine and trade press representatives: George Beal, UP; George Lait, INS; John Demer, Herald Tribune News Service; Frank Gehman, Acme News Photos; George H. Morris, Film Daily; Miss Hazel Mith, Life Magazine; Jay Emanuel, Jay Emanuel Publications; Bob Greenhaus, Times World Wide; William Ornstein, Box Office; Dale Harrison, George Mathews, Adams Syndicate; James Cunningham, Motion Picture Herald; John Lindsve, AP; Roy Chartier, Variety; Fred Menough, King Features Syndicate; Fred Smith, Liberty Magazine; Sam Shere, International News Photo; Irving Hoffman, Hollywood Reporter; Sam Sheres, Western Film Daily; Jesse Zuner, Cue Magazine; and Kenneth McCab, Daily Mirror. Accompanying the foregoing group will be Al Wille, Tom Walker, Herb Burt and Ed Sullivan, from Para.'s home office.

Browne Back to St. Louis to Untangle 143's Affairs

St. Louis—Final cleanup of the tangled affairs of Local 143 Operators, that resulted from the regime of John P. Nick, former international vice-president, will probably be worked out when George E. Browne, IAESTE presxy, returns here today, after talks with the local's new officials.

Among the matters still to be ironed out are the dispute over F. P. & M. Film Service's attempt to arrange a hearing for the local with the national's new officials, which seems to be on the verge of being settled.

As a general rule, Browne leaves for home today, after a stay of several months in the St. Louis office.

40 Dickinson Theaters Under Griffith Ownership

Lincoln—All 40 theaters of the Kansas, Missouri, Nebraska Dickinson Circuit, with operations stretched over 29 towns, became the property of H. J. Griffith, of the Griffith Bros. Amusement Co. this week. The estimated value of the property is $1,500,000, but buying price not disclosed. Griffith has been operating the Dickinson string for nearly a year, following a 50 per cent stock interest taken 12 months ago.

Para. Sues Don Ameche

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has filed suit against Don Ameche for approximately $170,000 damages which it alleges sustained when Ameche refused to play in "The Night and the City," released last month.
ORIS MORROS FORMS
NEW PRODUCING CO.

(Continued from Page 1)

Jim Jacques Grinieff, French pro-
ducer with whom Morros produced
“Flying Deuces” will be dissolved.
Robert Stillman will be Morros’
heir apparent and vice-president of
the new company. Stillman’s
brother, John Stillman, an Arizona
Resident and A. Robert Simon will
be vice-presidents of the new corpo-
nation, with Robert Morros as
president of National Picture
and Sam Rheiner secretary.

‘cess Tells the FCC That
Commercial Tele is Needed

William Berkey of THE FILM DAILY
Washington—Television has ad-
nounced a need to a point where commercializa-
tion is needed as a “springboard” on which the public could be the
al judge of standards, Lewis Al-
Weiss, vice-proxy and general
ager of the Don Lee Broadcast-
Sym, told the FCC commis-
nion at yesterday’s hearing.
Weiss stated that a group of the-
ners on the West Coast were suffi-
ciently satisfied with tele reception
be willing to negotiate with Gaud-
inet British for programs to be
ected in their theaters.
Harry B. Lubeke, engineer for the
system, stated that the Don Lee
pay was ready and willing to
any format besides the 441
at may prove better.” Hearing
continue today.

“Tree of Liberty” Nixed
As Film Title by Critics

Columbia’s home office explained
iday that its Frank Lloyd pro-
tion, “Tree of Liberty” will be
as “The Howards of Vir-
ina” and that the change was
ed upon after a poll of several
ed film editors and critics in
which a majority expressed the view
that the original title would lack
appeal. Title, “The Howards of
Virginia,” was suggested by J.
J. Sayre, of the Seattle Post In-
genator.

ALONG THE
RAIL
WITH PHIL M. DALY

● ● ● IN the best spirit of the go-getter— the local exec. army
of 20th-Fox—hies out of Grand Central via a special train this
evening for Chicago—where the company’s annual sales conven-
tion’ll be held in the Drake Hotel—on April 12, 13 and 14. . . . By
setting its conclave at this early stage. . . . the 20th-Fox legions are
serving notice that no grass gonna be permitted—to grow under
the company’s tooties—in the matter of launching plans for the
1940-41 season. . . . which is being geared as the organization’s year
of years. . . . The Chi. proceedings can best be described as a business
blitzkrieg. . . . for the h.o. contingent is slated to return here on Mon-
day morn.

● ● ● THERE is apparently no end . . . to the marvelous
things Radio can accomplish. . . . Truth to tell, its ramifications
are frightening. . . . The most recent property the science pos-
sesses. . . . is the astounding ability to change film titles over-
night. . . . Let us explain.

● ● ● YESTADAY . . . your columnist perched confidently
on the keys of his typewriter— to punch out a phrase or three about
Columbia’s currently-being-manufactured opus. “The Tree of Liberty”
which Massa Frank Lloyd is shootin’ down in historic Williamsburg.
Va. . . . where. . . . its, said every one of the lovely Colonial buildings. . .
has a Rockefeller Foundation. . . . But just as the keys were about to
clack. . . . there galloped into the writer’s favorite trade paper’s predicat.
A Postal Telegraph Paul Revere with a publicity release—which
unerronomically asserted that Massa Frank Lloyd was now shootin’ in

● ● ● FOR a minute, we blinked. . . . and concluded that
Massa Lloyd. . . . was just taking advantage of the sunshine of
Virginia for fear he might not be carried back again very soon to
that Ole State. . . . and had decided to make a double feature
while he was at it. . . . But it developed that this conclusion was
cockeyed. . . . and the truth was that “The Tree of Liberty” had
been cut down for “The Howards of Virginia.” . . . which is the
new title. . . . How come?

● ● ● WELL, it seems that on Monday night. . . . there was
a big broadcast. Suh. . . . out of Williamsburg. Suh. . . . and the pro-
gram was hook’d up with the radio feature. “True or False” . . . which
is one of those rare quia affairs. . . . Now just before the broadcast
went on the NBC Blue Network. . . . It was true that the opus Massa
Lloyd was making. . . . was “The Tree of Liberty.”. . . but when the
program got under way——the title was absolutely false. . . . What
a wonderful thing Radio is . . . Incidentally, it was a wonderful hunk
of strategy on the part of Columbia to take advantage of a coast-
to-coast hookup——to let Mr. and Mrs. U. S. A. know——and de-
clusively, ‘bout the title change.

● ● ● MORE big doin’s will be on tap this week——below
the Mason-Dixon Line——for early this afternoon——the Para-
mount Pullman pikes outta Penn Station——with its impressive
cargo of scribes——on wheel to Albany, Georgia, to attend the
premiere of “The Biscuit Eater”——which is not to be confused with
the Georgia Cracker. . . . “The Biscuit Eater” is, by the by, a
honey of a picture, from all reports——To wise exhibs we bit.
“Buy the Buy.” . . . Today also is the second wedding
anniversary of Charlie (Leo the Lion) Cohen—— and we have
only to say by way of congratulations on this occasion——that
Charlie is a helluva lucky guy——having the affection of his
spouse——plus the entire trade press.

STEREOPHONIC SOUND
USE PUT TO FILM BIZ

(Continued from Page 1)

could have heard initially—to film
biz.

Stevenson also asserted that as a
result of continued research by Bell
Telephone engineers that not only
can the entire range of such sound
now be recorded and reproduced
stereophonically, but that it can be
raised to any desired volume.

In addition to determining the
rapidly widening field, the apply
the new development, Stevenson
said it was also up to the industry
to decide how dialogue and music
recorded with such volume can be
made commercially successful.

Gradual Changes Expected

“I believe,” he said, “these changes
will be gradual in their impact upon
the industry which is a step ahead
of the possibility of improvement”
and that “they will not cause any
sudden revolution in the art as did
the advent of sound 14 years ago.”

Further, he pointed out that the
new development signals continued
progress in the recording and repro-
duction of sound either in connec-
tion with motion pictures, or pos-
sibly with a newsreel, or even on
a separate medium for making the best
music available to audiences
throughout the country.

Last night’s demonstration, which
will be repeated again tonight in
Carnegie Hall for special guests, was
the culmination of a long series of
researches by the Bell Laboratories
during which in 1933 a symphony
concert produced in Philadelphia
was transmitted over radio to Wash-
ington and there reproduced stereophonically before the National
Academy of Sciences.

Practical Application by Erpi

Subsequent research supplied the
equipment and technique for record-
ning without loss of the original
music and with an actual enhance-
ment of artistic feeling. The list-
ener in Carnegie Hall last night
had the same spatial sense as to the
source of the sounds as if he had
been sitting in the original hall, and
in addition he heard the music en-
hanced by variations of loudness and
tone quality according to the in-
terpretation of the original director.

Practical application of the new
system will be in the hands of Erpi,
Western Electric’s subsidiary com-
pany, it was explained by Dr. Frank
E. Jewett, president of Bell Tele-
phone Laboratories.

Kinent

Detroit—Running part of the first
reel of the first double feature as an
afternoon, to help empty the house of-
clawed time had just been latest occa-
sion at the Michigan. Operator cut the
showed off as May Robson, in “Granny
Got Your Gun” yells, “Now, get out
of here!”

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

APRIL

George Arliss
Tom Geraghty
Joe Moskowitz
Harold S. Bucquet
Nick Stansky
Lou Rydell
Ford Yargi

Happy
Birthday
"Curtain Call" with Barbara Read, Alan Mowbray, Helen Vinsen
RKO Radio 60 Mins. (HOLLYWOOD PREVIEW)
SWELL LAUGH NUMBER REPELLENT WITH GAG LINES SHOULD CLICK EASILY.
If your audience is looking for laughs, they can't go wrong buying tickets to see this little number. "Curtain Call" is the first production effort of Howard Benedict, and the first directorial stint for Frank Woodfuff. Studded with a cast of fine performers, the obviously corny plot is padded so well with gag lines, which drew a constant flow of belly-laughs from the preview audience, that you can't help but be entertained. The story concerns the attempts of a Broadway producer and his director, played in that order by Donald MacBride and Alan Mowbray, to keep their one asset, a star (the personage played by Helen Vinsen), from signing a contract with a rival producer. They buy a bad play from an unknown writer, girl William Read hoping to discourage the star from appearing in it, thereby breaking her contract, which will keep her from working for one, until "She comes back crying for mercy." The star professes to be crazy about the vehicle, and from there on the picture is wholesome hok. Toward the end the story goes down a little, but clever little bits of direction, and acting by MacBride and Mowbray, master muggers, keep the audience interested. Competent performances in minor roles are turned in by Frank Faylen, as a press-agent, Leona Maricle, a secretary, Ralph Forbes, J. M. Kerrigan, Ann Shoemaker and Tommy Kelly. John Archer, Jesse Lasky protege, has a few choice lines, and looks dandy.


CREDITS: Producer, Howard Benedict; Executive Producer, Lee Marcus; Director, Frank Woodfuff; Author, Arthur Green; Screenplay, Dalton Trumbo; Cameraman, Russell Matty, ASC; Art Director, Van Nest Polglase; Associate, Albert D'Agostino; Editor, Harry Marker; Musical Score by Roy Webb.

DIRECTION, Good. PHOTOGRAPHY, Good.

Charles Kurtzman Feded
Pittsburgh—Members of the local Exhibitors Association and the Variety Club tendered a farewell dinner to Charles Kurtzman, who was recently appointed to succeed J. M. Loew's Penn Theater here to division manager in the Boston and Cambridge area, at the William Penn Hotel and presented him with a set of luggage.

Andy Smith's Div. Leads
Andy Smith's Eastern division is leading Cresson Smith's Western division in RKO Radio's "Smith Smiths" contest on combined shipments of film against quotas.

"Son Of The Navy" with James Dunn, Jean Parker, Martin Spellman
Monogram 72 Mins.
NAVY PICTURE, AMUSING AND WELL FACED, IS GOOD ENTERTAINMENT FOR FAMILY TRADE.
Well paced, people by memorable characters and ably directed, this release is good entertainment for the family trade.
The story material is amusing and the continuity is O. K. Production value of the film is good, and shows, should find it can be easily exploited. James Dunn is highly effective in the lead role and Jean Parker capably fills the top female part. A particularly good performance is turned in by young Martin Spellman. The supporting cast is more than adequate and director William Nigh gets the most out of the script and players. Dunn, trying to get back to his ship in time to sail, meets up with Spellman, fleeing from an orphanage. They use a father and son gag to get a lift from Jean Parker. However, complications immediately ensue when she finds that Spellman has no place to go and she blames Dunn for being a careless father. Jean and the boy meet Dunn in San Francisco and the proceedings get more lively and more amusing as Dunn gets deeper and deeper into the jazz, at the same time not wanting to throw the boy out. A neat solution is worked out after plenty of fireworks and action.

CAST: James Dunn, Jean Parker, Martin Spellman, William Royce, Selmer Jackson, Dave O'Brien, Sarah Padden, Craig Reynolds, Charles King, Gene Morgan.

CREDITS: Associate Producer, Grant Withers; Director, William Nigh; Screenplay, Marion Orth and Joseph West; Original Story, True Boardman and Grover Jones; Cameraman, Harry Neumann; Editor, Russell Scheongarth.

DIRECTION, Good. PHOTOGRAPHY, Good.

"Bullet Code" with George O'Brien, Virginia Vale
RKO ACTIONFUL WESTERN WITH MOVING STORY AND ABLE CAST WILL PLEASE O'BRIEN FANS.
Latest in RKO's western series starring George O'Brien, this one will serve nicely to further add to his attraction on dual bills. The action is lively, the story moves rapidly and the cast is able. George O'Brien mows the villains down in his customary smashing manner. Harry Woods and Walter Miller lend the picture its touch of villainy, and Virginia Vale provides the female interest. Bert Gilroy produced and David Howard directed from a screenplay by Doris Schroeder. O'Brien believes he has shot one of his own cowhands in a fight with rustlers. He rides to the ranch owned by the cowboy's family to tell them, but stays to work for them while waiting for the secret to be solved. He discovers they are in difficulties. In a fast finish he finds out who really killed his ranch hand, rounds up the gang with the help of the sheriff, brings the ringleader to trial and saves the ranch for his temporary employer.


CREDITS: Producers, Bert Gilroy; Director, David Howard; Screenplay, Doris Schroeder; Story, Harold J. Bucy; Story Consultant, Charles Maricle; Producer, Harry Whitaker; Editor, Frederic Knadston.

DIRECTION, Fast. PHOTOGRAPHY, Good.

"Five Little Peppers at Home" with Edith Fellows, Clarence Kolb, Dorothy Peterson
Columbia 65 Mins. KID STORY WITH HARD WORKING CAST WOULD SERVE AS PROGRAM PARADE IN NABES.
Failing to maintain the pace set in the first release of this series, this offering does not have much entertainment value outside of the kid trade. Based on the well known Margaret Sidney novels, the story needed for this release fails to have interest for grown ups and is extremely tite in plot. Majority of the cast, including Edith Fellows, Dorothy Peterson, Dorothy Anne Sears, Clarence Kolb, Ronald Sinclair, Charles Peck, Tommy Bond and Bobby Larson, the also seen in the first release, Charles Barton directed. Guests at the home of Kolb, the Peppers are forced to move back to their modest home and take Kolb with them when she suffers a heart attack and financial reverses. The Peppers had hoped that a rich copper mine on Kolb's property would provide the money which would pay out, but it doesn't. However, some amateur prospecting by the youngsters brings a big chunk of gold to the surface.

CAST: Edith Fellows, Dorothy Anne Sears, Clarence Kolb, Dorothy Peterson, Ronald Sinclair, Charles Peck, Tommy Bond, Bobby Larson, Edith Fellows, Dorothy Peterson, Dorothy Anne Sears, Clarence Kolb.

CREDITS: Produced by Columbia; Director, Charles Barton; Screenplay, Harry Sauber; Based on a book by Margaret Sidney; Cameraman, Allen G. Siegel; Editor, Viola Lawrence.

DIRECTION, O.K. PHOTOGRAPHY, Good.

"The Hidden Menace" with Otto Kruger, Gertrude Michael, John Clements
Alliance Films 56 Mins. WELL EQUIPED MELLER SHOT PROVE ENTERTAINING FOR NABES.
Telling the story of an unusual intrigue behind the scenes among variety artists in small towns, this picture should serve nicely as a nabe offering. The picture has capable cast of English actors led by John Clements, with Otto Kruger and Gertrude Michael handling the other two roles. In addition, the picture has an interesting background and atmosphere and is different. Albert De Courville directed, turning in a workmanlike job. Otto Kruger a magician, in love with Gertrude Michael, ruins the act of a wire walker loved Miss Michael by hypnotism. The wire walker, Patrick Barr, turns over his contracts and identity to a man in the street and disappears. When Clements appears under the man's name it is in respect to both Miss Michael and Kruger, with thought him a rascal and the items are attracted to another, $10,000 once again ruins the act, through hypnotism, with the absent Barr showing up in time to kill him.

CAST: Otto Kruger, Gertrude Michael, John Clements, Patrick Barr, Barbara Blais; DIRECTION, John Turnbull; Producer, Robert Howard, Alfred Wellesley, Dora Gregory.

CREDITS: Produced by Alliance Pictures; Director, Albert De Courville; Associate, Eliza B. Elizabeth, Egan; Cameraman, C. Greene; Editor, Lionel Tomlinson.

DIRECTION, Good. PHOTOGRAPHY, Good.

"Konga, the Wild Stallion" with Fred Stone, Rochelle Hudon, Columbia 65 Mins. AVENTURER HORSE STORY FILMED SHOULP APPEAL TO JUVENILES. Beautifully photographed in outdoor settings, this sentimental yarn about a horse is so sentimental and juvenile that it should serve nicely as a second offering, dual bills for the nabe trade. There are some good action shots in the picture showing horses stampeding. Fred Stone does good job in the picture. Rochelle Hudon is a sly horse. Her role. Remainder of the cast is adequate

Sam Nelson directed from an original screenplay by Harold Shumate. Konga wild stallion owned by Stone, runs a new buffalo's wheat field. Youes and bad because further feeding between Stone and his neighbor, Robert Warwick. Stone horses are attached for a bank debt, Konga escapes. Warwick hunts the horse and in an altercation Stone kills him with a gun. However, he is pardoned years later and discovers that Miss Hudon Warwick's daughter, has been taking care of Stone. She kills Stone, runs a new boss's wheat field. Pacific.

CAST: Fred Stone, Rochelle Hudon, Richard Fiske, Eddy Waller, Robert Wadlow, James Finlayson; DIRECTION, Sam Nelson; Original Screenplay, Ben Shaw; Photography, Alfred Staake, George Cleveland, Burr graphite.

CREDITS: Produced by Columbia; Director, Sam Nelson; Original Screenplay, Ben Shaw; Photography, Alfred Staake, Burr graphite; DIRECTION, Sam Nelson.

DIRECTION, Good. PHOTOGRAPHY, Good.
DAILY REVIEW OF NEW FILMS

"Blondie On a Budget" (Paramount Headline) Paramount 73 mins.

COLUMBIA

With the usual cast in their usual roles, Penny Singleton as Blondie, Arthur Lake as Dagwood, Larry Simms as baby dumping, the dog and Danny Mummert, the noisy terriers, the latest of the series is presented by Columbia. Undoubtedly, devotees of the well known comic strip will enjoy the film, and it is good all-round fare for the nabe trade, but it is lacking in the general brightness of its predecessors. Rita Hayworth appears in this one as a dazzling charmer that causes considerable trouble in the family. Frank R. Strayer directed. Lake wants to join a trout club in which his neighbor, Don Beddoe, is a member. The neighbor, however, does not want to give up Penny because of their friendship, but Penny refuses to take it out of the family savings. When Lake wins the money he gets the ticket without Penny's knowledge, the complications really begin. Penny sees him picking out a fur coat with Rita and takes the wrong impression of everything. There are re- criminations, more complications and a flood of explanations and tears before everything is drastically ironed out.


CREDITS: A Columbia production; Director, Frank R. Strayer; Screenplay, Real Florence; Story, Charles M. Brown; Based on a cartoon by Chic Young; Cameraman, Henry Freulich; Editor, Gene Haylck; Directing, O.K. Photography, Good.

"Oyl is proud and happy in the possession of a newly acquired goldfish who ogles contentedly from a tiny bowl. The piscatorial pet, however, accidentally lands in the sea. Popeye bravely goes to the rescue, which is effected only after a most trying session, culminated by his being enveloped by a great jelly-fish. But spinach supplies the spark of strength to escape and he lands back on the ship with the goldfish who was playing hookey. Dave Fleischer directed this mirth-provoking opus.

"George Olsen and His Music" (Paramount Headline) Paramount 10 mins.

Peppy Band Offering

There's plenty of zip to this tab musical reel, which finds Olsen and his outfit at their best. Programs of songs presented is nicely balanced by the opening rendition of "Horses" on through "With the Wind and the Rain in Your Hair," "She Broke His Heart of Oak Neath the Old Oak Tree," and concluding with a snappy and tricky arrangement of "Girigiribin." Thus a sentimental ballad and a comic composition between two essential dance numbers. Jean Blair, the Harrison Sisters, the Bachelors, and the electric organist, Ronnie Mansfield, have specialties, and contribute to the all around enjoyment of the show. Leslie Boush directed the reel skillfully.

SHORTS

"Ants in the Plants" (Color Classic Cartoon) Paramount 7 mins.

Amusing Subject

Out of the studio of Max Fleischer comes this amusing antifilms which recounts the invasion of an ant colony by an ant-eater. The latter is delineated in humorous fantasy and fashion, with his vacuum-cleaner-like "trunk," the sight of which causes panic among the ants. However, both the organization and resourcefulness of the insects stand them in good stead, and the invader is promptly repelled after his capture, including the colony's queen, who is placed in an imprisoning bottle. But the ants' "marching" effects their release. It's lifting, light stuff, which old and young will enjoy. The color is excellent and adds immeasurably to the reel's appeal.

"Females Is Fickle" (Popeye the Sailor) Paramount 7 mins.

Mirthful Adventure

Followers of the antics of the spinach-guzzling Popeye the Tentacle-rolling spouge, Olive Oyl, will discover them herein on shipboard. Olive

NEW YORK DELEGATION GETS UNDER WAY

New York delegation gets under way this afternoon via a special train leaving Grand Central at 5:30. President S. R. Kent is not expected to make the trip.


20TH-FOX EXECUTIVES OFF FOR CHI. SALES MEET

20 MILLION DOLLAR GERMAN FIGHTING SHIP IN FLAMES... as naval giants bombard each other with mighty projectiles of death! Drama... as Germans as the Graf Spee disaster!
Ask Pix Sales Heads to Address PCC Meet

(Continued from Page 1)

Frank Capra, Bob White, Ruth Harvey.

Also W. G. Ripley, A. West Johnson, John Levin, L. O. Lukhan, Hugh Bruen, Bob Poole and Jack Y. Ber

man.

Lee Goldberg Celebrates

Cincinnati — Lee Goldberg, Big Feature Rights, Inc. is celebrating his 25th anniversary as an indie distri
b, having achieved the distinction of being the oldest Independent in years of service in the mid-east
ern territory. The company was formed February, 1916, and road-showed “Battle Cry of Peace” throughout

New Film Carrier for Ky.

Indianapolis—The Kentucky Film Transit Co., with offices at 332 N. Illinois St., has been organized for the
purpose of overnight delivery service to Kentucky territory, out of Indianapolis. R. W. Luter, has been appointed resident agent for the company. Other officers are Robert King, and Lawrence E. Smith.

IN OLD MISSOURI

WEAVER BROTHERS and ELVIRY

Nazis Restrict Releases in Move to Conserve Pix

Berlin (By Cable)—Moving to conserve film consumption, the Ger-
man Government by official decree has restricted release of features to
Berlin first-runs to two pictures weekly, with a running time that if
necessary, three will be made available. However, under no circum-
stances will more than two be released during the same week.

Laurel’s Waller Burns

Laurel, Md.—Waller theater here was destroyed in a $60,000 fire.

Author Figures Radio Is Sub. for 13,333

Houses with 20 Million Nightly Audience

Estimating that 20,000,000 people listen to four major broadcasts each evening, with the proportion of entertainments to the entertained at about 1,538,460 to 1, A. B. Maney of Floral Park, L. I., in a newly published book, “Radio and Its Offspring,” and “Present Depression,” contends that but for radio the following would be required to provide the same amount of entertainment for the same amount of audience: 13,333 theaters (average capacity of 1,500) and same number of cashiers, ticket

takers, managers, stagehands, porters; $39,999 per hour; 133,333 musicians (10 to the band) and as many instruments, and 20,000,000 tickets and programs.

Meany, so anti-radio minded that he won’t carry ‘em in his Queens Village electrical store, claims radio has robbed 239,999 persons of jobs in the set-up for an evening’s entertainment, as he figures it.

C. G. Stoll is Renamed Western Electric Proxy

(Continued from Page 1)

exception of Charles L. Rice, who

continued from Page 1

retired from active service Jan. 10.

The vacancy will not be filled, it was

learned.

Flores to Relieve Sack

Albert Flores, of the Sack Amuse-
ment Enterprises, formerly in charge
of the Atlantic Exchange, will take
over the New York office relieving
Lester Sack, who will return to the
Texas territory for an indefinite
period. Alfred Sack, president of the
company is expected in New York
in about two weeks.

Goldman Acquires Two

O’Fallon, Ill.—Charles Goldman, St. Louis exhibitor, has taken over the State and O’Fallon theaters here.

Authors’ League Passes All 7 Propositions Submitted

(Continued from Page 1)

to consider proposed amendments to the constitution and by-laws, and proposed changes in the present schedule of assessments.

Proposition No. 2 provided that from April 1, 1940, in lieu of the present assessment on sums derived from the sale or lease of motion picture rights in any dramatic ma-

terial that the following assessment shall apply, namely, that if such sale or lease is made under the provisions of the Dramatists’ Guild, an assessment of two per cent on sums derived from the sale or lease shall be ratified and approved.

If such sale or lease is not required under the organization’s basic agreement, the present assessment of one-half of one per cent on sums derived from the sale or lease of film rights in dramatic material shall prevail.

Proposition No. 3 provided that the Council of the Authors’ Guild be instructed to take steps to set up machinery whereby all contracts of members for the sale or lease of film rights in any literary property or proposals will be handled by a negotiator; that from April 1, 1940, pending the setting up of machinery, in lieu of the present assessment on sums derived from the sale or lease of film rights in any literary ma-
terial, an assessment of one per cent on all such sums be ratified and approved.

Further, that from and as of the date on which the negoti-
ator referred to in Proposition 2 is

appointed, the assessment shall be two per cent, instead of one per cent.

Since all propositions were passed, they now go into force. Propositions Nos. 2 and 3 are those most directly

A seven and a half pound daughter, christened Ruth, was born on Sat-

day in Lenox Hill Hospital to the I. J. (Al) Altmans. Both mother and offspring were reported yesterday to be doing fine.

Al Altman is head of M-G-M’s talent department in the East.

RKO Will Have New Short Subject Series

(Continued from Page 1)

pel, with private interment follow-
ing at Mt. Pleasant Cemetery, West-
chester.

Among those present at the Chapel rites were:

Barney Balaban, John Balaban, Stantn Griffen, Sam Dembov, Leo Netter, Leonard Goldenson, Russell Holman, Hiller Inns, Austin Kough, Charles Reagan, Al Mo
doss, Al Wilkie, Herb Berg, Dick Murray, Ed Fay, Harry Royster, Ed
die Brown, John McDermott, Frank Mayer, Milton Kussel, Harry Nadd, Leslie Roush, Justin Herman, Bob Weitman, Ben Griefen, Herman Lor
er, Arthur Dunne, Harry Kaichin, M. F. Gowitzorker.

Also Louis Phillips, Charles Zer
ken, O. O. Dillenbeck, Lenny Ross,

Jessica Dragontie, Leo Robin, Ben

DONOVAN’S DAUGHTER DEAD

Fredericksburg, Va., Patricia Donovan, 23-year-old daughter of Col. William J. Donovan, New York lawyer who has served as counsel in numerous actions involving film
land, died in Mary Washington Hospi-
tal here on Monday night as a result of injuries sustained in an auto-
mobile accident.

STorks!

West Coast Bureau of THE FILM DAILY

Hollywood — It’s a daughter, Daphne, for the Douglas Fairbanks, Jrs.
THE MOTION PICTURE INDUSTRY IN ONE VOLUME—

COVERING COMPLETELY

PRODUCTION
DISTRIBUTION
EXHIBITION
PERSONNEL
STUDIOS
ORGANIZATIONS
DIRECTORS
PLAYERS
EXPLOITATION MANUAL
TELEVISION
TECHNICAL
TREND IN THEATER BUILDING
EQUIPMENT
COMPLETE THEATER LIST
ASSOCIATIONS
TEN BEST PICTURES OF 1939
FINANCIAL STRUCTURE OF MAJOR COMPANIES
SURVEY OF FOREIGN MARKETS

AND 1001 OTHER ITEMS OF INTEREST

For twenty-one years the recognized standard reference book of the screen

1940 Edition now being distributed

TO FILM DAILY SUBSCRIBERS
British Not Planning to Restrict U. S. Pix

(The Film Daily) established yesterday.

The reports, made the basis of American exhibitors by press associations, created considerable anxiety in trade circles here, with British exhibitors no less than American distributors expressing grave concern.

Exhibs. Want More Films

The former for some time have been chargingforeign films are not smaller supply of American films. Only recently, the CEA advised Mr. Andrew Duncan, president of the Board of Trade, that American films registered from April 1 last to February 14 totaled 270 as compared with 304 for the comparable period a year ago. At the same time, it was pointed out that 555 films had been leased in the U. S. in 1939 and 550 in 1938.

The CEA observed, "This reduction in numbers occasions serious concern among exhibitors." The same thought is behind the CEA's contention that the Government should require American distribs, to guarantee 40 British films during the quo-which year which started April 1.

Strict Secrecy Enjoined

Sir Andrew enjoined strict secrecy on Monday's confidential talks with producers, exhibitors and labor. It is understood that nothing particularly important was advanced, the British being content with acquainting himself with all industry problems that there might be quick action on quota and kindred problems.

The General Purposes Committee of the CEA met yesterday to draft full recommendations on the rental issue for General Council's action today. The Scottish branches of CEA have suggested a "booking holiday" as one means of forcing lower rentals.

Jay Kaufman Leases Bldg.

S. Jay Kaufman, veteran publiste, has leased the building at 42 East 53rd St., and will use the premises as a headquarters in handling industrial as well as theatrical accounts.

Alton R. Warner Dies


Busy Eddie Albert

West Coast Box, "The Film Daily" reports the most likely "Wally" picture will be "The Stuff of Which Writers Dream," with writers Delmer Daves and Abe Fin- land. The line-up for Albert, "The Weak Link," "Four Mothers" and "The Male Animal."

Spring's Arrival Sees Construction Pace Accelerated in Southern States

(Continued from Page 1)

Lucas-Jenkins, Mion-Murray Expanding Georgia Holdings

Atlanta—Lucas & Jenkins, Paramount affiliate, will expand via the construction route, erecting three new community theaters here during the first. Year. First to go up will be a 1,100-seat second, second will accommodate 1,500. Building investment alone will approximate $100,000, it is reported.

Alton & Murray, Inc., local theater operators, will also extend their holdings in the suburbs. Firm has acquired 15-year leases on 800-seat houses to be erected at Little Five Points and East Point by Allan-Goldberg Realty Co. Cost of the two houses is estimated at $30,000. Mion & Murray additionally have closed a leasing deal for a $50,000 house, the Scott, to be erected at Decatur. Term is for 15 years. Scott, seating 750, is to be ready July 1.

Opposition Theaters Planned in Two Saenger Circuit Towns

New Orleans—Spring is bringing a modest amount of theater construction and quite a bit more of redecorating and re-equipping in the Gulf states.

Two rival houses on Mississippi's Gulf Coast, at Gulfport and at Biloxi, where the Saenger Theaters are at present, have no competition, are scheduled. Henry Meyer has announced he will open at Biloxi. At Gulfport, Anchor, Royal formerly operated at Hattiesburg and in Laurel.

At Plaquemine, the usage Theatre, said to be the only house in this section with a staggered seating system, was opened by Lionel Learnox.

The Majestic Theater at Quitman, Miss., operated by Max Garrett, has installed a new front. Laufe-Boden Amusement Co. will open new house to be called the Teche, at Franklin. Tom Shannon is to manage.

In Minden, a new Negro house, to be called the Ace, will be operated by F. W. Rivington, while at Nacogdochesville, Sidney Harp, who runs one theater there, will open a Negro house to be called the Harlem.

The Allan Theater at Oakdale is now installing Western Electric sound with O. K. Wetherman supervising.繁荣 of the Santa Rosa at Jay, Fla.

New Akron Company to Open Circuit of Outdoor Houses

Akron, O. — Starlight Pictures, Inc., has been organized to build and operate outdoor theaters in the Akron district before the end of summer. Principals are D. E. Davis, C. C. Limestone, and Henry E. Reynolds. First new theater will be built on Arlington St. near the airport, to be ready early in August. Site on East Hill is being considered for the second house, and several others will be constructed in and around the city, according to Davis.

Huckle Planning 600-Seater

Huntington, W. Va. — G. B. Huckle, owner of the Roxie, will construct a new 600 seat on Huntington's west side.

English to Rebuild Seminole

Homestead, Fla. — Construction will start at once on a $40,000 structure to house the Seminole theater; the old theater was completely demolished by fire. New house will seat 750, according to J. W. English, owner.

Moss Bros. to Erect Second Detroit—Moss Bros., who opened the Van Dyke as their first house about four months ago, will build a new 1,000-seat Parkside Theater. The new house is for a new Parkside Federal Housing Project, largest of its kind in the city, and only theater within convenient walking distance of the project.

$75,000 House for Elkhart

Elkhart, Ind. — N. N. Bernstein, president of the Elkhart State Theater Co., announces the construction of a $75,000 theater to be ready to open June 1. Bernstein also operates theaters in Hammond, and Waukegan, Ill. Mrs. Winifred Frye, of this city is the owner of the company.

Shaver to Build in Lacoon

Lacoon, Ill. — The New Shaver, a 420-seater to cost about $25,000, will be ready for opening about Aug. 1, according to B. F. Shaver who also has the Lyric here.

Sosna Bros. Invade Mexico

Mexico, Mo. — A 400-seat theater will be opened here about May 15 by Sam and Louis Sosna. They have leased a building and are remodeling it into a theater, at a cost of about $12,000. Sam Sosna operates a theater in Manhattan, Kana, while Louis Sosna has a house in Moberly.

New Dunn House for Alma

Alma, Ark. — Clifford Dunn, who operates a chain of film houses in this territory, has leased a brick building and will open a film theater here.

Maine Circuit Will Build

Bangor, Me. — Graphic Theaters Circuit will start on a new $45,000 motion picture theater at

TWO EARLY MAY SALE MEETS FOR UNIVERSAL

(Continued From Page 1)

began in the Home Office yesterday with President Nate J. Blumberg, John Joseph, ad director and Soul in attendance. Joe Pasternak, who left last night for the Coast, attended the initial conference. En- sales manager F. J. McCa- thy, who returns today fromation, and Western sales J. Heineman, just returned from trip through their territory, will attend all further meetings.

Balance of the current season product was reviewed and set the Co's. season, which both Soul and Heineman attended.

"Buzz" Fawcett Now Prexy

Wilford H. "Buzz" Fawcett, elder son of Capt. W. H. Fawcett, founder of Fawcett Publications as president of the company until his death in February of this year, was elected to succeed by a unanimous vote at the annual stockholder meeting this week.

Schines Playing Whitman

Syracuse, N. Y. — Paul Whit- mes and band at the Strand, Schin operated, on Friday for a week. Empire, opposition to a stone's throw away, will count with Ciro Rimac and LaConga Fo- lies.

Jimmy Cron Hospitalized

James A. Cron, advertising ma- ager of Motion Picture Daily, is co- fined to St. Elizabeth's Hospital via a fractured knee-cap. Mitchell curred on Monday at his home.

Dover-Foxcroft. Krokyon & Brown of Boston are the architects. T general contract has been award- to Arthur N. Olive of Boston.

Barnett Weighs New Building

Albuquerque, N. M. — New office building to house the Chief Theater is being considered by Joe Barnett prexy of Albuquerque Theatres, in.

To Revamp Sylvania's Princess

Toledo — Community Theater Inc., through its subsidiary, Sylvania Theatres, Inc., will remodel and equip the Princess in Sylvania.

Pirtle to Add Another

McLeansboro, Ill. — S. Pirtle, Jerseyville circuit operator, will build a new 500-seat house for the new circuit to open in Sylvania Ind., are architects.

All-Religious Bill

Detroit—United Circuit decided that the special motion picture show- special showing only—feature a re- view of "Cloistered" with the current March of Time release of "The Vatican of Pius XI."

Wednesday, April 10, 1938
Wobbler to Give 1940-41 Sales Policy at 20th-Fox Sales Parley Tomorrow

Chicago—Sales policy to be followed by Twentieth Century-Fox for 1940-41 will be outlined to the company's sales convention here tomorrow by Herman Wobber, general manager of distribution.

Delegates to the convention, numbering more than 250 from 37 branch offices in the U. S. and Canada, began arriving today.

The West Coast group headed by

Labor Dept. to Hear MPPDA Reps. on Wage-Hour Shifts

Washington Bureau of THE FILM DAILY

Washington—William W. Owens and Gordon E. Youngman, representing MPPDA, will appear before the wage-hour division of the Labor Department tomorrow to testify during the hearing on redefinition of executive and professional workers.

Sax Forms Phono-Vision to Enter Coin Pix Field

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Sax, Frank Orsatti and Sollie Friedman have organized Phono-Vision Corp. of America and are entering the coin-op operated field. The new company will make 1,000 machines here monthly and negotiations are pending with

CEA to Launch Propaganda Campaign As First Step in U. K. Rentals 'War'

Washington Bureau of THE FILM DAILY

Washington—Early advent of Tri-Vision or third dimension films was predicted yesterday by Douglas F. Winnek, New York inventor, who
Coast Sound Directors
Shown Erpi Instruments

“Supersonic grating modulators,” “harmonic analyzers,” “tone synthesizers,” and a host of similar
jawbreakers describe what of the com-
plex devices that Erpi is showing to the sound directors of Hollywood
this week. All of the new instru-
ments contribute in some way or an-
other to the advance of sound rec-
ording and reproduction.
During the course of the week, the sound directors have made extended
tours of Bell Telephone Laboratories, Erpi headquarters and of the West-
ern Electric manufacturing plant at
 Kearny, N. J. Following a recapitu-
lization session today the directors will
be the guests of du Pont at its plant in
Parlin, N. J., tomorrow. They en-
train for Rochester, where Ted Curt-
iss will entertain the group at the
Eastman plant.

Segal vs. Standard Suit
Dismissed; May Re-file

New York Supreme Court Justice Samuel H. Hoffstader yesterday dis-
missed the breach of contract suit of
Harry Segal against Standard Pictures. Distributing Corp. and George Leganes, with leave to file
a new complaint. Plaintiff had sought
$32,400 on an alleged three-year
contract to act as general man-
ager of Standard. Dismissal was on
the grounds that the complaint failed to state a cause of action.

20th-Fox to Release 12
in May and June

Releases from 20th-Fox for May, June and July will total 17 pictures.
Release dates and titles are: May 3, “So This Is London”; 10, “I Was An Adventu-
ress”; 17, “On the Waterfront” (Jones Family); 24, “Lillian Russell”; 31, “Marriage In
Transit” (tentative title). June 7, “Little Caesar”; 14, “Charlie Chan’s Murder Cruise”; 21, “Lucky Cisco Kid”; July 5, “Mary-
land” (Technicolor); 12, “Girl in a Million”; 19, “Sailor’s Lady.”

Vogel Appoints Henson
to Akron Loew’s Berth

Joseph B. Vogel of Loew’s yester-
day announced several manage-
rial shifts: Frank Henson, formerly
manager of Loew’s Theater, Canton,
has been appointed manager of Loew’s
Theater, Akron, replacing Jack Fle
who is no longer connected with the
company. Orville Crouch, formerly
relief manager for Filme, has been
assigned as manager of Loew’s The-
ater, Canton, replacing Henson.

Shearer-Taylor to Co-Star

West Coast Bureau of THE FILM DAILY

Hollywood—Metro will co-star Norma Shearer and Robert Taylor in “Escape in Spain” upcoming
camp story by Ethel Vance. Mervyn
LeRoy will direct. Shooting starts
Tuesday.

Geo. S. Kaufman Talking
Producer Deal with Warners

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros., representa-
tives admit that negotiations are pending with George S. Kauf-
man, playwright and director, to be-
come a Warner producer, devoting
half of each year to producing for
that organization and that if the deal is closed with Kaufman, War-
ners will get screen rights to “The
Man Who Came to Dinner.”

Proposed deal for the rights to the play is a straight percentage of gross with Warners furnishing com-
plete production cost.

Seiter Reported Talking
Releasing Deal with UA

West Coast Bureau of THE FILM DAILY

Hollywood—William A. Seiter, through John McCormick, Inc., is
reported discussing a United Artists
release for picture based on Winth-
row Brown’s Sateenpost story, “Dance-
ing In The Dark.” Seiter has dis-
cussed her script with Fred Astaire
and Zorina, who have been offered co-starring roles.

Weiss-Kahn Here on Deals
for Negro Serial Release

A 15-episode serial with an all-
negro cast has been started on the Coast by Lewis Weiss and Richard
Kahn, who head Hollywood Produc-
tions and Gateway Productions.
Weiss and Kahn are in New York on
distribution deals.

Two Negro features also are in preparation. It is planned further by Weiss and Kahn to make four roadshow pictures with a white cast.

Globe-Bronston Merger
Still in Negotiating Stage

West Coast Bureau of THE FILM DAILY

Hollywood—James Roosevelt ad-
mits that negotiations are pending for a merger of Globe Productions
with Samuel Bronston Productions
but no deal has been completed as yet.

The proposed merger would aug-
ment Roosevelt’s United Artists pro-
gram. He expects to have the final
script for “The Rob” ready by
June 15.
RIVERSIDE, CAL. Spencer Tracy again takes the industry spotlight as a result of the preview here of his most sensationally thrilling role in "Edison, the Man." The spellbound audience gave this great Clarence Brown production a reception never duplicated here and today has brought a flood of Preview Cards for "Edison, the Man" which are the most unanimously enthusiastic ever received on any M-G-M picture.
CEA TO WAGE FINISH

BRT. RENTALS FIGHT

as that enveloping the British Government's measure to meet the serious situation presented by the Nazis' invasion of Scandinavia.

Following the meeting, largely attended by branch representatives, it was merely announced that the CEA would launch a propaganda campaign among members next week as the first positive step of the rentals battle.

Whether the drive eventually will see the CEA resorting to a "booking holiday," as proposed by Scottish members, or an appeal to the Government for the application of the No Profitersing Act to film contracts, advanced in other quarters, is uncertain, but the general sentiment is such as to warrant the conclusion that a show-down scrap with U. S. distributors is in the making.

Extension of the 70 per cent terms for GWTW to Great Britain patent is a factor in the CEA move, although it is only one of many. The move to reduce rentals—or at least prevent higher percentage terms—is related to the exhibitor plight resulting from the war. Labor cost and general overhead have gone up alarmingly.

A possible solution—increased admission prices—is complicated by the Entertainments Tax. Under the present levy, if the admission price was raised from six pence to eight pence, the Government would take three-ha'pence, leaving the exhib. with a basis for appeal to the Tax tribute. The exhibitor will be advanced, but such a course, too, faces tough sledding.

Universal Sets Release

Dates for May and June

Universal has scheduled eight features for release during May and June, as follows: May 3, "If I Had My Way"; 10, "Ski Patrol" and "Black Diamonds"; 17, "Alia the Deacon"; 21, "La Cona Nights"; June 7, "No Exit" (tentative title); 14, "Sandy Is A Lady"; 21, "I Can't Give You Anything But Love."

Defer Educ. Hearings

Applications to vacate the appointment of James A. Davidson as trustee of Educational Pictures and William S. Brown as trustee of Educational Films Corp. of America were adjourned yesterday to April 17 on the request of contestants.

History Repeats

Chicago—Talk about history repeating! Twenty-five years after it first played there, "The Birth of a Nation" is back at the LaSalle Theater.

K-A-O STOCKHOLDERS

RE-ELECT DIRECTOR

its own preferred stock. It was indicated that 3,000 shares would be purchased at $100 a share. Outstanding shares total 64,300.

Re-elected directors are Arthur Schafer, chairman; Donald K. David, Monroe Goldwater, Maitland Kingsberg, John J. McCaffrey, Peter Bathon and L. P. Yandell.

Labor Dept. to Hear MPPD

Reps. on Wage-Hour Shift

(Continued from Page 1)

administrative employees in wholesale. The film representatives will speak about 20 minutes in presenting the industry's view on wage employees under the wage-hour act.

Weeks Leaving for Coast

To Start Mono. Production

George W. Weeks leaves today for the Coast to begin preparation for his production program for Monogram release. He will stop off on route to Buffalo, Cleveland and Detroit, as well as at the Dallas franchise holders' convention. Eight westerners are planned.

Metro Said Talking Deal

For Jackson-Garrett Pla

"West Coast Bureau of THE FILM DAILY

Hollywood—Metro is negotiating with Horace Jackson and Grant Garrett for their newest play, "He Does As She Please," as a possible starring vehicle for Norma Shearer and Clark Gable. Jackson and Garret wrote "Bedtime Story," which Columbia recently purchased for Irene Dunne and Cary Grant.

Ampa to Elect Today

Ampa elects officers at today luncheon meeting at Dempsey Rival political candidates as Leon Bamberg and RKO's and Pollack (Universal).

Mrs. Pat Campbell Dead

Paris (By Cable)—Mrs. Patricia Campbell, 75, famed internation stage star, who appeared in several Hollywood productions, is dead at Paris.

Minter House to Johnson

Detroit—Willard H. Johnson, Flint exhibitor, is taking over the family, Flint nabe, from James M. Minter, circuit operator.

WEDDING BELLS

Pittsburgh—Beverly Semenoff, local M-G-M exchange, and Gilbert Robins, D.D., were married.
EE ALLIED BEHIND
DIVORCEMENT BILL

(Continued from Page 1)

...suit be brought to trial. (In Washington last night, Senator Neely told THE FILM DAILY that he had introduced his own bill, and that he had not been influenced by Allied. Neely said that he held a conference yesterday evening concerning the value of a Federal divorce statute, and added that he had not discussed it "At the Department of Justice or anywhere else").

In the Department of Commerce, the condemnation of a settlement—recently fully outlined by THE FILM DAILY—proposals for divorce, many demand in the Government's press are conspicuous by their ab

In some quarters, the belief was expressed that the present bill is introduced as a safety measure as the event that a consent decree is agreed upon. In case such an agreement did not reduce the chances of a divorce, the courts to the extent that it would satisfy the independents, the bill would if passed, bring out the divorce bill, it was said. Others looked upon Neely's action as a means to bring into the public eye the Department of Commerce's pro

Don't Introduce Divorce bill in House, Says Boren

Washington—Rep. Lyle L. Boren (Okla.) yesterday told THE FILM DAILY he does not expect to introduce a companion divorce measure in the House.

Boren, who for several years has

looked to as the probable author a Federal divorce bill, stated she would rather see action on the plan bill first by the use Interstate Commerce Commit

scheduled soon, before taking their steps on film legislation. He feels the bill is a plan to what effects in the hearing and o

on the block-booking bill before the up the issue with another

foren stated that he expects hear

on the block-booking bill that it will be around April 15. Meanwhile, House Committee reports that no one has been set and is still await

Ettelson Sells Theater

Chicago—Ray Goldstein, operating theater known as the Lake Shore from Ike Ettelson.

"Fill We Meet Again"

with George Brent, Merle Oberon, Pat O'Brien, Geraldine Fitzgerald

Warners 99 Mins.

SPLENDID PRODUCTION, EXPERT DI

RECTION AND AN EXCELLENT CAST ARE COMBINED TO MAKE PICTURE OUT- STANDING ENTERTAINMENT.

Exhibitors can welcome this picture with open arms as it has everything essential to make box offices hum. A potent name cast for marquises is provided and the story itself is replete with tremendous emotional force andxlsx role that provides some comedy relief. Remander of the cast is fine. Director Edmund Goulding rates a big hand for a smooth job, guiding the play-

ers deftly through scenes that could have been ruined if the feeling had been over or undertoned, and never allowing the story to open out of hand. Technical aspects of the picture are all plus, and Jack L. Warner and Hal B. Wallis get the credit for the combined elements of a job they handled the production reins.

The meeting of Brent, a condemned murderer on his way back to die, and Miss Oberon, her cost cables at a bad heart, and their falling in love, only to be parted is the story, but it is in its telling that the picture is powerful entertainment. Women will cry and men will be mad at the fates when they see the picture, but it is safe to predict that all audiences will vote it the top biller.


CREDITS: In charge of production, Jack L. Warner; Executive Producer, Hal B. Wal-

ter. Interior decorator, David Davies; direc-

tor, Edmund Goulding; screenplay, War-

ten Duff; Original Story, Robert Lord; Cameraman, Tony Gaudio; Editor, Ralph

Davies.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

Swimming, dancing, sailing, picnic

and numerous other diversions

are seen in the reel as the two girls, and escorts they have acquired, make the most of their trip. Directed by Louis Rousseau, the reel is comprehensive in showing what is and can be done at the resort, and done in an unevractant fashion. The reel was produced by Frederic Ul-


t and supervised by Frank

Donovan.

"The Singing Dude"

Warners 18 mins.

Entertaining Two Reeler

Dennis Morgan is pursued by the sheriff for killing a gambler, and with aid of his pal, Fuzzy Knight, makes a getaway. They sign as hands at a dude ranch. The night before the rodeo the top hand, who is counseled to win enough money to pay off in the morning, advice to Morgan. He rides the next day and wins, also learn-

ings the sheriff. The framed reports to be locked up that the gambler was wanted by the Government. Miss Lucille Fairbanks keeps her ranch and everybody is happy. William McGann directed.

"Men Wanted"

 Warners 10 mins.

Interesting Travelogue

Dealing with Alaska and photographed in color, this one-reel subject is not only entertaining but highly interesting. Reel opens in Ketchikan, central base of Alaskan fishing operations. Petersburg, a fishing village built entirely on stilts is shown. Juneau, capital of Alaska and home of the world's largest hard rock gold mining. Anchorage, the rail-

road head for the country and jump-

off base of the gold fields; Fair-

banks, a great mining center; Val-

does, a ghost town; the Richardson Highway; Alaskan railroads and a number of other interesting things are also incorporated in the reel. Written and directed by Ira Genet, the narration is provided by John Deering.

"No Parking"

Warners 10 mins.

Laughable Short

The Grouch Club bears the story of a candidate in this short, one, Wallace Jipper, who gets a ticket for parking. He is just talking a cop out of giving him a ticket for parking when his good friend Al arrives. Al insuits the cop and fixes things generally, with Jipper getting the ticket after all. However, Al promises to fix everything. Then comes a nightmare of entertaining the fixes, hiding from the police, etc. Finally, Jipper gets a jail sentence because of his friend. Lloyd French directed.

Bland Sells to Brotman

Chicago—The Bland circuit has sold the Roshum theater to Isaac Brotman Circuit.
First of 4 UA Sales
Meets Here May 13

The second meeting will be held in Chicago.

Company's program, producers and their productions and other data regarding the 1940-41 season will be revealed at the conventions.

Inventor Winnek Tells TNEC
Third Dimension Pix Are Near

(Continued from Page 1)

is working with engineers of a leading motion picture company in his Mount Vernon laboratory.

Winnek, in Washington to testify before the TNEC on recent technological advances, showed members of the committee still pictures, which clearly gave the illusion of depth.

The third dimension methods used in film shorts and cartoons thus far have embodied a different principle, Winnek stated. Under his process, no outside agencies, such as special glasses, shades, etc., will be necessary for the patron to see depth on the screen, he contended.

Metro Promotes Sharf

George Sharf, who while in the Loew publicity department studied law at night, was yesterday promoted to a place in the M-G-M legal department.

Operate on Sonja Henie

San Francisco—Arrival of Sonja Henie from Honolulu yesterday disclosed she had undergone a throat operation at sea.

"Blackout"

Home office foreign departments were still without information as to their Oslo and Copenhagen offices yesterday, following the Nazi invasion of Norway and Denmark.

Pequot, New Haven, Sued By Ascap, Music Firms

New Haven—Seeking $500 damages and injunction against the Pequot Theater to restrain it from any further alleged infringement of the music copyright laws, Gene Buck, president of Ascap, Irving Berlin, Inc., and Santley-Joy-Select, Inc., have filed suit against Harry Lavie- lles in the Federal Court here. The complaint specifically charges unlawful playing of "Bye, Bye Blues" and "An Apple for the Teacher" early in the year. Attorneys for the plaintiff announce this is the fore-runner of a half dozen similar suits in the near future.

Metro Casts "Old Lady 31"

West Coast Bureau of THE FILM DAILY


Ken Murray to Para.

West Coast Bureau of THE FILM DAILY

Hollywood—Ken Murray will star in "A Night at Earl Carroll's," which Para, starts Monday.

Murray's Para. deal is for five years and two pix yearly.

Sequel for Lupe Velez

West Coast Bureau of THE FILM DAILY

Hollywood—RKO Radio has set "Look Out Below" as a sequel to "Mexican Spitfire." Top names will be Lupe Velez and Leon Errol.

"Biscuit Eater's" Doggy Bow Attracts 350 Guests

Albany, Ga.—This dot on the Georgia map takes on the aspect of a little Hollywood and a metropolitan film row today as 350 theater men, players, company execs, and press correspondents move in for the program incident to the doggy world premiere here tonight of Paramount's "The Biscuit Eater." Street parade, Southern League's opener, Albany vs. Americus on the diamond, with Joe B. Brown tossing the first ball, press barbecue at Barn-Collier's Radium Springs Casino and a special Vox Pop broadcast via CBS are on the afternoon's card. Pix bows in tonight at the Albany and at the Rift, latter having a simultaneous all-Negro premiere. Following the opening, guests will attend the Hospital League Dance.

Here from the Coast for the doggy are Walter Brennan and Mrs. Brennan, Evelyn Keyes, John Howard, Billy Lee, Jean Cagney, William Henry, Jack Moss, William Heisele, director, and Y. F. Frankman, Jr.


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Rogers Signs Foster

West Coast Bureau of THE FILM DAILY

Hollywood—Screenplay for Charles R. Rogers' latest movie, "Senate Page Boys" will be written by Lewis R. Foster, author of "Mr. Smith Goes to Washington." Melvyl Douglas will top the cast.

Floyd L. Clark Dead

Hazen, Ark.—Floyd L. Clark, 60, owner of the Ozark Theater and in the theater business here for 30 years, is dead. He is survived by his widow, his mother, a son, Harold Clark, two sisters and a brother.

Pressure Halts "Birth"

Minneapolis — Esquire Theater closed "The Birth of a Nation" last night due to pressure from Negro organizations and a threatened license revocation by the mayor.

Pastime, Chi., Passing

Chicago — Pastime Theater, last Beck circuit house in the Loop, is to be demolished.

Chief Pix Revenue

From Home Market?

(Continued from Page 1)

peak business in foreign markets he said that it was still too early for anybody to predict what effects will result from the Scandinavian, Dutch or how badly foreign war, etc., may hit during the year.

Dwelling upon foreign business as a whole, he said that any freezing of currency in Australia was still in a stage of discussion, with representatives of the American distributors meeting with the Government on the matter.

Truman Talley, Fox Movietone chief, leaving on the same train reported that he plans to return to Europe May 2 on the Clipper. He said that he had six camera crews operating in the Scandinavian area but no word has come through as to their exact locations or safety.

Concern was also expressed by Tony Muto, of Movietone, over the whereabouts of his brother, last heard from in Helsinki but believed to be in Norway now.

Gracie Allen to be Speaker

At Nat'l V. C. Convention

(Continued from Page 1)

cial campaign speech for the pres- ident's banquet, accord- ing to an announcement made yes- terday by Bob O'Donnell, general chairman, and Paul Short, vice-chair- man of the convention, upon their return from Hollywood.

Miss Allen has consented to be in- terviewed by the editors of all true magazines and local newspapers. She will be introduced at the banquet by William McMurry, former attorney general of Texas. She will be made an Admiral in the Texas navy.

George Burns will receive a commissio- nee as a Texas Ranger.

Balto. Likes "Ectasy"

Baltimore—"Ectasy" looks to av- erage 2,500 admissions daily in its week at the Lexway, 300-seater.

3 Weeks for Leigh-Olivier

Chicago—"Romeo and Juliet," co- starring Vivien Leigh and Laurence Olivier, will run three weeks at the Auditorium Theater.

Storks!

Chicago—A daughter was born to Mr. and Mrs. Oscar Furstenberg at the Jackson Park Hospital. He is production manager for Filmack Trailers.

Nick Bonardo of the Pequot, New Haven, is father of a new baby girl.
MORE THAN SPECIAL ABILITY

TRADITIONAL Eastman uniformity backs up each film’s special ability. That’s why cameramen place utmost confidence in the three Eastman negative films—Plus-X, Super-XX, and Background-X. This reliability has made them the raw-film favorites of the industry. Eastman Kodak Co., Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Barbour Would Oust FCC from Control of Television

Barbour, in a bill introduced to end FCC control over the new communications medium as FCC's chairman, James L. Fly, told the Senate Interstate Commerce Committee unlimited television broadcasting would now prevent normal development of the industry. He said FCC's recent restrictions on telecasting when the committee opened hearings on a resolution by Senator Lunde, Fux, L. Minn., for investigation of the agency's attitude towards tele. In introducing his bill, Barbour said that millions of Americans will be deprived of early opportunity to get tele programs unless Congress intervene and bring the industry into the horse-and-buggy FCC.

Barbour's bill would deny to the commission any power to control or interfere with radio experimentation, research or development, or with the use, manufacture or sale of transmission or reception equipment.

Furbars, Other Officers Re-elected by Trans-Lux


Lenin Opens Frisco Grand

San Francisco—The People's Theater Co. has just opened the new Grand Theater with a program of shows in the Tower, Orlo, Harp and Tuxedo, and may add the Hu.

On Milwaukee Film Com.

Milwaukee—Henry L. Nunn, shoe manufacturer, and Edwin A. Clau- der, salesman, have been named to the city motion picture commission by Mayor Daniel W. Hoan. Nunn succeeds Sen. George Hampel, re- signed, and Clauer fills the unexpired term of the late George F. Lori.

Zanuck Names Raguse

West Coast Bureau of THE FILM DAILY

Hollywood — Darryl F. Zanuck, chairman of the Research Council of the Academy, has appointed El- mer Raguse, Sound Director of Hal Roach Studio, to make up on the Academy Research Council.

I'llar Adds the Robey

St. Marys, Va.— Alex I'llar, who owns and operates the Singing St. Marys Theater in this town, has just taken over the Robey Theater here.

WOBBER WILL OUTLINE 20-FOXX SALES POLICY

Weekend Events

Thursday, April 11, 194

Sax Forms Phono-Vision to Enter Coin-Pin Field

No Separate Warner Sales Body for Outside Product

Fight Ban by Md. Censors

Ronald Hogan Expires

St. John's, Newfoundland—Ronald Hogan, manager of the Capitol and brother of P. H. Hogan, Para. exchanger manager at St. John, N. B., is dead.

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Company to Spend $2,700,000 in Advertising, McCarthy Discloses

By JOSEPH ESLE

ILM DAILY Staff Correspondent

Chicago—On the eve of 20th-Fox's convention, which opens today at the Drake Hotel, it was estimated last night that the company's production budget for 1940-41 would hit the $25,000,000 mark.

THE FILM DAILY learned on excellent authority that the expensive war in Europe would not affect the company's plans in any way. (Continued on Page 8)

SELZNICK ADVOCATES BOARD TO REVAMP PRODUCTION CODE

Gov't Surprises Philly Exhibs. With Subpoenas

25,000,000 Production Budget Planned by 20th-Fox

Protestant Press Conference Calls for Neely Bill Passage After Talk by Myers

Washington Bureau of THE FILM DAILY

Washington—Following remarks by Abram F. Myers, general counsel of Allied, Mrs. Mary Bannerman, of the Motion Picture Research Council, and Henry Atkinson of the Massachusetts Civic Federation, all vigorous proponents of the Neely bill, the Associated Church Press Conference adopted a resolution favoring its passage. The organization is composed of Protestant religious publications, and is meeting here for its annual convention.

Bertram Schaefer Re-elected By K-A-O, B. F. Keith

Officers of Keith-Albee-Orpheum and B. F. Keith Corp. were re-elected yesterday at a meeting of the board of directors, which are identical. K-A-O's board declared a dividend, out of operating surplus, of $1.75 per share on the 7 cent cumulative convertible preferred stock for the quarter ended Dec. 31, 1937. Dividends are payable July 1 to stockholders of record June 14.

Re-elected officers of both companies in place. (Continued on Page 6)

Leonard-Greene to Make "Hobby Lobby" as Shorts

"Hobby Lobby" will be produced as a series of motion picture shorts by Leonard-Greene Film Productions at Fox Movietone Studios starting in August. (Continued on Page 6)

Conn. MPTO Polling State Exhibitors on Neely Bill

New Haven—Connecticut MPTO will hold a luncheon-meeting Tuesday at Ceriani's Cafe Melbourne, with Arthur H. Lockwood presiding. (Continued on Page 2)

Present Code "Outmoded", Selznick Proposes Board for Periodic Revision

Changes in the MPPDA Production Code through the establishment of a board which would meet periodically to bring the code up to date and keep it in step with the constantly changing conditions within the industry itself and in the intelligence of audiences, was advocated by David O. Selznick, who is here for conferences with United Artists. (Continued on Page 8)

Showmen Who Haven't Figured in Equity Litigation Get Summons

Philadelphia—The Government's list of potential witnesses in the New York equity suit—already numbering in excess of 650— is expected to be further increased materially on the basis of disclosures here yesterday that the D of J was serving subpoenas on exhibitors whose names reportedly had not figured previously in the litigation. Inquiry in exhibition circles established. (Continued on Page 6)

IATSE May Insure Entire Membership

Comprehensive life insurance plan by which all members of the IATSE would be covered is being studied by the union. (Continued on Page 6)

Brandt Dropping Vaude in Three Spots May 1

The Brandt circuit will drop vaudeville in the Windsor, (Bronx) and other theaters starting May 1. (Continued on Page 8)

"The Biscuit Eater" Scores a Bull's-Eye

Albany, Ga.—Like an arrow piercing the center of the bull's eye, "The Biscuit Eater," Paramount's story of a boy and his dog which had its premiere at the Albany Theater here last night, wins into the very core of the filmgoer's heart, and is destined to be scored as one of the great human interest attractions, not merely of the current season, but in motion picture annals for all time. Nothing will be thrilled by the story, as will the younger generation of fans. (For full review, turn to Page 61).—MOORE.
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FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK CUB MARKET

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Universal Picts. 7% 7% 7% 7% 7% 7% 7% 7% 7% 7%

N. Y. OVER-THE-COUNTER SECURIATIES

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Loew's, Thea. Realty 65 1st 47

Met. Playhouse, Inc. 2nd deb. 5 72 74

Roxy Thea. Bldg. 4th 1st 57... 64 67

Disney to File for Listing of New York Stock Exchange

Walt Disney Enterprises will file for listing on the stock exchange shortly, it was learned yesterday. Roy Disney returned to the Coast last night after completing all details in connection with the floating of the stock issue on Tuesday.

ITALIAN CIRCUITS IN THREE YEAR AGREEMENT AT READING

Reading — New three year contract has been closed here between the stagehands and operators and the circuit interests, Warners, Loew and Wilmer & Vincent. A new three year pact has also been closed in Chester by Warners with the combined stagehands and operators union. Minor adjustments were made in both contracts.

Ed Sullivan's Troupe

Scores on Eastern Tour

West Coast Bureau of THE FILM DAILY

Hollywood—Ed Sullivan's Hollywood troupe, on a personal appearance tour in the East, grossed $11,977 in its week at RKO's Colonial in Dayton, Ohio. The theater's average gross is around $5,000.

The troupe is headed by Bela Lugosi and Arthur Treacher and includes Marjorie Weaver, Helen Parosh, Betty Jaynes and Douglas McPhail.

Astor Names Managers for Chicago, Milwaukee

Astor Pictures Corp. has named Mike Godshawk manager of its Chicago office and R. B. Koecher manager in Milwaukee. The Chicago branch has been shifted to 1235 S. Wabash Ave. Astor formerly distributed its product in Chicago and Milwaukee through the Judell exchanges.

New York Theater Will Open as Newsreel House

New York Theater will open a week from Friday as a newsreel house, it was reported yesterday. Earlier policy of first-run attractions had been announced for the house.

Picture Pioneers Dinner

Set for Waldorf-Astoria

Spring conference dinner of the Picture Pioneers, Inc., will be held at the Waldorf-Astoria, according to Jack Cohn, House Manager. Date is April 20.

Coming and Going

ROY DISNEY left last night for the Coast, Arthur Krul, of the Phillips & Nye office returned yesterday from Chicago.

KING VIDOR arrives here in a few days after a short stay in Washington, where he arrived from the Coast last night.

CREER GARDON will vacation here for a few days.


ELLEN DREW is at the Waldorf.

PAUL WILLIAMS, special assistant at MGM, arrives here today from Washington.

SONJA HENIE, who has returned to Hollywood after a vacation in Honolulu.

GRACE MACDONALD has arrived on the Coast to start work in a new Paramount production.

JACK BENNY arrives here Tuesday.

EDDIE BRACKEN returns here today from the Coast.

Conn. MPTO Polling State Exhibitors on Neely Bill

(Continued from Page 1)

cent Federal decisions bearing on the industry and postal regulations regarding theater circulators in cut boxes are on the agenda for discussion.

Herman M. Levy, executive secre-
ty reports, he has asked exhibitors in the state to vote yes or no without signature or reason, on a subject of the Neely bill, and results of the survey will be printed in the coming organization bulletin. Allied Theater Owners of Connec-
ticut will also meet at luncheon Tues-
day, at the Hofbrau Haus Restau-
ant, with A. M. Schuman present.

J. G. Hawks Explores

West Coast Bureau of THE FILM DAILY

Los Angeles—J. G. Hawks, 65 year veteran film writer and story editor, is dead. At one time, he headed Sam Goldwyn's editorial depart-

CANTOR IS IN THE PICTURE TOO!

M-G-M's "40 LITTLE MOTHERS"
"The Biscuit Eater" Catch You Napping!

CRITICS POINT THE WAY TO 1940's SURPRISE HIT! READ THESE RAVES!

"New York kids to 'The Biscuit Eater'—man's best flicker about man's best friend!"
—Walter Winchell, famous newspaper and radio columnist

"One of the prize entertainments of the year. Audiences will love it wherever it is shown. Here is a picture on which Mr. Exhibitor can issue a written guarantee to his customers for enjoyment. Paramount has found a new star in Billy Lee!"
—Hollywood Reporter

"It will carve a niche in Hollywood history. It captivated the audience... 'The Biscuit Eater' rates high!"
—Los Angeles Examiner

"No picture within recollection deals with the troubles and problems of early youth—both in humor and heart-break—more appealingly and with greater understanding. Ranks as one of the outstanding features to come out of Paramount or any other studio in a long time!"—Daily Variety

"Hard-boiled cinema critics broke down and wept when 'The Biscuit Eater' was previewed. No finer compliment can be paid this unusual, yet downright simple little story of a kid and 'man's best friend!'"
—Jimmy Starr, Los Angeles Evening Herald and Express

"If it pleases the rest of the nation's movie-goers the way it pleased preview patrons, the return on the investment is well insured!"
—Jim Crow, Hollywood Citizen News

"Everyone, whether an avid dog lover or not, cannot help but feel a definite tug at the old heart-strings when viewing the new film!"—Los Angeles Times

"Made up of a fresh approach in setting and plot incident. The excitement of the field trials and the background scenes actually photographed in Georgia, established the picture as one of the year's best!"
—Harry Mines, Los Angeles Daily News

Paramount's "THE BISCUIT EATER"
Billy Lee • Cordell Hickman • Helene Millard • Richard Lane • Lester Matthews • Snowflake
Directed by Stuart Heisler • Screen Play by Stuart Anthony and Lillie Hayward • Based on a Story by James Street
Crestwood Carpet’s Demand is Sustained

Alexander Smith & Sons Carpet Co., manufacturers of Crestwood carpet for film theaters, report vigorous demand for their floor covering on the part of motion picture house managers in every section of the domestic market.

The sustained, sharp demand for Crestwood carpet, it is pointed out, is attributable in a large measure to the popular and effective floor covering with architects and decorators to whom has been accorded the responsibility of properly and practically equipping theaters in both the new construction brackets and the modernization. Repeat orders for Alexander Smith carpet for the account of theater managers who have learned from experience the extra-long life it has, also accounts for brisk current business, it is asserted.

Tru-Tone colors used in Crestwood carpet lend themselves admirably to the decorative scheme and are effective and pleasing under all light conditions.

GE Rebuilds Fair Display; $500,000 Estimated Cost

General Electric Co. is rebuilding the general exhibit area of its World’s Fair display at a cost of approximately $500,000, it is disclosed by H. H. Barnes, Jr., commercial vice-president, in announcing company’s plans for the 1940 exposition.

New features will include enlarged television demonstration, with double the audience capacity of last year’s display, and a marionette show in a small air-conditioned theater. The “House of Magic” will be continued as well as the lighting demonstration in Steinmetz Hall.

Good Paint Job

Chicago-Theodore Capatti, an employee in the paint department of the Royal Metal Mfg. Co., manufacturers of Royalchrome metal furniture for film theaters, has just completed an excellent portrait in oils of Irving Salome, company’s proxy. The artist studied for years at the Royal Dutch Academy and is a nephew of John Braakensiek, renowned illustrator.

Bell & Howell Introduce New Long-Distance Lens

In “throwing” motion pictures from a considerable distance, one of the obstacles has been the decreased picture brilliancy due to the small lens apertures which heretofore have been necessary in order to obtain sharp images on distant screens.

With the introduction of a new, fast, long-distance projection lens, Bell & Howell claims that it has minimized this deficiency to a large extent, still maintaining the fine definition and sharpness which characterized the slower, previous model of this lens.

The new, 3-inch F2.0 Inco-Lite Projection Lens transmits a full 32 per cent more light than its predecessor, and the company asserts that the lens approaches very closely the speed of the brilliant 2-inch F1.6 lens which is standard on most Filmco 16 mm. projectors.

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Goldman, Interboro Set for RCA Service

Camden—Sound service contract covering the eight theaters of the William Goldman circuit which are in eastern Pennsylvania has been signed with RCA, it is announced by W. L. Jones, RCA’s national service manager. Deal also includes parts and tube replacement. William Goldman signed for the circuit while RCA was represented by C. H. Taylor, district service manager. Houses specified were the Terminal, Bandbox, 56th St., and News in Philadelphia; Park, Hanover; Hi-Way, York; and the Strand and Hippodrome, Pottstown.

RCA also discloses consummation of a new sound service agreement embracing the nine houses of the Interboro Circuit, New York, Pact, negotiated by Stanley Kolbert for the circuit and by W. W. Jones and Bernard Shultz, RCA New York service and sales executive for RCA, covers the Dover, Manhattan; Fortway, Vanity and Harbor, Brooklyn; Island, Hollis; Linden, St. Albans; Merrick Gables, Merrick; New, Rockaway Beach; and the Trent in New Rochelle.

General Seating Chairs Go in Eight Pix Houses

General Seating Co. reported this week a number of recent installations of their chairs in film theaters in various parts of the country. These included seats for the Amboy Theater, Amboy, Ill.; the Lamb, Mt. Morris, III.; the Model, Harrisville, W. Va.; the Annex, New York City; the Trojan, Troy, Mo.; the Harlan, Harlan, Ia.; and the Island, Grand Island, Neb.

Also reported was the installation of General Seating chairs for the account of C. H. Mcroskey of the Allied Theater, Dermott, Ark.

Servicing the Motion Picture Industry with STILLS, SLIDES, AD PHOTOS AND COPIES

MASTERCOPY PHOTOGRAPHERS, INC.
Samuel Stern, Pres.
443-445 West 41st St., New York, N. Y., BR. 9-0690

The Film Daily
THEATERS
• LIGHTING
• COOLING—HEATING
• PROJECTION

EQUILIBRIUM

What will be the architecture of the immortals, the consideration being that those things conceived and built of practical commercial use? Secondly, there must be "theater," and a better concept, or auditorium specially designated as a Shadow Play.

The industry's large color market is divided both generally in the service departments, and has been marred, theatres to patrons for whom must be adjusted in a manner by the community immediately in the performances.

The Architect

"Community architecture, in the feature. There will and to community architecture, but to architects who will choose for their building the localities. I believe that I must transverse the type of area we must adopt details prevailing for serviceability and also for the home surroundings of the movie industry. Such a suggestion, I am told, will be exhibited.—it is not the subject of furnishings and colorings, etc."

A careful study and knowledges, together with deep knowledge of common sense, will aid.

It has been my observation that there is a theater architects general rules and standards of art in avoiding the stereotype clichés. I have achieved a great deal of color, and rhythmic values.

Medium, graceful lines, to the interior and exterior, have produced some very well accomplished by the architect's homogeneous effect is achieved.

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National Theatre Supply Company
NATIONAL
EVERY STORE A LOCAL INSTITUTION WITH A NATIONAL BACKING
‘GET IT FROM NATIONAL’
Ross Ready to Light Production in East

Plans formulated to again make New York City a center of film production for both features and shorts, find one of the vital problems—transportation—solution by an undertaking already solved—that of studio lighting equipment availability.

Advocates of local production have pointed out that there already exists here a large and thoroughly adequate backlog of the most modern devices for studio lighting in the active and reserves stock of Charles Ross, Inc.

The latter organization has, it is cited, a full line of modern equipment together with a staff of trained men to handle any job, large or small, and at any time. As sole Eastern distributor for the full and complete line of equipment manufactured by Mole-Richardson Co., of Hollywood, the entire manufactured resources of this company is at the call of Ross, who has been the principal source of studio lighting equipment in the East for many years.

Additionally, it is cited, the Ross organization has generator trucks, searchlights and floodlights for pyrotechnics and general lighting activities.

Victor Animatograph Has Two Speaker Unit

Of interest to the educational and industrial fields is Victor's new Two Speaker Unit in one case and under one handle. This arrangement by Victor Animatograph permits use of two speakers when they are required, and avoids inconvenience of carrying two cases in addition to the projector. Advance is significant in that it increases ease of portability.

Company also has just effected improvements in refinements in Animatophone units and in Victor's Famous Film Trip.
GOVT' SUBPOENAS

PHILLY WITNESSES

(Continued from Page 1)

lished that nearly 30 theater owners and operators hereabouts have been visited by U. S. marshals and served with summonses to appear in Federal Court, New York, at 10 a.m. May 1. A majority are Philadelphia city exhibitors.

To some if not all of those subpoenaed the Government's action came as a distinct surprise, inasmuch as they had not filed a complaint with the D of J nor had they previously been visited by D of J agents active in preparing the evidence to be used.

In certain instances, exhibitors served had had difficulties with the majors but had settled them, either without suing or after starting suit.

In other cases, exhibitors who have been squawking about alleged grievances and threatening court action found themselves on the D of J witness list, willy nilly.

Trade observers yesterday pointed to the comprehensive round up of all these exhibits, as an inkling of the eagle eye that the D of J has been casting on the industry.

Zanuck Speaker at PCC Meet

Hollywood—Darryl F. Zanuck will be a speaker at the convention of the PCC of ITO in May.

THE FILM DAILY

Friday, April 12, 1941

NEW FILM COMPANY TO PRODUCE IN N. Y.

(Continued from Page 1)

by a major company is reported to have been set. First picture gets under way shortly.

New company is headed by Louis Grimm, Zanuck's former assistant, who formerly was associated with two affiliated circuits. John J. Yrigoyen, formerly in the advertising business, is vice-president, and Ann M. Cervantes is secretary-treasurer. Gordon Wiles is producer-director. Wiles has directed several pictures and has won an Academy Award for art direction.

Pictures will have New York locales and will be shot against authentic backgrounds. Approximately 50 per cent of the first picture will be made indoors. Interiors will be made in a local studio not yet announced.

A budget of approximately $200,000 has been set for each picture, and all financing is reported completed. Important Hollywood names are said to have been obtained. Temporary executive offices are at 70 Pine St.

IATSE Has Plan to Insure Lives of All Its Members

(Continued from Page 1)

the union, it was learned yesterday. Survey is being made of the entire membership in conjunction with the United Labor Life Insurance Co.

All data is expected to be returned to the IA's central office in New York before the convention in June, with convention decision to be sought. Insurance fees would be split up on a pro rata basis, with membrod unable to pay, would also be covered by the insurance under the plan.

James J. Brennan, sixth v-p. of the IA has the committee that is working out the plan.

In Old Missouri

WEAVER BROTHERS and ELVIRY

The Film Daily
"Listen, Joe, have you heard about those new 'One Kilowatt' High Intensity Arcs?

They are made to order for the small theatre—just what we have needed for a long time!

Now we can have the same high quality, snow-white screen illumination that the big fellows have at a price we can afford to pay.

Just think of it, Joe, only 'One Kilowatt' at the arc and High Intensity light to boot. That's real economy and something to shout about.

You can get them in both alternating and direct current types and they're really modern and up-to-date.

I am going to be one of the first to install this new 'One Kilowatt' High Intensity Arc because my show will then be 'tops' in color projection. Of course we both know that the High Intensity Arc gives the best projection of black and white. It's good box office, Joe. I'd advise you to do the same."

NATIONAL CARBON COMPANY, INC.

The words "National," "Suprex" and "Orotip" are registered Trade-Marks of National Carbon Co., Inc.
20TH-FOX BUDGET
SET AT 25 MILLION

(Continued from Page 1)

Mono. H. O. Delegates to Depart on Tuesday (Continued from Page 1)

are en route to the convention city.

The New York contingent includes Edward A. Golden, general sales manager; Stanley Johnson, Scott Dun-
kins, general counsel, Paul Terry and Harvey Day of Terrytoons, Will Clark, short subject manager, Will
W. Price of Boston; Harry Berksen, Albany; George West, Harry Thom-

From the Coast will come Presi-
dent Charles B, Cross, Charles Bigelow, assistant production head; Ernest Hicken, technical
director; Howard Stubbins, head of Mountain Pictures of California; Don Mel Hulling, district manager, and
the following contract actors: Tex Titler, Fred Scott, Martin Spellman, Dick nat-ler, Morton Levy.

Brandt Dropping Vaude in Three Spots May 1

(Continued from Page 1)

Flatbush, (Brooklyn) and Carleton, (Johnstown) May 1. It is planned to resume stage shows on Labor Day. The Windsor and the Flatbush will become foreign picture
houses for the Summer, starting with "The Harvest.'
Gov't To Establish GHQ For Equity Trial This Week

TITLES SET FOR 40 OF 20-FOX'S 52 FEATURES

Admissions Increase Answer To War Problem--Skouras

THE WEEK IN REVIEW

Theater Divorcement Bill

By L. H. MITCHELL

DOMESTIC THEATER DIVORCEMENT: Mayor Neely threw a big rock in the industry's pond by introducing a theater divorcement bill. Alleged influence was seen in his action though Neely said he acted "on his own". House committee was going into Governmental views on Neely's block-booking bill.

EQUITY SUIT: Lack of unity among majors was seen as a bar to any consent decree in Gov't equity suit. D of C will drop block-booking clause from its proposal for consent decree plan. Gov't surmises Philadelphia, by serving subpoena, will force them to appear as witnesses in the suit.

THIS AND THAT: Among deaths the week was that of Lou Diamond, Para's short subjects sales manager. 20th-Fox, at Chi. sales meeting, announced production schedule for '40, with a $25,000,000 budget. Fox's chairman announced it might be limited to limited screen to Fox's own production. Federal courts are considering the case. ''The President's Daughter'' will be released by the studio.

FOREIGN GIVE AWAY

KIRO home office executives and theater managers will honor John J. O'Connor, vice-president in charge of theater operations, with a dinner tonight at the Warwick Hotel with Malcolm Kingsberg acting as toastmaster.

HONOR J. J. O'CONNOR WITH DINNER TONIGHT

D of J Won't Prosecute Heidt's Radio Giveaway

Washington Bureau of THE FILM DAILY

Washington--Horse Heidt's "Pot O' Gold" radio giveaway got the green light Friday from the D of J when the department advised the

D of J to Fight Majors' Application for Delay of Month in Start of Trial

Product Delivery Shortage Possibility Worries AMPTO

Pittsburgh--Possibility that several of the majors may be short of delivery for the current season was considered by the AMPTO of Western Pennsylvania at_newgether with the motion pictures industry and the Ampt.jpg

Gabe Hess Dies of Heart Attack

Gabriel L. Hess, attorney and executive of the MPPDA, died suddenly yesterday morning of a heart attack. He was 59 years old. Hess was stricken at his home on E. 70th Street. Funeral services will be held tomorrow morning at his home and will be private. In surviving are his wife, Linda Watkins Hess, two sons and one daughter.

BRONSTON AND GLOBE MERGER IS COMPLETED

West Coast Bureau of THE FILM DAILY

Hollywood--Merger of Globe Productions and Samuel Bronston Productions has been approved. All future productions will be made under a banner of Samuel Bronston Productions while Globe activities will be confined solely to making 16 mm. shorts for the Mills Novelty Co. The official setup of Bronston Productions now is: Samuel Bronston, manager. (Continued on Page 6)

No So. Amer. or European Sales Meet for 20th-Fox

Chicago--Twentieth Century-Fox will hold neither a South American nor a European convention this year, company representatives at the sales convention were told on Friday. However, Walter J. Hutchinson, (Continued on Page 6)

Four 40% Pix to be Sold for 1940-41; More Shorts in Color

By JOSEPH ESER

FILM DAILY Staff Correspondent

Chicago--Twentieth Century-Fox has 40 titles tentatively set for the 1940-41 program, with 25 per cent representing pictures now being prepared for early production, the company's sales convention was informed by Herman Wolber, general manager of distribution, at the Hotel Drake Saturday.

The remaining 12 of the 52 features planned may be represented by titles assigned to four Jane Withers comedies, four Cisco Kid features starring Gehr Romero and four others.

FOREIGN BIZ AT 1934 TOTALS--HUTCHINSON

Chicago--Walter J. Hutchinson told 20th-Century-Fox conventioneers at the week-end that 1940 foreign business had dropped back to the 1934 totals due to exchange restrictions. South American business, he said, was the best in many years while returns from the Far East should be record-breaking.

The Berlin manager of 20th-Fox (Continued on Page 6)

Special Trains to Take Variety Club Delegates

Dallas--All leads to Dallas this week as film industry representatives head for the sixth annual convention of Variety Clubs to be held here Thursday, Friday, and Saturday.

(Continued on Page 6)

Warners, Mediator May Meet on Philly Dispute

Philadelphia--Meeting may be held here this week between representatives of Warner theaters and a Federal Labor Department mediator to

(Continued on Page 6)
THE BROADWAY PARADE

Picture and Distributor
The Fight for Life (L. S. Film Service-Pire Lorenzi)—6th week
Belmont
It's a Date (United Artists-Scalziak)—3rd week
Music Hall
It All Came True (Warner Bros. Pictures)—2nd week
Paramount
Dr. Cyclops (Paramount Pictures)—1st week
Fathom
And One Was Beautiful (Metro-Goldwyn-Mayer)—4th week
Palace
Dr. Doolittle's Strange Case (Metro-Goldwyn-Mayer)—1st week
Paramount
The House of the Seven Gables (Mayer)—4th week
Columbia
King of the Lumberjacks (Warner Bros. Pictures)—1st week
Globe
Columbus Has An Amendment (United Artists)—6th week
New
Secrets of a Model (Times Pictures) (a)
Central
Vigil in the Night (RKO Radio Pictures) (a—b)
Palace
Shooting High (Twentieth Century-Fox) (a—b)
Little Carnegie

TWO-A-DAY RUNS

Gone With the Wind (Metro-Goldwyn-Mayer-Scalziak)—18th week

FOREIGN LANGUAGE FEATURES

The Human Beast (Loew's Films)—5th week
— 55th St. Playhouse
The Baker's Wife (The Baker's Wife Co.)—7th week
Harvest (French Cinema Corp.)—7th week (b)
5th Avenue Playhouse
The Life of Giuseppe Verdi (Esperta Films)—7th week (d)
Cinica
tomo Clara (Cifesa Films)

FUTURE OPENINGS

Till We Meet Again (Warner Bros. Pictures)—April 19
Strand
My Son, My Son (United Artists—Edward Small) (c)
Music Hall
First Love (Loew's) (Metro-Goldwyn-Mayer)—April 18
Rialto
The Mayer's Dilemma (Film Alliance) —April 22
Rialto
Captain Aguiar (Universal pictures) —April 24
Paramount
Buck Benny Rides Again (Paramount Pictures) —April 24
Rialto
Parades Flier (Paramount Pictures) —April 24
Riello
French Without Tears (Paramount Pictures) —April 20
Rivello
One Million B. C. (United Artists-Roche) —April 24
Rialto
The Secret Four (Monogram Pictures) —April 24
Globe
Captain Moonlight (Atlantic Exchange) —April 20 (a)
Central
The Light of Western Star (Paramount Pictures) —April 20
Centers
My Little Chickadee (Universal Pictures) —April 18 (a—b)
Palace
Curtain Call (RKO Radio Pictures) —April 11 (a—b)
Palladium
Heron's Lilies Majestas (Scandinavian Talking Pictures) —April 19 (a)
8th St. Theater
Scandinavian (Scandinavian Talking Pictures) —April 19 (a)
8th St. Theater
Piccolis Aventura (Esperta Films) (c)
Cinica

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

Fortrade Corp. to Handle Minimum of 20 French Pix

A new company known as Fortrade Corp. of America has been formed here for the purchase and handling of foreign pictures. Eugen Sharin, formerly with Fox and RKO in Europe, is executive vice-president of the company which has been capitalized for $100,000 and which is headed by Marcel Robich and Mirko R. Boyan.

The minimum of 20 French pictures will be imported for the 1940-41 season. Other details in connection with the new company will be announced shortly. Sharin left for the Coast yesterday on business relative to remake rights on some of its pictures.

Morton A. Levy Renamed as Kent Drive Executive

Chicago — Morton A. Levy will again serve as Kent Drive leader next season, his reappointment being announced at the 20th-Fox sales convention here Friday. Prize money totaling $21,000 was distributed to 448 employees in 16 branch offices as winners in the current season’s Drive.

Schwalb Joins MPCS

Ben Schwalb, former producer and director of short subjects for Columbia, has joined Motion Picture Camera Supply, Inc., 723 Seventh Ave. as vice-president and general manager.

RCA Willing to Make Tele Receivers of Uniform Type

Washington Bureau of THE FILM DAILY
Washington—In a move to break the deadlock on commercial tele, RCA on Friday advised the FCC that while it does not see any advantages in the suggestion that tele receivers be made to receive from transmitters operating at different frequencies, it is now prepared to build such receivers.

Comin' and Going

HERMAN WEBBER, 20th-Fox distribution chief, is scheduled to return to New York today when the convention special returns. He arrived in Chicago from the Coast.

OSCAR A. DOOB, advertising and publicity director for the Loew theater department, left New York for a midwestern swing which will include Cleveland, Toledo, Akron, Ill., Canton.

JOSEPH A. MCCLONVILLE, Columbia foreign representative, returned to the home office at the weekend from a South American tour.

S. SCHNEIDER is due to return to the Warner home office today from the Coast.

LYNN FARNOL, United Artists advertising and publicity director, was scheduled to fly yesterday to Chicago.

HARRY RAPF is here from the Coast.

LEON NETTER, Paramount theater heads, left New York Friday on a business trip to Florida.

LORENZ HART leaves this week for a Mexican vacation.

FRANK LLOYD, producer-director of Columbia's "The Howards of Virginia," CARY GRANT, RICHARD CARLSON, SIR CEDRIC HARDWICK, players in the picture, and the remainder of the cast and crew have left Williamsburg, Va., for Hollywood after shooting several sequences for the picture there.

PRC Has 20 Branches

With the opening of branches in Chicago, Milwaukee and Minneapolis, Producers Releasing Corp. now has 20 exchanges. Abe Fischer will head the Chicago office, Max Reisner is in charge of Milwaukee and Eph Rosen will manage the Minneapolis exchange.

Jails Theater Pickets

Picketing of Loew’s Theater (Bronx) where GWTW was playing bought five days in jail for two members of the Young Communist League, Magistrate Frank Oliver pointing out that no labor issue was involved.

THE KID IS GREAT!

(Signed)
EDDIE CANTOR

"CANTOR SHOWS PROMISE" (Signed)
CHUM
M.G.M.’s “40 LITTLE MOTHERS"
"Buck" goes over with a bang!

"Say, folks, if you see Fred Allen, I wish you'd show him this ad!"...

Just the thought of Jack Benny trying to be a rough and ready cowboy provokes chuckles, so you can imagine the riot when Jack calls on Rochester and Corman to help him out! —Jimmie Fidler, Syndicated newspaper and radio columnist

"The best film yet made by this capable entertainer. The love affair of Rochester and Thorsen Harris is a laugh riot!" —Al Kahn, United Press


"Jack Benny and Rochester are asces in comedy, and have never been better than in 'Buck Benny Rides Again!'" —Robbie Cones, Associated Press Feature Service

"Your audience will like this picture, Swell entertainment and should click at the box office!" —Ann Lewis, Showmen's Trade Review

"Topping 'Man About Town' for an around entertainment. Clicks solidly. Box office assay is high. A natural for Benny!" —Daily Variety

"Plainly funny comedy. One picture you will have to see for yourself!" —Audubon Parsons, Syndicated Hollywood columnist

"Not only gallops in with the laughs, but it is by far the best comedy Jack of all. Remarks has ever made. It's a whiz-bang!" —Jimmie Starr, Los Angeles Herald-Express

"Hilarious hit. The kind of picture the world needs now. Undiluted entertainment, sure-fire box office with capital letters!" —Hollywood Reporter

"Paramount has a sure-fire box office attraction with Buck Benny riding to new comedy heights!" —Warren Spaid, Jay Emmons Publications

"An uproarious, spontaneous comedy that will keep any audience in hysteric!" —J. H. Jordan, International News Service

Jack Benny
in Paramount's
"Buck Benny Rides Again"

LEN DREW - ANDY DEVINE - PHIL HARRIS - Virginia Dale - Lillian Cornell - Dennis Day - ROCHESTER

Directed and Produced by MARK SANDRICH - Screen Play by William lantern and Edward Balfe - Based on an Adaptation by Tom Moore of a story by A. E.著郎

"Buck Benny Rides Again" is released by Paramount Pictures, Inc., San Francisco, California.
Success of Showing of "The Dark Command" at Lawrence Justifies Expenditure of Tremendous Effort by Republic Pictures. The Saturday Film Editor Finds—High Caliber in All Phases.

By J. W. Moore (The Daily Statesman Feature Service)

Lawrence, Kans., April 4—The screws of Hollywood were turned on Lawrence tonight to see the climax of a galvanizing story of instant motion picture company fighting its way up from "poverty row" to claim recognition in a high pressure and ruthless competitive industry. The company's pictures and the production battle in which it has placed most of its eggs was "The Dark Command." One could not say the executives of Republic had placed all of their eggs in one basket for "eggs" is a term of depreciation in the show business and no eggs are laid in this picture. It and the company came through with colors flying.

Though news of the Missouri-Kansas border where trouble has as many garnet interpretations as different colored stones, is a subject of discussion among the entire population concerning the historic beginning of the film, there can be little doubt that the producer has been driven over the razor because of a money prize and as a piece of entertainment. Full of action, mainly packed, with many deep drams characterized, the film lacked only heartstring to be the equal of "Oklahoma City." Its story is better constructed and finer from start than that of "Virginia City," boasted as the year's most monumental western. "Thunder men" from Missouri and Kansas were utilized in the production as a事项 of pride. A very handsome film for a trade name of a popular success.

Director Not Present.

Unfortunately the man who was responsible for the triumph was unable to be present. It was the popular director, Raoul Walsh, who in this tale of violence and hard-raging repeats the success of the "Roaring Twenties" which was one of the big hits of last year. The making of a new James Cagney film kept him from being in Lawrence.

The film is the first of the series of crime pictures that Republic is making, and Cagney is the star. He plays the part of a young man who is bent on revenge for the murder of his father. A Scottish baronet with Confederate sympathies.

But the part on which all eyes were focused last night was Walter Pidgeon's characterization of Quantrille, M. G. M. The studio to whom Mr. Pidgeon is under contract, took a gamble when it first lent him to little Republic for a picture like "The Dark Command." Property which increased in value as the marksmen in the story another step toward the first rank of star heroes. The Quantrill as portrayed is a brilliant man with a resilient driving animalism that must be satisfied. The criminal in his blood is as first was later lost but at he tries to make his way on the frontier by means of education and peaceful arguments. But when the Texas, who can neither read nor write, defects him in the race for town marshal, he shows his mettle in the flames and becomes a blood drum captain. In his interpretation that might easily have gone "hammy" but the actor keeps his character on the border line between sanity and brilliance to the沈阳 that he always is plausibly and even Rivers among.

Another usefulness of this film is leading his guerrillas band down on Lawrence thrillingly photographed as is the battle that proclaims the nations of the two. Departing from history, the movie boys of the Texas rely on imagination in their own defense, which may prove the historian societies, but which will produce much more thrilling in the gallery. The film is spectacular, particularly the shots of the guerrilla's driving a flaming wagon of the barbed wire fences.

Joe Renvoza Ganns.

Another shot that brings gasps from the audience is one in which Quantrill's victims in their flight to escape him drive a wagon and a team of horses off a high cliff into the river. The cliff is higher than any road here but it makes for thrills. Mr. Walsh, remembering the criticism launched against "Jesse James," is careful to place his cameras in a way that proves the horses were unjured. Trick saving horses from a cliff were used in every Clouse.

George "Gabby" Hayes, the be-whiskered strong man who played his part with popularity every time he stepped in front of a Lawrence screen yesterday has a diverting comedy part as Wat's papa, a backwoods denizen and barber who seems in need of all his own services. He was a great favorite with the customers at all shows of the theatre where the picture showed. Roy Rogers, the singing cowboy appears as Miss Trevor's brother and does a smooth job, though his farm among the high school kids with whom he's been given a chance to watch a few shots. The only performance to Raymond Walburn's portrayal of a personal town physician, this with its hewing and hewing is exactly like every other Mr. Walburn has played on the screen.

The battle scenes are crowded and full of action. There's nothing cheap about the film. This battle scene alone should be proud to have it on their production list.

John C. Moffitt says:

"THE BIGGEST STUDIOS HOLLYWOOD WOULD PROUD TO HAVE IT ON THE PRODUCTION LIST."
"DARK COMMAND"

RAOUL WALSH—DIRECTOR

CLAUDE TREVOR • JOHN WAYNE • PIGEON

ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN

A Republic PICTURE
The convention is to be set in a “Wild West” motif and in typical six-gun fashion. A special train, originating in Boston and picking up cars and delegates along the way, is due to arrive here Thursday morning. Other specials from Kansas City and Denver are due to arrive at the same two. Two chartered planes will bring Hollywood notables from the coast. In addition, three caravans of motor cars are due from Atlanta, Memphis and Oklahoma City.

The New York contingent to the Texas Variety Club convention leaves from Grand Central tomorrow afternoon.

Pittsburgh—At least 65 members of the local Variety Club, headed by National Chairman John H. Harris, and Pittsburgh Chairman C. L. Latta, will leave on a special train tomorrow for the Dallas convention.

New Abe Cohen Branch

Abe Cohen’s Exchange, Inc., has opened a new branch at 336 Madison Ave.

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**Foreign Film at 1934 Totals**

Hutchinson Tells 20-Fox Meet

(Continued from Page 1)

has had a difficult job to handle, Hutchinson said, but film stocks are zealously guarded in all foreign situations. He told how T. W. Mathieson in Oslo had placed all film on a ship for a quick getaway in case the city was bombed. No word from either Oslo or Copenhagen has been received in the past few days, Hutchinson said.

**D of J Won’t Prosecute**

Heidt’s Radio Giveaway

(Continued from Page 1)

FCC that it had determined against prosecuting the program for alleged violations of the anti-lottery provisions of the Communications Act. FCC had referred the matter to the D of J, following squawks by exhibs. Second radio program, “Meade’s Bakery,” was also cleared by the D of J.

**Rep. Mid-West Biz Up 15%**

Chicago—Republic biz in this territory is running 15 per cent ahead of last year, according to Irving Mandel.

**Ontario ITA Opposes**

Slot Machine Pictures

Toronto — Strong stand against slot machine pit was taken by press representatives of the National American Actors Ass’n of Ontario at meeting here on ground they would be positive threat to regular film theater houses.

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**Grandpa GOES TO TOWN**

A Higgins Family Picture

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**Honor J. J. O’Connor with Dinner Tonight**

(Continued from Page 1)

master. It’s an aftermath of a successful John J. O’Connor (not just cordial.


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**Product Delivery Shortage Possibility Worries AMP**

(Continued from Page 1)

a meeting here last week. Such policies of a few of the companies also came in for discussion.

George F. Dembow of National Screen Service, who had requested an opportunity to present his company’s viewpoint on the advent of Advertising Accessories, Inc., heard, but the AMPTO failed to reverse its opposing stand.

AMPTO is circulating a special bulletin, “The Truth About Neely Bill.”

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**No So. Amer. or European Sales Meet for 20th-Fi**

(Continued from Page 1)

foreign sales manager, will hold a meeting here in National American Managers in Havana shortly. He expects to leave about May 15 for London and Paris.
20th-Fox Percentage Range Reported at 15 to 40%; Four in Each Bracket

British-made productions. Additional titles will be added later. Percentages to be added for 1940-41 will range from 15 to 40 per cent, with four pictures allocated to each percentage bracket, it was reported.

To complete the program, the company will have 52 one-reel shorts and 104 issues of Movietone News, with the shorts line-up marked by an increased use of Technicolor. Fifty per cent of 26 Terrytoons will be made in Technicolor by Paul Terry, and at least half of the six Ed Thorgersen's Sports Reviews Reelshow: "Down Among the Lowell Thomas' Magic Carpet of Movietone series of four will be dipped in the dye vat, while Vwyn Donner's four Fortun Forecasts will be in Technicolor. Shorts program also calls for four Adventures of a Newsreel Camera, four Lew Lehr comedies and four "Father Hubbard's Alaskan Adventures." On the feature side, the conjunction was informed that Darryl F. Zanuck will personally produce 18, Sel M. Wurtzel, four, and Louis Jacobson, four. Four other associate producers to contribute will be Harry Joe Brown, Ralph Dietrich, Raymond Griffith, Reid Kehlman, Norman Johnson, Gene Markay, Walter Morris, Kenneth Macgowan and John Stone.

Forty Titles Are Listed
Under way or being prepared for early production, the convention was told as:


Warners, Mediator May Meet on Philly Dispute
(Continued from Page 1)

discuss the musician situation. Warners are willing to discuss the matter, but they are not expected to change their original stand. They dispensed with musicians last Friday in protest at being forced to hire musicians in theaters where they did not need them.

WHAT COULD BE MORE TIMELY?

Today's most glamorous romantic couple... EXCITINGLY TOGETHER!

Vivien Leigh and Laurence Olivier

and LESLIE BANKS in

21 DAYS TOGETHER

A COLUMBIA PICTURE
TERRIFIC AT THE ROXY AS OPENING DAY'S BUSINESS IS BROADWAY'S BIGGEST—
AND NEW YORK'S CHEERING PRESS GIVES IT A SEND-OFF THAT'S SENSATIONAL!
Kuykendall Warns Menace Of Tax Burdens Is Ominous

EXHIBS. MUST HELP “PAY THE FREIGHT”--SCHENCK

Production Spurt Sends 23 New Films Before Cameras

Roosevelt-Mills Interests May Lease, Not Sell, Nickel-in-the-Slot Movie Projectors

Chicago—Teletone automatic projectors, shortly to be introduced by the Roosevelt-Mills interests, may be leased rather than sold, it was reported yesterday. If sold, price will be about $500. Machines will be ready about June 1. Production quota is 16,000 machines annually. Roosevelt's producing company will make six short monthly nickel-in-the-slot projectors.

NEELY'S CANDIDACY MAY CURB PIX FIGHT

Washington Bureau of THE FILM DAILY

Washington--Sen. M. M. Neely (D., W. Va.), introducer of the block-booking bill, will hold his Senate seat, despite his candidacy for the Governorship of West Virginia, his office told THE FILM DAILY yesterday. Neely announced his gubernatorial plans in West Virginia, where he opposes Democratic State Chair.

HAYS, STAFF ATTEND GABRIEL HESS RITES

Washington Bureau of THE FILM DAILY

Washington—Further delay in fixing starting date for hearings on the Neely block-booking-blind-selling bill was assured yesterday when it became known the transportation measure had hit a snag in the House Interstate Commerce Committee.

45 in New York Party Off Today for Dallas

Approximately 45 persons from New York and vicinity leave today and tomorrow by train and plane for the Variety Club convention in Dallas. Among those who have made reservations are:

- Ned Depinet, Creson Smith, Andy Smith
- (Continued on Page 8)

MPTOA Presy Urges Exhibitor Units To Prepare for Battle on Taxation

FCC Denies Publix-Bamford Plea for Asheville Station

Washington Bureau of THE FILM DAILY

Washington—On the ground that the operation of a radio station as proposed would mark a distinct departure from the Commission's plan of allocation, the FCC yesterday

Exhibitor organizations in every state are urged to strengthen their ranks and be prepared to fight against unfair taxation on theaters in a general bulletin made public yesterday by Ed Kuykendall, MPTOA president.

Kuykendall writes that the "menace of special tax burdens on the movies is becoming very ominous."

(Continued on Page 8)

Producers Need Proper Terms, Extended Time, Says 20th-Fox Exec.

By JOSEPH ESLER

FILM DAILY Staff Correspondent

Chicago—The problems that the film industry faces today due to uncertain world conditions should be shared by exhibitors as well as the producers, in the opinion of Joseph M. Schenck, 20th-Fox board chairman, who, with Darryl F. Zanuck, production chief, and William Goetz, Zanuck's executive assistant, returned to the coast last night after attending the company's sales convention here.

"Exhibitors must be sympathetic to the producers and distributors and share the burden with producers by giving proper terms for pictures and personal services.

(Continued on Page 8)

MONO, ELECTS LOACH TO VICE-PRESIDENCY

Thom Loach has been elected a vice-president of Monogram Pictures and after May 1 he will devote all his time to the company. He will resign as vice-president and treasurer of Pathe Laboratories at that time.

Loach will continue as a director when the company's stockholders will take place today at the company's home office, 441 West 56th St. President Sidney R. Kent will preside for the first time in several years. Approval of new constitution will be the order of the day.

Kent to Preside Today At 20th-Cent.-Fox Meet

Annual meeting of the 20th-Fox stockholders will take place today at the company's home office, 441 West 56th St. President Sidney R. Kent will preside for the first time in several years. Approval of new constitution will be the order of the day.

Heymann Flying to Talk French Distribution Deal

At the invitation of several French producers, Andre Heymann, president of the French Film Center, leaves tomorrow by clipper for Paris where he will discuss details relative to the establishment of a French Film Center.
Schaef and Depinet Speak
As RKO Pays O'Connor Honor

More than 100 RKO executives and theater managers paid homage to J. J. O'Connor, vice-president in charge of operations, at a banquet last night at the Hotel Warwick. A special film in which managers and executives were "kidded" was presented, and members of the department offered several "home talent" skits.

Malcolm Strongs was toastmaster. Short speeches were made by George J. Schaef, president, and Ned Depinet, vice-president, and by the guest of honor, himself.

Double Bill Hold-overs
Set Record in Detroit

Detroit—Double bill hold-overs set a record this week. "Rebecca" and "Granny Get Your Gun" stayed for second week at the Michigan and "Vivian City" and "The Farmer's Daughter," which moved from the Michigan originally, stay for a third at the Pantages. "Harem Passage" stays for a third week at the United Artists.

GWTW will total 22 weeks on Saturday, to equal the 1927 run of "Broadway," second longest run of any type of theater attraction in Detroit history.

Willie Bioff Surrenders;
Counsel to Ask Pardon

Chicago — William Bioff, IATSE exec, surrendered yesterday at the Bridewell jail to start serving out a six-months' sentence.

Meanwhile Bioff's attorney, State Senator Abe Marovitz, served notice that he had filed a petition for pardón with the Governor and that Bioff might ask a writ of habeas corpus. Gov. Horner could not be expected to act upon the pardon petition until after Labor day, which might take several weeks.

Hind Neb. to Carry Fight
On Ascap to Supreme Court

Lincoln, Neb.—Chances for reopening the fight for recognition of Nebraska's anti-Ascap law were described as "good" by Atty. Gen. Walter Johnson, just back from sounding sentiment on the case in Washington. Fact that he was granted admission to practice before the U. S. Supreme Court is considered indicative that the fight isn't over yet.

Bronston Off for Coast
To Launch Production

Samuel Bronston, whose merger with James Roosevelt's Globe Productions has been completed, leaves today for the Coast to swing into production activities. Four pictures will be made for the new United Artists season, two of which will be made by John Stahl. Bronston will make "The Bat" and "Pot o' Gold."

RKO Set on 14 of 21 Fix
For May-Sept. Release


Cantor Sought for First
Lubitsch Feature for UA

If a deal in the making jells, Eddie Cantor will assist in the first Ernst Lubitsch-Sol Lesser production for UA release. Lubitsch opened negotiations with Cantor last week.

Cantor will be feted tomorrow on the lower East Side, extensive program being tied in with world premiere of Metro's "Forty Little Mothers" at Loew's Canal Theater. Settlement houses will share the proceeds of the opening. Pix starts at the Capitol Tuesday with Cantor making a p. a. along with George Jessel and others.

Four Detroit Houses Have
"Adults Only" Signs Out

Detroit—Four houses have the "adults only" sign hung out this week, a record for the town. Films are: "The Big Screen," "The Cinema, "Sensation Hunters" at the Fine Arts," "Reefer Madness" at the Coliseum, and "Are You Fit to Marry" at the Avenue. All films are getting their local "first-runs," although the Cinema is closed among regular first-run houses. This is the city, incidentally, which banned "Primrose Path" and "Strange Cargo."

Forecast 10,000 Bookings
For Republic's "Command"

Republic's "Dark Command," is headed for at least 10,000 bookings, which means that it will play a minimum of two-thirds of all U. S. houses. Circuit and exhibitor response to date has exceeded any attraction in Republic's history, it was said yesterday.

Korda Signs Birdwell

West Coast Bureau: THE FILM DAILY

Hollywood—Alexander Korda has retained Russell Birdwell of Associated Press to publicize "The Thief of Bagdad."
We wouldn’t know the kind of mathematics they teach at Harvard . . . but our simple $2 \times 2 = 4$ arithmetic shows that Annie’s doing all right for herself . . . and for 247 happy showmen! Man, how it all came true!

Pardon us for pointing:

"It All Came True"

Ann Sheridan

in Louis (‘Rains Came’) Bromfield’s

with

JEFFREY LYNN • HUMPHREY BOGART

Zasu Pitts • Una O’Connor • Jessie Busley • John Litel

Directed by Lewis Soffler

Screen Play by Michael Fessier and Lawrence Kimble

WARNERS for Showmanship!
SAYS EXHIBS. MUST HELP "PAY FREIGHT"

(Continued from Page 1)

extended playing time," Schenck said here. "If we must recapture the lost foreign revenue in this country—and we must do so if the industry is to exist as it is today—exhibitors must help us pay the freight."

In discussing the 1940-41 lineup, Zanuck stressed that showmanship would be the production keynote.

"We are facing a year of many changes, but we are facing it courageously," said Zanuck. "We are not curtailing in any respect. We are giving to every one of our pictures all the resources of the company. When you tell me that we will have 20 pictures that will cost a million dollars or more each, you understand what I mean."

Zanuck said he concurred with Schenck's remarks about fair treatment for pictures from exhibitors.

"We cannot cut production costs at the studio without greatly impairing the quality of our pictures and thus we refuse to do," Zanuck declared. "If exhibitors expect us to deliver to them the big pictures they want, they must help us with proper terms and extended playing time."

Atlas Asks 100,000 Shares of RKO Stock for Services

(Continued from Page 1)

to the sum of $875,037 which Atlas previously requested for actual expenses and disbursements.

The petition explained that a previous application had been made which requested the Court to fix compensation for the company, but that Judge Bondy had indicated that Atlas must specify the exact compensation desired. The petition made it clear that Atlas would still prefer to have its compensation fixed at the discretion of the Court, but had acted only after instructions to do so.

An order fixing a date for hearings on all applications for allowances will be signed within the next few days by Judge Bondy.

RALPH A. JANZ

ALONG THE DIAL

with PHIL M. DALY

• • • IT'S only once in a proverbial blue moon—that such a thing as an all-around audience picture...looms on the horizon for circuits and exhibitors... Paramount has such a rarity in 'The Biscuit Eater'... When we say all-around audience picture...we mean a movie which will appeal to the most jaded adult palate...and...at the same time, be devoured with relish by the entire younger generation of fans...There are very few such pictures...yes, very, very, low...•

• • • WHAT does such a film mean to the nation's showmen?...The answer is that Mister Theatrerman is enabled to offer an attraction...without a particle of misgiving...that it will leave any increment of his potential patronage...something out in the cold...Naturally, all pictures can't appeal to everyone...if they did, there would be no need for special bookings for kid matinees...That 'The Biscuit Eater' is the exception...is the most striking attribute of that opus...and we're not alone in that conviction...in fact, the seasoned theatremen representing a heluva cross-section of the South...and scribes alike...who filed out of the world premiere in Albany, Ga...freely voiced that opinion.

• • • WHAT does the exhibitor lose in revenue...when a feature doesn't draw the younger generation?...According to sources who have probed this problem...to 20 per cent...We hear a few voices say..."If we get the other 80 per cent...it's a busty tosy...and, besides, don't we run Saturday matinees for the younger set?"...which is all very well, admittedly...but the fallacy lies in the fact that one of the things this business needs...is to get the so-called kids...coming all the time...and not merely on the week-end.

• • • IT'S awfully true in show biz...that what revenue is not consciously missed...doesn't worry the bulk of exhibts...but it does worry some very real showmen...The problem of getting kids coming consistently to film houses...is pretty much of a pet subject with a group of exhibition go-getters...one of these is Spyros Skouras, National Theater head who is constantly "on top" of the kid attendance question...The Warners are likewise unusually alert on this score...as witness the WR of the WB theater department...and of circuit zone managers...Charles H. Ryan of the Chi zone, for example...It's true, too, of several other big circuits and their managerial personnel.

• • • WE think that Paramount's 'The Biscuit Eater' is de luxe adult entertainment...and that it's exactly what the doctor ordered for the rising generation...and that's why we term it a cinematic rarity...which'll do a great deal this season to demonstrate...that there is such a thing as a picture which will please 'em all.

• • • ONE more thought...and an important one...anent 'The Biscuit Eater'...namely that it is going to determine who the REAL SHOWMEN are...in this biz...'cause there are no big star names...—but, Oh, what entertainment!...By the same token...the film is going to determine...whether theatremen's ability to create audiences...still lives...or is the vassal of the...casting director!

PRODUCTION SPURT PUTS 23 PIX IN WORK

(Continued from Page 1)

"Rangers of Fortune" with Fred MacMurray and Patricia Morison and Harry Sherman's "Three Men From Texas" starring William Boyd with Esther Extrelts, M. G. Ackerman, Strange and Thomas Edwards.

At RKO-Radio: "Millionaires In Prison" starring Lee Tracy with Linda Hayes, Patric Knowles and Raymond Walburn; "Have It Your Own Way" with Maureen O'Hara, Louis Hayward, Lucile Ball, James Ellison and Ann Miller; "Cross Country Romance" starring Gene Raymond and Wendy Barrie.

At MGM: "I Love You Again" co-starring William Powell and Myrna Loy; "To Own the World" with Lana Turner and Lew Ayres; "Old Lady '51" with Helen Broderick, Charles Coburn and Billie Burke.

At 20th Century-Fox: "Brigham Young" with Tyrone Power, Linda Darnell, Jane Darwell, Dean Jagger, Brian Donlevy, Vincent Price, Joan Rogers, Mary Astor and John Carradine; "Fier 13" with Lloyd Nolan, Lynn Bari and Douglas Fairbanks; "Street of Memories" with Guy Kibbee, Lynne Roberts and Paul Hurst.

At Universal: "Hot Steel" with Richard Arlen and Andy Devine; "Arizona Cyclone" with Johnny Mack Brown, Bob Baker and Fuzzy Knight.

At Warners: "Episode" with Olivia de Havilland; "They Drive By Night" starring George Raft, Ann Sheridan and Humphrey Bogart; "Broadway Lawyer" starring George Brent.

Others to start: John Ford's Argosy Production of "Drums Along the Missouri" with John Wayne, Thomas Mitchell, Ian Hunter, Barry Fitzgerald, Arthur Shields and Ward Bond.

Hattie McDermott's "Captain Caution," Monogram: A Frankie Darro starring vehicle.

"Rebecca" Staying Fourth Week at Radio City's M. H.

(Continued from Page 1)

White." In its three weeks, W. C. Van Schmus estimated last night the picture would play to more than 450,000 patrons, gross more than $310,000.

Van Schmus commented that "a very large part" of the unusual biz was attributable to the "nonours following" that David O. Selznick's name has as producer.

WEDDING BELLS

Coral Gables, Fla.—Joe Leboung head usher at the Gables Theater married Christine Moseley.
Count on Columbia

TO KEEP YOUR AUDIENCES HAPPY!

Now that "His Girl Friday" and "Too Many Husbands" are gaily rolling up new laugh records everywhere...Columbia follows through with another grand comedy, "The Doctor Takes A Wife"...
“DOCTOR” IS THE TASTIEST SPRING TONIC AN EXHIBITOR EVER ORDERED

Sparkling situation!…A girl who writes books on How To Enjoy Being Lonesome has to play house with a heart trouble expert, because everyone thinks they’re married… and they must keep up appearances.
“One Million B. C.”

with Victor Morlete, Carole Landis, Lon Chaney, Jr.

20th-Fox 80 Mins.

(HOLLYWOOD PREVIEW)

THRILL- packed SCREEN NOVELTY THE EXCAVATING TERROR EFFECTS IT.

A high point of this decided novelty, this is full of thrills, is one of the most

rushing, electrifying storms the screen has seen.

A volcano erupts, sending forth

of burning lava and to add to the

eruption an earthquake opens wide gaps in

earth, into which giant animals and

natives go to their death. A battle to

death between two mammoth reptiles,

Victor Morlete and Carole Landis as

beasts, is one of the thrillers. Battle

human and prehistoric creatures also

offer their share of the thrills. The pic-

tures, which lends itself to strong exploit-

ation, was excellently directed by Hal Roach.

Victor Morlete was an

alleged personality for the role of a strong, fearless

ancestor, as was Carole Landis, as a member of the

wild animal tribe. Larry Clemens, Jr. does

sgually do good work as a tribal leader, who

crippled in a fight with a mastodon ox.

Clark, Nigel De Brulier, Mary Gale

Pat, Edgar Edwards and Inez

among the participants. Conrad Nagel

read as narrator at the opening of the

pic.

Much credit is due Norbert Ho-ko,

cinematographer, and Roy Sea-

ght, whose photographic effects are

among the most intriguing seen in a long time.

Mickell Novak, George Baker and

Spic wright wrote the original screen-

scripts and Grover Jones the descriptive narra-

tion. Wernor R. Heymann contributed an

active music score. Mature, a member of

the rock tribe, wanders afield and is

injured by Carole Landis. Mature

proves worth his way among the natives,

in his mighty spear saves a child from

a ferocious dinosaur. The

man who must fight and live or

the weak to die. When Mature takes

paw (which he feels he has earned)

is a member of the tribe he has

lived. However, Carole turns on her

despise and goes with him. It is by

his valor and sacrifice that Mature

his way back in favor among the

members of the tribe.

CAST: Victor Morlete, Carole Landis, Lon

Hoy, Jr., Marno Clark, Nigel De Brulier, Mary Gale

Pat, Edgar Edwards, Inez

REDITS: Producer, Hal Roach; Directors,

Roach and Hal Roach, Jr.; Authors,

Novak, George Baker, Joseph Frick-

screenplay, camera; Descriptive Narra-

by Grover Jones; Narrator, Conrad

Cameramen, Norbert Bobdine, ASC

graphic Effects by Ray Seawright;

Director, Charles D. Hall; Associate,

Inez Remisoff; Musical Score by Werner

Pan; Orchestra Conducted by Iris-

Talbot.

REVIEW, Excellent. PHOTOGRAPHY,

B & K Ups Thompson

Chicago—Ray Thompson, for sev-

ral years assistant manager of the

Chicago theater, has been

manager of the Luna.
**NEELY'S CANDIDACY MAY CURB PIX FIGHT**

(Continued from Page 1) man R. Carl Andrews for the nomination.

His campaign activities are expected to largely keep him in West Virginia, and film observers look to his film activities decreasing greatly as the campaign occupies his attention.

**Monogram Elects Roach to the Vice-Presidency**

(Continued from Page 1)

rector and treasurer of Monogram. It also was announced yesterday that Monogram had authorized a 50 per cent increase in production budgets for 14 features in the top bracket and a 20 per cent increase for 12 other features.

Kent to Preside Today at 20th Cent.-Fox Meet

(Continued from Page 1) tracts for Darryl F. Zanuck and Joseph M. Schenck and election of directors are the principal matters to be voted on.

700,000 See “GWTW” in 12 Weeks in 2 Chi. Houses

Chicago—Approximately 700,000 persons have paid $600,000 to see “Gone With the Wind” in 12 weeks at the Oriental and Woods Theaters here.

Picture is expected to run into the summer months.

**Lillian Russell’s Home Town Sees 20th-Fox Pix Bringing Back “Good Times” to Farmers**

Clinton, Ia.—This home town of Lillian Russell, which is seeking the premiere of 20th-Fox’s “Lillian Russell,” sees a pix a potent argument for the return of home curves “so that farmers can begin selling their stuffs” and again the maladjusted economic machine will take on new life.

Hays and Staff to Attend Rites for Gabriel L. Hess

(Continued from Page 1) there will be instrumental music.

As a mark of respect the MPDA office will be closed until noon today. Hays yesterday paid this warm tribute to the deceased:

“Gabriel Hess was a gentle man. He had courage and understanding; he had faith and he had charity. Brilliant in intellect, rock-bound in integrity, and splendid in his loyalties, he was one who dwelt in the inner places of the hearts of those who knew him.”

“For sixteen years General Attorney of this Association, Gabriel Hess always was more than a member of our official family here. He was my counsellor and my deeply loved friend.”

From Washington, Abram F. Myers, Allied general counsel, wired:

“Through our friendship we kept the movies and while with the help of our clients we sometimes clashed, I am glad to say this never affected our personal relations. In the line of his specialty, he was a great lawyer and an able advocate but he was always courteous and fair.”

“Southern Roses” to Select

Select will distribute Unity’s “Southern Roses” in the U. S.

**Heymann Flying to Talk French Distribution Deal**

(Continued from Page 1) to the exporting of French pictures to the U. S. Heymann plans to buy back seven pictures for distribution over here.

Heymann said yesterday that the French government is anxious to keep production alive despite the war and that the production of pictures suitable for American distribution was being encouraged. He doubted reports that French activity was dead and that production was being shifted to Italy.

French Cinema Center in September will release “Heritage,” a picture completed in Spain two days before the civil war started and “Scherwutz,” also a French picture.

**FCC Denies Publix-Bamford Plea for Asheville Station**

(Continued from Page 1) denied the application of the Publix-Bamford Theaters, Inc., of Asheville, N. C., for a construction permit to erect a new station to operate on 1430 k., with power of 1 kw., unlimited time.

**DuMont Television Sales Show Gradual Increase**

A gradual upward trend in DuMont television sales has been noticeable in recent weeks. Company is now delivering between 16 and 20 machines a week, following a period of comparative slow activity.

The increase has not been sudden, but each week has resulted in more sales until now indications point to a wider interest in home devices among the public.

**Brophy Rejects CCC Offer**

West Coast Bureau of THE FILM DAILY

Hollywood—Murray Brophy of the Los Angeles Columbia Management Bureau, has turned down the offer to become managing director of the Central Casting Corp.

**WHEN SPEED'S YOUR NEED PHONE TELEGRAMS TO POSTAL TELEGRAPH**

CHARGES FOR TELEGRAMS APPEAR ON YOUR TELEPHONE BILL.

**WARNS MENACE OF TAX BURDEN IS OMINOUS**

(Continued from Page 1) adding that exhibitors should not lose sight of the “growing menace” even though most state legislatures do not meet this year.

In regard to the Neely Bill, Kuykendall points out that a greater number of exhibitors are beginning to realize that the measure is just a price control law which “will force higher film prices, plus a clever pretense of price fixing for local tax price censorship.”

45 in New York Party Off Today for Dallas


Dallas Variety Club Parade Saturday to Draw 500,000

Dallas—Following a 10-day survey, the Dallas Chamber of Commerce anticipates 500,000 people from Dallas and surrounding districts will witness the 10-mile parade Saturday, during the national Variety Clubs’ convention. The parade will feature the Western theme of convention and will headline more than 30 Hollywood stars, producers, directors; top production and sales executives of every producing company; theater circuit executives; independent theater operators; trade press and newspaper officials and representatives; Federal officials; five Governors; three Lieutenant Governors; Texas State, county, city officials, and Texas Rangers. Incidentally, there will be a thousand of Texas’ most beautiful gals.

Jenkins Heading Atlanta’s 60 to Dallas Convention


**STORKS!**

Detroit—Bruce Harrison, manager of the Roseville Theater, Roseville is the father of an eight pound girl Jean.

A 7½ pound son was born to Mr. and Mrs. Ray Largo of Hollis. Largo is head of RKO Radio’s sales department.
**REVIEWS OF THE NEW FILMS**

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**"Buck Benny Rides Again"**

A buck Benny, Ellen Drew, Andy Devine, "Rochester" amount 82 Mins.

OLD LAUGH HIT LOADED WITH TERRIFIC COMEDY SHOULD CLICK \ONGLY AT THE BOX OFFICE.

Here is a solid laugh hit that should stick strongly at the boxoffice. This tray on Westerns is loaded with entertainment, comedy, and Buck Benny has never done better work than as the city chap, who becomes a hero in the wide open spaces of himself. Much praise should also be heaped upon Mark Sandrich, who, as director, has guided all the parts with an expert touch.

**"Dr. Kildare's Strange Case"**

with Lew Ayres and Lionel Barrymore

HOLLYWOOD PREVIEW.

WORTHY ADDITION TO THE "DR. KILDARE" SERIES SHOULD PLEASE AVERAGE AUDIENCES.

This is a worthy addition to the "Dr. Kildare" series. All of the old favorites are in the cast—Lew Ayres as the young doctor; Lionel Barrymore as his wise mentor; Laraine Day, the young nurse with whom Lew is in love; Samuel S. Hinds and Emma Dunn as Lew's kindly, understanding parents; Nat Pendleton, the ambulance driver; Walter Kingsford, the hospital superintendent; Marie Blake, the switchboard operator; Alma Kruger, head of the nurses; Frank Orth, Tom Collins, George H. Reed, Jerry Hall Craig. Shipped Studwick, John Eldredge, Charles Waldron, Paul Porcasi, Horace MacMahon, Margaret Suddon and Ellen McRae, veteran members of the cast. Harold S. Bucquet, furnished the splendid, sympathetic direction.

**"George Washington Carver"**

With Dr. George Washington Carver, Producer T. Washington III.

BIOGRAPHICAL HISTORY OF NOTED NEGRO SCIENTIST IS INTERESTINGLY PRESENTED.

Using an all-Negro cast, all of whom are amateurs, this picture is a biographical history of Dr. George Washington Carver, eminent Negro scientist, who today at the age of 76 still teaches and carries on experimental work at Tuskegee Institute, Negro college. The film has enough of a story apart from its straight biographical aspects to make it interesting, and it should do well in any theater catering to negro trade. Picture should also have some value for school exhibition. Dr. Carver relates the story of his life to a young boy who wonders what he will be able to do in the world when he graduates. A flashback technique is used to cover Carver's life from the time he is a boy. It shows his many disappointments and rebuffs until he achieves the fame and success he richly deserved.


CREDITS: Producers, Allen McDowell Adequate.

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**SHORTS**

**"Terry and the Pirates"**

Columbia 15 Chapters Chapter I—29 Mins.

Based on the syndicated cartoon strip by Milton Caniff, this serial should find a ready audience among the thrill fans. Initial chapter sets the stage and introduces the characters for episodes to follow. Story is laid in the Asiatic wilds and suspense is maintained with natives, a trained gorilla and a half-caste warlord with a gang of phonies—"tiger men," all of whom are trying to prevent Terry and his pal, Pat Ryan, from joining Terry's gang, leader of an archeological expedition into the jungle. Cast includes William Tracy (Terry Lee); Granville Owen (Pat Ryan); Joyce Bryant, Allen Jung, Lotor DeCamp, Sheila Darey, Dick Curtis, John S. Jones, Forrest Taylor and Jack Ingram. Producer is Larry Darmour and direction is by James W. Horne.

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**IN OLD MISSOURI**

**WEAVER BROTHERS and ELVRY**

"I am honored to present Prince Borisof Chodorofsky — a Russian from the Ozarks!"

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**"Tobacco Road" Playing**

Ohio Warner Theaters

Cleveland — Warners are presenting the stage version of "Tobacco Road" in leading theaters throughout the territory including the Palace, Laraine; Madison, Madison; Sherman, Chillicothe; Laroy, Portsmouth; Sixth Street, Cohocton and Ohio, Lima Glen.
Look at it from any Angle!

Flash ... glamour ... color is the life-blood of showmanship and that's what we're selling in Trailers, Lobby Displays and Accessories. Use them like the successful merchant uses his show windows. Put your show on display. Dress up your lobby. Dress up your screen. A catch-line ... a picture will get the prospect who shops for entertainment. Maybe he's twenty percent of your audience ... maybe he's only ten. But it's the "shopper" who makes the difference between big grosses and average takes ... sometimes the difference between profit and loss. And NATIONAL SCREEN SERVICE gives you those catch lines ... that color ... that flash ... in Trailers ... in Lobby Displays ... in General Accessories. On a straight rental basis ... from one set of exchanges. They cost you little ... they sell extra tickets. Every exhibitor can afford the Best Ticket Sellers in the Business ...
MAJOR PRODUCERS AS GOV'T WITNESSES

DuMont To Begin Television Programs Here By Sept. 1

20th-Fox Stockholders Approve Zanuck, Schenck Pact

Arnold Will Oppose Trial Postponement

If U. S. film trade is to expand in Latin America, it must form contracts with producers that can afford to keep the going prices for the film trade in that market, and not, as generally imagined, via selling more outlets there, it was stated yesterday by Joseph A. Mayer.

The Government obtained an order under the Rules of Civil Procedure which requires judicial consent to the subpoenaing of witnesses who reside over 100 miles from the court house. RKO to examine N. J. Exhibs.

Zanuck Most Valuable 20th-Fox Asset, Schenck Tells Stockholders

Philbrick Named Gen'l Mgr. of Central Casting Corp.

The Daily Newspaper of Motion Pictures

Now Twenty-One Years Old

NEW YORK, WEDNESDAY, APRIL 17, 1940

TEN CENTS

OL. 77, NO. 76

D of J to Subpoena Chaplin, Goldwyn, Schenck, Zanuck and Mayer—E. V. Richards, Jr., Another—RKO to Examine N. J. Exhibs.

Federal Judge Henry W. Goddard yesterday authorized the Government to subpoena Charles S. Chaplin, Samuel Goldwyn, Joseph M. Schenck, Darryl F. Zanuck, Louis B. Mayer, and Ernest V. Richards, Jr. as witnesses in the equity suit. The order empowered the U. S. marshal to serve the executives with summonses to attend court on May 1 when trial is scheduled to start.

Judge Goddard acted upon an affidavit of Special Assistant Attorney General Paul Williams which characterized the executives as "material witnesses in the trial of this case." The Government obtained an order under the Rules of Civil Procedure which requires judicial consent to the subpoenaing of witnesses who reside over 100 miles from the court house.

RKO to examine N. J. Exhibs. In answer to the large number of preliminary examinations obtained

NAZIS BLOCK DANISH CURRENCY SHIPMENTS

All currency exports from Denmark have been stopped by the Nazi army controlling the country, it was reported yesterday in advices from Copenhagen to home.

Wage Agreement Reached by Fair and Theatrical Unions

Following conference yesterday between Mayor LaGuardia and representatives of the A F of L theatrical

Painters Ask Producers for Revenue Loss Proof

West Coast Bureau of THE FILM DAILY

Hollywood — The local painters' union is issuing an ultimatum to
Testimonial Dinner May 7
Will Honor Barney Pitkin


Cinematographers Re-elect
John Arnold President

West Coast Bureau of THE FILM DAILY

Hollywood—The American Society of Cinematographers has re-elected John Arnold president; Ray June and Ted Tetzlaff and Joseph Valentine vice-presidents; Alfred L. Gilks secretary-treasurer.

Because of a heavy picture schedule, Victor Milner declined a post on the board of governors and Arthur Edeson was chosen to fill the spot.

Bradn Organizing Camera
Crew to Shoot Coastline

Harry Bradson is organizing his own camera crew to shoot local events, and he is in charge of the Coastline Theater, Times Square newsreel house, which opens shortly. His own camera will augment the regular newsreel programs.

Bradson yesterday denied reports that any other newsreel theater company was associated with him in the operation of the new house. Nobody but the Bradsons are interested in the enterprise, he said.

Buchanan to Handle Ads.
for Towne-Baker "Brown"

The Buchanan Co., advertising agency, will handle the advertising on "Tom Brown's School Days." Towne-Baker production for RKO. Campaign gets under way immediately. Buchanan has just completed the advertising campaign for twenty-two "Polly" Fox's "Irene," also for RKO release.

Willoughby Recovers
Chicago — Bertram Willoughby, Ideal Pictures proxy, has returned to his desk, after an extended illness.

Wisdom from the babe of M-G-M's "40 Little Mothers!"

"VERY GOOD EDDIE!"

COMING AND GOING

KNEIP TO RECEIVE $10,000

Rudolph Knip, long-time assistant of Charles Reisner, and now president of Associated Artists, has been selected to receive the $10,000 Edward Remarke Memorial Award.

Andrei Andrei, RKO's New York pressman, is on vacation.

THEO SCHIFF AND FAMILY ON VACATION

Theo Schiff, former RKO publicity man, and his family are enjoying a vacation on the west coast.
In announcing the fourth week, W. G. Van Schmus, Managing Director of Radio City Music Hall, stated:

"Two hundred and sixty pictures have been presented in more than seven years of the theatre's existence. 'Rebecca' is the second picture to run a fourth week. The engagement of 'Rebecca', since its opening day and continuing on throughout its run, has proved to be highly gratifying. We welcome this latest of the David O. Selznick productions. Past performances have shown, as 'Rebecca' now further proves, that the Selznick name on a motion picture is an assurance of success. Indications are that at the conclusion of the third week on Wednesday evening, 'Rebecca' will have grossed in excess of $310,000, and an audience of more than 450,000 will have seen 'Rebecca'!"
DUMONT TELE SHOWS
TO START BY SEPT. 1

(Continued from Page 1)

dustry, Paramount owning a 50 per cent interest.

Rainbourn in a statement yesterday asserted that the DuMont station would telecast Broadway shows direct from the theaters to the homes and that plans for Fall programs called for sports events, political speeches by Presidential candidates and variety shows with top celebrities.

In commenting on the granting of the license, Rainbourn said: "This marks a significant victory for those forces in the television field that have been fighting for a flexible system of broadcasting and receiving and against the plan of the Radio Manufacturers Association to 'freeze' transmission in the form advocated by RCA."

Rainbourn looks upon RCA's announcement that it would build television sets capable of receiving programs from other systems as a signal for this new industry to go ahead at "full speed" with its vast program.

Mass. Tele Institute Head
Asks FCC for "Green Light"

Boston—In a letter to the FCC, Porter H. Evans, proxy of Massachusetts Television Institute, yesterday called for the restoration of the "green light" for commercial tele, and warned that "your efforts to prevent the erection of a monopoly are having exactly the reverse effect."

Circus Via Tele Apr. 25

For the first time in the history of television NBC will televise the Ringling Brothers & Barnum and Bailey Circus April 25. This debut of a complete circus on the television channels was arranged by the William Morris Agency.

Adelphi Case on May 15

Chicago—Adelphi anti-trust action against B & K and the majors has been put over until May 15 by Federal Judge James Wilkerson.

ALONG THE
WITH PHIL M. DALY

- - If there are any Casper Milquetoasts in this industry... who are still wondering what the keynote of the 1940-41 season is gonna be... they must be either deaf or dopy... for the keynote has already sounded....Indeed, it came to the attentive ear... clearly and inspiringly... out of Chicago last week-end....from the annual sales convention of 20th-Fox... the trail-blazing concave for those of the other major companies... and of the leading indies.....

- - IT has been stated betimes...that Filmland is a complicated industry.....But there was nothing complicated about the keynote which 20th-Fox clariioned... to the entire trade.....It was just one word:.....CONFIDENCE.

- - NOW there's only one thing that speaks louder than words......and that's ACTION....The convention took that tool......by serving notice in resounding fashion......of complete confidence in the industry's current position......and particularly in the domestic market......Confidence was expressed via the setting-up of the largest production budget in 20th-Fox history.....and it calls for the staggering sum of more than $25,000,000 to be spent on features alone.....The most significant thing about this appropriation to circuits, indie exhibitors and public alike......is that some 20 of the features planned......will each carry individual budgets of $1,000,000 or more.....Such allocation......in the face of foreign market conditions......is the most eloquent testimony the theaterman and the filmgoer can ask.....in the matter of assurance that the new season will be at least as great......as the present one.

- - BETWEEN now and the time the alarm clock sounds......for Film Row folk to get to work on Monday morning.....there'll be a lot doin' around the local diggin's.....There's today's luncheon at the Broadway Mansion......200 East Broadway......which the East Side Chamber of Commerce and the Grand Street Boys Association......are rendering in truly tender regard for Eddie Cantor......as a prelude to the world premiere of his new M-G-M opus "40 Little Mothers."......in Loew's Canal Theater......at 8:30 p.m......This event, in turn, is a prelude to the attraction moving into the institutional Capitol Theater tomorrow......for its regular New York engagement.

- - TOMORROW the vaunted record of "Snow White"......that of running for four weeks at the Radio City Music Hall......will have to be shared with Mister David O. Selznick's "Rebecca."......Maybe the latter will go on to cop the all-time crown at that house......"cause even as the fourth week of the film dawns......the only ones we know......who don't have to worry about getting into the Music Hall......are the scrub women......and that's after hours......

- - Merry whirl of events continues Friday night......via the Theatrical Unit of the N. Y. Newspaper Guild entertainment and dance in the Guild Club......117 West 46th St......Sat. night's the premiere of Emerson Yorke-E. J. Barnes Associates' informative film "250 Metropolitan Years"......at Metropolitan Life Insurance Co.'s convention in the Waldorf-Astoria......Speaking of Mister Benny......he booped into town yest'day from Hollywood......to attend the premiere here of his new Paramount picture, "Buck Benny Rides Again"......What's gonna happen when he rides again, we don't know......but there were some 5,000 fans in Grand Central to welcome him......when he rode in yest'day.
Gov’t To Call Chaplin, Goldwyn, Schenck, Mayer

More Witnesses Are Named By the Department of Justice (Continued from Page 1)

by the D of J, RKO Radio yesterday lied 177, e in Federal Court that it intended to take the depositions of our Government witnesses. These real examinations, the notice said, will be held in the RKO Building, the office of William Zimmer-krno attorney, before Edward W. Cooper, notable public.

The witnesses affected are James Bowers, Union City, N. J.; who is o aper April 22, James C. Foy, Metuchen, N. J., on April 24; J. Bannon, Newark, on April 28; and Howard Theer, Paterson, N. J., on April 29.

These witnesses have been named by the Government in its particulars as supporting charges of monopoly against RKO. This move by RKO may forecast similar steps by other major companies for examination of witnesses against them.

No predictions as to whether or not this step will delay trial were made by attorneys for the majors, but the Government insisted that postponement will not follow because of these examinations.

D of J Names More Witnesses

The Government supplemented its already long list of witnesses yesterday when it filed an additional list of particulars pursuant to an order of Judge Juddard. In the production field, the following were added: Sol Lesser, Principal Artists' Productions; Toby Angush, Los Angeles; Richard Rowland, General Service Studios; Spencer Bennet, Monogram Productions, and B. Reeves Eason, Los Angeles.

In reference to charges that the majors monopolize the exhibition of first-run pictures, the bill added B. 1. A. Berc, Columbus, Ga.; C. C. Dunmore, Marshalltown, Ia.; E. E. Seif, Rapid City, S. D.; J. S. Arthur, Mason City, Ia.; W. B. McDonald, Olympia, Wash., and Harry Freedman, Lansdale, Pa. The name of Robert H. Hunter, Philadelphia, was added as a witness to alleged unreasonable clearance.

The bill stated that the Government was unable to furnish additional franchises or understandings between distributors and exhibitors whereby a defendant engaged in the exhibition was aided in moving into a new competitive area. However, it added, the D of J believes that there are numerous agreements of this kind. The Government listed 132 witnesses, previously named, who allegedly have knowledge that block-booking is forced upon independents.

Draws on Neely Proponents

The source of its knowledge of the identity of these witnesses, the Government said, is that the witnesses have previously appeared before hearings of a sub-committee of the Committee of Interstate Commerce of the U. S. Senate. The

Quadroplane Midnight Bills Three Times Weekly in 10 to 50 Detroit Pix Houses

Detroit—Four features on a midnight bill on "change night," three times a week, has become the rule at about 40 to 50 Detroit houses, a survey indicates. Idea spread from the typical downtown and all-night theaters, and is now widely universal in some neighborhoods, notably along Woodward and Michigan Avenues, and throughout the colored districts.

Close Friends, Associates at Services for Gabriel Hess (Continued from Page 1)

home at 33 East 70th Street, where he died early last Sunday from coronary thrombosis.


Cremation followed at Fresh Pond Crematorium, Long Island.

Painters Ask Producers for Revenue Loss Proof (Continued from Page 1)

producers asking proof of revenue losses for a conference on working conditions. Herbert Sorrell, painters' representative, declared that the painters were making 40 per cent less to date this year than last year in spite of a 15 per cent wage increase. This was due, he said, to a lack of work.

He declared that the painters were willing to return 10 per cent of their increase if the producers would guarantee them 42 weeks' work per year.

Nazis Block Shipments of Danish Currency (Continued from Page 1)

offices. This action adds Denmark to list of foreign countries which have been "lost" to American districts during the past year. Amount of money involved by this move could not be determined last night.

$1,329,964 NET LAST YEAR FOR B-K CIRCUIT (Continued from Page 1)

yesterday. Earnings are expected to $4.69 and $4.46 respectively.

Walter Immerman, general manager of the circuit, who presided said that the company by calling all preferred at 110 on May 30 would save $50,000 a year.

John Balaban, secretary, reported business slightly ahead of last year at this time in territory outside Chi微妙, but Chicago business was substantially ahead.

All directors were re-elected and officers will be elected at a directors' meeting next month, date having not yet been set.

Paramount has increased its holdings of B & K common to 257,882 shares out of 264,206 now outstanding.

Philbrick Named Gen'l Mgr. of Central Casting Corp. (Continued from Page 1)

Campbell McCollough, He will reorganize the corporation which handles extras for the studios.
20th-Fox Stockholders Approve Zanuck Stock Option

U. S. Films Hold 75% of Screen Time in Latin American Theaters—Golden

President Sidney R. Kent, attending the meeting for the first time in several years, answered numerous stockholder questions and outlined difficulties facing the company and the industry. Defending the Zanuck deal and explaining the peculiarities of the film business in many respects, Kent stated that Zanuck was the company's most valuable asset.

Cites Record Under Zanuck

He reviewed the company's history for the past nine years, stating that since Zanuck has been at the production helm over a four and a half year period, the company has shown a profit of $26,867,000; has received dividends of $3,906,000 from National Theaters; has paid out $5,100,000 in funded debt; paid out 18,055,000 in dividends; and increased the company's fixed assets in the amount of $7,000,000; whereas, in the four and a half year period previous to Zanuck's entrance into the company a loss of $6,011,000 had been sustained. Kent concluded by stating that the stockholders had been called on in the past to vote on a major move, it has proven cheaper than anybody. Replying to a remark that last year's earnings had dropped sharply, he stated that the program for the year was good but had failed to measure up to expectations at the box office, pointing out that this has happened to every company. Kent stated that he would deplore Zanuck's leaving the company; he expressed the opinion that nothing business to Zanuck or some other top exec, or they did leave the company, there was no reason for any stockholder to believe that they would not carry on just the same.

Appreciated by Milton R. Weinberger

In reply to Weinberger's assertion that he had no faith in top executives, Kent stated that when originally joined the company they tore up an agreement because it would have been too heavy a load at that time; had since that time failed to draw his salary at times and had also turned back considerable sums to the treasury.

Stockholders Applaud Kent

Represented at the meeting were 1,058,699 shares of common stock and 811,393 shares of preferred.

Weinberger Intimates Stockholders' Action

Stockholders will be filed against 20th-Fox within a week in the New York County Supreme Court by Milton R. Weinberger charging the executives of the company with waste, mismanagement and the prospect of future waste through continuous centralization of control. Weinberger intimated following yesterday's 20th-Fox stockholders meeting. Weinberger, holder of 410 shares of common record, criticized the company for its avoicing the prospect of further waste through continuous centralization of control. Weinberger intimated following yesterday's 20th-Fox stockholders meeting. Weinberger, holder of 410 shares of common record, criticized the company for its avoicing the prospect of further waste through continuous centralization of control.
SETTLEMENT VERDICT MAY COME THIS WEEK

The current week is regarded in informed circles as being a crucial period in the Government's equity suit as an settlement is considered.

It was indicated yesterday that if a consent decree is agreed upon by one or more of the defendants companies, the action will come to an end.

Meanwhile, persistent reports indicated that a third draft of proposals is being prepared by the Department of Commerce. If true, the draft is expected to be of great interest because executives of both distribution and executive branches have expressed themselves privately as seeing a great deal of merit in the provisions of the first two, third revision may constitute the first combination of proposals to run a definite basis for settlement.

In some quarters, however, there is a firm belief that there would be no settlement and that the case would go to trial May 11 or shortly thereafter.

REGULATION MOVE FOR BANK NIGHT IN ILLINOIS

(Continued from Page 1)

"Old" and similar games are okay in this state, theaters could be given a break with Bank Night.

SMPE to Hear Dr. Begun

Dr. S. J. Begun, of the Brush Development Co., of Cleveland, will address a new type of recorder at a meeting of the Atlantic Coast Section of SMPE, tomorrow at the Hotel Pennsylvania. "Hill and dale" accent recording and reproducing equipment will be demonstrated by Begun.

Public N. Y. Bookers Club

The Bookers Club, composed of exchange and theater bookers in New York, was incorporated Monday. Organization was formed about two months ago and now has member.

First social affair, a dinner dance, has been scheduled for May 19 at the Hotel Astor.

New Pact for Johnston

Twentieth-Fox has handed a new contract to Julian Johnston, Columbia department head.

STORKS!

Bibbitt—Ray Hoons, head of advertising department for the El Warner exchange, is the father of seven pound boy, born in the mangahela Valley Hospital. Mrs. Bibbitt (Mary Jane Thomas) was played at the exchange prior to her marriage.

"Saturday's Children" With John Garfield, Anne Shirley, Claude Rains

WARNERS 101 MINS.

HUMAN AND HEART WARMING STORY WITH FINE CAST IS APPEALING AND ENTERTAINING FILM.

This picture is genuine entertainment in every respect. Telling a story of young love and its customary troubles, the film for the ability of its actors to present their roles as the life and human and honest with a strong appeal, as it does not lack its counterparts in many thousands of times over. Nothing has been done to give it a fairy story ending, preserving its honesty with rare fidelity to plot. Exhibitors will find a wealth of material in the names of the cast and the opportunities offered by the story itself for a thorough exploitation job, and the picture opens up possibilities for the players.

The players are sincere and moving in their performances with no weak sisters in the entire cast. John Garfield, given an opportunity to get away from his customary dramatic roles, is excellent as the bewildered young man who finds himself married, likes it fine, and then has his world crash down around his ears through no fault of his own. His performance definitely stamps him as a well rounded performer who should not be restricted to type roles. Anne Shirley gives a sympathetic and understanding performance as Garfield's wife. Claude Rains is fine as Garfield's understanding father-in-law whose life is wrapped up in Anne's happiness. The rest of the cast is equally good, with fine characterizations contributed by Lee Patrick, Roscoe Karns and Elizabeth Ridon.

Director Vincent Sherman deftly guides the players with a fine understanding for the story. Garfield marries Anne without realizing she has really tricked him into it. However, she loves him and he loves her in return, and their life is happy until she is fired and their budget is larger than their income. From this point on a number of things happen, with Rains attempting suicide to get money for them.

At this point the players reason enough for them to know that they can't be licked if they really fight. A future together, not necessarily bright at the moment, but definitely a future for both of them is before them at the close of the story, with a deeper understanding that will weather any storm.

CAST: John Garfield, Anne Shirley, Claude Rains, Lee Patrick, George Tobias, Berton Churchill, Roscoe Karns, Dennis Moore, Elizabeth Ridon.

CREDITS: In charge of production, Jack L. Warner; Executive Producer, Hal B. Wallis; Associate Producer, Henry Blanke; Director, Vincent Sherman; Screenplay, Julius J. and Philip G. Epstein; From a play by Maxwell Anderson; Cameraman, James Wong Howe; Editor, Owen Marks.

DIRECTION, Fine. PHOTOGRAPHY, Expert.

George Bressler Explores

Cincinnati—George Bressler, over 30 years an exhibitor in this city, is about to leave for Europe. He is the widower of the former Ruth McCabe, actress, and three sons, one of whom, Woodward, is connected with M-G-M local office, survives.

"And One Was Beautiful"

With Laraine Day, Robert Cummings, Jean Muir

M-G-M 93 MINS.

MELODRAMATIC SOCIETY STORY HAS ENGAGING CAST, BUT FALLS SHORT OF FULL POSSIBILITIES.

The neighborhood trade will probably enjoy this picture as it will fill the bill as a second attraction or a single attraction in some spots. However, it falls short of its full possibilities in several respects. The script is faulty in spots and the performances, with the exception of Laraine Day, Robert Cummings and Billie Burke, fall to be very convincing. However, exhibits, can sell Miss Day and Mr. Cummings as they are both rapidly rising in the Hollywood firmament. Miss Day gives a very sincere and able performance. Cummings does equally well in his role of spoiled playboy who takes a jail sentence in stride in order to protect somebody else. Miss Jean Muir, making her first screen appearance in some time, does not give much credibility to the role of the spoiled and selfish society girl. Billie Burke ably portrays the mother of the two girls. Frank Milan, Ann Morris, Esther Dale and Charles Waldron are prominent in the supporting cast. Robert B. Sinclair directed, doing a good job with the material at hand. Through some female skuldugger younger sister Laraine Day goes to a party where she meets Cummings, with whom Miss Muir is enamored, but doesn't expect to be present. Shortly after, Cummings and Miss Muir are returning from a party, with Cummings drunk. She drives the car, hits a man and kills him. She flees the scene and Cummings takes the rap although he knows he was not driving. Laraine discovers her sister's guilt and does everything possible to help Cummings and the family of the dead man. Miss Muir marries another man to get away from her sister's accusations, but when Cummings is pardoned she is on hand to try and get him back. However, he sees the light and tosses her overboard for Laraine.


CREDITS: Producer, Frederick Stephani; Director, Robert B. Sinclair; Screenplay, Harry Clark; Based on a story by Alice Duer Miller; Cameraman, Ray June; Editor, Conrad A. Nervig.

DIRECTION, Good. PHOTOGRAPHY, Good.

WB Using Week-end Revues

Chicago—Warners is now using week-end stage revues for the Strand Theater, on the South Side.

IN OLD MISSOURI WEATHER BROTHERS and ELVIRY

"Elviry, control yourself!"

"Love me go! She's bin askin' for it, and I'm goin' to give it to her!"

JUNE STOREY MARJORIE GATESON THURSTON HALL THE HALL JOHNSON CHORAL DIRECTED BY FRANK McALMOND

Republic PICTURE
A NEW AND SENSATIONAL IDEA TAKES A BOW.....

SELECT YOUR OWN STREAMLINED ENTERTAINMENT!

Millions have been anxiously awaiting a public announcement of this highly publicized invention...HERE IT IS.

PHONOVISION

IT'S COMPLETELY AUTOMATIC

With the simple drop of a coin, you select your own streamlined entertainment from 10 Top Features released each week. No waiting. No fuss. No bother. It's as simple as using the telephone.

REAL SHOWMEN TO PRODUCE ENTERTAINMENT FOR PHONOVISION

PHONOVISION Productions are written, photographed, directed and produced by Hollywood's leading Directors and technicians. Every ounce of Filmland's Showmanship is behind each PHONOVISION feature.

PHONOVISION FEATURES TO STAR TOP-FLIGHT ENTERTAINERS!

Patrons of Cafes, Hotels, Cocktail Lounges, Clubs, etc. will soon be entertained, at the drop of a coin, by Hollywood's leading Stars. Their favorite comedians, singers, dancers, with the country's top dance bands, conductors and orchestras are brought to them each week by PHONOVISION.

PREVIEW SHOWING NOW at the

PHONOVISION CORPORATION OF AMERICA
9130 SUNSET BLVD., LOS ANGELES, CALIF.
Telephone OXford 6241
Cole Opposes Suit Settlement Without "Divorce"

CONSENT "REFORMS" NOT MANDATORY FOR INDIES

D. A. R. Opposes Neely's Anti-Block-Booking Bill

Six RKO Foreign Representatives Will Attend Company's New York Sales Meet

Dallas Becomes Show Biz's Capital as Variety Clubs' Convention Opens

"Divorce" Only Permanent Monopoly Remedy, Asserts Cole, Allied's Prexy

Dual Standard of Operation for Industry is Seen as Possible

NO PHILLY MONOPOLY PLAN, SAYS BERNHARD

Shades of Burbank!

OE. 77, NO. 77
NEW YORK, THURSDAY, APRIL 18, 1940
TEN CENTS

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

Intimate in Character
International in Scope
Independent in Thought

Theatrical Organization's Surprise Move Based on State's Reactions

Washington Bureau of THE FILM DAILY
Washington—Yesterday's.BO
to the old block-booking bill by the sighthers of the American Revolution was a surprise development at the annual meeting here.

Mrs. Leroy Montgomery of Norwalk, Conn., chairman of the motion picture committee, told the Flim Daily that the action was unanimous and allowed disapproval of the bill by the committees throughout the nation.

Will Write Congressmen

The committee voted to write (Continued on Page 2)

OCT.-FOX TO SPEND $500,000 VIA RADIO

Plans of the 20th-Fox advertising of publicity departments headed by Adkins C. McCarthy call for an expenditure of approximately $500,000 to coast to coast radio hookups on a season product, it was learned yesterday. Of the total ad budget, approximately $2,000,000 will go into newspaper advertising, as was asked.

McCarthy will also herald a number of new ventures.

first 20th-Fox Foreign Sales Meeting in Havana

First of a series of foreign sales meetings 20th-Fox will hold this year is set for Havana April 25. The session is being arranged in cooperation with the Cuban government.

The Cuban meeting will embrace the entire Central American and Caribbean area.

Shades of Burbank!

Chicago—Warners' frolic theater managers advertised "A Child is Born" with "Five Little Peppers."

By M. SMITH
FILM DAILY Staff Correspondent

Dallas—This Texan metropolis today becomes the capital of U.S. show biz as three special trains, and hundreds of motors bring several thousand delegates and visitors here for the three-day national Variety Club convention.

For the next 72 hours, there will be more film and theater top executives on Main Street than on New York's Broadway, and while Hollywood Boulevard still may have the edge infar as film talent is concerned, there will be a sizeable stellar representation here.

Special trains arriving this morning originated in Boston, Denver and Kansas City, part of the New York contingent traveling on the first named. Charter trains are bringing New York and Coast delegations. Motorcoaches arrive from Atlanta, Memphis and Oklahoma City.

National officers will be elected at a dinner tomorrow night. Reception of John Page, (Continued on Page 7)

"Russell" to Bow in May 15 at Pittsburgh, Clinton, la.

Dual world premiere for "Little Russell" will be staged by 20th-Fox at the Alvin, Pittsburgh, Pa., and Capitol, Clinton, la., on May 15. Two (Continued on Page 9)

Stockholders See Better Dividend on B-K Common

Chicago—Common stockholders of B & K circuit, who received a $2 dividend last year expect a larger dividend this year, with the calling (Continued on Page 9)

Court Refuses to Vacate Appointment of W. S. Brown

Federal Judge Henry W. Goddard yesterday denied an application to vacate the appointment of William S. Brown as trustee of Educational (Continued on Page 9)

Telling All

Chicago—It was left for the Iris Theatre here to think up this triple feature combo: "Remember the Night," "The Moment's Daughter," "Emergency Squad..."
Record Number of Charity Cases Now Handled by MPA

Members of the Motion Picture Associates organization at their Luncheon meeting yesterday at the Astor hotel Sam Ruthless, Max Cohen, Harold Rodner and Harry Buxbaum make pleads for renewed efforts by the membership in securing advertising for the organization’s Journal. Its revenue is used for charitable work. President Jack Ellis stated that the committee now handled by the MPA had reached the largest number in its history, and more funds to carry on the work were urgently needed. Arthur Treacher was a guest at yesterday’s luncheon.

To Quiz Schenck, Zanuck in $750,000 Brice Suit

Chicago—Depositions of Darryl F. Zanuck, Joseph M. Schenck and other witnesses were taken by U.S. Attorney Eli Fink, counsel for Fannie Brice in her $750,000 damages suit against the film company growing out of the ‘Rose of Washington Square.” Superior Court Judge John Lupe has directed 30 days to file all papers in the case. Paramount Signs Tone for Lead in “Virginia”

Paramount has closed a deal with Franchot Tone to appear opposite Madeleine Carroll in “Virginia,” director and producer, in an appearance on a Labor Department coast to coast broadcast on which he will speak as an outstanding naturalization citizen. Arrangements were made when Pasternak was here recently as the guest of Bernie Kreisel, Universal pictures, to produce the producer’s first trip to the capital, and he faced—and survived—the producer. Pasternak met virtually every work meeting, officially and in the trade.

Would Strike Defenses

Application was filed yesterday by the United Theatrical and Film Service Employees Union, local 258, for an order to strike out five defenses raised by the International Retail and Wholesale Employers of America. Suit in the Supreme Court seeks a decree voiding action by the defendant which resulted in revocation of the plaintiffs’ charter.

Col. Calls Atlanta Meet

Sam Moscow, Southern division manager and the branch managers of his district will meet at the Atlanta Hotel, Atlanta, on Monday, for a one-day conference with General Sales Manager A. Montague and Assistant Sales Manager Rube Jacker.

Fifth Week for “Date”

Rivoli Theater, Broadway, is holding “It’s a Date” for a fifth week. Similar holdovers on the Deanna Durbin picture are reported from all over the country by Universal.

Two Trusts Open Attack On Curtiss-Atlas Merger

Forecasing a lively fight to block the proposed merger of Curtiss-Wright Corp., the.ManyToManyField of Engineers and Atoll Corp., at the forthcoming stockholders’ meetings when formal ratification will be sought, Massachusetts Investors Trust and Supervised Shares, Inc., have filed a nine-point protest with Curtiss-Wright.

The combined 25,700 shares of Class A stock held by the two trusts represent approximately 2.2 percent of the Curtiss-Wright outstanding. As of March 2 outstanding A in the hands of 15,721 stockholders totaled 1,185,484 shares.

“After analysis of the plan we wish to state that we are strongly opposed to this plan,” the Trust Co.’s letter said. “We do not believe the company is in need of any permanent financing and we further believe that if any new securities are to be issued they should first be offered to stockholders.”

Pasternak to Go on Air Via Labor Dept. Program

Washington—Joe Pasternak, Universal producer, is set for appearance on a Labor Department coast to coast broadcast on which he will speak as an outstanding naturalization citizen. Arrangements were made when Pasternak was here recently as the guest of Bernie Kreisel, Universal pictures, to produce the producer’s first trip to the capital, and he faced—and survived—the producer. Pasternak met virtually every work meeting, officially and in the trade.

Three Studios Seeking Jackson-Garrett Story

West Coast Bureau of THE FILM DAILY

Hollywood—Horace Jackson and Grant Garrett are considering three different bids from as many studios for their original, “Last Laugh,” formerly called “I, Thadeus Martin,” and intended by the authors for stage production. The new title resulted from the screen offers.

Second Film Serial Set for NBC’s Tele Program

NBC will start another film serial next week. It’s “The Last of the Mohicans” and first episode is slated as a Thursday matinee feature. Three film features are also carded: “Frontier Scout,” Sunday matinee; “Battle of Greed,” Friday matinee, and “Anything for a Thrill,” Saturday night.

Goldwyn Loans Leeds

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Goldwyn is loaning Associated-Examiner Syndicate’s “The Return of Frank James”; she’ll be seen after a short stay here.

COMMING AND GOING

LEO SPITZ is here from Chicago. JOAN CRAWFORD arrives today from the coast.

DONALD WOODS and his wife are at the Sherry-Netherland.

JACK BENNY and MARY LIVINGSTONE are here from the coast, and are staying at the Sherry-Netherland.

BENJAMIN THAU has returned to New York after a short stay here.

THURMAN ARNOLD arrives here today from Washington.

Rugge Heads Local 702’s IA Convention Delegate

Headed by President John F. Rugge, a delegation of 11 members has been elected by Local 702, technicians’ union, to attend the IATSE convention this Summer. William G. Park, secretary, and Michael Davidson, are also on the delegation. Union at the last meeting passed a resolution concerning the Department of Justice, for using the Sherman Anti-Trust Act against trade unions.

Philly Allied Approves Buffet Luncheon Meeting

Philadelphia—General meeting of Eastern Pennsylvania Allied here Tuesday reviewed the film situation generally, approved a new policy of holding buffet luncheon meetings regularly, and made plans to act as agency for independent theaters in local united campaign drive.

DuMont to Field Test

Washington Bureau of THE FILM DAILY

Washington — FCC yesterday granted a special temporary authority to Allen B. DuMont Laboratories Inc. to use channels 50 and 51 of television to a maximum of 50 watts power over the air, with a 100-mile radius of central location, and with permission on frequencies 65,000-86,000 kc. to 515 Madison Ave., New York for the purpose of conducting a test. Permissive period is 30 days.

Bioff Must Stay in Jail

Springfield, Ill.—Move by court for Willie Bioff to effect the release of the 1A exec. through a writ habeas corpus failed yesterday when the Supreme Court nixed the plan.
FILM CUTTINGS:

- *JUST a quarter of a century ago this week... a young newspaper artist-photographer... toileting solo in a small bedroom-workshop in midtown Manhattan... completed his first crude film cartoon... The young gent was Paul Terry who... as we are writing this... is putting into production the final picture... in his tenth season of Terry-Toons... just by way of celebrating his 25th Anniversary... of film cartooning... Up at the Ambassador Hotel in Fallsburg, N.Y. another anniversary was celebrated this week... by the Milton Kronochers... who have been married just 33 years... Milt is the former N.Y.C. representative for Pathe... and has been up in Fallsburg for his health... since resigning the aforementioned post... and is reported feeling swell again...*

- *IF you meet up with sz Rappaport... sage solom of the Hippodrome, Baltimore... don’t mention “Cupid’s Arrow”... especially if wanna sell the gent some pix... It seems Iz was lately in Florida... and got palsy-walsy with one of the Widener clan of the literally horsey set... Widener still enjoys and gives Iz a tip on a nap baptized “Cupid’s Arrow”... so Iz gets in touch with Eddie Sherman, vaude baker... and with Sam Stiefel, who pilots several Philadelphia houses... Latter even let his staff in on the sizzling hot tip... goin' out on the limb with ’em... According to late reports... the nap is still running... and in another few weeks... when he finally gets into the stretch... the newspapers expect to go down to Florida... to shoot some ultra-slow-motion pix of the hoss... The moral is that even Iz Rappaport can be fooled... once in a while...*

- *YES... the East Side gave Eddie Cantor a roaring reception... aent his “homecoming”... A bronze tablet was unveiled opposite the Jacob Riis Settlement House soon after mid-day... to commemorate the site on which Eddie was born... At the dedication, which was in his honor at the Broadway Mission... Eddie and the Miusos shared the dais with George Jessel, Alfred E. Smith, Jr., and bigwigs of the East Side C of C and the Grand Street Boys... Festivities continued until sundown... including a parade... and the day was climaxed by the world premiere of Eddie’s new M-G-M vehicle... “40 Little Mothers”... at Loew’s Canal Theater... Twa was a grand day’s program... experts engineered by Bernard Sobel, Ernie Emler, Charlie Cohen, etc... from the h.o. den of Leo the Lion... and a powerful prelude to the film’s formal opening today at the Capitol Theater...*

- *TWO great radio plugs for RKO Radio’s stars and pictures... have been lined-up by Barrett McCormick... company’s promotional generalissimo... Today, coincident with the Pantages Theater preview of “Irene”... Anna Neagle, star of the opus, sings its hit song, “Alice Blue Gown” with Bing Crosby on latter’s program... and on Monday... Raymond Massey appeared in the Cecil B. DeMille radio adaptation of “Abbe Lincoln In Illinois” via the Luz program... Bert Reisman, RKO Radio manager for Pers., writes that the Summer slump is over down that-a-way... “cause the Fall season is on!” ... Dear Jack Benny... Didja bring your two new Devy Sound View Projectors to town with you... Regina Crewe is doin’ a special publicity campaign on Clarence Brown... in connection with local opening of his “Edison, The Man”... La Carewe recently returned to N.Y. from the Coast... and is permanently headquartered at 25 Central Park West...*
"The House of the Seven Gables" with Vincent Price, Margaret Lindsay, George Sanders
Universal 89 Mins.

SMART PRODUCTION AND AN EFFEC- TIVE CAST MAKE THIS STORY EN- TERTAINING SCREENFARE.

The curse of the Pyncheons, the characters in the well known Nathaniel Hawthorne novel, the house itself and New England atmosphere of the middle 1800's have been vividly brought to the screen by Universal in this release. The picture should prove entertaining to audiences generally. Faithful to the book, with the exception of some slight necessary license, the story has been told in a well knit and cohesive form. Joe May directs the picture with a feeling for the story, and the players are all fine. Margaret Lindsay gives an excellent performance; as the cousin in love with Vincent Price, one of the two Pyncheon brothers. Price is fine in his role, and George Sanders is equally good as the other brother. Nan Grey, Donald Crisp, C. Henry Kelly and Cecil Kellaway contribute expert performances, and the remainder of the cast is equally as good. Emerald mound will follow its two sons to tell them he is selling the traditional family home. He drops dead during a violent argument with Price and Sanders accuses Price of hitting his father and killing him. Circumstantial evidence convicts him, and he is sentenced to jail for life. Sanders, who expects to find a fabled buried treasure now that his brother is out of the way, gets a jolt when the will is found to have left the house to Miss Lindsay. From then on the story moves smoothly through the dark years of Miss Lindsay's waiting and working to free Price from jail until the time he is pardoned. A strong dramatic finale not only vindicates Price, but brings about his brother's death.

CAST: George Sanders, Margaret Lindsay, Vincent Price, Nancy, Alan Napier, Cecil Kellaway, Gilbert Emery, Miles Mander, Edgar Norton, Charles Trowbridge.

CREDITS: Associate Producer, Burt Kelly; Director, Joe May; Screenplay, Lester Cole; Based on a novel by Nathaniel Hawthorne. Cameraman, Milton Kramer; Editor, Frank Gross.

DIRECTION, Good. PHOTOGRAPHY, Good.

Pekras Selling Elyria Theaters to Greenwald

Elyria, O.—John Pekras, veteran exhibitor, is retiring from business with the sale of Elyria theaters to Max Greenwald, Param-ount salesman, and associates. The theaters involved are the Capital, Lincoln, Rialto, Rivoli theaters. Greenwald, who has resigned from Paramount, becomes general manager of the deal. It is expected that the deal goes into effect. Greenwald has been with the Paramount sales force for 18 years.

"King of the Lumberjacks" with John Payne, Gloria Dickson
Stanley Fields

WARNERS 58 Mins.

FAMILIAR STORY MADE WORTH WHILE FOR AVERAGE AUDIENCES BY PLENTIFUL ACTION.

There's a repetitious ring to this story, almost as clear-sounding as the blows of the lumberjack's axe. Where the yarn's flavor is particularly reminiscent of predecessor production is in the climax sequences wherein the bulky, red-blooded Stanley Fields succeeds in stopping the runaway lumber train's caboose,—thus saving John Payne and Gloria Dickson from certain death in the crossties before the number of the laden lumber cars had already plunged. Thus the scenarist has succeeded in making history repeat itself on the screen.—for this same feat was performed by Wayne Morris in Warners' "Valley of the Giants," the only important difference being that the latter was performed in color instead of black-and-white. Aside from the parallels of plot, this new offering is good, solid fare for the action fan who will enjoy the rousing fisticuffs displayed in the barroom brawl twist the propietor and the same Stanley Fields. There is a good love interest injected, having to do with the marriage of blonde Gloria Dickson to Fields, whereas she is really in love with the young hero, John Payne, whom she eventually weds. Their courtship, prior to arriving on the lumber camp scene, could have been more carefully motivated and delineated in the subsequent footage. Feature is not particularly strong and is essentially a pro- gramer. Cast does well with the material at hand. Direction is satisfactory and so is photography. But by and large, this lumberjack saga is below the standard of attractions which are the wont out Burbank way.


CREDITS: Producer, William Clemens; Author, Robert E. Kent; Screenplay, Crane Whiby; Cameraman, Sid Hickcox; Art Director, Elsdr Hartry; Dialogue Director, Harry Seymour; Editor, Doug Gould.

DIRECTION, Okay. PHOTOGRAPHY, Good.

"Emergency Squad" with William Henry, Louise Campbell, Paramount 65 Mins.

F L A S T MOVING STORY WITH PLENTY OF ACTION WILL SERVE AS PROGRAM OFFERING.

Cops and robbers provide the basis for the story in this film, and it is pleasing as a program offering for the nabe trade. The action is sufficiently well paced to keep it moving and the players are engaging and hard working. Exhibitors should find that this picture will not fail to pull out a double bill. Edward Dmytry directed from a screenplay by Garnett Weston and Stuart Palmer. William Henry, Louise Campbell and Richard Denning head the cast, with the menace provided by Anthony Quinn and John Miljan. Miss Campbell is promised to shine as the leading lady in this last picture on the police emergency squad. She lands her job by good coverage on a big fire and then takes on an assignment to go on the math after a series of thefts. The $10,000 worth of bonds, Action in the picture points up to a rousing climax that gets the goods on the racketeers after the emergency squad does some fast rescue work.


CREDITS: Produced by Paramount; Di- rector, Edward Dmytry; Screenplay by Garn- nett Weston and Stuart Palmer. Based on a story by Robert Musel and Michael Ray- mond; Cameraman, Stuart Thompson; Editor, Everett Douglas.

DIRECTION, Fast. PHOTOGRAPHY, Good.

"Secrets of a Model" with Sharon Lee, Phyllis Barry
Times Pictures 60 Mins.

WEAK INDIE OFFERING AS PROGRAM FALLS SHORT IN EVERY DEPART- MENT.

Titled to lure a certain type of trade, this film fails to even have one secret in it. John Wayne is injected, but it is innocuous and trite from beginning to end, and the technical aspects of the picture are just so so. Some credit must be given to the cast, which works hard. Sharon Lee is an attractive girl and shows definite capabilities as an actress. Phyllis Barry performs ably and Juliet Madison gives a clean cut appearance as the hero. The man about town menace is provided by Harold Daniels. Sharon and Phyllis work as background in a drive-in. Sharon is dated by Daniels. One thing leads to another and the evils of drink are exposed publicly. She thinks he is going to marry her, but gets a runaround. While sick and wandering around her in- valid mother dies. She returns to the drive-in, where she is reunited with her, and exposes Daniels to Phyllis before she gets the same treatment.

CAST: Sharon Lee, Phyllis Barry, Harold Daniels, Juliet Madison, Bobby Watson, Eddie Borden, Grace Lenard.

CREDITS: Producer, J. D. Kendis; Direc- tor, Sam Newfield; Original Screenplay, William Shayer; Reference, Asher St. Clair.

DIRECTION, Adequate. PHOTOGRAPHY, Fair.

"America's Youth—1940" RKO-March of Time 19 min

Timely Material

The March of Time series presents a timely subject in an interesting straightforward manner. It pointed out that there are approximately 21 million young men and women in this country today, and that the problems confronting these young people are shown in graphic form. The work of the American Youth Commission is of particular interest. Several interesting case histories of young people are given starting with a boy who has no job and whose parents are likewise unemployed, and ending with charity work done by a wealthy girl, covering the entire spectrum in between at the same time.

"Stranger Than Fiction" Universal 9 mins

Fairly Interesting

Describing a number of subjects the series is fairly interesting, opens with the oldest apartment house in the U.S., established in Bethlehem, Pa., before the Revolution and still going strong. The next sequence deals with an electrifying process that will preserve baby shoes. Following that, the reel shows an amusingly deft woman baker, a work-and-a perfectly detailed miniature steam shovel. Reel closes with a sequence devoted to an armed woman who is an exceptional artist using her feet as skillfully as the average person uses hands.

"Pilgrim Porky" Warners 7 mins

Amusing Cartoon

Porky Pig is cast as the captain of the good ship Mayflower in this reel, latest in the Looney Tune series. The ship makes a momentous voyage to the new world and the adventures, happenings and people en route not only add a mod- eled touch to the famous trip, but add a number of amusing incident as well. Leon Schlesinger produced.

"Folies Parisienne" Universal 18 mins

Fair Entertainment

Using a night club scene as back- ground, a number of variety acts are introduced. Harry Stafford and the Notables Quartet entertain. Vyo- Vonn sings and the Can-Can-Dance. The Sterner Sisters do a tap and acrobatic routine. Pepper and Peanuts, candy dancers, perform- sive on swing. Lafayette and LaVerne, apache dancers, and the Mercer Brothers complete the show. Leon Belasco is also seen in an amusing number. All in all, fair entertain- ment.
WANTED!
FOR STEALING
"FORTY LITTLE MOTHERS"
FROM EDDIE CANTOR
NAME: Chum — Age: 8 months
HAIR: Little Curly
TOOTH: 3

FORTY LITTLE MOTHERS

"A baby stole my picture!"
CANTOR IS IN THE PICTURE TOO!

FORTY LITTLE MOTHERS

LIKE TAKING CANDY FROM CANTOR!

40 LITTLE MOTHERS

COSTUME BY ADRIAN!
"As long as this baby is at large no actor is safe, especially me in '40 LITTLE MOTHERS'!

— EDDIE CANTOR

IT'S BETTER THAN YOU'VE HEARD!
Seldom indeed does the opportunity come to sell patrons such an extra-extraordinary show! A big entertainment with Eddie Cantor at his best and a kid who will convulse the nation. And a hit song "Little Curly Hair in a High Chair."

On this page are color reproductions of the 50-line black and white teaser ads as used at the Capitol, N. Y.

EDDIE CANTOR
In the Story of
"FORTY LITTLE MOTHERS"
with JUDITH ANDERSON
Rita Johnson • Bonita Granville
Ralph Morgan • Diana Lewis
Nydia Westman

Screen Play by Dorothy Yost and Ernest Pagano
Directed by Busby Berkeley • Produced by Harry Rapf
A METRO-GOLDWYN-MAYER PICTURE
Dual Standard of Operation for Film Industry Possible thru Consent Plan

(Continued from Page 1)

longing, blind-selling, etc., and provisions for an elaborate advertising program, is known to be prime factors in the consent proposals drafted by the Department of Commerce, which are not applicable to Republic, United, and other indies now in field or which might subsequently be organized. In other words, the industry could probably would face operation on a dual standard.

From a strictly legal viewpoint, the consent decree would be bound to apply only to defendants in the suit, and then only to those accepting it. It was restated that since far as the defendants rejecting the arrangement were concerned, the Government, as procured with the suit against them.

The smaller companies would be free to continue trade practices as they deemed and the Government's only action could be a suit against it if it felt the circumstances warranted.

See No Discrimination

The Department and legal observers here do not feel this would constitute discrimination within the industry, as they are proceeding against the companies they feel have violations in their service to the public in general. In fact, they state it is the only way they could proceed under established legal principles.

They are absolutely powerless to compel those not defendants to accept the terms of the decree. For the same reasons the smaller companies would not be bound by any resulting arbitration arrangement, although, of course, they would be free to adopt the policy if they saw fit, it was said.

Sue Enabling Legislation

State officials for the Government departments here also see no necessity or even opportunity for enabling legislation to cover or strengthen the decree. It is pointed out that a consent decree and an act of Congress are entirely separate matters and one has no connection with the other.

Legislative action, such as the Neely bill, would, of course, affect the smaller companies as well as the big, but this is entirely separate from the equity case. It is also possible for Congress to write a bill enabling consent decrees, etc., embodying its provisions, in which case again it would affect all in the industry. However, it is agreed here that absolutely no legislation is necessary for the Government and the majors to enter into a consent decree which has full and qualified authority in this regard.

On Safe Ground, D of J View

If a consent decree is arranged the Department would be on a safe ground as regards challenging it because the smaller companies are not involved. If unfair trade advantages resulted, the only recourse would be to ask the Department to institute similar proceedings against the other companies to bring them into line with the new policies. The final decision on this would rest, however, with the department. Such smaller decrees have been accepted in the past by courts, where every company in industry was not represented.

San Antonio Projectionist

Attacked in Booth by Thug

San Antonio — Attacked with a blackjack in the booth while working for Roy Cogdill, Aztec Theater projectionist, suffered a broken arm, severe back injury and possible skull fracture, with the result he is in a grave condition in San Antonio Hospital. His assailant, chased by ushers attracted by Cogdill's cries, broke an ankle in jumping from a fire escape and was captured. Cogdill, who refused any explanation to police is under guard, while his wife has been notified by officers who feared a kidnap attempt.

Col. Signz Connie Bennett

West Coast Bureau of THE FILM DAILY

— Constance Bennett yesterday was placed under long-term contract by Columbia.

Andrew Colom Expires

Delance, N. J.—Andrew H. Colom, noted motion picture song writers and former theater managers, is dead here.
NOW BEING DISTRIBUTED
To All Film Daily Subscribers

The Recognized Standard Reference Book Of The Motion Picture Industry

THE 1940 FILM YEAR BOOK of more than twelve hundred pages covers the industry from every angle — Production, Distribution and Exhibition. Between its covers will be found: A list of more than 17,000 titles of pictures released since 1915 — Credits on pictures released in 1939 — Features imported during the past year — The Ten Best Pictures of 1939 with all credits — Serials released since 1920 — under new titles — Short Subject Series — Producers and Distributors — Personnel of Important Companies, Studios, Associations — Work of Players, Directors, Authors, Screen Play Writers, Cameramen, Film Editors, Song Writers and Dance Directors — Telephone numbers of Players’ Agents — Financial Structures of motion picture companies — An up-to-the-minute Equipment Buying Guide — A survey of Foreign Markets — Non-Theatrical Section — A comprehensive Showman’s Manual of Exploitation — A complete list of Theaters in the United States, Alaska and Canada — Addresses of Producers, Distributors, Exchanges, Laboratories, Trailer Companies, Insurance Brokers, Projection Rooms, Agents, Play Brokers, etc. — Motion Picture Publications — Books — The trend in theater building and equipment — Television and —

a thousand and one other important items of interest and value.

IMPORTANT!
The most valuable asset you can have is a full knowledge of the business in which you are engaged. There is no better place to obtain such knowledge than in THE FILM YEAR BOOK. The 1940 edition surpasses all others. Get it! Keep it for handy reference! It’s worth its weight in gold!

THE FILM DAILY
is the best $10.00 investment anyone can make who is interested in the Producing, Distributing, or Exhibiting of motion pictures.

Sign the coupon and mail it today

The Film Daily
1501 Broadway,
New York, N. Y.

Gentlemen:
Please enter my subscription to the Film Daily and send the 1940 Year Book immediately. I enclose my check for $10.00 (Foreign subscription, $15.00).

Name: .................................................................
Street: .............................................................
City: ................................................................. State: ..................................
NO SUIT SETTLEMENT WITHOUT "DIVORCE"

(Continued from Page 1)

a person is exposed to any settlement which does not include a
permanent remedy for monopoly
trough divestiture.

The Film Daily staff
officially states that he favors any
laws that will speed up divestiture,
indicating that he would back
the Federal divestiture bill recently
handed down in Washington by Sen.

A formal statement of Allied
policy, Cole added, could only come
as Allied's board of directors. Thus
no board meeting has been held.

Cole said that he had heard there
was a "possibility" of a quick hearing
time for divestiture bill by the State
Interstate Commerce Committee.
He also asserted that he would personal-
ly support a senate bill.

(In Washington yesterday, it
was said that it was unlikely the Senate committee would
approve the measure during the
present session.)

Cole said he was without informa-
tion as to what the Interstate Inter-
state Commerce Committee would
approve the action of the
Neely antitrust
and meaning.

rand Circuit Gets GWTV;
Astor Engagement Continues

(Continued from Page 1)

The circuit continues to be
23rd week, with no sign of a let-
ning. No date has been set for its
withdrawal, insinuated as weekly in-
cluded by the price.

First Brandt booking on "GWTV"
"GWTV" in White Plains, with others to
by the Leno Brecher circuit, modern
which has 10 theaters in New York
also is setting dates.

Stockholders See Better
Dividend on B & K Common

(Continued from Page 1)

the preferred stock on May 30
110. The common stock is not
in any exchange, but several
offers in this market deal actively
it. Old lots of the common stock
offered at 88, with a bid of 86,
during the past week.

Joseph J. O'Neill Dies

St, Coast Bureau of THE FILM DAILY
Hollywood — Joseph Jefferson
O'Neill, aged 84, veteran newspaper
man, more recently a member of the
former studio publicity department,
dead of a heart attack. At one
time he did publicity relations work
the Hays organization. Funeral
services are held tomorrow at
Blessed Sacrament Church, with
ial in Calvary Cemetery.

Sez Hizoner

Boston — Add deadlines: By order of
Mayor Maurice Tobin, Sunday pick five
most end at 11 p.m.

REVIEWS OF SHORT SUBJECTS

Screen Snapshots
Series 19, No. 6

Columbia

Interesting Subject Matter

A diverting tour of Hollywood's
pictures in this Snap-
shots subject. Opening in the
Hollywood Ball Park, new home of the
name partly owned by film players, the
room shows some of the opening
day ceremonies before passing on to
Lakeside Golf Club, where a number of
film players are members. Next
stop is Monkey Island, from there to
Ocean Park Pier and finally to the
New Sedan Pool Club of the Bev-
ery Hills Hotel. Flashing of per-
sonages include Barbara Stanwyck,
Robert Taylor, Bing Crosby, Gary
Cooper, Bob Hope, Shirley Ross,
Ruby Keeler, Dixie Dunbar, Jean
Sabin and Rita Hayworth. Buster
Keaton appears in a humorous gag as a
spectator at all the spots vis-
ited.

"The Happy Island"

Universal

Interesting Travelogue

The island of Barbados is the
subject and the cameras have filmed
the island from every aspect, with
the result a comprehensive and in-
teresting travel reel. Narration is
provided by Graham McNamee. The
native policemen, dallying gentlemen
with English accents; lamp lighters;
sections of the country as English
to the countryside near London; the
beaches and fishing fleets, and a
number of other interesting things are
encompassed in the reel.

Court Refuses to Vacate
Appointment of W. S. Brown

Films Corp. of America. The Court
ruled that in order to divestiture
had properly named Brown after
creditors had failed to agree upon
a trustee. An application to remove
James A. Davidson as trustee of
Educational Pictures was postponed to
April 24.

"Russell" to Bow in May 15
At Pittsburgh, Clinton, la.

(Continued from Page 1)

days later, the picture will start at
the Roxy.

Both premieres will be attended by
stars and featured players and the
company will be subjects of Western
newspaper letters to the Clinton
opening and the Eastern letters at
Pittsburgh.

Clark Out of Danger

West Coast Bureau of THE FILM DAILY
Hollywood — Sam Clark, Warner
exploitation rep, working out of the
Los Angeles exchange, is reported
out of danger at Cedars of Lebanon
Hospital where he is a pneumonia
patient. Clark formerly was sta-
tioned in Chi.

"Unveiling Algeria"

Columbia

Interesting Subject Matter

A fascinating visit to Algeria, French
possessions in North Africa. Short
explores Old Algeria, former
headquarters of the Barbary Coast
pirates, before moving on to New
Algeria, which surrounds the old
city. Contrast between the old,
which stands virtually as it was in
the days of the pirates, and the new,
modern city is very effective. Sub-
ject closes with views of the harbor,
second seaport of the French
Empire.

"Life Begins Below Sea Level"

Universal

Entertaining Short

Taken in and around Death Valley,
this short is entertaining and inter-
esting. It will be a revelation to
many who imagine Death Valley to
be a sink hole of desolation
so the magnificent hotel and
grounds now in use in one sec-

ing of the Valley. The changes

of modern science are
out pointed, as well as the natural
beauties of the desert. An interest-
ing history of the valley and Death Valley
Scotty are also given, with
Scotty's amazing home shown.

"Stranger Than Fiction"

Universal 9 1/8 mins.

Interesting Subject Matter

Six highly interesting subjects are
presented in this reel, which is up
to the general high standards of the
series in every way. A collection
of Indian masks at the University
of Pennsylvania opens the reel. Then
a tourist camp for geese in Maine
land where the birds get special
attention; a grave yard for race
horses; an amazing canary bird; an
unusual collection of pencils; and,
finally, the special ladder arrange-
ments to enable salmon to get over
the Bonneville Dam, are shown in
that order.

"The Birth of a Queen"

(Cinescope)

Columbia

11 mins.

Timely for Exploitation

The recent crossing of the Queen
Elizabeth makes the story of the
building of the ship a timely explo-
ration subject. Film shows actual
construction scenes from the time
the first steel was poured for Job
No. 592, through the christening
by the Queen, and the launching in
the River Clyde. Aerial shots of the
ship's arrival in New York harbor
have been added to bring the subject
up to date.

IN OLD MISSOURI

WEAVER BROTHERS AND ELVIRY

With

JUNE STOREY
MARJORIE GATESON
THURSTON HALL
THE HALL JOHNSON CHOIR
DIRECTED BY FRANK McDONALD

(Republic)

Press release
I wish to thank deeply all the boys of the Publicity, Advertising and Exploitation Departments of Paramount in Hollywood and New York for their steadfast confidence in me and their faithful support.

Very sincerely,

*formerly a Biscuit Eater*
Texas Finds No Evidence Of Anti-Trust Violations TENDENCY TO INCREASE PRINTS RAPPED BY KENT

26 Features, 24 Westerns for Monogram In '40-41

Four Features to Have Top Budgets; King-Corrigan as Western Team

Dallas—Twenty-six features and 4 Westerns, the former including our top budget pix and the latter a series ofight introducing a new action team, John Ray and Ray Corrigan, will comprise the 1940-41 Monogram line-

p. It was disclosed here yesterday by V. Ray Johnston, president of the company's franchise holders

oured into Dallas for the dual purpose of attending the Variety Club convention and the company's own

(Continued on Page 11)

ENTERTAINMENT DAY AT V. C. CONVENTION

Dallas—The Variety Club's national convention, which opened here yesterday, hits its stride today with three outstanding entertainment features providing relief to the more serious business side of the program.

First is the Twilight Jamboree, staged in front of the Dallas A. C., with atmosphere supplied by John Guthrie's Indian Congress, among others. The Frontier Frolic in the

(Continued on Page 10)

Bondy Sets May 14 as Date for RKO Allowance Hearing

Federal Judge William Bondy yesterday directed argument on application for final allowances in RKO proceedings to take place on May 14. Notice must be given to all parties

(Continued on Page 11)

COLUMBIA REVISES COST ALLOCATIONS

Columbia, to bring its allocation of film costs in line with world conditions, immediate and anticipated, has reduced film costs allocated to England by 5 per cent and increased those charged against the domestic market by the same amount, Prexy Harry Cohn advises stockholders in a letter accompanying the six months' financial report.

Cohn adds: "In line with the desire of the

(Continued on Page 4)

Wood Asks Schenck Lead Move for Fewer Features

Columbus, O.—In a letter to Joseph M. Schenck, president of the 20th-Fox board chairman's assertion that American exhibits must help producers "pay the freight" to solve

(Continued on Page 10)

SHIP PIX TO BALTIC AREA VIA HOLLAND

Status of film commerce currently, with respect to shipments between the U.S. and Baltic countries, was clarified yesterday when it was declared by William Barnett of Massce & Co., Inc., that motion picture foot-

age can now be shipped to the

(Continued on Page 4)

Julius Levine Forms New Company to Produce Here

Details of a new producing company for Eastern production will be revealed today at a press cocktail party at the St. Moritz Hotel. The

(Continued on Page 10)

Mori's Right to Examine Majors' Books Up Today

Philadelphia—Whether counsel for Eugene Mori can examine all books of defendant major companies in the Mori (Vineland, N. J.) anti-trust

(Continued on Page 4)

Texas Suspends Industry Anti-Trust Probe, But Will Keep the File Open

Fine Arts Readies Five; Two Starting This Month

West Coast Bureau of THE FILM DAILY

Hollywood—Fine Arts has five productions in preparation, two of which are casting and will go before the cameras this month. Pix include "Red Gardenias" and Flying Heels" which will be first

(Continued on Page 9)

20th-Fox Reduction Ordered, Says Prexy at Pre-Trial Exam.

Sidney R. Kent yesterday in a Government equity suit pre-trial ex-

amination, criticized the "tendency among producers to increase the number of prints distributed on a picture" and stated that film companies would have to cut down on these prints if they did not wish to suffer an increased loss. The 20th-Fox prexy said that the number of prints had been increased because of the insistence of distributors for a greater number of simultaneous runs and that companies would pay for this weakness.

Kent stated that he had recently called into conference Herman Wob-

ber, sales head, and the three 20th-Fox division managers, and had in-

(Continued on Page 10)
Virginia Bruce Replaces

West Coast Bureau of THE FILM DAILY

Hollywood—Virginia Bruce replaces Claire Trevor, Ill, in Warners' "The Sentence."

Young woman college graduate. Keen understanding and enthusiastic motion pictures. Entreprenizing and initiative; with unerring skill in conveying vibrations. Excellent references. Seven years' experience in film industry. Request your personal interview on my ability to sell your film.

Box 1710

1501 B'way

THE FILM DAILY

N. Y. C.
AFTER THE PREVIEW!

"Hollywood Reporter says you 'stole the show'!"

"The Los Angeles Examiner says 'it was a tie'."

Everybody says "It will steal the heart of America!"

"40 LITTLE MOTHERS" IS YOUR NEW M-G-M WOW!
(Flash Reviews by wire from California)

"Surefire hit!"—Hollywood Reporter
"It can't miss!"—Daily (Coast) Variety
"Thorough enjoyment."—Los Angeles Herald and Express
"It well deserves to score a large hit."—Los Angeles Times
"M-G-M has a surefire hit."—Los Angeles Herald-Examiner

EXTRA!
Sensational World Premiere at Capitol, N.Y. beats "Babes in Arms," "The Women" and Northwest Passage.

EDDIE CANTOR in the Story of "FORTY LITTLE MOTHERS" with JUDITH ANDERSON
Rita Johnson • Bonita Granville • Ralph Morgan • Diana Lewis • Nydia Westman • Screen Play by Dorothy Yost and Ernest Pagano • Directed by Busby Berkeley • Produced by Harry Rapf.
COLUMBIA REVISES COST ALLOCATIONS

(Continued from Page 1)
management to maintain a conserva-
tive policy and additional decrease of
the film costs allocated to foreign
countries amounted to 5 per cent.

$215,582, Six Months Net
For the six months ended Dec. 30, Columbia reports net income of $215,-
582 after deduction of an extrava-
tage reserve of $100,000 and after
deduction of the loss of $104,751 for
the September quarter. This com-
pares with net income of $34,596 for
the like 1938 period.
Net income for three months ended Dec. 30, was $220,334 after
deduction of the extraordinary re-
serve of $100,000, compared with net
loss of $104,751 for the September,
1938, quarter.
$11,976,000 Working Capital
Current assets as of Dec. 30, were
approximately $13,526,000 and cur-
current liabilities $1,550,000, making net
working capital of $11,976,000.

Cohn announces that the company
has raised the annual installment of $250,-
000 on its debentures on March 15 in
anticipation of the due date, April 30,
and has now reduced total deben-
tures outstanding to $1,000,000.

Can Ship Pix to Baltic
Area by Way of Holland

(Continued from Page 1)
tions in the Baltic area via Holland.
This is the first authoritative pro-
nouncement of the ability of such
shipments to reach the Baltic mar-
Kets since the war was expanded to
include Scandinavia.

Para. Picks More "Queens"

Second batch of 16 preliminary
winners in Paramount’s All-Amer-
ican College Queen Contest were an-
nounced yesterday. Contest is be-
ing held in connection with Para-
mount’s new picture, “Those Were
the Days,” which has its world pre-
miere at Galesburg, Ill. on May 21.
Six well-known artists are judg-
ing the “queens” from photographs.

Para. Seeking Levant

Paramount is talking a deal with
Oscar Levant for “Ghost Music,” with Bing Crosby, Mary Martin and
Basil Rathbone.

Wild West Hits Harlem

The Wild West hit Harlem yesterday
...and how! To participate in the
spectacular occasion in the Harlem
street premieres of “Buck Benny Rides Again”
at Lewis’ Victoria last Tuesday, Eddie
Kochlowski, editor of Tempo and edi-
tor-in-chief of American Sketchbook.
lyword yesterday and, checked out in a
way to make even Tom Mix green with
copy, rode a black horse from the
125th Avenue and 67th Street to the streets of
Harlem, all the way through streets packed with Harlemites.

ALONG THE ROAD

with PHIL M. DALY

- • ON Tuesday of this week....we penned in this space
that one of the things this business needs is to get the so-
called kid...coming all the time to the public...and not merely
on the weekends....We said that the subject of kid attendance
was pretty much a pet one with some very real showmen...
in several of the big circuits...We had scarcely spoken on Tuesday
morning...when that very evening....something happened in
Baltimore....which solidly supported our declarations...

- • THE specific something.....was the address de-
ivered In Baltimore on Stattion WFBZ....under the auspises of
the Junior Bar Conference on “Juvenile Crime Prevention”
...by William K. Seayton, general manager of Loew’s Century
Theater in that city.....who took for his subject......"The
Motion Pictures and Juvenile Delinquency"...A more direct
and masterful exposition of the true social relationship....twist
entertainment films and the younger generation of fans....has
rarely been delivered in public.....and in substantiation....It
need only be cited that The Daily Record.....which is Baltimore’s
institutional law journal.....printed verbatim the Saxton address
in its columns the following day.....while the Baltimore dailies
were stuffed with ads on the broadcast.....and comment as well.

- • ANY person interested in filmmak’s welfare generally
...and in the subject of juvenile consumption of screen fare
...will do well to obtain and carefully read the text of what Saxton had
to say....for the testimony he offers is of vital consequence to pro-
ducers, distributors and exhibitors alike.....He is kind when he
says that he suspects “that we shall always have well-meaning folk
who want to legislate other folks into goodness”.....But we can’t
bring ourselves gracefully to the same state of tolerance.....because
we contend—and impatiently—that many youngsters are prohibited
from attending movies.....because their parents are the victims of
preachments spread.....by a lot of pseudo-sociologists and such.....

The unfortunate part of the parental attitude created by the pseudo-
sociologists.....is that the hue and cry against a particular screen
attraction which is allegedly unsuit for juvenile consumption
...goes on to embrace all attractions.....with consequent, and patently
undeserved, loss to box-offices.....and deprivation to the youngsters
of constructive entertainment.....It’s all a big, broad, controversial
subject.....but Saxton has done more than his bit to clarify it.....
and in so doing has joined prominently the ranks of contemporary
showmen who are manifestly “on top” of the juvenile attendance
problem.

- • NIGHT before last.....Laurence Olivier and Vivien
Leigh.....debutet in their new stage production of “Romeo
and Juliet”.....out in Chicago.....Apprelly it’s not enough
for Olivier to command the Chi legit spotlight “mog the males
...He’s also the big cinematic noise there.....via “Rebecca”
at the UA Theater.....Patience, Laurence.....you may also
land with the Cubs or White Sox!...”...Rutgers (RKO) Nellson
and the Missus celebrated their 19th wedding anniversary yesterday...

- • Osta Hollywood comes word that for the first time in
cartoon history.....via the medium of trick photography, et al
...the character “Porky Pig” will be seen on the screen with
actual motion pictures serving as background for his escapades
...Another cartoon precedent’ll be when “Porky” actually
meets on the screen his creator, Leon Schlesinger.....with
whom he’s gonna shake hands....Subject is a Looney Tune
titled “You Oughta Be In Pictures”.....as if both aren’t!....

TENSA FINDS NO ANTI
TRUST LAW VIOLATION

(Continued from Page 1)

Of the motion picture industry.
Texas. We have not found sufficient
evidence of violation of antitrust laws.
that warrant this particular
ment in filing an antitrust suit.
this time. We are going to
our files open and take action
the facts as they develop.
The investigation of books and re-
sulted last November.

Walters Win Plagiarism
Suit Brought by Lyn

(Continued from Page 1)

fendants yesterday by Federal Judge
Galliston.

Kirkland, a former publicist for
 Warners, had claimed that he su-
mited a story “When Homer Go
Marching Home” to Warners and it
was returned. It was alleged that
Warner produced “Son of a Sailor
with Brown and Lynch contends
that his story had been infringed.

Walters claimed that inspiration
based on an old vaudeville skit.

During the trial, several authors
of alleged similarity were cited.
Judge Galliston ruled that “to suc-
sess it is necessary for him (the plain-
tiff) to establish that there was a
substantial similarity between a
story that was appropriated.”

George E. Quigley acted for the
fendants with Joseph D. Kar.
Warners, as associate. David Ace
of Conway, Hewitt, O’Brien &
Boardman, was attorney for Lyne

Mori’s Right to Examine
Majors’ Books Up Toda

(Continued from Page 1)

suit is expected to be determined
today when a hearing is to be held
by Federal Judge W. H. Kitt

Mori was granted the right to ex-
amine the books and records of the
defendants on April 3, but in this
meantime, the defendants are re-
ported to have objected to the order.

Davidson Joins Walters

Louis Davidson has joined Wa-
ners home office publicity staff, re-
placing John Harkins as New York
newspaper contact man under Mi-
chell Rawson. Harkins has been
given a leave of absence. Davidson is a former movie newspaper man and as has been with 20th-Fox.

SKOLSKY ON DUALS

Sidney Skolsky, syndicated Hollywood
columnist, whose New York paper is
the first to come out against double fea-
tures yesterday, and suggested that the
practice is a public protest if the industry
fails to heed squawks against duals.
Skolsky’s theme in that duals are un-
fair, among others, to producers and
players. He leveled his columnist fling
at a Coast double-bill embracing “The
Blue Bird” and “Strange Cargo,” point-
ing out that the former was a children’s
film, the latter anything but.
He's off!
on the
GREATEST
RIDE IN HISTORY!
JACK BENNY
in Paramount's
"BUCK RIDES"

...And the critics say "BUCK" makes a direct hit!

"Just the thought of Jack Benny trying to be a rough and ready cowboy provokes shudders, so you can imagine the riot when Jack calls on Rochester and Geltman to help him out!"
—Jimmie Allred, Syndicated Newspaper and Radio Columnist

"Hilarious hit. The kind of picture the world needs just now. Undiluted entertainment, sure-fire box office with capital letters!"
—Hollywood Reporter

'Topping 'Man About Town' for all around entertainment. Clicks solidly. Box office assay is high. A natural for Benny!"
—Daily Variety

"Riotously funny comedy. One picture you will have to see for yourself!"
—Los Angeles Times

"Cash customers in droves should burn up the trail to the theatre when this delightful concoction of streamlined yipes is showing!"
—Iron Spear, Boxoffice
I'm out to shoot holes in those "Singapore" records... and, pards, I mean business!

"Boss... wait'll they see what's on the next page!"
Plugged week after week by 2 of the greatest programs on the air — Jack Benny, and Fred Allen... never before has a title had such intensive pre-selling. It's the hottest phrase in the country today—so sell it for all it's worth... and it's worth plenty!

All the stars of Jack's radio show, including Andy Devine, Phil Harris, Rochester (remember what a smash he was in "Man About Town"), Carmichael, the most publicized bear in all history... and even the voice of Jack's favorite heckler, Fred Allen. Plus lovely Ellen Drew, who has Jack's heart bucking like a broncho!

Four terrific hits, including "Say It Over and Over Again"... a sensational swing specialty by Rochester, "My! My!!"... and "My Kind of Country" sung by everybody's favorite tenor, Dennis Day. All against a lavish background of gorgeous gals and eye-filling sets!

JACK BENNY in "BUCK BENNY RIDES AGAIN"
ELLEN DREW·ANDY DEVINE·PHIL HARRIS·Virginia Dale·Lillian Cornell·Dennis Day·ROCHESTER
Produced and Directed by MARK SANDRICH • Screen Play by William Morrow and Edmund Beloin • Based on an Adaptation by Zion Myers of a Story by Arthur Stringer

... and with "DR. CYCLOPS", the exploitation natural... of the year... "THE BISCUIT EATER", 1940's surprise hit... and "TYPHOON", that tornado of tropic romance...

NO WONDER THE BOX OFFICE SINGS
It's a PARAMOUNT SPRING!
"Irene"  
By Anna Neagle, Ray Milland, Roland Young, Alan Marshal, May Robson, Billie Burke  
DAILY  
04/19/40

EXCELLENT MUSICAL, LAVISHLY AND FULLY PRODUCED IS BOUND TO BECOME THE HIT OF THE YEAR.

Again, the highest highs soar the socalled comedy as a form of film entertainment — via this glittering, melodious, and tasteful version of the institutional adagio legit production. It's manna from heaven for the exhibitor, and his customers, it packs a terrific pop wallop. To be sure, the story, strictly Cinderella in this, is intensely appealing and unfeathering its complexities. Then, too, the picture买卖, for the screen, the score is superb and the sets and gowns downright teryng. Few features since the sound began will warm the female heart as this one, which means plenty at nation's box offices. Herbert Wilcox, o both produced and directed, demonstrates his old showmanship by flying into Technicolor the impressive scene taken at Irene, society's upper crust at the exclusive Long Island ball, with her own Alice Blue. The Wilcox wisdom is addi-tively apparent in this. The blend of Alice Blue Gown," in a variety moods all the way from the heart-grip-ping solo to the most torrid swing. Miss Neagle, a fine star in the making, deserves her own, for the cast is export, with virtually every principal player having an en-suing fan following. The story re-tells the story of a girl whom circumstance vates from a job in an upholstery establishment pre-emminence as a model of adoration, and who goes on to become the queen of the social realm. "Her 'guardian' is a handsome young socialite, Ray Milland, a fine star in the making, in a very enjoyable dressawner in New York, known Madame Lucy's. At the finale, he wins a befriended girl in the nick of time on his best friend, Alan Marshal. As usual, Billie Burke and Arthur Treacher are lavish roles and fill them up to the hilt, while May Robson, one of the other names, whose is missing, Miss Neagle's photography, is fine, and all the chnical facets of the open reflect skill. "But On A Limb," a "Cages of Dreams" and "The Other" are the other smash hits. Get the idea for this musical, Mr. Exhibitor. It's "natural," — an all-round audience bull's-eye.

CAST: Anna Neagle, Ray Milland, Roland Young, Alan Marshal, May Robson, Billie Burke, Arthur Treacher, Marsha Hunt, Mykel, Doris Nolan, Stuart Robertson, Ethel Griffies.

CREDITS: Producer, Herbert Wilcox; Associate Producer, Merrill G. White; Director, Herbert Wilcox; Author, James P. Hogan; Screenplay, Anis D'Amico; Music and Lyrics, Harry Tierney and Joseph Carthy; Cameraman, Russell Metty; Art Director, William L. Wilcox; Set Decorator, Richard Van Hessen; Gowns by Edward W. Vernon; Special Effects by Vernon W. Wilcox; Gowns by Annie Morgan; Makeup, George Talmadge; Editor, Ray Williams; Choreography, Alda Borows; Set Directions, Darrell Silver; Assist Producers, Ira Sogel and Lloyd Richards; Musical Director, Anthony Collins; Orchestra, Doreen and the Serenaders.

"Mr. Washington Goes To Town"  
By F. E. Miller and Mantan Moreland  
DAILY  
04/19/40

A Preview (1938 preview)  
NEGRO COMEDY LOADED WITH SLAPPY-STICK AND GAGS GIVES PLAYERS A FIELD DAY.

This picture, populated with clever Negro comedians and comedians, is rich with laughter. The players have a field day in this comedy, which is loaded with slapstick and clever gags. Producer-director, Jed Buhl handled the comedy very effectively. The picture, which was previewed before a colored audience, should prove very amusing in many white theaters. F. E. Miller and Mantan Moreland and the cast of funmakers and do not miss a trick in putting over their comedy. Maceo Sheffield, Clarence Moorehouse, Margaret Whitten, Zoreta Steptoe, Arthur Ray, Monty Hawley and John Lester Johnson, are among the players who score with their performances. Walter Weems, who shared the story and joined with Lex Neal in fashioning a laugh—laiden scenario. Moreland becomes a hero to the mortgage—ridden grand Hotel Ethiopia, Florence O'Brien, Vernon McCalla, John Lester Johnson, DeForest Coran, Edward Boyd, Clarence Margo McEwan, Jack Whitfield, Sam Warren, Clement, Cromie, Charlie Hawkins, Nathan Curry, Dick Garson, Henry Hastings.

CREDITS: Producer-Director, Jed Buhl; Associate Producer, Maceo B. Sheffield; Author, Walter Weems; Screenplay, Walter Weems, Lex Neal; Cameraman, George Whitlach; Editor, William Fairs; Art Director, Fred Frumble; Musical Director, Harvey Brooks.

DIRECTION, EFFECTIVE. PHOTOGRAPHY, Okay.

Selectz-Benchley Shorts May Be Handled by Warners

(Continued from Page 1)

was reported yesterday. Deals with Warners, United Artists and Paramount for the shorts were said to be in the fire, with Warners holding an edge.

Congressman Raps "Lion," Calls Film Propaganda

Washington—An attack on Alexander Korda's "The Lion Has Wings" is made in the Congressional Record appendix by Rep. Lewis D. Thill of Wisconsin. He included in his record insertion a review of the film in the Washington Post which branded the production "an avowed propaganda film."

"Lincoln" Set for Chi.

Chicago—RKO's "Abe Lincoln in Illinois" finally starts at the Palace April 25.
Print Increase to Get Greater Total of Simultaneous Runs Rapped by Kent

Julius Levine Forms New Company to Produce Here

Wall Street Hears Loew's and Paramount Experiencing "Unexpectedly Good Profits"
IONO. ANNOUNCES TOTAL OF 50 PIX

(Continued from Page 1)

les concave which opens tomorrow at the Baker Hotel.

Production budgets will be limited by the "Pioneers," based the James Fenimore Cooper novel, "The Partisan," Broad-Crown play by Adam Clark, and "Shirking" which will star Boris Keitel; "Land of the Sky Blue Water," to include two songs by Charles Strahan with music by the numbered "At Dawning;" "The King and the Cowboy," a Graustarkian romance.

Two Jack London Stories Listed "Under Northern Skies" and "of the Long Shadows", are two of London novels which figure prominently on the program. The Earl Derr Biggers' Sateepost comedy "Dollar Chasers" is also scheduled.

Gene Straton-Porter's novel "Her Father's Daughter" and a sequel "Freekles" entitled "Freekles on the Homestead" of the Jeannette Straton Porter will be made. Marcia Mae and Jack Morgan will be in a film version of "The Old via inn Hole," suggested by the mes Whitcomb Riley poem, as in "Sweet Sixteen" and "Day Dreamers.

Four for Frankie Darro Other properties on the list include "College Sweetheart" by Leon Deadman; which appears in the woman's Home Companion; "Million Dollar Mystery," Collier's Magazine story by Hugh Wiley; "The Town," "You're Out of Luck," "The Sky's the Limit," and "My Home Town" with Frank Rice, on another series of outdoor dramas, King and Corrigan will be own as "Two Pals.

Informal reunions and conferences of franchise holders are scheduled at Johnston, Scott R. Dunlap, vice-president in charge of production; and Edward A. Golden, general sales manager, reception and cocktail party is to be held at the Iona exchange headquarters, with Mr. Franconi and Ed Blumenhal as hosts.

Democracy At Play Lincoln, Neb.—~Grace Allen and Charlie McCarthy polled 45 and one vote, respectively, in the Democratic primary election for president. Grace also got 30 votes for vice-president, one for Omaha Board of Education. Others who were listed thanks to the write-in privileges, were Leon Trotsky, Fisher McGee and Tony Galento.

Dr. Bondy Sets May 14 as Date for RKO Allowance Hearing

(Continued from Page 1)

Bonds interested under the provisions of the order. Schedules annexed to the notice itemize all applications and show that the total runs closely to $2,500,000. Previous allowances totaled the sum of $955,000.

Schine Merit Contest
Prizes to Total $4,100

Gloversville — A contest starting April 28 in which $4,100 in prizes will be awarded theater managers of the Schine circuit was announced here at a meeting of all Schine district and zone executives. Out of Schine Showmen's Merit Contest shall extend over 14 weeks through the summer theater season, closing Aug. 14. Prizes will be awarded on a merit point system, merits to be given for exploitation ideas, campaigns, special services and increases gross over the same months of last year. Any manager who creates and organizes an original, money-making stunt, for instance, will be given 15 merit points. District managers will get 25 per cent of all prize money won by men under them as an incentive to co-operation and encouragement.

First prize is $500; second, $300; third, $200; fourth, $100 and fifth to thirtieth, one week's salary. The contest is different in that it is not based entirely on results. Stunts and campaigns, even though they don't raise grosses above last year, will win merit points.

J. Myer Schine, president of Schine Enterprises, Inc., welcomed the men to the Spring executives' meeting and discussed current theater problems. Louis W. Schine, vice-president in charge of theater operation, also spoke, as did department heads. District and zone managers present included: Lou Lazar, Belleville, Illinois; Ohio Zone; Pat McGee, Cleveland, Ohio State district; Frank M. Lasher, Washington, Maryland and Delaware; Lew Hensler, Lexington, Ky.; William Tubert, Watertown, Northern N. Y. district; Clint Young, Western N. Y. zone; Harvey Goldsmith, Western N. Y. district; Jerry Fowler, Chenango Valley district; Bud Silver, Rochester, N. Y.; David Britton, Tiffin, Ohio; and Sidney Holland, Mohawk Valley district.

Freshman Heads Boreland, New Music Publishing Co.

Syracuse, N. Y. — With Earl L. Freshman, for 23 years Ascap associate counsel here, as proxy, and Milt Davidson, professionally Jay Milton, song writer, formerly with several majors, as general manager, Boreland Publishing Co. has been organized here. Company will be active in the music field, and has made tieups with all local radio stations. Others associated with the new firm are Benjamin Kline, vice-president; Richard Aronson, treasurer, and Nathan L. Share, secretary.

Mrs. Lou Machat Dies

Chicago—Mrs. Lou Machat, wife of the manager of the B & K Maryland Theater, is dead.
Behind Baseball's Big Show
An American Success Story Comes True!

HOT OFF THE DIAMOND!

TOMORROW'S STARS
Photographed at Joe Stripp's Baseball School, Orlando, Florida

The boys who will be the stars of tomorrow...taught base-running, sliding, batting and pitching...by the grand old stars of yesterday!

Narrated by Dan Seymour

A Columbia Short Subject Presentation

Book it... While They're Calling the Season's First Batter Up!
Kent Categorically Denies Gov't Equity Suit Charges

Kent Categorically Denies Gov't Equity Suit Charges

ECUITY TRIAL JUNE 3; NO MORE DELAYS

Technicolor Price Drop To Cut Feature Cost $35,000

Cent a Foot Reduction Will Become Effective in U.S. on Aug. 1

West Coast Bureau of THE FILM DAILY

Hollywood—Technicolor, through Dr. Herbert T. Kalmus, Friday announced a price reduction of one cent a foot, effective Aug. 1. This applies on domestic orders of 250 prints or more on feature films, or single orders of 125 prints or more on short subjects. This is on domestic advertising and industrial subjects.

Kalms said the reduction will mean a saving to producers of hundreds of thousands of dollars a year. (Continued on Page 4)

SMPE ATLANTIC CITY PARLEY ATTRACTS 250

Technical papers, lectures, and demonstrations, covering virtually every phase of motion pictures, are scheduled for presentation during the four days of the SMPE spring convention, opening at Haddon Hall, Atlantic City, today, with attendance of 250 expected.

On the film side, subjects to be covered are: West End houses, look to duplicate its U.S. record in this phase. Typical of the critical reaction are the reactions from the convention.

London Critics Hail GWTW; See U.S. Record Duplicated

London (By Cable)—On the basis of its critical reception and early box office showing, GWTW, now running in three West End houses here, looks to duplicate its U.S. record in this phase. Typical of the critical reaction are the reactions from the convention.

Korda Resumes Production In Hollywood Late in June

West Coast Bureau of THE FILM DAILY

Hollywood — Alexander Korda plans to return to film in June to resume production for

(Continued on Page 8)

Ryan’s Successor Remains a Mystery

Exit of Clendelin Ryan as Mayor LaGuardia’s eeet for Eastern production has New York City’s Department of Commerce somewhat in a dither. Department officials insist that the Mayor’s campaign to bring a portion of production to the East is not dead but merely in a state of suspense.

The Mayor has not designated a successor to Ryan although John Wharton has been mentioned, not, however, from the Mayor’s office.

DEMBOW AND BRENNER NAMED V.P.’S OF NSS

George F. Dembow, general sales manager of National Screen Service, and William B. Brenner, general executive, have been elected vice-presidents of the company. Dembow’s official title becomes vice-president in charge of sales and Brenner becomes.

(Continued on Page 7)

Re-elect Harris as Chief Barker of Variety Clubs

Dallas—John Harris of Pittsburgh was re-elected chief Barker of the Variety Clubs on Friday at the annual convention of the national organization. At the same time, it was announced that the organization now has a membership of over 200, which gives it a majority in all home offices of majors, with one exception. At the first official meeting of the executive board over the week.

(Continued on Page 8)

Majors’ Counsel Take Suit Offensive, With Kent Denying All Gov’t Charges

Duals, Triples, Premiums Hurting Industry—Kirsch

Chicago—Elimination of double and triple features and the practice of giving premiums must be accomplished if the motion picture business is to survive, Jack Kirsch, president of Illinois Allied, declared in

(Continued on Page 7)

Arnold Charges Defense with Setting Up “Elaborate Machinery of Delay”—Majors Hold Gov’t Responsible

Federal Judge John C. Knox on Friday set trial of the Government’s equity suit against the eight majors for June 3 after hearing defense application for a 60-day extension from May 1, first trial date, and specified that no further postponement of the trial will be permitted “under any circumstances.”

The application for delay was personally opposed by Assistant Attorney General Thurman W. Arnold, head of the anti-trust department. Arnold stated “that the trial of the case is overwhelmingly in the public interest” and charged the defendants with setting up an “elaborate machinery of delay.” He told Judge Knox that the question of divorce.

(Continued on Page 4)

200 Home Office Publicists and Ad Men Signed by Guild

Announcement was made Friday by the Screen Publicists and Advertising Guild that the organization now has a membership of over 200, which gives it a majority in all home office of majors, with one exception. At the first official meeting of the executive board over the week.

(Continued on Page 8)

AMERICAN TO MAKE FOUR PIX IN EAST

A series of four pictures, each budgeted at $500,000 minimum, is planned by American Pictures Corp., recently formed for major distribution. First picture, “The Life of Samuel Gompers,” based on the life of the noted labor leader, goes.

(Continued on Page 7)

Majors Lose Court Fight to Withhold Master Pacts

Philadelphia—The majors, defendant in the Mori (Vineland, N.J.) anti-trust suit here, lost their fight to avoid producing all master film contracts in the U.S. as well as

(Continued on Page 7)

Jorgensen Asks $77,000 in Trade Restraint Suit

Dallas—Charging restraint of trade, H. N. Jorgensen, owner of the East Grand theater, has filed suit against Interstate and Texas Consolidated for $77,000 damages.

(Continued on Page 8)
FILM DAILY

THE BROADWAY PARADE

Picture and Distributor

Theater

Wages of $80,916,341

Paid by Westinghouse

Joyce DAVIS LEWIS, who has been in New York for story confabs, at Paramount, is said to be around this morning for her last day at the office.

ALEXANDER KORDA is scheduled to tell Hollywood Thursday for New York, on return from England on business. He expects to be in New York here Saturday on the Clipper.

BEN KALMENSON arrives in Chicago today for confabs with retailers and theatrical exchanges.

HARRY RATHERN, president of Product Releasing Corp., flew back to the Coast yesterday from Dallas after attending the V.C. convention.

ARTHUR WILLI, Eastern talent head for RKO, is in Chicago.

CHARLES BOYER and his wife, PAT PATERSON, arrived from the Coast yesterday for a three-week stay.

AL SINDLING, March of Time ad man, has returned from New York to Washington.

HARRY MICHALSON, short subjects manager for RKO, and MRS. MICHALSON, are spending a short vacation in Atlantic City.

MAXWELL SETTEN, managing director of M.G.M., returns here about May 10 from an extensive South American trip.

UNNALLY JOHNSON returns to the Coast from the month of next month after an extensive vacation.

VINTON FREEDELY returns to New York over the week-end from Florida.

D WIGHT DEERE WILMANN is vacationing in Bermuda.

JOEL COWARD is expected here next week from Europe.

LEO MULLER, writer and director, leaves for the Coast Wednesday.

FRANK V. KENNEBEC, Paramount man in Calcutta, India, arrives here the middle of next month from the Orient for home office.

A. E. MAYER, sales manager of International Projectors, left Dallas yesterday for Mexico City. He is expected to return on Friday, to begin his work as director of engineering for the company.

REGINALD GARDNER arrived in New York yesterday from Hollywood for a short vacation.

Eddie Selette Recovers

Albany—Eddie Selette, after four weeks in a hospital with a sprained knee, is back at his managerial desk at the Albany.
ORCHIDS FALL ON PARAMOUNT!

2 in a row from Walter Winchell!

"Orchids to Jack Benny's 'Buck Benny Rides Again'!"

"Take a bow-wow, 'Biscuit Eater'!"

"Orchids to 'The Biscuit Eater'...man's best flicker about man's best friend!"

"You first, Buck. Your ride beats Paul Revere's!"

"ROAD TO SINGAPORE"
Hanging up holdover records from coast to coast!

"Dr. CYCLOPS" in Technicolor. A ballyhoo bonanza. The year's top exploitation show!

"TYPHOON" in Technicolor. Nail down the box office...the Big Wind is coming!

The FLOWERS that bloom in the spring are Paramount Posies!
**Monroe, Michigan**

**MONO, MAY PRODUCE WESTERNS IN MEXICO**

Johnston disclosed at the annular convention which concludes here to-night.

The several of the features will have Spanish and Mexican background with an eye to sales south of the border, while for many of the Westerns, Spanish songs, orks and dancers will be employed. Johnston's idea, if the Mexican production plan goes through, is to surround the company's Western stars, Tex Ritter, Fred Scott and "The Three Pals," new combo embracing Joe King, Ray Corrigan and Max Terhune, with native casts. George T. Weeks will make the new "Three Pals" series of eight. Both Corrigan and Terhune formerly were seen in the Three Mesquites.

Franchise holders yesterday were advised that the sales quota for next season has been upped $375,000 to $9,255,000. Budget boosts of 50 per cent for 15 films and 80 per cent on 12 others earlier had been disclosed.

Convention speakers, in addition to Johnston, include Eddie Gold, sales chief, who outlines the selling policy today; Scott R. Dunlap, production head; Bob O'Donnell, director; Bob O'Donnell, director; Robert Salmon; William R. E. Griffith; Mike Rice, Ed Kyndall and Col. H. A. Cole.

**Detroit Exhibs. Fighting Permit for Tent Theatre**

Detroit—Leaders of Detroit exhibitor groups are uniting to oppose the granting of a permit for a 1,500-seat tent theatre planned by the Veterans of Foreign Wars, who give 18 weeks of dramatic stock. The City Council passed the matter late last night and sent it to the Mayor. Exhibitor leaders point out that they pay taxes and are afraid another permit would mean new competition for the worst months in the summer.

**"Typhoon" in Honolulu Bow**

Honolulu (By Cable)—Work is meanwhile of Para's, "Typhoon" will be held at the Waikiki theater on Fri., Dorothy Lamour, co-starred will attend. It's the Island's first world premiere.

**Screencraft Sets Deals**

Screencraft has closed deals with Superior Pictures for Chicago, St. Louis, Milwaukee and Indianapolis and with International Pictures Distributing Co. for Philadelphia and Washington.

**Griffith Adds Two More**

Oklahoma City—A deal has been completed by Griffith Southweste Theaters, owners of the State Theatre, Pawhuska, Okla., to take over the independent Kiekeh and Circle Theaters from Mr. and Mrs. A. M. Abbott, who retire.
"Where are all the people going, Mr. Cantor?"

"They're waiting on line to see '40 Little Mothers' at the Capitol."

EDDIE CANTOR in the Story of "FORTY LITTLE MOTHERS" with JUDITH ANDERSON
Rita Johnson • Bonita Granville • Ralph Morgan • Diana Lewis • Nydia Westman • Screen Play by Dorothy Yost and Ernest Pagano • Directed by Busby Berkeley • Produced by Harry Rapf.
COLEGIANS TAKE UP CLEARANCE CUDGELS

Dallas—Opening by Lee Threet of Lufkin of an 800-seat house facing the campus of Texas A & M College at College Station has precipitated a clearance controversy, with collegians fighting the protection enjoyed by the Jefferson Amusement Co.'s houses at adjacent Bryan.

Until Threet opened, collegians had the advantage of patronizing a YMCA-operated campus house or spending 20 cents to see film at YMCA. Woman's House took 800 seats 60 days after Bryan. With Threet in the field, collegians want quicker playdates and are giving Bryan the go-by, only five student admissions to the Jefferson houses said to have been recorded in 10 days.

Jefferson has owned a site at College Station for two years.

BFC Hits Del. Blue Laws

Wilmington, Del. — Better Films Council has voted to recommend repeal of the state's blue laws.

THE WEEK IN REVIEW

Producers Called as Gov't Witnesses

By L. H. MITCHELL

DOMESTIC

EQUITY SUIT: Federal Judge Henny W. Goddard authorized Gov't to subpoena Producers Charles Chaplin, Samuel Goldwyn, Joseph M. Schenck, Darryl F. Zanuck and Louis B. Mayer as witnesses in the N. Y. equity suit. Thurman Arnold arrived in N. Y. to fight delay in trial asked by defendants. Gov't was expected to establish N. Y. suit GHQ before the week-end. Col. H. A. Cole announced his opposition to any consent decree that did not contain a "divorcement" provision. In preliminary exam, Joseph Bernard denied there was an exhibition monopoly in Philadelphia, and Sidney R. Kent rapped tendency to increase the number of prints on a single film. It was stated any "consent" decree would not be applicable to Indiana.

20-FOX MEET: Titles of 40 of the 20th-Fox 52 pictures for 1940-41 were announced at the company's Chi. convention. Company will spend $600,000 on radio and $2,000,000 on newspaper promotion on season product. . . . 75 per cent of pix will be sold on percentage basis, it was stated, with four pix at 40 per cent.

In retrospect, they must "help pay the freight," give proper terms and extended playing time to "super" pix . . . Spyro Skouras told delegates admission increase was the answer to exhibi.-distr., war problems. At stockholders' meeting new pacts were approved for Schenck and Darryl F. Zanuck.

VARIED FRONTS: Dallas, Tex., became temporary film capital with influx of film personalities for national conventions and Variety Clubs. . . . Monogram, in sales convention at Dallas, announced 50 pix for new season, 26 features and 24 westerns. . . . Hammer, Inc., has opened general counsel, died on Sunday. . . . Merger of Jimmy Roosevelt's Globe Productions and Samuel Bronston Productions, was consummated, with UA to distribute product. House hag delayed hearing on Neilly bill as the O.P.A. came out in opposition to it. . . . B & K net for 1939 announced at $1,329,964. . . . Eastman Kodak employment hit a new peak, 72 per cent above number employed in 1929 . . . Fortrade Corp. handled 40 French pix here.


For the past twenty-one years Film Daily Year Books have been recognized as the Standard Reference Books of the Motion Picture Industry. They all together and you have the finest history of the motion picture busi-
ness during this period of time obtained any-where in the world. Film Daily Year Books are an integral part of the industry. 1940 edition is now being distributed to all Film Daily subscribers.
Wave of Stage Shows for Smaller Towns in Michigan, Ohio and Indiana Forecast

Detroit—Stage shows are likely to come in a wave, according to reports received from local Cleveland booking offices, following new policy at the Michigan Theater on May 3. The smaller towns, in particular, report definite plans. Several houses are set to go on the boards in May for the United Booking Association, contracting with the present situation, which finds only one house, the Court at Auburn, Ind., booking since last November. Houses involved are in Southern Michigan and Northern Ohio and Indiana.

London Critics Praise GWTW; See U. S. Record Duplicated

(Continued from Page 1)

These excerpts from national dailies:

Evening Standard: "Should think the film will run to the end of the war."

Daily Mail: "GWTW" is a winner. There is no doubt about that.

Daily Mirror: "This is the greatest film ever."

Daily Sketch: "Undoubtedly the greatest film the cinema has given us to date."

Daily Express: "The perfect emotional response."

News Chronicle: "An outstanding, poignant picture."

Daily Herald: "Nothing less than a movie saga, a tremendous emotional experience."

Weekly take of £20,000 for some weeks is anticipated; advance sale is about £10,000.

Single sour note is struck by the CFA in a special bulletin, issued Friday, attacking Metro's rental terms, said to be 70 per cent here as in the U.S.

Duals, Triples, Premiums

Hurling Industry—Kirsch

(Continued from Page 1)

A trade letter to exhibitors over the week-end. The picture business must get back to showmanship, Kirsch insisted in pointing to the double billing of "The Blue Bird" and "Abe Lincoln in Illinois," along with the prize contests linked with such programs in Chicago. These factors, Kirsch contended, were causing gross receipts to decline.

As an illustration of his arguments, Kirsch said that the average weekly theater attendance in 1929 was 110,000,000, or 92 per cent of the population, compared with the latest government figures of 85,000,000.

The picture industry, Kirsch wrote, must be the greatest in the world because no other could stand the abuse. In other industries, he said, chains are constructive, but with few exceptions theater circuits are otherwise.

Hizzonor to Lay Stone

Corner stone of the new Airline Terminal Building at 42nd St. and Park Ave., which will house a 500-seat newsreel theater, will be laid today by Mayor LaGuardia.

Femme as House Manager

Brinkley, Ark.—Emma Laura McGaltry is the new manager of the Imperial.

AMERICAN TO MAKE FOUR PIX IN EAST

(Continued from Page 1)

Before the cameras about June 1 in New York.

The Gompers story was written by Geza Herczeg, who wrote the story and screenplay of "The Life of Emile Zola" for Warner Bros. and who recently completed "Policeman" for M-G-M. Financing for the planned productions has been completed and negotiations for major release are in work.

The new company is headed by Julius W. Levine, who stated over the week-end that the first picture would be made at either Eastern Service Studios or Biograph. Levine stated that the story of Gompers would not be a propaganda picture in any way.

Moros Signs Joe Nadel

West Coast Bureau of THE FILM DAILY

Hollywood—Joe Nadel has been engaged by National Picture, new Boris Moros-Robert Stillman organization, as production manager for the company's first picture, "Second Chorus," which will feature Paul Whiteman and his band.

JAMES LUCILE RUSSELL
HARRY DAVENPORT • LOIS RANSON
MAY ROSENBLOOM • ARTURO GODY
DIRECTED BY GUS MEINS
A REPUBLIC PICTURE

"Come on! They've found gold in the hills, just outside of town. It's worth ten thousand dollars a ton!"
EQUITY SUIT TRIAL
STARTS ON JUNE 3
(Continued from Page 1)
ment had to be settled one way or another and that he felt that the
matters involved in the case were so
adv
pushed to the end of the trial.
Arnold Ends Senate Quiz
Arnold also said that he was re-
quired to appear before a Senatorial
committee in Washington today to ex-
plain why the case had been de-
layed. The anti-trust chief later said
that he had been asked to appear by
Senator Matthew M. Neely, indicating
the committee is the Judiciary of
which Neely is a member. The
committee meets today in executive
session. In commenting on defense
attorneys’ statements that long prepa-
ration delays, he said that there
were so many counsel “that they
get in each other’s way and when the
smoke cleared, we find that only one will actually try the
case.”
John W. Davis, Judge Joseph
Proskauer, and Judge Thomas D.
Thomson were all said to have ab-
viously spoke in favor of the post-
ponement. Davis, who opened the
argument, claimed that the Govern-
ment had itself been the cause of
the delay, since, he said, it was only
on April 18 that the D of J had sup-
plied defendants with the list. He
claimed that the Government had
promised to give the majors a mini-
num of 60 days to prepare after af-
fering of information.
Harris then asserted that the de-
fendants had employed lawyers in 30
cities who are working night and day
to prepare the case. These field
workers have advised they will be
unable to complete work by May 1.
Summer Recession Proposed
Sparks Shortage Industry.
General Paul Williams, who also spoke
for the Government, contended that
the names of witnesses and infor-
mation on this list will be widely
known to the defendants and that these
were the very witnesses who had
been complaining to the majors for years.
He suggested that the defendants
could complete their preparations
during a proposed Summer recess.
As additional ground for post-
ponement, attorneys for the de-
fendants pointed out that the
Government had recently served 25-page
supplement to their motion to in-
duce an enormous amount of rec-
ords at the trial. Davis said that
the defendants did not wish to apply
for an order to strike out but would
be compelled to do so if a May 1 trial
was ordered. Proskauer said that
the new pages of documents added
over 130 additional charges and 32
new names to the already voluminous
list.

“Meet Again” Starts Fast
Warner’s “‘Till We Meet Again”
with Wayne King’s org on the stage
went away to a fast start at the N.
Y. Strand Friday.

KENT DENIES GOVT’S EQUITY SUIT CHARGES
(Continued from Page 1)
in case he was unable to attend
trial.
Kent denied that there was a
monopoly in exhibition, produc-
tion; or distribution; that there
were differences among the majors
and denied that there was any
itory division among theater com-
panies.
The 20th-Fox proxy gave no
details on the print situation, say-
ing that the highest cost of a
print for the 1939-40 season was
$576 and the lowest $170, with an
average per picture of $246. For
that season, he continued, 12
prints had been made by 200
features. The highest number of
exhibitions on a picture was 16
and the lowest number was 6.

Up to April 1, 1940, the num-
ber of exhibitions for all prs of
that season was 476,641, he
said, with an average of 37 runs
print.

Says Government Mistaken
While he was with P allege
Kent stated, the distribution de-
partment never discussed any other
than the grosses of Paramount
pictures with the theater depart-
ment. The Government was mistaken,
said, in its belief that depart-
in-21 exercises been worked on
“We were not a very peaceful
day and we had many arguments
Kent added.

SMPE ATLANTIC CITY
PARLEY ATTRACTS 250
(Continued from Page 1)
discussed range from the effect of
audience noises on sound reproduc-
tion and improved projector lenses
in a new research devised by a Coast
studio to achieve realism in action
pictures of Americas. Recent
trades in television and frequency
modulation broadcasting are included
in 46 papers to be presented at the
seven sessions of the gathering.

A. Willford President
First day activities, after regis-
tration, committee reports, and the
welcoming address of A. E. Will-
ford, SMPE proxy, included pre-
paration of the papers, “Partial Deaf-
ness and Hearing—Air Design,” by
N. C. Beasley, U. S. Public Health
Service, National Institute of Health,
and “Color Theories and the Inter-
Society Color Council,” by H. P.
Arbuthnot, Cleveland, Ohio.
A feature of the opening day will be a
discussion of “The General Out-
look of the Television Industry” by
Charles F. Doyle, RCA Manufacturing
Co., vice-president and advertising
director, who will read his paper at an
in-motion get-together luncheon.
This afternoon will be devoted to
a Sound Session, with papers by W.
Moeller, Warner Bros.; C. C.
Potwin, Erpi; W. H. Offenhauser,
Bender-Maurer Corp.; O. Sandvik
and W. K. Grimwood, Eastman Kodak;
and Dr. W. E. Kellogg, RCA Man-
ufacturing Co. “The Science of
Seeing” will be read by Matthew
Luchek, director of Electric Lighting
Research Laboratory at Cleveland, at
the evening meeting.

“Frequency Modulation” will be
discussed by Maj. E. H. Armstrong,
Columbia University, at tomorrow’s
morning session. Also tomorrow,
the delegates will hear papers on
“Tone Reproduction in Television,”
by Dr. I. G. Maloff, RCA Manufac-
turing Co., and “Two-Way Reproduc-
tion—Theory and Practice,” by
L. A. Jones, Eastman Kodak.

16 mm. Papers Tomorrow
Second day afternoon session will
end, plans were drawn up for a con-
ference which will be offered to the
majors. Pact is similar to one in
effect with Coast organizations, with
an affiliation between the two groups
now being worked out.

be given over to 15 mm., with pa-
ders and demonstrations by L.
Thompson, Califin; J. A. Maurer,
Brendt-Maurer; D. R. Canady, Can-
ady Sound Appliance Co.; J. F.
Clemenger and F. C. Wood,
Sound Masters, Inc.; E. A. Bertram,
DeLuxe Laboratories; and D.
Joy and W. W. Lozier, National Car-
bon Co.
A television session, to be held to-
morrow night will include these pa-
ners: “Television Pick-Up of the
Pasadena Rose Tournament Parade,”
by H. R. Luborka, Don Lee Broad-
casting System; “Remote Control
Television Lighting,” by W. C. Eddy,
NBC; “RCA Portable Television
Pick-Up Equipment,” by G. L. Beers,
RCA Manufacturing Co.; O. H.
Schade, RCA Radionics, and R. E.
Miller, NBC; “Quality in Television
Pictures,” by P. C. Goldmark and
J. N. Dyer, CBS; and “A New Meth-
od of Nationalization for Television
Systems,” by T. T. Goldsmith, R. L.
Campbell and S. W. Stanton. Allen
B. DuMont Laboratories.

Norsomaker Making Sh
West Coast Bureau of THE FILM Daily
Hollywood—Norsomaker, Produc-
tions, headed by Hill Anderson.
Charles Diltz as p.m., will produc-
e series of educational, short, docu-
torial two-reelers.
First two “Seward’s Folly” and “Gandhi
Be Sarong.”
HOUSE COMMERCE COM. STARTS NEELY HEARINGS ON MAY 7

ARNOLD ASKS FEDERAL "DIVORCE" LAW

Control Tele or Be Controlled, Joyce Warns Biz

CA Vice-President Adresses SMPE; Sees Tele as Aid to Films

By W. H. MCMAHON

FILM DAILY Staff Correspondent

Atlantic City - Addressing the SMPE convention here yesterday, F. Joyce, RCA vice-presy, warned the film industry to control television or else. Joyce's warning is well taken, in my opinion. It is difficult to disagree with him.

Continued on Page 7

UJMON TO TELECAST

PARAMOUNT PICTURES

Paramount pix, features as well as shorts, will be telecast by the New York Post Laboratories stations after they have played local theaters to avoid competition with other stations.

Continued on Page 6

LAUNCH GNYF DRIVE FOR 1940

Definet, Poucher, Robbins, Moss Head Sub-committees

J. Robert Rubin, chairman of the Motion Picture Division of the Greater New York Fund, presided yesterday at an organization luncheon in the Hotel Astor which formally launched the 1940 drive.

Four sub-committees were formed, following the pattern under which last year's campaign was conducted. Ned E. Definet was designated as chairman.

Continued on Page 6

FitzPatrick May Produce One Feature Pix Annually

James A. FitzPatrick, Traveltalks producer, arrived from the Coast yesterday to sign a new five-year contract with M-G-M and to negotiate a deal whereby he would produce for M-G-M one feature picture annually for the next five years.

FitzPatrick is winding up 15 years.

Continued on Page 7

Full House Commerce Committee Will Start Neely Bill Hearings on May 7

Neely Bill Passage Urged by Musicians Local 802

First split in the labor front position to the Neely block-bookling bill was revealed yesterday when it became known that Local 802, musicians, had passed a resolution in the form of a petition urging the passage of the bill.

Continued on Page 7
Films will be among media... which will receive awards presented by children... at the Youthbuilders Forum Award Luncheon... to be held in the Hotel Martinique on May 8... at which Mrs. Franklin D. Roosevelt will be the guest of honor and speaker... Honors will be bestowed on the movie, radio program, book, and newspaper or magazine articles... which the youngsters believe has done most this past twelve-month... to help them understand how democracy works... Sherlock Homeless, our private and oft-accidentally-accurate sleuth... tells us he has "come by" the info... re the two pix to be designated... Winner, he avers, will be an opus "bou t a fellow who went to Washington very recently... and the runner-up will be an opus "bou t another fellow who went to Washington back in 1861...

**FILMS**

- SAYS Charles Socrates Spinosa Warners Bros. Ryan
- **TO** the Chi contingent... "You won't be so down in the mouth... if you are up on your toes..."-a RKO's big bowling league season is over... and now the 40 holiest rollers of the pictures and theater companies can come out of the alleys until the next (eighth) season... The Pirates, captained by Angus and additionally comprising Espen, Miller, Pimstein and Copley... won the baton... High team score... (1010 on the duo, which is truly a radio score)... was hung up by the Buckaroos... consisting of Frey, McDonnell, Larkin and Level... which is unfair grouping... "cause no other team had Level... which is a prerequisite to accurate bowling... Really, credit for the athletic... should go to three-peggers Leen Goldberg of RKO theater... and Bill Clark of RKO Radio Pictures... They proved you don't need Level for bowling... but you do need banks...

**FILMS**

- IT'S Dempsey's Eighth Ave. on Thursday at 1:25...
- where and when the first Amos meetin' under the new administration... headed by Leon Bamberger... will be held... John Garfield and Hardy Carey... pix folks who have lead roles in the Broadway hit. "Heavenly Express"... will be honor guests... Ziegfeld Club will turn out at this afternoon's performance of Metro's "Forlorn Mothers" at the Capitol... as a tribute to its star, Eddie Cantor... who will appear at the Club's annual benefit Saturday night.

Steve Bauer Strickner
Milwaukee-Steve Bauer, 60, former exhibitor and secretary of MPTO of Wisconsin, is dead here. He is survived by wife, daughter, son, three brothers and two sisters.

Korda Set on Financing; Takes Clipper Saturday

Having completed a $3,600,000 loan for the production of pictures both in England and Hollywood, Alexander Korda plans to leave by clipper for England on Saturday. Whether he will make his first picture there or on the Coast under the new setup has not been determined but it is understood that Korda is now lining up talent for production at both places. Emanuel Korda's U. S. representative, returned to his desk yesterday after several weeks of Coast conferences.

**COMING AND GOING**

**ALEXANDER KORDA** arrives here Thurs. by plane from the Coast and leaves for Europe on the Clipper on Saturday.

**JAMES A. FITZPATRICK** and MRS. FITZPATRICK arrived yesterday from the Coast.

**JAMES A. BANFORD**, Metro exchange manager in Chicago, has returned there after a Hollywood vacation.

**HAROLD HORNE and DICK CONDON**, of the Mercury office, are in Havana.

**MADELEINE WHITE**, secretary to W. R. Johnson, has returned from a Caribbean cruise.

**Leon Schlessinger Inks Two-Year Warner Deal**

West Coast Bureau of THE FILM DAILY

Hollywood—Leon Schlessinger has renewed his cartoon production deal with Warners, for two years. The new pact will contribute 42 short subjects to the Warner 1940-41 releases. The deal was made in Technicolor and "Looney Tunes," starring Porky Pig.

Schlessinger has already completed 33 cartoons on the 1939-40 program and with only nine more to go. Entire series will be finished before June 28, the end of the current contract, and the entire plant will close down for annual two-weeks vacation.

Johnston's Father Dies at Waterloo, Ia., Home

John B. Johnston, 79, father of W. Ray Johnston, president of Monogram, died yesterday at his home in Waterloo, Ia. News of his father's death was wired to the Monogram president in Dallas where he was presiding at the company's convention of franchise holders. He led by plans for Waterloo last evening. Funeral arrangements have not been completed. The elder Johnston is survived by his widow, five sons and a daughter.

MFA in Charity Field

Motion Picture Associates will hold a business meeting Friday at the Astor to act on amending the certificate of incorporation to permit the organization to act as a charitable group.

When You Think of

CURTAIN CONTROL & TRACKS

Think of

**ALCONE**

**AKRON**

**OHIO**
TRIUMPH IN
‘Wuthering Heights’

TRIUMPH IN
‘Fighting 69th’

THEY MEET AGAIN
in

‘TIL WE MEET AGAIN

MERLE OBERON
GEORGE BRENT
PAT O’BRIEN
GERALDINE FITZGERALD
BINNIE BARNES
FRANK McHUGH
Directed by Edmund Goulding
Screen Play by Warren Duff
From an Original Story by Robt. Lord
A Warner Bros.-First Nat’l Picture

NOW BOOKING

WARNERS—the Showmen!
TWO ROMANTIC AND GLAMOROUS PERSONALITIES

... TOGETHER IN A GREAT PICTURE!

... Scarlett O'Hara of "Gone With The Wind" and the star of "Rebecca" and "Wuthering Heights"

and LESLIE BANKS in

21 DAYS TOGETHER

with FRANCIS SULLIVAN

HAY PETRIE • ESME PERCY • ROBERT NEWTON
Based on a story by John Galsworthy • Directed by BASIL DEAN
A COLUMBIA PICTURE
Neely Divorcement Bill Hearing to Resume on May 1

D of C Has Recommended Nothing in Equity Suit, Says Arnold

(Continued from Page 1)

briefly in connection with this testimony as well as that of other opponents was postponed until May 16 when the hearing resumes.

Arnold contended that the industry as a type of dictatorship that is distinctly un-American and compared film biz to the "vertical cartels set up by Hitler in Germany."

Among the important statements made by Arnold were:

(1) Those who do not solve the problem and if adopted, is only a stop-gap measure.

(2) If the Commerce plan is adopted, the suit will nevertheless continue;

(3) The D of C is designed to abolish not only national but local monopoly and

(4) The New York suit and other like cases will be a long drawn out process.

The sub-committee is comprised of Senator Neely, chairman; and Senators Frederick Van Nuss (Ind.) Warren Austin (VL) W. H. King (Utah). Only Neely and Van Nuss were present in the hearing. The following witnessed the hearing included Paul Williams, in charge of the New York suit who assisted Arnold; Pettijohn, Abram P. Myers, Col. H. A. Cole and Sidney Samuelson of allied, and rep. representatives of civic groups.

Against Regulation by Commission

"I don't think we are ready to say that the American business in this country is a monopoly and then regulate it as we do the railroads," Arnold said.

Attempting to clarify consent decree rumors, Arnold said that the door at the Department is always open, the only plans submitted by industries.

"We don't suggest how run the movie business and we suggest that the consent decree policy is our only way of doing to any group for a voluntary plan.

He told the sub-committee that the D of C had done an excellent job in having the conversations. Arnold stated that the D of C has recommended nothing. The plan it submitted is a possibility, he said, but Arnold stated it allows "vertical monopoly to continue.

Says Plan Continues Evils

The film industry has not submitted the Commerce plan as a consent decree, he said. The only reason the plan might be adopted, he said, would be for the benefit of the independents as an emergency plan. The plan continues the evils that the Government is attempting to abolish, he emphasized.

The Indies have signified to him, Arnold said, that the plan is not acceptable to them and that they do not want it. In this statement, Arnold spoke for Allied and looked to Myers at the table for permission to speak. He did not indicate that other independents agreed with the statement. Arnold's chief objection to the Commerce plan was that it does not divide the production from distribution and exhibition and does not break up "monopoly chains."

"The D of J does not feel that we will get the desired result if big chains continue to have the buying power over independents. This will merely substitute local monopoly for national monopoly. Elimination of both are necessary Arnold asserted, and added that suits will be continued against the Schine, Griffith and Crescent Amusement circuits in addition to the main New York suit to break up large circuits. Arnold quoted the familiar Adolph Zukor statement, made in 1918 which attacked all the methods now under fire.

Holds Gov't Responsible

"The development in the industry is not the fault of Mr. Zukor," Arnold said. He blamed the Government for allowing the industry to develop in the present manner, stating the anti-trust division was not equipped and did not attack the methods when it should have.

"If there is no referee in this game, we are encouraging these men to indulge in these practices for self-protection," he asserted.

Arnold suggested that the Neely bill be amended to allow more than 18 months for the producers to dispose of their theaters so that an orderly plan of divestiture could be formulated.

"This thing is not going to ruin the industry," he stated. "My belief is that if divestiture is brought about in an open manner and solved, it is going to get this industry on its feet."

The industry cannot cut expenses under present circumstances, Arnold said, with the present set-up.

"Democracy will survive only if industrial democracy survives. To-day it is the sub-rosa industrial machine which has seized power," Arnold declared. He appealed to the industry for the term growth.

"Would "Free the Industry"

The Anti-Trust Division wants to

Greater New York Fund Drive Formally Launched

(Continued from Page 1)

iganted to lead the producer-distributor group; B. S. Moss, the exhibitors; Ralph I. Poucher, laboratories; and Fred D. Alicoate, allied industries and accessories.

Rubin set as the 1940 campaign goal a sum 50 per cent beyond that which was realized in the Motion Picture Division last year.

In addition to Chairman Rubin, among those present at the luncheon were Winthrop Rockefeller, assistant to John Brown, chairman of the Greater New York Fund; Leland E. Burrell, divisional director of the Utilities and Amusements section of which the Motion Picture unit is a part; Austin Kough, B. S. Moss, Jack Allestree, Harry D. Buckley, Harold Rodner, Ralph I. Poucher, and John Kane.

Committee personnel is expected to be designated later in the week.

Syrus Skouras, chairman of the Greater New York Fund Amusements Section, which embraces the legitimate stage, sports field and ticket agencies, will tender a luncheon to his aides in the chain drive in the Hotel Plaza tomorrow.

Third for "Virginia City"

"Virginia City" was held over a third week at the Brooklyn Fox.

DuMont Will Telecast Paramount Feature Pix

(Continued from Page 1)

the latter, it was revealed yesterday. DuMont firm, which recently received FCC approval to operate a New York City station, will start all television performances. $50,000 will be invested in the DuMont station and mobile transmitter, Allen B. DuMont stated.

Cath-Ray Electronic Laboratories, Inc., through Prexy Robert Robbins, yesterday requested the FCC to reopen its telephone hearing. Letter also included Allen B. DuMont Laboratories, Inc. and was accompanied by copies of DuMont press releases.

Mono. to Use Local Talent In New Series of Westerns

(Continued from Page 1)

tions, to appear in support of western stars and agreed upon yesterday at the Monogram convention here. The new Tex Ritter series will be launched on this basis.

Sherman Joins Birdwell

Joe Sherman, formerly with Paramount and Metro publicity departments, has joined Russell Birdwell and Associates.

Consent Plan Allows "Universal Monopoly" to Stay

Free the industry and it will be the industry if they are successful. About 30 per cent of the New York equity suit, it was undoubtedly be appealed to the Supreme Court, he said. Final charges were not brought, Arnold said, because the D of J "was not particularly interested in its policy of acquiescence.

Passage of the divorcement measure will save time in the New York suit, Arnold added.

In a brief rebuttal Pettijohn said that if the present war continues, 30 to 35 per cent of the industry's gross revenue involved foreign markets, the industry will not be able to continue its high quality production.

"We believe that we cannot produce a distribution and exhibit pictures by statute," Pettijohn declared.

In reply to a question by Sen. Van Nuss, Neely evoked a laugh stating that they don't have the time or space to introduce a bill that was opposed by Pettijohn and Will Hays.

In a dubious tribute to Pettijohn, he said that if the anti-trust legislation opposed by Pettijohn was a terrific job. Replying in an equal humorous manner, Pettijohn wish Neely all success in his race for Governorship of West Virginia.

Myers Explains Allied's Rejection of D of J Plan

"Taking Bites of THE FILM DAILY:

Washington—National Allied March 26 advised the Attorney General that the D of J-proposed consent decree or consent order plan and called for a minimum of relief in any settlement of at least requiring the majors to dispose of 50 per cent of their nabe and small town theaters, coupled with a provision against further acquisitions of theaters anywhere save under the most exceptional circumstances.

Allied's position is that the industry will not concede to any objections to allowing the majors to retain their key city franchise run houses in which to exploit the own pictures and recognizes the divestiture should be undertaken over a long period of years.

Analyzing the D of C plan section by section, Allied opposed the claim that this was necessary hardship on small exhibition and called for enactment of the Neely bill in its plain and 

staion, stated he was not disposed of exchange deals. The provision will be ineffective as long as majors retain theaters; opposed local groups as unfair, as under no circumstances pictures might be included in the blocks; opposed fixing of playdate provisions.


**Floods Hit Theaters in Piki, Ohio, W. Va.**

(Continued from Page 1)

...taking their toll from flooded theaters, non-delivery of prints and loss of live shows.

Local downtown houses were badly hit at the box office over the week-end although all operated.

In West Virginia, a number of towns along the Monongahela were badly flooded. Closings were reported in New Martinsville, Point Pleasant and Benwood. Wheeling houses remained open despite water above floor level. Reopening in New Martinsville is at least a week distant.

It was impossible for film delivery trucks at the week-end to get through Wheeling, resulting in many dark houses Sunday and yesterday.

Cincinnati—Flood waters in the Ohio, Scioto and Monongahela valleys are holding up film shipments, with delays in the East.

Ashland, K., and Athens, O., are flooded. Salesmen have remained at their posts to aid in film distribution.

Yesterday's New York Press.

The town as a whole was generally good, the Ohio river was still rising.

**Ask Charge Against Schenck and Others Be Dropped**

(Continued from Page 1)

filed in the Federal Court. The application, which will be heard April 30, charges the Government with failing to state a claim upon which relief could be granted by a Court against these defendants.

An affidavit of John P. Tunney, 20th-Fox attorney, contended that neither the complaint, the Government bill of particulars or its answers to interrogatories affirmatively show any evidence whatsoever that the three defendants had committed acts violative of the Sherman Anti-Trust Laws. A decision adverse to the Government on this application, it was stated, would make it necessary to have a large number of other defendants who have been named as defendants in the suit.

**FitZPatrick May Produce One Feature Pix Annually**

(Continued from Page 1)

...as a travel picture producer, having delivered more than 200 shorts during that period.

...named East by Mrs. FitzPatrick.

Their plan to return to the Coast Thursday or Friday.

**Stars at Harlem Premiere**

Harlem's premiere of Paramount's "Quick Benno" directed by Lenox Anderson will attract an invited audience of 500. WHC will broadcast. Scheduled to appear are Benny, Fred Allen, Mark Sandrich, Bill Robinson, Ethel Waters, etc. FitzPatrick and the Marchers. Reception at the Savoy will

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**Arthur Lee Resigns from GB; Ostrer Taking Over**

(Continued from Page 1)

will actively supervise the company's affairs.

Ostrer's visit here is said to be primarily in the interests of Baird Television. GB owns a number of educational shorts catalogued in the Visual Film Library, opened here recently by Lee. Company also has some product which is being played off. However, few, if any, new features are expected to be imported at the present time.

Lee is opening offices in 1600 Broadway as soon as he returns from a vacation, but the nature of his business was not announced.

Loew's, Inc., may take legal action to prevent the recently incorporated MGM Theaters, Inc., from using that name. MGM Theaters was incorporated last week in Albany, with $200,000 worth of non-par value stock, for the purpose of operating the Bridge Theater in uptown New York. Attorneys for Loew's, the parent company of M-G-M pictures, yesterday stated that an investigation of the right to the name would be started.

**HOUSE COM. STARTS NEELY HEARING MAY 7**

(Continued from Page 1)

interested parties to be prepared on this date, although it may be changed before hearings start.

Senate-House conference has reached an agreement on the transportation bill, which has been delaying hearings on the Neely bill. However, hearings will be delayed until the transportation bill is drafted and sent to both houses.

Charles Sumner Tainter

Father of Talkies, Dead

West Coast Bureau of THE FILM DAILY

San Diego—Charles Sumner Tainter, 55, known as the "father of the talkies" through his research and inventions, died here on Saturday night. He was the inventor of the dictograph, and was the first to transmit sound through the agency of light. He leaves a widow, Laura F. Tainter.

Pa. Solons to Meet May 6

Harrisburg, Pa.—State Legislature is expected to be called into special session on May 6, call going out later in the week.

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**Bill Passage Urged by Musicians Local 802**

(Continued from Page 1)

...to measure. Petition was submited to Rep. M. J. Kennedy, Jo-Ann Weber, APM prexy, and the national union are on record as opposed to the measure, as is F. O. W. C. Potwin, fo Erpi, told the story greater attention should be paid to the design and development of basic theater structure.

"The all too prevalent idea 'the more acoustical material the better results should be safer,'"

**Talking Distrib. Deal for MCA Features**

(Continued from Page 1)

he distribution of pictures to be handled by MCA. It is reported that after organization plans to make use of "VIP" features for RKO service. J. C. Stein, of MCA, is said discussing the deal on the

**Nie Baker and Tucker Musical for Paramount?**

Hollywood—If a deal jells, Bonnie and Orrin Tucker will make musical for Paramount.

---

**JAMES LUCILE RUSSELL GLEASON**

HARRY DAVENPORT • LOIS RANSON MAXIE ROSENBOOM-ARTURO GODDY DIRECTED BY GUS MEINS

A REPUBLIC PICTURE

"Try to make a monkey out of me, willya, you big Palooka! I think I'll slap ya right in the face—and, when I slap 'em, they stays slapped!"
TECHNICOLOR announces

Price Reduction

OF ONE CENT PER FOOT

effective August 1st, 1940,
on all 35 mm motion picture release prints
exclusive of advertising and industrial subjects
delivered at its Hollywood Plant
for distribution and use in the United States

Technicolor Motion Picture Corporation
Herbert T. Kalmus, President
of C Arbitration Participation Opposed by Allied
TAPO-AMERICAN PIX AGREEMENT REPORTED NEAR
Warner 1940-41 Lineup to Stress Stage Hits, Novels

Court Orders Briefs, Reserves Decision
in Korda's Move to Dismiss Goldwyn Suit

Decision was reserved yesterday by Federal Judge Vincent T. Lleibell on an application of Alexander Korda and the London Films Corp., Ltd., to dismiss the contract cancellation suit of Samuel Goldwyn and Samuel Goldwyn, Inc. against them. At the same time, Judge Lleibell heard an application of UA, another defendant, for a bill of particulars and a request by Goldwyn for an order directing Korda to testify before trial. Judge Lleibell directed all briefs be filed by May 1.

U. S. Ambassador Interceding, With Definite Progress Said Made

By GEORGE H. MORRIS
FILM DAILY Staff Writer

Intercession by William Phillips, U. S. Ambassador to Italy, aimed at effecting a resumption of American film trade in the Italian market, was reported here yesterday by channels close to the situation, and heralds the reaching of an agreement in the very near future. Such a rapprochement would put Hollywood product back into the Italian market formally for the first time since the end of 1938 when the Fascist monopolistic film bureau, ENIC, forced U. S. companies to withdraw because of the stringent economic regulations imposed.

Optimism over an early resumption of motion picture commerce between the nations was expressed.

BINKOV ADMITS ALLIED GAVE GOV'T HIS NAME

Major defendants in the New York equity suit yesterday took the offensive in examining for the first time a witness, James Binkov, named by the D of J as a person with knowledge of unfair clearance in Union City, N. J. Binkov, who op-

Distributors and French Gov't Talk Imports and Currency

Paris (By Cable) - Latest wartime industry proposal under discussion now between American distributors and the French government is said

Deny Majors, Bell & Howell Back Automatic Projectors

Published reports that major companies and a leading camera manufacturer, via financing, were pre-

"U.S" ATLANTIC CITY SALES MEET MAY 11

First of two Universal sales conventions will get under way at the Ambassador Hotel, Atlantic City, on May 11, and a second session will be held there May 18, at the Drake Hotel, Chicago. Both meetings will last three days. William A. Scully, general sales manager, announced yesterday that home office and studio executives would attend

"Living Hall of Fame" Shorts Going to Major Distribution deal whereby a major company will handle "The Living Hall of Fame," new series of 12 one-reel contemporary biographical shorts planned by Edmund L. Dorfman, Harry Hirshfield and Herbert N. Bobrow was reported yesterday

Allied Wants Justice, Not Commerce Dept., in Any Film Arbitration Plan

Coast Studios Sending Eight More Into Work

West Coast Bureau of THE FILM DAILY

Hollywood — Eight new pictures are scheduled to go into production this week.

At Columbia: "Five Little Peppers Abroad" with Edith Fellows, Tommy Bond and Dorothy Ann

Washington Bureau of THE FILM DAILY

Hollywood — National Allied books askance at proposals for participation of the Department of Commerce in film arbitration, and feels instead that administration of an arbitration setup should rest with Department of Justice representatives.

This is made very clear in Allied's letter to the D of J rejecting the D of C plan for consent decree settle-
Wednesday, April 24, 1946

ALLEN USTER, Paramount exec, has returned from a Mexican vacation.

EDCAR E. LLOYD, distributor of Czechoslovakian films, has returned to New York from Chicago.

DR. NATHAN S. HIATT is here from Coast for a two-week stay.

MARGARET WYCHERLY leaves for Hollywood in two weeks to fulfill a Paramount commitment.

ARTHUR ALLEN has arrived in New York.

DAVE CHERMAN is in Atlantic City for a short stay.

EUGEN SHARIN, executive vice-president of the newly founded Forte-Film Corp. of America, has left for Hollywood to stay two months.

SIDNEY R. KENT goes to Coast for a month for studio huddles.

WALTER J. HUTCHINSON, director of foreign distribution for 20th-Fox, flies to Havana for a sales conference. Hutchinson returns here next week after a flying visit to Mexico City. "IRVING MAAS, 20th-Fox department exec, is in Havana now for sales conference.

RODNEY BUSH and CHRISTY WILBERT to Pittsburgh today for a brief stay on "Lilli Russell" planes. EARL WINGART returns to Chicago; Clinton, la., this week after huddles on "Rustin" premise.

TONIA NOVICKA, Polish ballerina, arrived tomorrow on the Conte di Savoia for "The Love-Lincoln production, "U.S.

GILBERT JOSEPHSON, of World Cinema, goes to the Coast today to handle the opening of "The Baker's Wife." "KING SEBASTIAN, former film star, at the Park Lane.

GRADWELL L. SEARS has returned from Coast.

Marx Bros. Starting P.A. Tour in Joliet April

The Marx Brothers and a troupe of 30 persons start a personal tour premiere April 25, opening in Joliet, Ill., to try out material it is used in their next M-G-M feature tentatively titled "Go West." Other cities on the itinerary include Toledo, Detroit and Chicago.

Masce Changes Name

Masce & Co., Inc., film distributors, has changed its name Masce-Barnett Co., Inc. Chan was made to commemorate the completion of 25 years of service to company by its vice-president, W. Barnett.

Ampa Advisory Council and Committees Picked

Ampa will hold its annual meeting at its luncheon meeting in Deming's Eighth Avenue Restaurant. The Advisory Council and committees will serve under the new Leon Bamberger regime.


Committees are as follows:

Arrangements: H. M. Reiley, chairman; John Zacher, Chick Lewis, Marilyn Gibson, Auditions: Gordon White, chairman; Irving Shapiro; Doreen Hall; Red Kamm, Constitution and By-Laws: Hal Horne, chairman; Benjamin Paul, John Flinn, Employment: Monroe Greenshul, chairman; Ray Gallagher, Charles Aljicote; Business: Rutgers Nelson, chairman; Bill Ferguson, Hazel Flynn.

FINANCIAL

NEW YORK STOCK MARKET

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"Tom Brown's School Days" to Have Ottawa Premiere?

World premiere of RKO's "Tom Brown's School Days" will be held in Ottawa, it was reported yesterday. Sir Cedric Hardwicke and Freddie Bartholomow, who play p.a.'s, it is understood.

NOW AVAILABLE

Secretary-Statistician. Young lady, experienced all departments of Motion Picture Industry. Can assist busy executives. Excellent references. Write Box 1711, The Film Daily 1501 Broadway New York City.
PLIED OPPOSES D OF G ARBITRATION ENTRY

(CONTINUED FROM PAGE 1)

A New York Daily writer? It is disheartening that there is no Allied opposition to the Appointment of arbitrators by the American Arbitration Society, in addition to the reasons cited for the consent plan, as published exclusively in the Society's current tract. The issue is solely left in the hands of the arbitrators of the principal active of the main suit. The issue is extremely remote that for a lapse of several years the parties would or could pick up "loose ends and carry the case up to a conclusion."

So long as the producer-distributors return their theater holdings, independent exhibitors will continue to be regarded as actual or potential competitors rather than as customers. The temptation to discriminate in favor of the affiliated theaters and against the independents will remain, Myers added. Allied opposes arbitrating on other a picture is locally offensive as it would serve to advertise picture, it is asserted by Myers.

WEDDING BELLS

Iewl-

(Continued from Page 1)

BINKOV ADMITS ALLIED GAVE GOV'T HIS NAME

(Continued from Page 1)

Detroit Nabe Precedent

MAX FEDLER BANKRUPT

Petition in bankruptcy was filed yesterday in the Federal Court by Max G. Felder, manager of Popular Theaters, Inc., and Twin Theaters, Inc., listing liabilities of $67,844 and no assets. Among the creditors' names were: Joe Hornstein, Inc., for $35,745; National Theaters Supply Co., $2,525; Columbia Pictures, $1,100; Harry Shiffman, $2,200; and United Artists, $450.

STORKS!

Perryopolis, Pa.—Mr. and Mrs. Michael Karolik, who operate the Perry Theater are the parents of a 7½ pound boy.

Chicago—A son has been born to Mr. and Mrs. Jack Katz. Father is manager of the B & K Century.
"Is There a Doctor (or Book) in the House?"

New Britain, Conn.—Following a first try in the territory of encyclopedia, the Rialto has used dictionaries, and will now embark on a family medical library series as a giveaway. The Rialto, West Haven, has followed the same procedure.

Universal's Atlantic City Sales Meet Opens May 11

(Continued from Page 1)

the huddles in both cities. Canadian forces will attend at least one and possibly both.

Attending the Atlantic City conference will be district sales managers, salesmen and bookers from Albany, Atlanta, Boston, Buffalo, Charlotte, Cincinnati, Cleveland, Dallas, Memphis, New Haven, New Orleans, New York, Oklahoma City, Philadelphia, Pittsburgh and Washington, D. C. The Chicago parties will include the sales personnel from Denver, Des Moines, Dallas, Kansas City, Los Angeles, Milwaukee, Minneapolis, Omaha, Portland, St. Louis, Salt Lake City, San Francisco, Seattle and the local Chicago exchange.

Richter Asks $32,000 from Interstate in Anti-Trust Suit

Dallas, Tex. — Louis and Mrs. Katie Richter have filed suit against Interstate for $27,000 demanded in $60,000 attorneys fees, alleging anti-trust law violation. Richter owns the Gayety Theater in Ft. Worth. Additional cases are being prepared from Houston and Tylor, Texas, complainants.

mount; and D. R. Canady, Canady Sound Appliance Co.

Banners by B. F. Miller, Warner Bros.; G. Farley, G. R. Crane, J. G. Frayne, and V. Pagliarulo, Emrys, M. Rettinger, RCA Manufacturing; and J. Robbins, Paramount, will be featured at the concluding meeting.

Levey's Montage Television Apparatus Said Revolutionary

New system and apparatus, which may eventually completely revolutionize the television production set-up, is now far as the producer of limitations of the tele- camera is concerned, has been perfected by Lawrence Levey and is at present under scrutiny by the U. S. Patent Office, it was learned yesterday.

The method and apparatus are said to produce motion pictures, flexible and diverse "wiping in" and "wiping out" of scenes, multiple such superimpositions, illustrations, commercial advertising while visual action continues in the background, instant scene changes, dramatization of commercial advertising, and a mechanical "silent prompter," of aid to the actor and director.

Invention permitted the opening and closing of a scene, or a succession of scenes, through mobile, noiseless mounting units operated in conjunction with mobile and noiseless auxiliary stages which supplement a main set or sets.

Bellevue's "Living Hall of Fame" Shorts Going to Major

(Continued from Page 1)

to be near closing. Scope of the subjects will embrace standout personalities in the arts and sciences.

Initial subject probably will deal with William Allen White, editor of the Emporia (Kansas) Gazette. Tentative production schedule calls for one short per month. Camera crews will film each subject in "native" backgrounds.

Edmund L. Dorfman, one of the three associates in the enterprise, has been making biographical films for the past five years, including those sponsored by the Biosynthetic Institute, and the series dealing with the Nobel Prize winners.

Deny Majors, Bell & Howell Back Automatic Projectors

(Continued from Page 1)

paring to explore the automatic projector market were denied yesterday.

In Hollywood, the Phonovision Corp. of America told THE FILM DAILY that the reports linking it with both Warners and Metro were without foundation.

From Chicago, Bell & Howell telegraphed that it was not backing Phaseout or any others in the automatic projector field.

California Daylight Saving Time Fought by Exhibitors

(Continued from Page 1)

and circuit operators at lunch with the B. F. Kersey, Sun; W. T. Houston, F. W. Co; Geo. Eddleman, Paramount; and W. F. McIver, executive secretary of Independent Theater Owners of Southern California and Arizona, among speakers. Northern California exhibitors will join in the fight against daylight saving.

British Quota Proposals to be Outlined This Week

(Continued from Page 1)

THE FILM DAILY was advised yesterday. Amending legislation to the Films Acts shortly thereafter will be introduced in Parliament.

Edward Emery Dead

Mansfield, O. — Edward Shepler Emery, 64, for many years operator of the Royal theater here, is dead. His widow and three daughters survive.

RKO Holding Stevenson

Hollywood — Robert Stevenson, British director, stays at RKO for "Sanda Mala."

"Stage Hits, Novels, On Warner Lineup"

(Continued from Page 1)

ent's "The Male Animal" already acquired and a deal closed by while George S. Kaufman and Moss Hart for "The Man Who Came to Dinner" for Warner release, the Burbank studio is now negotiating with Garson G. Serlin for "Lie With Father."

The Serlin deal will parallel that with Kaufman and Moss, with William A. Wellman directing and weekend, and will give Warners' fourth outside deal, so-called. Others are with Frank Capra-Robert Riskin, for a Gary Cooper starrer, "Life of John Doe," and with J. L. Lasky for "The Amazing Sam" of Sergeant York." Incidentally, Lasky would like Cooper for a title role in the latter as well.

On the novel side, the 1940 Warner lineup will have:


"Buck Benny" At Para. Tod

Jack Benny Paramount picture "Buck Benny Rides Again," we had a Harlem preview at Loew's Victoria Theater Monday night, we previewed at Paramount Theatre last night and is the feature the starting today.

Autro as Rudy Star

Pittsburgh—Gene Autry will star in the annual rodeo to be held in Duquesne, will be here for 10 days beginning today. It is a unit of Harris Amusement Co.

War Costing British Exhibs. £2,250,000

London (By Cable)—Operating ex- penses of British movie houses have jumped to an aggregate of £2,250,000 annually due to the war, the CEA estimates.

"RCA STUDYING TELEVISION CAMERATECHNIQUE"

(Continued from Page 1)

rizer" for the evening session devoted wholly to tele at which five technical papers were presented by representatives of the DuMont Broadcasting System, NBC, RCA, CBS, and Allen B. DuMont Laboratories.

A new type synchronizing wave- form which keeps the television transmitter and all receivers tuned in to it operating together, makes possible automatic synchronizing of the receiver at variable line and frame frequencies, according to a paper presented by T. T. Godskind, R. L. Campbell and S. W. Stanton, of the DuMont Laboratories.

More Flexible Equipment

Motions, Detroit equipment, eliminating the use of two bulky trucks, and allowing for a compact group of containers that will fit comfortably in a station wagon, was described by G. L. Beers, RCA Manufacturing Co.; O. H. Schade, RCA-Bellford Corp., and R. E. Shelby, NBC.

Experiences in televising the Pasadena Rose Tournament were recounted by H. R. Laubeke, of Don Lee; quality of tele pictures was discussed by P. G. Goldmark and J. R. Dyke of CBS; while a new remote control television lighting system was described by W. C. Eddy, NBC.

Projection Session Today

This morning features a projection session, to include papers by F. H. Richardson, Quigley Publishing; J. Gordon; D. M. Hewitt; W. J. Rayton, Bausch & Lomb; H. Rubin, Paramount Theaters; M. Schlanger; W. C. Kab, A. C. Daley; B. J. Miller, National Carbon Co.; J. R. Pratt, and C. S. Ashcraft, Ashcraft Manufacturing Co.

This afternoon will be left open for sightseeing and the 46th semi-annual banquet and dance will be held in the Rutland Room this evening, with E. A. Williford, presiding, and W. C. Kunzmann, convention v.p., in active charge of the program.

General Session Tomorrow

General session, tomorrow morning, will include papers by T. T. Baker, J. B. Engt; G. M. Best and F. R. Gage, Warner Bros.; B. B. Atkinson and V. C. Shaner, Eastman Kodak; J. R. Alburger, RCA Manufacturing; W. Miller, Parra...
The public says:
Thank you for keeping his memory alive. You who take part in this glorious enterprise do honor to a beloved American and win the respect and gratitude of your theatre patrons.

THE MOTION PICTURE INDUSTRY'S ANNUAL TRIBUTE TO WILL ROGERS
Starting Thursday, April 25th
Will Rogers National Theatre Week

1—GRATIS SHORT SUBJECT
All exhibitors taking audience collections will receive the All-Star Short Subject free of charge. Running time 11 minutes.

BOOKED EVERYWHERE
It is already booked day-and-date in every theatre operated by or affiliated with Paramount, 20th Century-Fox, RKO, Loew's, Warner Bros. and by thousands of public spirited independent exhibitors.

3—PROCEEDS TO CHARITY
For the benefit of the Will Rogers Memorial Hospital, Saranac Lake, N. Y., and for other hospital, charitable and educational purposes. And for the aid of local institutions specializing in the care of handicapped children. Note! The Will Rogers Memorial Hospital is open to anyone actively engaged in the motion picture industry afflicted with tuberculosis.

WILL ROGERS NATIONAL THEATRE WEEK
WEEK BEGINNING THURSDAY, APRIL 25th • 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. Shipments made through National Screen Service.

Zone Chairman and Company

Zone Chairman and Company

Zone	Zone Chairman and Company

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TECHNICOLOR REPORTS PROFIT OF $912,614

(Continued from Page 1)

stockholders via the report that Technicolor's shipments during the first three months of 1940 are running substantially ahead of the first quarter of 1939, and put the foot- age shipped for the quarter at some 30,900,000 as against approximately 21,100,000 in the corresponding period of 1939. He estimated that the 1940 first quarter profit figure would be $556,000, whereas the corresponding quarter a year ago yielded $310,468.24.

$845,091 In Dividends

Dividends amounting to $845,091 were paid in 1939, bringing the total declared and paid during the past four years to $2,666,984.37. Not until 1938, however, was Technicolor, derived from all sources of operations, to $5, 111,029.65.

The Hollywood plant in 1939, the report asserts, has shipped to 45 foreign countries, each with its own language specifications, and, that despite the war in Europe operation of the British company has continued processing Technicolor prints. Photograph of new productions in the Technicolor, has discontinued since outbreak of hostilities, but resumption is looked for in the near future.

During 1939, maximum output of prints in any one month was in December which brought a volume of some 11,100,000 feet. Minimum output was in April—2,700,000.

Four Technicolor features are listed as “in work,”—“Maryland” and “Down Argentine Way,” 20th-Fox; “North of the Mountie,” Paramount; and Alexander Korda’s “Thief of Bagdad.”

11 In Color Set


GTE Reports Three-Month Net Profit of $212,681

General Telematics Equipment Corp., and subsidiaries, including the Building Corp., reported yesterday

Was It “The Bee”? Rochester—When nearby Papa Yan was “blacked out” by power failure, T. R. Rasch, Elmwood Theater, Sum- ter took the stage and entertained with his violin for nearly an hour.

REVIEWS OF NEW FILMS

“Grandpa Goes to Town”

with James Gleason, Lucile Gleason, Russell Gleason, Harry Davenport

Republic 66 Mins.

ROLLICKING COMEDY REPLETE WITH LAUGHS AND GAGS; WILL SCORE WITH PATRONS GENERAL.

Most recent adventures of the Higgins Family, —cinematically composed of the Gleason's, — provide laughs which occur with the virtual frequency of a machine gun, for from first to last this feature is pure comedy, and since humor is to audi- ences what catnip is to the feline fraternity, the feature will do well at the box office and leave onlookers of all age brackets in a happy and satisfied state of mind. Harry Davenport hasn’t the leading role, but the title role, for he essays the part of grandpa who goes to town. Actually it’s Maxie Rosenbloom, Hollywood way, and former professional pugilist who goes to town in the professional sense, for he all but steals the picture, book, line and sinker. The yarn tells amusingly how the Higgins Family (the Gleason clan) sell their urban home and sink the proceeds in an allegedly, according to the shrewd real estate salesman, thrilling western com- munity, which turns out to be a ghost town. The only cowboys in this somewhat dis-appointed Higgis ones have some gang- sters fleeing the long arm of the law. A fakc report that gold has been found in the neighborhood leads to a boom. From then on, the already riotous proceedings become more so. Appearing in the cast is Autio Godoy, heavyweight champ of South America, together with his comely wife. There is a good ring bout twist Rosenbloom and Godoy; some good character work by Lois Ransom and good all around per- formances. But every factor bows to the comedy situations, dialogue and gags. It’s a lot of fun and audience will like it immensely.


CREDITS: Associate producer and Di- rector, Gus Meins; Original Screenplay, Jack Townley; Production Manager, Al Wil- son; Cameraaman, Reggie Lanning; Supervising Editor, Murray Saddeen; Editor, Lester Orebeck; Art Director, John Victor Mackay; Musical Director, Cy Feuer; Wardrobe, Adele Pfeifer.

DIRECTION: Good. PHOTOGRAPHY: Okay.

“Tomboy”

with Jackie Moran, Macie Mae Jones, Grant Withers, George Cleveland

Monogram 70 Mins.

KID STORY WITH PLENTY OF HUMAN INTEREST WOULD APPEAL TO THE FAMILY TRADE.

Nabe houses should find that this pic- ture will fit nicely as the second half of dual bills. Story has plenty of human interest and is refreshing in being different from the usual run of the mill material. The farm scenes will undoubtedly bring back memories for a good many of the grown up fans and will show a lot of kids something that they are unfamiliar with. The cast is able and the direction of Robert McGowan is smooth. Jackie Moran gives a good performance as the orphan being raised on the farm of his irascible uncle, George Cleveland. Macie Mae Jones is good as a tomboy child of ex-big league ball player, Grant Withers. Cleve- land is fine as the crotchety uncle. Moran has a hard row to hoe when alone bur- dening him with work and keeping him away from school. Marcia moves to town and she and Jackie become fast friends. From there on the story has been well worked out, with a good climax bringing about a rapprochement between the uncle and Moran.

CAST: Jackie Moran, Macie Mae Jones, Grant Withers, George Cleveland, Clara Blandick, Marvin Stephens, Charlotte Wynters, Gene Meen.

CREDITS: Associate producer, William T. Lackey; Director, Robert McGowan; Screenplay, Dorothy Reid and Marlen Orth; Cameraaman, Harry Neumann; Editor, Russ- ell Schoenagar.

DIRECTION: Good. PHOTOGRAPHY: Good.

Coastal Studios Sending Eight More Into Work

(Continued from Page 1)

Seese; and a Charles Starrett western, “West of Abilene.”

Paramount: “Dancing On a Dime” with Grace MacDonald, Rob- ert Paige, Virginia Dale and Lillian Cornell.


At Republic: Roy Roger’s next starring picture “Carson City Kid” with Pauline Lord in the feminine lead.

ITALO-AMERICAN PIX AGREEMENT SAID NEAT

(Continued from Page 1)

with the two countries is rife with the delicate situation Lin- dners in cleaving to neutrality in Europe and the sources, within the U. S.-Italo negotiations a quest that definite progress has been made in the past few days, with “both sides bounding the other out,” prior to the submission of concrete pro- posals.

Orozzi Aiding in Move

One of the chief factors leading to the belief that American film industry will soon return to the Italian market is the activity of the export agency extended by the American Ambas-ador, is the fact that the new head of the fascist film organization, Orozzi, is bending every effort to heal the existing breach.

American companies are “standing by the shoulder” while negoti- ations are under way. It is believed that a U. S. film interest in Co- ntemporaneous Europe since the war broke out. It is cited additionally that opening once again of film trade with Italy will assist U. S. product generally, as the standpoint of physical distri- bution and prestige.

Distirs. and French Gov’t Talk Imports and Current

(Continued from Page 1)

to closely parallel existing British restrictions, including those con- cerning, with distirs, holding for no limitation on number of imports, it was reported yesterday. Various reports have intimated the Government was suggesting greatly curtailed number of imports.

Showing “Men and Dust”

Joplín, Mo.—“Men and Dust,” a crisis short produced by Lee Di- ke for its premiere today at a Tri-State Conference initiated by the Detroit Film. Garrison distributes.

“... or Favor”

Detroit—Harry Levinson, RKO office manager, got a letter from the local American Legionary that the company’s office in that city is the subject of an unsavory comment. Name seemed familiar. It was Frank Harrington, who, as Commander of Police, banned RKO’s “Prisoner of the Jungle” two years ago without legal proced- ures.

Wednesday, April 25, 19...
"The 1940 Film Daily Year Book in my opinion is the finest Year Book you have ever published.

"I feel somewhat qualified to make that statement because I have a copy of each of the seventeen last previous cloth bound editions, the earliest one being dated 1922-23.

"Please accept my heartiest congratulations on this most recent edition of the Year Book and my very best wishes for the future."
MORE THAN SPECIAL ABILITY

TRADITIONAL Eastman uniformity backs up each film's special ability. That's why cameramen place utmost confidence in the three Eastman negative films—Plus-X, Super-XX, and Background-X. This reliability has made them the raw-film favorites of the industry. Eastman Kodak Co., Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Pretends Affiliated To Indie Opposition, Says Forgione

House Plans "Rapid Fire" Neely Bill Hearing

Appoint Sargoy Copyright Protection Bureau Counsel

_**The Film Daily**_ New York, Thursday, April 25, 1940

TEN CENTS

**WARNERS TO SAIL THE SHIP USED IN "SEA HAWK" TO NEW YORK CITY TO EXPLOIT THE PICTURE**

West Coast Bureau of _The Film Daily_

**Initial Shift of British Production to Canada Planned by Michael Powell**

Ottawa—Initial shift of British production activity to Canada is being discussed with Dominion officials here by Michael Powell, English producer-director.

Accompanying Powell are Rolland Gillett, associate producer; Alfred Seabourne, film editor, and William Paton, Powell's personal assistant.

Plans call for summer production of a story by Emeric Pressburger, who wrote the screen play for "U_Boat 29," with Powell personally directing. Pin will be in the top budget class, it is said.

Following conferences here, Powell and his party went to Winnipeg, Edmonton, Calgary, Vancouver and Victoria.

Powell has been identified with the British since 1933; he has directed for GB, Warners, PDC and Joe Rock.

**NO CHANGES IN U.A.'S SALES SETUP TALKED—SILVERSTONE**

Reports published in certain of the trade press to the effect that a change in the U.A. sales setup was imminent and due for board of director action were termed baseless.

**AFFILIATED OPPOSITION ‘MORE LENIENT’ THAN INDIE, SAYS WITNESS FOR GOV'T**

Falkenberg and Larose Enter Coin Pix Field

West Coast Bureau of _The Film Daily_

Hollywood — William P. Falkenberg, formerly vice-president and treasurer of Cinematone Corp., and Raymond Larose have organized a company to operate in the coin-oper-

**RKO MIDWEST CORP. TO EXTEND BONDS 8 YEARS**

Extension of bonds held by RKO Midwest Corp., for a period of six years was agreed upon yesterday at a meeting of the directors in New York. When RKO acquired the involved Ohio theaters in 1930, pay-
Western Zone Heads Dine

Warner Theater Zone Managers who re-elected yesterday attended a meeting called by Joseph Bernhard, general manager of Warner Love Theaters, who wind up their convention last night at a dinner held in their honor at the Hotel Astor. A number of home office executives attended the dinner.

Buck Again Ascap's Prexy;
Other Officers Are Named

Annual meeting last night of Ascap, which had been postponed from March, followed by one day the re-election of Gene Buck as Ascap president. Also re-elected, were Oscar Hammerstein and Louis Bernstein, vice-presidents; Selden Singer, treasurer; W. Meyer, secretary; Jack Bregman, assistant secretary; and Irving Caesar, assistant treasurer.

Bernstein is second class matter, Sept. 8, 1928, at the Columbus Post New York, N. Y. under the act of March 3, 1879. Terms (Postage free) United States, outside of Greater New York $10.00 per year; 6 months, $5.00; 3 months, $3.00. Foreign, $15.00. Subscribers should remit with order. Address all communications to THE FILM DAILY, 1501 Broadway, New York, N. Y. Phone Bryant 9-7121, 9-7119, 9-7110, 9-7112. Cable address: Filmd, New York.


FINANCIAL

NEW YORK STOCK MARKET

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WB Zone Heads Dine

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RKO to Distribute Conne Pix in Brit. Territories

Move by which RKO Radio will secure further entry to the film markets of the British possessions and colonies was seen yesterday in the announcement that the company's foreign department, under Vice-Pres. V. Prexy, has acquired distribution rights for "A Family of Nations," for all British territories outside the U. S. and Canada.

Terrorists covered by deal between Reisman and the producer, E. Conne, include Australia, New Zealand, Egypt, Syria, Palestine, Iraq, Iran, Bermuda, Jamaica, Trinidad, British West Indian possessions, parts of India and the Straits Settlements.

Hecht May Make Pix on Coast, Not in N. Y.

The Ben Hecht-George Jessel picture may be brought to Hollywood if, instead of in New York, it was learned yesterday. It is reported that Hecht, who went to Hollywood for talent, is being urged to transfer production to California.

Meanwhile, Lee Garmes, who may be co-director of the Hecht picture, expects to have his RKO program set by tomorrow. Garmes has two potential producers, and is under his present contract. His first, "Beyond Tomorrow," will be released next week.

Two Toms River Theaters Pooled, Effective May 19

Toms River, N. J.—Pooling of the Traco and Community here took effect May 19, with the Toms River Theaters Co., Inc., assuming all contracts of the two corporations, formally operating the houses. Charles Warner is president of the new company. Charles J. Vran, vice-president, I. M. Hirshblond, treasurer, and Walter Reade, Jr., secretary, Hirshblond will manage.

Chicago Tribune to Start Sun. Night Radio Musicals

Chicago—The Chicago Tribune's radio station, WGN, will start an hour musical show on Sunday nights which will compete with Sunday shows on stage and screen.


West Coast Bureau of THE FILM DAILY

Hollywood — Associate Producer George Arthur has resigned from Paramount, effective May 31. Before becoming a producer Arthur was head of the studio's film editing department for several years.

Consarts for Detroit Censor

Detroit — The Detroit League of Catholic Women passed a resolution yesterday that the City of Detroit Police Commission Ennnan and Censor Charles W. Snyder on their ban of "Strange Cargo" and "Primrose Path."
Inglewood, California—"WATERLOO BRIDGE" stampeded a cheering Preview audience into ecstatic raves as another M-G-M hit was unreeled here at the Academy Theatre. Vivien Leigh's first production since her acclaim in "Gone With The Wind" and Robert Taylor's most powerfully romantic role combined to elicit "ohs" and "ahs" from the femme fans. Eyes of the motion picture colony are on the M-G-M Studio. Last week it was the sensational Preview of Spencer Tracy's "Edison, The Man." This week it's "Waterloo Bridge." Next week it will be the Preview of Wallace Beery's "20 Mule Team" and more triumphs to come in Leo the Lion's parade of successes!
NAMES SARGOY COUNSEL TO COPYRIGHT BUREAU

(Continued from Page 1)

Stein will continue as associate counsel to Sargoy.

Status of the Bureau is unchanged in all respects; Jack H. Levin is its director.

Sargoy became associated with Hess in April, 1939, in the special law office devoted to representation of distributors in copyright matters arising out of unauthorized exhibitions and the Copyright Protection Bureau. Since 1939, he has been chairman of the committee on copyrights of the American Bar Association and is a recognized authority on the subject.

AGVA Reaches Agreement with Rose on Aquacade Wages

Agreement was reached yesterday by AGVA with Billy Rose on salaries and working conditions for Rose's Aquacades at the New York and San Francisco Fairs and his Barbary Coast show at the N. Y. Fair. Contract was scheduled to be inked last night, with wage scales up over last year.

Wood May Make Green's Biography for Goldwyn

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Wood has optioned Parks Jackson's original, "The Colonel," based on the life of Edward Green, Hetty's son, and will discuss its production with Sam Goldwyn.

Forms Audit Service

Film Audit Service has been organized by Samuel Hacker for the purpose of auditing film exchanges throughout the U. S. Hacker specializes in film accounting and formerly was connected with First National, Columbia and Republic.

Thomas E. Shea Dead

Cambridge, Mass. — Thomas E. Shea, 78, veteran actor, is dead here.

Dr. Town to Head Tele Research for Stromberg

Rochester—Four changes in the staff of Stromberg-Carlson Co. were announced here.

Dr. George T. Town was named to head television research; Clyde Ingalls, former head of the television laboratory, was named to take charge of experimental work; Clifford J. Hunt was named manager of the company's distributor division, and Anthony G. Seghino was named to be in charge of sound system engineering.

Talk O'Hara Pact Deal

West Coast Bureau of THE FILM DAILY

Hollywood—RKO is reported talking a deal with Charles Laughton for Maureen O'Hara's contract.

Revamp Hope's Contract

West Coast Bureau of THE FILM DAILY

Hollywood — Under a revamped contract, Bob Hope will make three pix a year for two years for Para.

HOUSE PLANS "RAPID FIRE" NEELEY HEARING

(Continued from Page 1)


Later date was set to avoid a conflict with the annual convention of the Pacific Coast Conference of independent Theater Owners when meeting in Los Angeles May 8 will call both exhibitors and camera owners to meet. ED Kuykendall, MFT pressy, was among those asking for the later date.

A committee spokesman told Film Daily that the plans to hold "rapid fire" hearing in order to finish the testimony as soon as possible. The time and witnesses being cut, it was said.

Majestic Radio & Telc Council to Seek Reorg. Plan Appro

Chicago—Rex Parkin, attorney Claude Roth, trustee for the Majestic Radio & Telec. Corp. will appear before Federal Judge J. E. Barnes on Saturday to seek approval of the reorganization plan filed last week. If the Judge approves plans, creditors and stockholders will be asked to accept the same. A third approval being necessary an okay.

“Love Insurance” to be Musical for Universal

West Coast Bureau of THE FILM DAILY

Hollywood—Universal will run “Love Insurance” as a musical score by Jerome Kern and lyrics by P. G. Jones are out, it is understood, have the lead. Para, made the Derr Biggers story under its original title, "U" later as "The Rich Age."

Giovanni “Pickpocket” She

Dr. Giovanni, “pickpocket,” appearing at the Hotel New York is negotiating with 20th Century Fox to make a number of the After the completion of his stay in New York, Dr. Giovanni goes Hollywood.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood — Marriage of A Louise and Bud Adler, orake takes place May 18.
"For sheer entertainment qualities 'Irene' will take its place among the better offerings of the year."

"Not only a hit show, but a cleverly conceived revelation of another facet of Anna Neagle's talent."

"The exciting beauty of Anna Neagle is Hollywood's chief topic of conversation... 'Irene' is what the doctor ordered in the way of entertainment."

"Reveals a radiant new personality... Gay, pretty, amusing and altogether refreshing."

"Anna Neagle is stunningly beautiful, artful and richly comic."

"Anna Neagle proves herself a delightful comedienne. She is charming, versatile, and a real addition to Hollywood's roster of bright, winning stars."

"After seeing 'Irene' I've ordered my Alice Blue Gown."

"Herbert Wilcox's direction of 'Irene' is masterly, and it is refreshing to see Miss Neagle as the young and lovely girl we know her to be."

"Decidedly in the class realm... Light-spirited entertainment particularly suited to the season of the year."

Produced and Directed by

HERBERT WILCOX

Screen Play by Alice Duer Miller
From the Musical Comedy, 'Irene'
Book by James H. Montgomery
Music and Lyrics by Harry Tierney
and Joseph McCarthy
O'U'LL PLAY THIS YEAR!

ANNA NEAGLE * RAY MILLAND

IRENE

ROLAND YOUNG • MARSHAL ROBSON • BURKE
ALAN MAY BILLIE ARTHUR TREACHER
PREFERS AFFILIATED TO INDIE OPPOSITION

(Continued from Page 1)

New Arc Light Assures Better Pix, SMPE Hears

(Continued from Page 1)

NBC to Mark First Tele Anniversary

NBC will mark its first tele anniversary on Wednesday night, with Station W2XRS transmitting a two-hour program, starting at 8:30. The program embraces D'Asa Costello, dancer; Hildegarde, personality singer; Mrs. Elizabeth Berg in "The House of Glass," drama; NBC Pages and Carted Minister Show, Fashion Show by Lenorec and Franklin Simon; "Harrold Highlights," with Avis Andrews and the Berry Brothers; "The Ugly Duckling," a Walt Disney cartoon, etc. Film program for the new week runs strongly to shorts, only one feature, "The Bat Whisper," being carded. Litter is set for the night of May 4.

(Continued from Page 1)

No Changes in UA's Sales Setup Talked—Silverstone

(Continued from Page 1)

Yesterday by Murray Silverstone, company's top exec.

Silverstone said that the matter had been discussed at any board meeting and was not scheduled for discussion at a session to be held today. Meeting was originally set for yesterday, but was put over when Mary Pickford's arrival by plane was delayed.

Story first broke into print on the 16th, with a second version appearing yesterday.

No meeting today will be largely concerned with 1941-42 plans, it is said.

Leigh-Olivier on May 9

Opening of the Vivien Leigh-Laurence Olivier engagement in "Romeo and Juliet" at the Fifty-first St. Theater has been postponed a night to May 9.

Albert Replaces Robinson

West Coast Bureau of THE FILM DAILY

Hollywood—Mark Helpling's "The $1,000 Window" will star Eddie Albert instead of Edward G. Robinson. Priscilla Lane may be opposite.

Plans for 3 RKO Exchanges

Chicago—Pereira & Pereira, architects, are completing the plans for three new RKO exchanges—in Chicago, Boston and Buffalo. Firm drew the plans for RKO's new Milwaukee exchange.

Signs 'o' the Times

On Broadway, "Margin for Error" and "Too Many Girls" cut prices, inaugurating a trend towards lower b.o. tariffs. In film news, execs insist higher admissions are advisable.

Prexy Harry Cohn Received $185,520, Says Columbia

(Continued from Page 1)

10, last, to purchase in whole or part 7,500 shares anytime prior to Aug. 10, 1941, and Samuel J. Briskin, associated with Columbia, was granted option for 10,000 shares exercisable in whole or part with respect to 500 shares until June 4, 1945, and with respect to 2,500 shares between June 4, 1940, and Aug. 16, 1945.

Price at which shares were initial-

ly issuable under options to Briskin and Montague was $13.87. Each of options provides for reduction in price and increase in number of shares issuable in event of dilution in certain instances.

A. Schneider, company treasurer, has also been granted a similar op-

(Continued from Page 1)

tion covering 7,500 shares.

Richfield Oil Co. to Exploit 20th Century-Fox Pictures

(Continued from Page 1)

advertising and air programs. Rich-

field's 4,000 stations will distribute 750,000 color portraits and biogra-

phies of stars. "Johnny Apollo," "I Was an Adventuress" and "Lillian Russell" will be first pictures plugged.

RKO Midwest Corp.

to Extend Bonds 8 Years

(Continued from Page 1)

ment was made partly in cash and partly in bonds, the latter having pur-

chased 100,000 shares outstanding, at $4,000,000 to $2,000,000. Bonds were due May 1. Ike Libson, Ben Heidingsfeld and Maurice White, of RKO Midwest, are here from Cincinnati.

"Blitzkrieg" for Schulberg

West Coast Bureau of THE FILM DAILY

Hollywood—Following "Ode to Liberty," B. P. Schulberg will make "Blitzkrieg," by B. P. Fineman, for Columbia. Michael Hogan will script.

Lloyd Gets 13 Czech Pix

Edgar L. Lloyd has acquired 13 Czechoslovakian films, produced before the Nazi invasion, for release in this country.

Wanger Sets Fremont Story

West Coast Bureau of THE FILM DAILY


PATHE NEWS MAKING REEL TONAL CHANG

(Continued from Page 1)

tion is the result of months of ex-

periments by sound engineers who have received the cooperation of the research division of the Academy of Motion Picture Arts and Sciences and studio representatives.

Falkenberg and Larsen Enter Coin Pix Field

(Continued from Page 1)

Falkenberg and Larsen entered production field. Their plans will use back projection and a sound stage approximately 20 by 30 inches. Projector will be able to handle 10 or more shots at a time.

The company will establish a library to consist of shorts which will be made in black and white, in color change its full apparatus. A group of subjects will soon be held by owners and distributors of coin-operated projectors.

FitzPatrick Closes Deal to Make Features for M-G-M

(Continued from Page 1)

ives, with the noted swimmer, Du-

berry, and will use the facilities of Pathé's plant at Venice, Calif., where he has been working on "The Sailor from New York" for the past two months.

Schaub, Inventor, Dies

Westfield, N. J. — Jacob Schau-

65, inventor and research engi-

ner, died on a vacation trip here after a brief illness. In recent years much of his work has been in color pho-

Scripps Sponsored

Milwaukee. Wisc.—Scripps in several territorial theaters are being advertised as shown under the sponsorship of local advertising firms, for example, "Daredevils of the Red Circle" is being presented by the Bluebird Booking Co. and the Rotel Theater in Fond du Lac every Tuesday and Thursday, while "The Green Hornet" is being sponsored by the Stur- geon Cleaning Co. All theaters are in the Lloyd in Menomonee, Mich.
EASTERN CONVENTION
LANNED BY REPUBLIC

Tentative plans of Republic call
the annual sales convention
to be held in the form of either two or
ree regions, which will take place
ing the final week in May and
a first week in June, sources close
to the company disclosed yesterday.
All localities of two or three
will be held on each coast, and
utterly one upon, its locale
will either be in the Mid-West or
East.

D OF J ADDS WM. GOLDMAN
TO EQUITY SUIT WITNESSES

William Goldman, of Philadelphia,
was named yesterday by the Gov-
ernment as another witness to al-
ged monopoly in Philadelphia in a
supplemental equity suit answer
filed in the Federal Court. The Gov-
ernement stated that his name had

KNOX WITHHOLDS FILM REPORT AT ANPA
CONVENTION IN FAVOR OF HAYS PARLEY

Spaeth Sues Warners, Asks
$500,000 "Ridicule" Balm

Sigmund Spaeth, widely known as
the tune detective, yesterday filed
suit in the New York Supreme Court
against Warner Bros. Pictures, Inc.,
for $500,000 damages. Spaeth claims
that he was ridiculed in the Warner
Brothers' picture "Naughty, But Nice"
Expect 250 Will Attend
RKO Sales Parley Here

Approximately 250 persons will attend the RKO annual convention at the Waldorf-Astoria in New York May 29-30, A. A. Schubert, convention chairman, announced yesterday. Traveling representatives and the sales forces from 38 branches are slated to be on hand. A special train out of Chicago on the afternoon of May 25 will bring in the Western delegates.

Fabian Advances Managers;
Trilling Appointed Booker

Harry Black, general manager of the Fabian Staten Island Theaters, has been promoted to city manager to supervise the Fabian holdings in Middletown. George Trilling, manager of the Ritz Theater in Port Richmond, has been appointed to circuit-booker and will make his headquarters in the Fabian home office. Alexander De Fazio, now assistant manager of the Strand Theater in Brooklyn, will take over the reins of the Strand Theater in Grand Kild. Arthur Lane, manager of the Strand Theater in Great Kilds, has been transferred to the Liberty Theater in Stapleton and Elinh Grove, manager of the Liberty Theater in Stapleton, New York, has been appointed manager of the Paramount Theater to succeed Finkoos.

GWTW Closes at Oriental,
Chicago; Stays at Woods

Chicago—GWTW finally bowing out at the Oriental on May 16, with an estimated 800,000 attendance for the four months' run, breaking all records. GWTW continues indefinitely at the Essaness Woods theater.

RKO to Group Three Disney
Shorts as “Academy” Unit

RKO is preparing to release three Walt Disney shorts as a unit to be known as the Walt Disney Academy Award Special. Included in the group will be “The Ugly Duckling,” “The Old Mill,” and “Ferdinand the Bull.” New prints and paper will be issued.

Wingart Back From Setting
“Russell” Premiere Plans

Earl Wingart, 20th-Fox publicist, returned to the home office yesterday from Clinton, Iowa, where he set up plans for the premiere of “Lillian Russell” on May 15. Newspapersmen from entire middle West will be taken to Clinton, several governors will attend in addition to state and local officials and a three-day celebration has been planned with premiere climaxing it.

Dr. Giannini in New York
for Columbia Board Meet

Dr. A. H. Giannini arrived from the Coast yesterday morning to attend a meeting of Columbia's board of directors today. He will remain several days.

Dr. Giannini said that Herbert Wolf, who has been named chairman of the committee of English and French actors who planned to produce a picture, proceeds from which would go to the Community Chest. Others on the committee include Sir Cedric Hardwicke and Ronald Colman. The picture will be “Forbear and,” according to Dr. Giannini, “a very fine one.”

Intensified Membership
Campaign on for Ampa

Weekly meeting of Ampa yesterday, held at Jack Dempsey’s Eighth Street, restaurant, had Leon Bamberger, newly elected presiding president. Announcement was made that an intensified membership drive had been started by Paul E. eth, Lynn Farnol and Maurice Berg-

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We honestly feel that this attraction hits a powerful mass-appeal that no other has all season. From the Pulitzer Prize play by Maxwell Anderson.

Strictly a smash!
ON A SILVER PLATTER—
in the merry M-G-M month of May.
"20 MULE TEAM" starring WALLACE BEERY

"EDISON, THE MAN" starring SPENCER TRACY

"WATERLOO BRIDGE" starring VIVIEN LEIGH ROBERT TAYLOR

"SUSAN AND GOD" starring JOAN CRAWFORD FREDRIC MARCH

A MONTH FULL OF STARS!
May-dates become M-G-M Play-dates!
TO RAP TRADE MARK NAMES AS PIX TITLES
(Continued from Page 1)

names for picture titles, but due to a last-minute change of tactics, announced yesterday that he would not issue his scheduled "Report on Motion Picture Productions.

Instead, Knox will take the matter up with Will Hays and will stress, it was learned last night, the general publisher resentment against what he will claim is a form of "free advertising" for trade-marked products.

Probability of lack of press publicity for such pictures is expected to be Knox's chief argument, although publishers will accept paid advertising for such pictures, it was said.

Convention, which started Tuesday, was concluded last night.

Westinghouse Quarterly Profits Up $1,685,279

Westinghouse's earnings for the March quarter rose $2,079,279 to $4,041,429, equal to $1.51 a share. Quarter earnings a year ago of $2,356,150 were equal to 88 cents on the common.

Unfilled orders on March 31, last, amounted to $28,637,841 as compared with $46,924,040 on March 31, 1930. Bookings for the March quarter totaled $65,250,169 comparing with $56,158,014 in the quarter last year and sales billed totaled $51,448,038 against $41,291,981 in first quarter of last year.

Peter Rosian Feted

Cleveland—Associates and friends of Peter Rosian, Universal field salesman recently appointed Universal branch manager in Cincinnati, tendered a testimonial luncheon at the Tavern and Rosian was presented with an oxymoronic desk set.

Morality Short to Criterion

Criterion has booked exclusive first-run of the James A. FitzPatrick's special short, "Is Modern Morality a Failure?" featuring a debate between Bertrand Russell and Doctor Stephen S. Wise.

Warnings For Massey

West Coast Bureau of THE FILM DAILY

Hollywood—Warnings are negotiating with Raymond Massey for "The Letter."

Ruggles Eyes Caesar

West Coast Bureau, THE FILM DAILY

Hollywood—A "streamlined" version of Julian Halevy's play, which technically correct research, may follow Westley Ruggles' current production effort for Columbia, "Arizona." Ruggles and his assistant, Claude Benson, have for months delved deep into all available data on Caesar, with emphasis upon his political side.

ALONG THE BLIALTO

with PHIL M. DALY

- FAMOUS Ellis Island was invaded yes’day…. by a quota of temporary immigrants…. consisting of Leo the Lionelles plus guests….. by way of nationally spotlighting the new MGM Technicolor two-reeler, "The Flag Speaks"…. which was made at the behest of the American Legion….. with solid co-op of MPPA….. The premiere was a swell sendoff for this glorious film on Old Glory…. at whose finale the audience roundly applauds…

- DEBARKING from the Coast Guard cutter at Ellis Island….. were bigwigs of immensely influential organizations already engaged in creating audiences for "The Flag Speaks"….. in every corner of the U.S…. Mr. Exhib. should note this support with extra-special care…. for such backing means extra biz…. Besides, every showman will want to grab this short and play it as long as possible…. for it's a honey…

- THEATRESMEN, attention!… Charles M. Wilson, vice-commander of the American Legion, came all the way from Indianapolis… to give impetus to the premiere and subsequent theatrical showings… Not only is he vice-commander of the Legion…. but the mainstream of the Junior org., Sons of the Legion….. so weigh that ample sentiment!… Presenti, too, were officials of the Y.M.C.A., D.A.R., Colonial Dames, United Society of Christian Endowment, International Federation of Catholic Alumnae, National Council of Christians and Jews, Boys Clubs of America, and the Army and Navy… which should also give the biz-seeking exhib. some food for thought…

- THE merry, merry month of May… should be exactly that—a-way…. for the lil’ ole Realio City Music Hall… with Ed Small’s UA-distributed “My Son, My Son!”…. going in on the first of the month…. with RKO-Radio's "Irene" on deck…. What, in baseball parlance, is in the hole…. has not been officially determined as yet….. but the Small is so big…. and the Alice Blue Gown vehicle of such definite green-back hue…. that there's no may 'bout May for Maestro Van Schmus…. The aforementioned attractions should take care of the month for him…. or awfully close to it.

- LAST night's Fifth Annual Conference… of the Metropolitan M. P. Council…. held at N.Y.U.'s Faculty Club down Washington Sq. way…. was the most successful conclusive to date…. Fanning Heuron, council's chairman, delivered the welcome…. and Miss Eleanor D. Child introduced the speakers…. among whom were Donald Eldridge, Duncan MacD. Little and Robert F. Gowen.

- JUST as we told you…. via the box in yesterday's FILM DAILY…. this same yesterday was A. Schneider's birthday…. so the much revered Columbia treasurer was feted by his associates…. at a luncheon in The Tavern…. Among the bib-tie-oners (or should we say, honorers)….. were Dr. A. H. Giannini, Jack Cohn, A. Montague, Lou Weinberg, Rube Jackter, Joe McConville, Max Weisfeld, Mortimer Wormser, Dr. M. Goldstein….. Nat Cohn, Max Seligman, Nate Spingold, Louis Barbara and Leo Jaffe.

BLAST ARNOLD FOR HIS 'DIVORCE' SUPPORT

(Continued from Page 1)

ing picture business, this time tried to quiet the producers from the film industry, likening the methods of control in the film industry to that of Adolf Hitler in Germany, saying that it is un-American, know of nothing more un-American than to destroy business like it is attempting to be done today out of California.

I say to Mr. Arnold that the film industry has built motion pictures from nothing and made the industry what it is today, bought the theaters and paid for them. He needs to set himself up as a bureaucrat, go into the State and tell the how to run their own business and to the extent of destroying it.

Cleveland Exhibs. Again

Fighting Daylight Time

Cleveland—An ordinance has been introduced in the Council asking the daylight saving time be inaugurated during the period of April 28 to Sep. 29. Similar moves was killed last year by the Council's legislative committee by a vote of 9 to 6. T. Cleveland Motion Picture Exhibitors Association fought it and will again.

Triples Plus Books

Toronto—Embassy Theater is in addition to starting off its box-office policy by giving away the introductory volume for an entire world shows triples.

Jersey Racing Off Till '41

Trenton, N. J.—Delay in selecting of a secretary and staff by the State Race Commission means there will be no racing in Jersey until 1941.

Trailer to Plug Short

Warner will put out a trailer plug, "The Cavalcade of Academ Awards," it's the first time for short.

"Gulliver" Out After 16

London (By Cable)—"Typhoo has replaced "Gulliver's Travels" in the Cortland, the latter bows on after 16 weeks.

"Baker's Wife" Gets Seal

MPAA's Production Code Administra has given a seal to "The Baker's Wife," French pix.

WEDDING BELLS

Minneapolis—Billy Evidon, Col- bia exchange head, and Helen Sokol were married.

Minneapolis—Clarence Sokol, Pa- amount booker, was wed to Lillian Rubinstein.
INTERNATIONAL SALES CONFERENCE FOR UA

(Continued from Page 1)

strengthened. It concentrated on foreign markets before the war, building up a strong organization and an excellent market, and the purpose of the 1940 international convention is strengthen and consolidate its position in the foreign field as a distributor of A1 product.

Company's sales representatives from as far away as India and Australia will attend the convention. All European countries, with the exception of Germany and German-controlled countries, will be represented.

Pre-Selling Organization

Silverstone also set up a pre-selling center in Los Angeles, backed by prominent exploitation and publicity men who will be assigned to important city exchange offices in the United States and Canada. This pre-selling organization will begin to operate on June 1. Penn and Monaco Greenhalgh are now selecting the men who will handle the organization.

Silverstone leaves New York for Coast today, returning within a few days, and while there will appoint a person to have charge of the new office in Los Angeles of the pre-selling promotion campaign. The publicity will start with the early purchase and be continued through every phase of production until distribution.

Two Regional Sales Meets

Two regional sales meetings will be held by UA, it was stated, the one in New York, May 12, 13 and 14, with Harry Gold, sales manager, the Eastern division, presiding, and the second in Chicago on May 15 and 16, with Jack Schlafly, sales manager of the Western division, presiding. Home office executives who attend both conclaves, it was reported last night, are: David O. Selznick (Continued from Page 1), who was a guest at the meeting of the board of directors and made valuable suggestions, and Harry Gold, sales manager.

Approval of Schenck's contract was certain, Zanuck's contract was renewed by the board of directors, lining up the recent stockholders meeting.

Detroit Managers Local

Granted AF of L Charter

(Continued from Page 1)

of conflicting jurisdiction over these employees. The present local will include only managers and assistants in Detroit and suburbs.

“Irene” Opens in Gala Twin

World Premiere in Northwest

Seattle, Wash.—“Irene” gave the Fifth Avenue Theater here its biggest opening day with one exception in 10 years. Wednesday morning. In its gala Northwest twin premiere with the Paramount, Portland, where its run started yesterday. The Seattle gross was several hundred dollars above that of “Gunga Din.”

Selznick Agents Noviska

Myron Selznick is agenting Toni Noviska, Polish ballerina who arrived yesterday on the Conte di Savoia, and is under contract with several majors. First pic job as “Potsdam.”

UMPTO Charges Product

Designated “Unfairly”

(Continued from Page 1)

been designating product “unfairly.” Exhibitor bodies throughout the country will be contacted for the purpose of solidifying the objections. It is claimed that complaints have been disregarded.

A discussion of the acquisition of National Kline Poster Co., independent poster outfit, by Advertising Accessories, Inc., led to censure of the move by the board.

Spaeth Sues Warners, Asks

$500,000 “Ridicule” Balm

(Continued from Page 1)

by Dick Powell, who played the part of a professor. Warner Bros. has filed application to transfer the suit to the Federal Court because of diversity of citizenship.

REGIONAL CONVENTION

PLANNED BY REPUBLIC

(Continued from Page 1)

current success of “Dark Command,” are that the 1940-41 Republic lineup will include several extra-budget productions. Evidence of such a move is strengthened by the fact that Republic’s policy calls for expansion along bigger picture lines.

“Dark Command” is now scheduled to open its New York engagement at the Roxy on May 10.

D of J Adds Wm. Goldman to Equity Suit Witnesses

(Continued from Page 1)

been inadvertently omitted when the original answers were filed. Goldman is supposed to witness to an incident occurring in 1935 when, according to the D of J, United Artists refused to license first-run product to him. At that time, Goldman had been negotiating for a lease on the Keith Theater, but dropped the idea when he was refused a first-run play dates, the Government said.

Warner Bros. subsequently leased the theater.
CRIME MELLER EXPOSE PAROLE SYSTEM ACTIONFUL WELL PACED

Taking a slap at the parole system, with the story based on part of the material from J. Edgar Hoover's book "Persons In Hiding," this release has plenty of action and is well paced. Majority of material in the film is factual to a large degree. Although the marque name value in the cast is not large, exhibs, should be able to exploit the picture effectively. Lyle Talbot, William Henry, Jack Carson and Harvey Stephens ably portray FBI agents. Robert Paige and Anthony Quinn portray the crooks effectively. Richard Denning, Fay Helm, Virginia Dale and Gerritke Michiel help out in good supporting characterizations. Robert Florey directed from a screenplay by William R. Liptman. Florey gives the picture pace over the punch scenes effectively. Henry Talbot and Robert Paige are assigned to track down Quinn who has killed an FBI man in addition to being wanted for other criminal activities. Quinn and Paige have both been freed on parole through the efforts of a crooked lawyer, Paul McGrath. A kidnapping is engineered by McGrath with the help of his paroled jail birds. A little high class detective work by the FBI forces pieces out the mystery of the crime, and reveals to them who the gang members are. Clever work leads them to the gang's hideaway, where they rescue the kidnapped girl and her sweetheart and also get enough evidence on the gang and McGrath to send them all to jail.


CREDITS: Produced by Paramount; Director, Robert Florey; Screenplay, William R. Liptman; Based on a book by J. Edgar Hoover; Cameograms, Henry Fishbeck; Editor, Harvey Johnston.

DIRECTIONS. Good. PHOTOGRAPHY. Good.

"Parole Fixer"

with Lyle Talbot, Robert Paige, William Henry, Virginia Dale

Paramount. 68 Mins.

"Enemy Agent"

with Richard Cromwell, Helen Vinson, Robert Armstrong

Universal. 61 Mins.

SPY Mller WILL SERVE NICELY AS PROGRAM OFFERING IN NAB HOMES.

An agreeable cast and sufficient action to keep the story moving make this offering O.K. as nabe fare. The plot gets somewhat tangled up in itself and obscure at times, but audiences will overlook this when the FBI men finally round up the spy. There is nothing new or novel about the situations in the picture, but they are held together. Exhibitors don't have much in the way of wide conditions currently highlighting war and spies the picture should lend itself to a good selling proposition. Cromwell is O.K. as the innocent victim of the spy plot. Helen Vinson attractively portrays a wily female FBI agent. Robert Armstrong fills the bill as a male FBI agent. Marjorie Reynolds lends a decorative touch to the picture, and Philip Dorn portrays the spy leader, with able assistance from Jack La Rue and Bradley Page as his strong arm men, and Jack Arnold as a tool of the ring. Lew Landers directed from a script by Edmand L. Hartman and Sam Robins. Cromwell is made the goat when Arnold leaves a watch camera in his locker just big enough for FBI men inspect the plane factory where they work as draftsmen. Cromwell finds evidence in Arnold's apartment, but Miss Vinson removes it from his car while he is in jail for illegal entry. However, everything works out satisfactorily when Miss Vinson and Cromwell is vindicated.


CREDITS: Associate Producer, Ben Pivar; Director, Lew Landers; Screenplay, E. L. Hartman and Sam Robins; Art Director, Sam Robins; Cameraman, Jerome Ash.

DIRECTIONS. O.K. PHOTOGRAPHY. Good.

"Rhythm of the Rio Grande"

with Tex Ritter, Susan Dale, Warner Richmond

Monogram-Finster. 54 Mins.

(HOLLYWOOD REVIEW)

HARD-RIDING, ACTION-FILLED WESTERN SHOULD CLICK WITH HITTER AUDIENCE.

There is a hard-riding, action-filled Western that should have no trouble pleasing the Tex Ritter fans. Edward Finney, to whom goes credit as producer, assembled a good cast. Frank Mitchell offers good support to Ritter in a comedy role, while Martin Garralaga appears as a colorful Mexican bandit who robs the stage. Susan Dale is an attractive leading lady, with Warner Richmond, Tristram Coffin, Forrest Taylor and Glenn Strange among those capable of turning in an effective job of directing. Marcel A. LePicard's camera work is first class. Ritter sings three songs, rendered by Frank Harford and one by Johnny Lange and Lew Porter. Robert Emmett supplied a gripping screenplay. To aid his efforts in paying up all the land in a border valley, rich in gold, at his own figure, Coffin robs and pillages the settlers. He places all the blame on Garralaga and his men. However, Garralaga comes to the valley and unmasking, and reveals evidence against Coffin. He joins forces with Garralaga and soon runs Coffin and his henchmen to earth.


CREDITS: Producer, Edward Finney; Supervisor, Robert Tansey; Director, Al Herman; Screenplay, Robert Emmett; Cameraman, Marcel A. LePicard; Musical score, direction by Frank Sanucci; Songs by Frank Harford and Johnny Lane and Lew Porter.

DIRECTIONS. Good. PHOTOGRAPHY. Good.

"Captain Moonlight"

with John Garrick, Winifred Shottet, Les Perrins

Atlas Film Exchange. 60 Mins.

WEEK STORY AND TECHNICAL FAULTS MAKE IMPORT SPOTTY PROGRAM OFFERING.

The choice of this English import is the personable and able John Garrick as the lead role. The camera work is poor and the sound is jumpsy. In addition, the exclusion of Garrick and Leslie Perrins, in a first-class villain, the members of cast are not any great assets to the picture. The story is weak in plot and construction, with the decided English cent of the actors no help to the somewhat stilted dialogue. Garrick is supported by Winifred Shottet, Perrins, Charles Carle and John Stuart. Garrick returns to England after Napoleon's defeat, meets Winifred, he discovers she is to be married. He later learns she is marry Perrins, whom he knows is already married. Perrins cleans out Winifred's father in a gambling game by cheating, with Winifred paying the price to hold the family home. Everything is worked out partly with the villain, partly with Garrick.

CAST: John Garrick, Winifred Shottet, Stanley Holloway, John Stuart, Leslie Perrins, Mary Lewis, Charles Carle.

CREDITS: Producer, Julius Hagen; Director, Henry Edwards; Screenplay, H. F. Mayer; DIRECTION, Fair; PHOTOGRAPHY, Poor.

SHORTS

"The Flag Speaks"

(M-G-M Special)

20 Mins.

Super Two-Reeler.

Some time ago the American Legion embarked upon a most praiseworthy campaign to instill in American youth a greater awareness of respect for the nation's flag. The organization, recognizing the immense assistance filmland could render such an undertaking, enlisted the support of the Motion Picture Producers Association. The result was this magnificent two-reeler, a spotless example of efficient Technicolor, picturing with action, and inspiring a degree rarely attained in motion picture annals. Because of its appeal and all-around excellence is bound to be received warmly in the affections and theaters of showmen, for it is a subject which richly deserves not only booking, but protracted booking, in every theater. It recounts with a vivid, unattainable by any other medium the birth, evolution,—yes, and vicissitudes of the Stars and Stripes from the days when it was fashioned to fly as the emblem of the 13 original Colonies down to the present.

Directed by D. Millard Miller, and narrated brilliantly by John Nesbit, screen and radio star of the Famous Players-Lasky organization, the story opens with the first act of Robert Lee and Frederic Rinaldo. Heading the cast of some 40 are Robert Warwick, Sara Haden, Claude King and Christian Rub.

"Ascap's Annual Meeting

A "Harmonious" Affair

Annual meeting of Ascap at the Ritz-Carlton Wednesday night.

"Harmony will have been the most "harmonious" in the organization's history. No resolutions were offered, and reports on the annual events. Stress was laid by officials on the organization's strong position and the general excellence of its welfare.

Some 500 members were present and heard the annual reports by George Buck, president; John G. Paine, general manager; E. C. Mills, chairman of the administrative committee, and an address by Los Angeles' general counsel. Future activities were not brought up. During the past two weeks 20 new members were taken in, it was announced.

Steiffes at Lake Home

Minneapolis — Al Steiffes, Northwest Allied previewer, suffered a heart attack while attending national Allied's board meeting in Washington, and was recuperating at his lake home until Fall.

DODDS LEAVING REPUBLIC

West Coast Bureau of THE FILM DAILY

Hollywood—Harold Dodds, casting director at Republic Studios, will be effective May 1. No successor named as yet.

GWTW BACK IN TORONTO

Toronto—GWTW, back here for a residence pace, is being shown simultaneously at the Bloor and the St. Clair.

Lukas as "Escape's" General

West Coast Bureau of THE FILM DAILY

Hollywood—Paul Lukas is Metro's choice for the general in "Escape."

WEST COAST BUREAU OF THE FILM DAILY

Hollywood—Phonovision will not produce at the Brooklyn Vitaphone studios and it is expected the company will do practically all its producing in Hollywood. Neither Phonovision, Roosevelt, Productions, or Leiter and Paulkinberg, plan to use screen talent in their automatic shorts, the first two expecting to use bands, dancers, singers and variety artists. Larosie & Palkenberg do not plan to use any bands, but will use a lot of specialty acts.
"Film Daily Year Book is referred to many times by the writer during the year and I have every copy from years gone back.

"It is as important on my desk for ready, valuable, concise information, as the coming morning’s mail.

"Year by Year in every way the Film Daily Year Book gets better and better."

The 1940 FILM YEAR BOOK is now being distributed to all SUBSCRIBERS of FILM DAILY
"FILM" LENS COATING HOLDS GREAT PROMISE

By W. H. McGahon

FILM DAILY Staff Correspondent

Atlantic City—A new technique which promises to revolutionize the uses and applications of optical glass in motion picture cameras and projectors, microscopes, binoculars, and in lenses of other types of equipment by reducing the light losses caused by reflection, was described to the SMPE convention here yesterday.

The new development, which consists of coating lenses with a transparent film of the order of a millionth of an inch thick, was explained by W. C. Miller, of Paramount studio, and is a development of DeVry staff that undeniably is being received the award in October, is being honored for his advanced work in new methods of measuring wave lengths of light, particularly with respect to color photography.

Eastman's MacAdam To Get Lomb Medal

Rochester—Dr. David L. MacAdam, 29, Eastman Kodak Co. physicist, is the first recipient of the Adolph Lomb Medal for noteworthy contribution to the science of optics awarded in national competition by the Optical Society of America. Dr. MacAdam, who will receive the award in October, is being honored for his advanced work in new methods of measuring wave lengths of light, particularly with respect to color photography.

C. Ross

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A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Conventional trucks, searchlights and floodlights, for premieres and general lighting activities.

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CERTAIN-TEED SALES SHOW SHARP ADVANCE

Sales of Certain-teed Products Corp., makers of building materials widely used in the construction of film theaters, including asphalt roofing and gypsum products, are reported up sharply in the first quarter of this year, all divisions showing improvement over a year ago, when sales amounted to $3,066,896.

Increased demand is cited as one factor in the advance of current revenue. Another is the somewhat firmer price structure in most of the company's lines. April, May and June operations are seen contributing to the 1940 sales volume, for these months comprise one of the most active periods for building supply manufacturers generally.

York Ice Machinery Corp.
Factory Force Up 600 Men

York, Pa.—Stewart E. Lauer, president of York Ice Machinery Corp., announces that 600 men have been added to the factory force. Lauer said that an impressive portion of the added employment is result of recent successes scored by the sales organization, and that corporation's sales for the six months' period ended March 31, exceeded the same period last year by 17.1 per cent.

Detroit Company Will Market New Projector

Detroit—Anderson, Miller, Rube, Inc., have developed a new type theatrical projector, now ready for the market, according to R. J. Miller. Manufacturing will be handled by the Wenzel Co. of Chicago. Ralph Ruben, of Amusement Supply Co., is Michigan distributor, as well as a partner in the parent company, and has models now on display, Charles A. Anderson is the other partner.

THEATER

Some Suggestions

By JOHN

THEATER audiences, and the number of people in a family that have an interest in the motion picture are, according to statistical evidence growing. One of the factors in this trend is that theater-going is being made easier for the city dwellers and the extra transportation facilities are causing more people to be interested in the movies. The theater is providing better entertainment than ever before, and the increased demand is being met by a larger and better equipped staff of operators who are constantly trying to make their theaters more attractive to the public.

In small communities, theaters are strategically located where the roads meet and a city center, making it simpler for the city citizen and farmer to gain access to the screen entertainment. The theater is an important part of the cultural life of the small community. The number of people who attend the movies is increasing every year, and the theater is becoming more and more important in the life of the small town.

The small community theater is a vital part of the life of the community. It provides entertainment for the people, and it is an important part of the cultural life of the community. The theater is a place where people can come together and enjoy each other's company, and it is an important part of the social life of the community.

For the automobile, more and more people are turning to the rural areas for their entertainment. The rural areas provide more open space, and the theater is a place where people can come together and enjoy each other's company.

The small community theater is an important part of the life of the community. It provides entertainment for the people, and it is an important part of the cultural life of the community. The theater is a place where people can come together and enjoy each other's company, and it is an important part of the social life of the community.
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DEAR NED: THE WORLD PREMIER OF "IRENE" AND THE PERSONAL APPEARANCES TODAY AT THE FIFTH AVENUE THEATRE OF ANNA NEAGLE AND HER PRODUCER DIRECTOR HERBERT WILCOX WERE A HUGE SUCCESS. IT IS THE BIGGEST OPENING DAY WE HAVE HAD IN SEVERAL YEARS WITH THE EXCEPTION OF "GONE WITH THE WIND". THE AUDIENCE REACTION IS TERRIFIC AND IT IS DEFINITELY IN THE AIR AND ACCEPTED AS A GREAT PICTURE. I AM CONFIDENT IT IS IN FOR A FINE RUN. ANNA NEAGLE IS ONE OF THE MOST CHARMING PERSONALITIES I HAVE EVER MET AND THE SAME GOES FOR HER PRODUCER DIRECTOR HERBERT WILCOX. "IRENE" IS JUST WHAT THE PUBLIC WANTS TODAY BECAUSE IT IS SMASH ENTERTAINMENT EVERY SECOND. MORE POWER TO RKO FOR GIVING THE EXHIBITOR A PICTURE THE PUBLIC REALLY WANTS. VERY SINCERELY,

JOHN HAMRICK.
Intimate in Character
International in Scope
Independent in Thought

THE FILM DAILY

OL. 77. NO. 84
NEW YORK, MONDAY, APRIL 29, 1940
TEN CENTS

J. S. DISTRIBS. ACCEPT BRITISH MONETARY QUOTA

WARNERS PICKS WASHINGTON FOR JUNE SALES CONVENTION

MAJORS WORRIED OVER PROGRESS OF SPONSORED FILMS

Would Acquaint Congressmen With Industry's Exec. and Biz Machinery

With the Government set to move in the industry's hub in force here in June via the New York equity suit, Warners propose to even matters by invading Washington to stage an international sales convention at the Shoreham Hotel on June 10-12 with 500 in attendance. Announcement, made at the weekend by Grad Sears, company's sales chief, who will preside, bore out THE WEEK IN REVIEW (Continued on Page 6)

PITTSBURGH MOVEOVER SITUATION PROTESTED

Pittsburgh - AMPTO of Western Pennsylvania, Allied's strong affiliate in this territory, is on the warpath against the first-run moveover situation existent here for several years. As a result, a meeting of the unit, attended by its counsel, Nathan (Continued on Page 7)

Dallas and Houston Exhibs. Suing Interstate Circuit

Dallas - Anti-trust suit was filed in Federal Court here Friday against Interstate Circuit and Kari Hobbit (Continued on Page 6)

Advertising Pix Must be Curbed,
MPPDA Board Decides at Meeting

FitzPatrick to Make Seven Shorts Based Upon Hymns

With the support of 500 ministers, priests and rabbis and churches of all denominations, James A. FitzPatrick will produce a series of seven short subjects based on well known hymns (Continued on Page 8)

Holman Named Prexy of Para. Music Cos.

Russell Holman was named president of Famous Music Co. and Paramount Music Corp. succeeding the late Lou Diamond, at a meeting of the directors of both companies on Friday. Holman will continue as head of Paramount Pictures' Eastern production activities. Other officers elected were R. F. Murray, vice-president and treasurer; Norval Smith, secretary, and Sidney Kornheiser, general manager.

PARA.'S 1939 NET IS UP $1,019,268

Paramount's investments in foreign countries other than Canada aggregate $7,100,000, of which $7,000,000 is invested in England, the company's annual report reveals. Consolidated balance sheet shows that cash and marketable securities in Great Britain total $492,379 and $1,019,268 (Continued on Page 7)

Third Gov't Witness Says Allied Supplied His Name

Anthony Bannon, former Newark exhibitor, on Friday was the third straight Government witness questioned by defense attorneys in pre-trial examinations in the D of J equity suit to concede that his name (Continued on Page 6)

Calls for One British Feature for Every 100,000 Feet Imported

London (By Cable) - Sir Andrew Duncan, president of the Board of Trade, has been notified by the American distributors that they have accepted the monetary quota proposals, it was learned at the week-end. The statutory quota stands at 22% per cent. Acceptance of the monetary quota by the U. S. majors was optional, but the entire group accepted as a body. Early parliamentary presentation and action is expected. The provisions of the monetary (Continued on Page 8)

CLEARANCE REFORMS PROGRESS IN CANADA

Toronto - "Substantial progress" in the direction of clearance reforms in Canada has been achieved by the meeting here of a provisional committee consisting of N. A. Taylor, vice-president Independent Theaters Association of Ontario, Marsh McCall (Continued on Page 11)

$312,452 Net for K-A-O; $209,455 for B. F. Keith

Keith-Albee-Orpheum Corp. and subsidiary companies showed a net profit of $312,452.15, after all charges, for the 13 weeks ended March 30, 1940, while B. W. Keith (Continued on Page 8)

WB, LAB DEPT. DISCUSS PHILLY MUSICIANS DISPUTE

Meeting was held at the week-end between Frank Phelps, Warner Theaters labor adviser, and Thomas J. Williams, of the U. S. Labor Department of Labor, to discuss the musician situation in Philadelphia. However, it was reported that although the discussion was general, no conclusions were reached.
THE BROADWAY PARADE

Picture and Distributor
The Little Fox (MGM, Film Service-Lorente) — 8th week
Rebecca (United Artists-Selznick) — 5th week
To Tell Me Again (Warner Pictures) — 8th week
Strange Cargo (Metro-Goldwyn-Mayer) — 8th week
Buck Benny Rides Again (Paramount Pictures) — 5th week
One Billion B.C. (United Artists-Roach) — 8th week
French Without Tears (Paramount Pictures) — 8th week
Roxy
RKO
Saints at Sea (United Artists-Roach) — 5th week
Two Girls on Broadway (Metro-Goldwyn-Mayer) — 8th week
The Man with the Million Lives (Paramount Pictures) — 5th week
Pioneers of the West (Republic Pictures) (a) — 8th week
Central
Mice With String (Paramount Pictures) (b) — 8th week
Virginia City (Warner Bros. Pictures) (a-b) — 8th week
Go, Make Eyes at Me (Universal Pictures) (a-b) — 8th week

TWO-DAY RUNS

The Baker's Wife (The Baker's Wife Co.) — 5th week
Harvest (French Cinema Center) — 5th week (b)
The Life of Quarry Vardo (Eskimo Pictures) — 4th week
Mayor's Dilemma (Film Alliance) — 2nd week
Piccoli Avventurieri (Eskimo Pictures) — 4th week
Hot Little Hushness (Scandinavian Talking Pictures) — 48th Theater

FOURTH OPENINGS

My Son, My Son (United Artists-Small) — May 2
Women Without Names (Paramount Pictures) — May 2
Saturday's Child (Paramount Bros. P. 1501) — May 2
Stardust (Twentieth-Century-Fox) — May 2
The Song of the Sun (Repertory Film) — 5th week
Suicide Legion (Film Alliance) — May 4
If I Had My Way (Paramount Pictures) (c)
Twenty-Mule Team (Metro-Goldwyn-Mayer) (c) — 5th week
Primrose Path (RKO Radio) (a-b) — 8th week
Charlie Chan's Murder Cruise (20th-Century-Fox) — May 2 (c) — 5th week
La Steela del Mare (Eskimo Pictures) — May 2 — Cinelinks

(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

Fox Theaters Operating
Plan Gets Court's Okay

Confirmation of an accounting and inventory filed by Milton C. Weisman and Kenneth P. Steinreich, trustees of Fox Theaters Corp., was directed on Friday by New York Supreme Court Justice Aaron L. Levy. The Court also awarded allowances of $2,550 above to the trustees and $3,000 to their attorneys, Hiram A. Figel and Bruno R. Worth, for services rendered up to Jan. 1, 1940.

A plan of operation and an estimated budget for the 1940-41 season, which predicted total cash holdings of $112,500 was also approved in the order.

The accounting showed cash receipts for the year of 1939 of $71, 216 and a total cash holding of $168, 278. Out of this sum, the trustees petition said, a reserve of $80,000 has been set aside for possible payment to the Fox on a claim of $70,000,000.

Para's Sales Convention
On Coast Runs Three Days

Paramount's district and branch managers, One Hundred Per Cent Club salesmen, home office and studio executives will attend the company's annual sales convention in Los Angeles, May 24-26, Neil Arnez announced over the week-end. Headquarters will be at the Ambassador Hotel.
Convention city and date will be exclusively Toronto in THE FILM DAILY Friday.

Col. Board Routines It
Columbia's board transacted routine biz at Friday's session.

Maxwell Signs, Deutsch Telling GWTW 70% Deal

London (By Cable) — With GWTW booked by Sam Eskin, Metro's British managing director, into John Maxwell's Associated British circuit and negotiations well along with Oscar Deutsch's Odeon circuit, the CEA's rental fight at the week-end virtually was resolving itself into a tempest-in-a-teapot affair.

With Maxwell and Deutsch in the Metro fold and accepting the 70 per cent terms asked for GWTW, only Baumont Briton of the big three circuits and the Indies are left to carry on the agitation for lower rentals. In the past, the CEA will be able to have a Dailies in a Paramount pamphlet in furtherance of its propaganda campaign this week.

Maxwell has approximately 500 houses, Deutsch more than 200.

"Lillian Russell" to Have
Dual Pittsburgh Opening

Arrangements for the Pittsburgh premiere of "Lillian Russell" are now being finalized by 20th-Fox, with plans to have a dual opening there the night of May 15 at the Alvin and Senator. A two day celebration has been arranged by Allee Faye and Edward Arnold will attend the openings. Rodney Bush and Christy Willcox returned Friday for the Pittsburgh engagement. Seats will be upper to $1.10 for premiere.

Martin, Jones to Co-star
West Coast Bureau of THE FILM DAILY

Hollywood — Para. will co-star Mary Martin and Allan Jones in "Course of Luxembourg," full Franz Lehár score will be used.

FINANCIAL

QHQTES, FRIDAY, APRIL 26)

NEW YORK STOCK MARKET

Net
High Low Close

Am. Seat... 319 319 319 319
Col. Pics. vtc. 12% 6% 6% 6%
Columbia... 319 319 319 319
Conc. Ind. 15-16 15-16 15-16 15-16
Conc. Fct. Ind. 91 91 91 91
East. Kodak 155% 155% 155% 155%
dd. pfd...
Gen. Th. Eq. 111% 111% 111% 111%
Loom. Inc. 314% 314% 314% 314%
San. Ind. 79% 79% 79% 79%
East. Kodak 155% 155% 155% 155%
dd. pfd...
Paramount 71% 71% 71% 71%
Paramount 1st pfd. 91% 91% 91% 91%
Path. Ind. 18% 18% 18% 18%
RKO 20th-Century-Fox 8% 8% 8% 8%
20th-Century-Fox pfd. 103 103 103 103
Warner Bros. 31% 31% 31% 31%
do...
NEW YORK BOND MARKET

Keith S. F. obs. 614% 103% 103% 103%
Par. in 103% 103% 103% 103%
Par. Bway 31% 31% 31% 31%
Par. Pics. 31% 31% 31% 31%
RKO 41% 41% 41% 41%
Warner Bros. obs. 41%
NEW YORK CURR MARKET

Monogram Picts...
Sunshine Corp...
Technicolor...
Tram-Lux...
Universal Corp. vtc. 5% 5% 5% 5%
Universal...
N.Y. OVER-THE-COUNTER SECURITIES

Bid Asked
Path. Films 7 pfd...
Fox Thea. Office Bidg. 15 46
Loew's, Thea. Bidg. 15 64
Met. Playhouse, Inc. 2nd deb. 45 69 72
RKO Thea. Bidg. 41 67 68

Lusye Rainier to Col?...
West Coast Bureau of THE FILM DAILY

Hollywood — Col. is talking a deal with Louise Rainier.

2,853 "Wind" Dates

"GWTTW" bookings to date total 2,853 with 2,691 eldies, M-G-M reported Monday, April 29, 1940
N.Y. COULDN'T PASS PARAMOUNT'S "BUCK"!

... Biggest crowds in Broadway history storm N. Y. Paramount... as Paramount's "BUCK BENNY RIDES AGAIN" rockets to opening day house record!

The only thing that's in the red is Fred Allen's face, now that he's read these raves about me.

"Buck Benny rides to success... a laugh from beginning to end!"
—Kale Cameron, News

"A small riot, both on the screen and outside the theatre!"
—Eileen Creekman, Sun

"I guarantee you'll laugh yourself silly!"
—Wm. Basham, World-Telegram

"Am I lucky... playing in 'Buck's' big riot at the New York Paramount and in that other Paramount smash release, 'French Without Tears', that opened Saturday up the street at Broadway's Rivoli."
—Aline Drew

Los Angeles opening day business on "Buck" tops "Road to Singapore"... and that's tops!

When bigger CROWDS are built...

"BUCK" will build them...

NOTICE!

... the big wind is on the way!
Business Will when they

Bing CROSBY

IF I HAD MY

with

Charles WINNINGER
EI BRENDEL

Allyn Joslyn · Claire Dodd · Nana Bryant
and these famous favorites of all time —
Eddie Leonard · Trixie Friganza · Grace LaRue
Julian Eltinge · Blanche Ring

Produced and Directed by DAVID BUTLER

A NEW UNIVERSAL PICTURE!
something was done to curb the inroads being made by sponsored picture producers, the industry would suffer considerably. Their attention was called to a page advertisement in the April issue of Fortune in which the advertising agency, J. Walter Thompson Co., asserts that it has pioneered in this new medium of advertising.

The Fortune ad declared that "during the last 16 months we have produced 15 pictures..." We have produced approximately 5,000,000 theatrical circulation herefores unavallable for commercial pictures..." have developed theater classifications now standard for the medium..." have produced the first fan mail in the history of commercial movies." It further asserts that 70 per cent of all movie theaters accept commercial movies.

In regard to the Italian situation, it was reportedly decided that all the majors must stay in line in order to prevent other countries from adopting similar monopolistic measures in the distribution of pictures. Tow to Italy's demands would set a dangerous precedent, it was said.

Berman on "Ziegfeld Girl"

As First Metro Production

Hollywood — Pandro S. Berman’s first production for Metro will be "Ziegfeld Girl," with a cast including Eleanora Powell, Hedy Lamarr, James Stewart, George Murphy, Lana Turner, Walter Pidgeon and Frank Morgan. Pix starts shooting June 15.

V. C. Dancing for Charity

Detroit—Detroit Variety Club will hold a charity benefit dance May 17 at the Naval Armory.

New Philco Financing

Will Cover Television

Philadelphia — Stockholders in Philco Corp. have voted to amend the articles of incorporation to allow the corporation to use the word for the public sale of securities, it was announced at the week-end. Heretofore Philco has been a privately-owned company. Increased activity in television and high frequency broadcasting are expected for the future.

As a result of stockholders’ action par value of the outstanding common stock will be changed from $100 to $1. Each share of present common stock will be exchanged for 33 1/3 shares of new common stock. When effect has been given to the exchange, Philco will have outstanding 1,221,100 shares of common stock and 28,958 shares of $100 par value 2% preference stock, but no bonds, mortgages or funded indebtedness of any kind, it was stated.

In discussing the financial program, James T. Buckley, president, said:

"The present prospects for new developments such as high frequency broadcasting and television appear to hold unusual promise for Philco.

"The present management of the company will continue in office."

WASINGBON SET FOR WB SALES MEETING

FILM DAILY’s exclusive forecast April 2 that Warners was pilot plan for an all new exclusive sales convention industry history. Sears said Warners’ decision was as result of War desire “acquaint that nation’s representatives in the executive and business machinery of the industry as regarded at this annual meeting will:

Congress to Be in Last Days Convention will open as Congress is in its last days, with pressure both the Neely blind-bookings theater diversion measures either already acted upon or awaiting action.


Foreign Execs, Coming to the U.S., charge of foreign sales, attention of the convention will be a representa- tion of the company’s opera- tions abroad. Those attending will be: Karl MacDonald, South America district manager; Peter Coll, supvr. Public relations in Latin America; Harry Novak, supvr. for the gentile, Chile and Uruguay; Bob Schles, managing director for Europe; A. Saltillo, Continental European manager; H. S. Dunn, Far East supvr.; and Ralph Clark, supvr. for Australia and New Zealand.

All district and branch men as well as zone managers of War theaters will attend, as will the loving h.o. theater execs.: Clay Bond, Ed Hinchey, Leonard Schlesinger, Harry Goldberg, Frank Pie, Nat Pellman, Abel Vigard, W. Sturtz and McDonald. Harry Roseng Louis Kaufman, Herman Maier. From New York, the gen. sales manager, F. Arnold, will be in attendance.

Critic Lewis Recuperates

Pittsburgh—William J. Lewis, many years drama and motion picture editor for the Sun-Telegram, is recuperating from a very seriu attack of pneumonia.

Schners Hold Out

Albany—Schners Circuit clung to its annual Spring outing Saturday ni at the Meadowbrook Club, Saratoga Springs.
ARA’S 1939NETIS UP $1,019,268

(Continued from Page 1)

$8,115 in other foreign countries, principandy in South America. Combined consolidated earnings at share of undistributed earnings per share of companies for the year ended Dec. 30, 1939, amounted to $3,874,944, which would be equal to $1.08 per share on the common stock outstanding. Earnings show an increase of $1,019,268 over 1938. The report shows that Paramount’s total income for the year was $90,950,388, of which theater receipts, rentals, sales of film accessories and rentals on physical property_ accounted for $56,182,988.76, dividends from affiliated companies amounted to $2,405,999.22 and other income came to $1,022,968.40. Among the listed expenses were theater operating and general expenses totaling $45,472,768.96. Film production cost totalled $15,812,209.68 and amortization of film, $29,686,201.80.

Niesse Leaving Olson

Indianapolis—Carl Niesse, general manager of the Olson Theater Enterprises, resigns, effective May 1, devote his time to his own theater, the Vogue. Charles Olson will assume management of the five Olson theaters.

20th-Fox Buys “Chad Hanna,” “Lucky Baldwin” for 1940-41

West Coast Bureau of THE FILM DAILY

Hollywood — Darryl F. Zanuck, head of his new “Italian” division at 20th-Fox, has announced that the company has bought the screen rights to Sol Lesser’s “Our Town,” adapted from Thornton Wilder’s stage success, in Boston on Thursday, May 23, at Loew’s State Theater and the Orpheum Theater. Frank Craven, who played the director in the stage version, has his original role in the picture.

Mrs. Adorno Wins Battle To Operate Open-air House

Middletown, Conn.—As a result of a mandamus action brought in the Superior Court here by Mrs. Salvatore Adorno against the superintendent of public works, Mrs. Adorno will be permitted to operate the open-air theater completed here last year as a 300-seat venture.

Although a building permit was issued by the superintendent, the building was later declared “a flagrant violation of the building code,” and has never been operated. The Adorno interests now threaten to bring a damage suit against the city and officials for “conspiracy to prevent Mrs. Adorno from competing in the Middletown movie industry.”

New Monicker for “Brat”

West Coast Bureau of THE FILM DAILY

Hollywood — “The Brat,” Jane Withers starrer, will get a new handle from 20th-Fox.

PITTSBURGH MOVEOVER SITUATION PROTESTED

(Continued from Page 1)

M. Katz, formal protests will be lodged with all local exchanges, and copies forwarded to home offices and to Sen. Matthew M. Neely, the industry’s Congressional gadfly.

“Virginia City” recently played at Loew’s Penn Theater here the first week of the engagement, moved to the Warner Theater for the second week and then to the Ritz Theater for the third week as a continuous run. Immediately following, in the same manner was the picture “Rebecs.”

Heretofore, holdovers from either Loew’s Penn or the Stanley Theater were played at the Warner Theater only, and it is the contention of the AMPTO that by moving pictures from the Stanley or Penn to the Warner, and then the Ritz Theater, constitutes a third-run, and many complaints have been received from subsequent-run exhibitors over this arrangement.

The double billing of “A” percentage pictures was also discussed, the independent subsequent-run exhibitors claiming it was impossible for them to double bill the same subjects at the rentals or percentage terms for which they have them under contract.
SUMMER CONVENTIONS
FOR 5 MPTOA GROUPS

Five MPTOA units are scheduled to hold conventions this summer. The North and South Carolina groups meet in Myrtle Beach June 9-10. Southeastern Theater Owners are slated to open their session in Jacksonville on June 19, while the MPTO of Virginia has tentative plans to hold a convention at Old Point Comfort on June 24. This unit may move its convention date back so as not to conflict with the Virginia meeting.

The Tri-State unit, consisting of exhibitors in Mississippi, Arkansas and Tennessee, is planning a conclave in Memphis late in June or early July. Arkansas exhibitors expect to hold a separate convention following Tri-State's.

FitzPatrick to Make Seven Shorts Based Upon Hymns

(Continued from Page 1)

hymns. While distribution has not been set, it is understood that M-G-M will release the series to theaters, revenue from which will go to charities, including the Motion Picture Relief Fund.

Prominent stars, such as Deanna Durbin and Jeanette MacDonald, are to appear in the shorts which will dramatize such church favorites as "Abide With Me," "Ellie Ell," "Rock of Ages" and others. Production will start upon the return of FitzPatrick from Hawaii in early June.

FitzPatrick returned to the Coast Friday after closing the deal in New York. He explained that the pictures would be used in connection with the spiritual revival drive of the nation's churches.

Wurtzel Sending 20th-Fox Unit to Mexico for "Karpa"

West Coast Bureau of THE FILM DAILY

Hollywood—Sol Wurtzel has set three for Summer production at 20th-Fox. Norman Foster will take a unit to Mexico to make "Karpa" with a mixed cast; it's a native carry story. Others are "Breach of Discipline," from a Swiss play, and "Heil, Jenny," James Ederle's story just purchased.

"Lillian Russell" Radio Plug to Have Alice Faye

Twentieth-Fox has closed for a "Lillian Russell" radio plug via the Kate Smith Hour, Coast to Coast, on May 17, day the pix goes into the Roxy here. Alice Faye will top the list of players to appear on the radio program.

Term for Martha Scott

West Coast Bureau of THE FILM DAILY

Hollywood — Frank Lloyd-Jack Skirball have signed Martha Scott to a three-year pact.

ALONG THE REALTO
WITH PHIL M. DALY

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U. S. DISTS. ACCEPT BRIT. MONETARY QUOT

(Continued from Page 1)

quota will apply only to feature pictures, with short subjects quota to be fulfilled under present Act. Monetary arrangement is effective as of April 1, is to be an addition to the present $24.90 per screen.

Under the monetary quota, each American company will have to acquire one full length British feature for every 100,000 feet of feature films imported, with labor costs equaling three pounds per foot. The British film, also fulfilling other provisions required under the Act, will be a 25% per cent reduction. Including all provisions, major American distribs. must invest total equaling 29 per cent of the imported feature footage. In an example, importation of 400,000 feet of features would necessitate a expenditure of 116,000 pounds, the importer, 29 per cent of his import total. However, under this arrangement, this money could be located in four or five pictures, instead of the larger number previously necessary to meet quota requirements.

Under the new arrangement which also keeps the present Act in full force, the distribs. can decide whether to continue under the old monetary system or remain under the provisions of the present Act at the beginning of the next quota period.

$312,452 Net for K-A-O; $209,455 for B. F. Keit

(Continued from Page 1)

Corp. and subsidiaries reported net of $299,465.24, after all charges for the same period. Figures show a slight decline under the 1936 period.

K-A-O's 52-week net, ended March 30 was $691,892.12, or $14.96 per share on 44,904 shares of 7 per cent cumulative convertible preferred stock. Per share earnings for the 13-week period were $4.86. First two week net of B. F. Keit Corp. ended March 30, was $566,362.15.

Set Second Shorts Series

Second series of shorts has been set for early production, it was announced Friday by Leonard-Greet Productions. Company also plans to produce further shorts, commencing with low budget features in the near future.

Reopens in Elizabethtown

Elizabethtown—Dave Rosenbaum Capitol Theatre here is reopen-
to patrons who also operated the Kessler Cinemas in Ausable Forks and Keese-
ville.

Ameche and Faye Again

West Coast Bureau of THE FILM DAILY

Hollywood — Don Ameche will again be opposite Alice Faye in "Down Argentine Way."
Over the Moon

for Alexander Korda's

gay new hit in Technicolor

Merle Oberon in

Over the Moon

her first comedy role written by

America's famous playwright

Robert E. Sherwood and

released thru United Artists
TONY SUDEKUM
PRESIDENT OF
The CRESCENT AMUSEMENT COMPANY, Nashville, Tenn.

Writes—

“I consider Film Daily one of the best mediums for dispensing information, as well as valuable criticism on the merits of the various productions, and the reaction of the public to the programs offered.

“Each issue of the Film Daily is both interesting and useful and should be preserved for future reference.”

The 1940 FILM YEAR BOOK is now being distributed to all SUBSCRIBERS of FILM DAILY
THE WEEK IN REVIEW

Equity Trial Starts June 3 (Continued from Page 1)

Lee resigns from GB Pictures. For Oertler may take over . . . T. F. ice, RCA vice-presxy, warned in-
Distant, that the ready in SMPE meet to control tele-
the producers releasing their for a organization of their-
Monogram may produce terms in Mexico ... DuMont will
new Para, pictures . . . Geo. P. piano and Wm. B. Brenner elec-
.. Edward A. Sargoy
ed counsel to Copyright Protec-
.. Columbia announced
by Harry Cohn received $185,500
1939 and V.-P. Jack Cohn, $106,-
.. FCO's general counsel, Wm.
Dempsey, and his assistant, Wm.
Koplovitz resign.

FOREIGN

TAHO-AMERICAN: Agreement wereby American pictures would
be sold to the Italian market was re-

ultaneous Start for
Two Metro British Films

london (By Cable)—Metro may
re enter two simultaneously at Denham,
they are "I Had a Comrade," the
star Niemoller story starring
bert Montgomery, and "Chopin-
ing Robert Donat. Montgomery
now making "Busman's Holiday.

"Human Beast" Runs Set
"Human beast," French film being-
tubed here by June Filmas, has
set for six extended run en-
trances in New York. Picture
been held over in Washington,
troit, Boston and Newark.

Continuing Crosby-Hope
at Coast Bureau of THE FILM DAILY
Hollywood—Para. will continue the
the Crosby-Hope combo in
only "Blue Lagoon" but "Road
Rico.

To Release Jewish Pix
Fame Pictures will distribute
mechanic Shadchen." Jewish pix-
lish English titles.

Koppel Books for Lasker
Chicago—Joe Koppel, newly ap-
ointed Lasker circuit general man-1er,
will handle all circuit bookings.

Detroit SCC Dines May 20
Detroit—Screen Craft Club will
its annual banquet midnight
ay 20, at Saks Cafe.

Roth With WB In Chi.
Chicago—Max Roth, formerly Re-
le district manager, is now asso-
ciated with the Warners exchange his department.

Superman Deal With Rep.
Carries Right to Cancel

Although formal contract had not
been signed between Republic Pic-
tures and Superman, Inc., calling for
the production by the former of a 13-
chapter serial based upon the comic
strip character, "Superman," it was
learned at the week-end that the deal
has been agreed upon in principle.

Republic, reported in competition
with Universal and Columbia for the
screen rights, will make the Super-
man serial as part of its 1940-41
lineup. An unusual contractual clause
is reported to reserve to Superman,
Inc., the right to cancel if, after
the release of the first series, it is found
that the serial detracts from the
popularity of the Superman radio
program or the Superman comic
strip appearing in Action Comics
Monthly and via syndicates.

A representative of Superman, Inc.,
is to have the right to be present on
the Republic lot and to okay script
and production.

Award Plaque for Film

A bronze plaque for the most ef-
fective institutional motion picture
produced in 1939 has been awarded
to the Cleveland Railway Co., accord-
ing to the C.I.T. Safety Foundation.

All of the Traffic Safety Insti-
tutional motion pictures produced in
1939 submitted for consideration
with respect to the C.I.T. Safety
Foundation's annual award were
judged as in the past by the Motion
Picture Traffic Safety Committee.
This award was won the week before
the Chevrolet Motor Division of
General Motors Sales Corp. for their
motion picture, "Knights of the
Highway."

McIntyre on Vacation

Hollywood—Bob McIntyre, casting
director for Samuel Goldwyn Pro-
ductions, leaves on his first vacation
in four years. He will be away for
six weeks.

Garnett on Dietrich Pix

Hollywood — "U" has signed Tay
Garnett to direct Marlene Dietrich's
"Seven Sinners."

Beery in "Wyoming"

Hollywood — Richard Thorpe will
direct Wally Beery in Metro's "Wy-
oming."

Reject Licensing of Bingo

Akron—The licensing of Bingo
was voted down by city councilmen,
7 to 6.
I know you will rejoice with me in our premiere opening of “Irene” at the Paramount, Portland. Broke every opening day record for last five years. Audience reception and comments enthusiastic. Everyone trying to exceed everyone with words of praise. Never heard such spontaneous reaction from audience. Laugh followed upon laugh. Thank you for personal appearances of charming Anna Neagle and Mr. Herbert Wilcox. They proved to be without question the two most gracious visitors in years and they leave Portland with a host of friends. Ned you have a picture in Irene that should establish records everywhere. Kindest regards,

Albert J. Finke
Master Rules B & K, Para. Guilty Of Consent Violation

SCHAEFER ASSAILS LONG TERM EXHIB. FRANCHISES

In Man To Cover 250 Michigan Towns This Summer

Companies to Enter Field; Will Operate One to Five Circuits

Detroit—Up-state Michigan will almost literally over-run with marquees this summer, as approximately 20 up-state companies will enter the field, operating from one to five circuits. Latter will include minimum of five towns, indicating that 200 towns will be covered. No. 3 of all are theaterless; exceptions have houses open only one or two nights a week.

Among operators reported active are Raoul Cleaver, former head of Western Pictures of Michigan, assisted by R. A. McKeen, formerly of the States.

WILL SEEK EXHIBITOR CONTRIBUTIONS FOR GNYF

Luncheon meeting was held yesterday at the Astor of exchange headquarters and other industry execs., with B. B. S. presiding, to formulate plans to help exhibitors throughout the country in their activities in the Great New York Ad. Two executives of the Fund were on hand to outline the organization, (Continued On Page 4)

Paramount Films of Egypt Receives Delaware Charter

Dover, Del.—Paramount Films of Egypt, Inc., has been granted a corporate charter by the State Department to deal in motion pictures. Capitalization is $5,000, par $100, and (Continued On Page 8)

Quebec to Modify Statute Which Forbids Children's Attendance at Film Theaters

Montreal—Children in the Province of Quebec will be entitled to attend approved moving picture shows without the necessity of a special tolerance from the Quebec Attorney-General, as a result of legislation which is to be introduced in the Quebec Legislature this session, Premier A. J. Godbout announces.

“The Government,” Godbout said, “intends to bring in legislation to create a special board of censors for children’s films. This board will be presided over by the chairman of the present Board of Censors, and its members will include members of the Protestant and Catholic clergy.”

METRO TO HOLD FOUR REGIONAL CONCLAVES

In lieu of a national sales convention, Metro will hold four regional conventions to be attended by the field forces, it was announced by William P. Rodgers, sales chief, prior to his departure for the Coast last night. Rodgers was accompanied by Howard Dietz, ad and publicity head.

Regionalas have been set as follows: May 6-7, St. Francis Hotel, (Continued On Page 7)

SEC Challenges “Fairness” Of Majestic’s Reorg. Plan

Chicago—Federal Judge John P. Barnes, despite objections by minority creditors and some stockholders, the SEC and RCA, has ruled that the proposed reorganization plan of Majestic Radio (Continued On Page 7)

Sixth For “REBECCA” At R. C. MUSIC HALL

Setting an all-time record for duration of run at Radio City Music Hall, David Selznick’s “Rebecca” will stay a sixth week, it was announced yesterday. Until “Rebecca” came in, five-week run of “Snow White” was the Hall’s tops.

UA, distributing, estimated last night that by the end of the sixth (Continued On Page 7)

Mason Says N. S. Measure Sets Dangerous Precedent

Toronto—Bill No. 92, film regulatory measure enacted by the Nova Scotia Legislature but never finalized, is viewed as setting a dangerous precedent not only for Canada but the U. S. by A. J. Mason, chairman of the Board (Continued On Page 4)

Six Majors Acquitted in Gov’t Consent Decree Case In Chicago

Meiklejohn to Head Para. Talent and Casting Depts.

West Coast Bureau of THE FILM DAILY

Hollywood — Signing of William Meiklejohn, Hollywood agent, to head Para.’s talent and casting departments as a move in the process of streamlining studio operations was announced yesterday by Y. Frank

Chicago—Barney Balaban, B & K Management Corp. and Paramount were declared guilty of a conspiracy to control first-run exhibition in Chicago in a 50-page report filed yesterday by Special Master Edgar Eldridge.

Other defendant film companies were adjudged not guilty of the charges.

Eldridge’s report now goes to the

Subsidize Theaters? Not RKO!—Schafer

RKO does not subsidize its theaters, Presy George J. Schafer told Robert L. Wright, U. S. attorney during a pre-trial examination yesterday in the D of J equity suit. Schafer said that his company has no fixed policy in reference to theaters and that if a house does not make money, the policy is changed in an effort to increase reve-

THE FILM DAILY

NEW YORK TUESDAY, APRIL 30, 1940

TEN CENTS

FILE COPY

DO NOT REMOVE

The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old
DAILY NEW YORK FILM DAILY

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Kornheiser Administrative Head of Para. Music Firms

While Russell Holman has been named president of Paramount Music Corp. and Paramount Film Music Co., Paramount subsidiaries, administrative head is Sidney Kornheiser who will be general manager of both organizations.

Kornheiser's father, Philip, for 20 years was general manager and treasurer of Leo Feist & Co., music publishers. The younger Kornheiser has been with Paramount and Famous Music since 1931.

Kentucky Film Transit Decision in Two Weeks

Louisville—J. L. Bradford of Nashville, Interstate Commerce Commission examiner, who has completed hearings at the Brown Hotel here on an application for permanent authority by Kentucky Film Transit, Inc., to transport by truck, motion picture films and supplies to Kentucky cities other than Louisville, said a decision would be handed down within the next two weeks. The application was opposed by the Railway Express Agency on the ground that it already was giving adequate film distribution service.

E. C. Shriver, H. W. Dodge Receive Altec Promotions

E. C. Shriver, formerly Altec branch manager with headquarters in Cincinnati, has been appointed District Manager of Altec's Western District, with headquarters in Los Angeles. Simultaneously with this appointment, H. W. Dodge, former Western District Manager, is upped to Altec Headquarters Staff Representative on the West Coast.

Heywood-Wakefield Turns $105,252 Loss Into Profit

Gardner, Mass.—Report of Heywood-Wakefield Co., discloses for the first quarter of 1940 a consolidated net, after provision for all charges, of $4,880, compared with a net loss of $65,252 for the corresponding period in 1939.

Decrease in the earned surplus as compared with Dec. 31, 1939, is said due to the decline in the coal and exchange during the first quarter.

Apply to Dismiss Causes In Col. Stockholders Suit

Application was filed yesterday in N. Y. Supreme Court, and will be heard today, for an order dismissing a number of causes of action in the suit of five minority stockholders against Columbia, its officers and directors. The suit seeks, among other things, to cancel certain stock option warrants issued to Columbia officials.

Karder, Hammond, and Niederer, at 1110 So. Dearborn St., Chicago, Ill., are attorneys for the plaintiffs, who are said to be persons who have purchased and own stock in Columbia Pictures Corp., but do not own stock in Allied Artists Pictures Corp.

Every Telegram's A Rush Telegram at Postal Telegraph

CHARGES FOR TELEGRAPHS MUST APPEAR ON YOUR PHONE BILL

For Telegraphs

PCL. in Brk.

PCL. in Chicago

PCL. in N. Y.

PCL. in L.
HOT NEWS!
TORRID ZONE
MAY 25!
NARNERS

For Showmanship? Yes, Yes!

but GREAT!
CAGNEY!
SHERIDAN!
O'BRIEN!
in "TORRID ZONE"

with Andy Devine • Helen Vinson
Jerome Cowan • George Tobias

Directed by WILLIAM KEIGHLEY
Original Screen Play by Richard Macaulay and Jerry Wald
A Warner Bros.-First National Picture
MASTER RULES B & K VIOLATED CHI. DECREE

(Continued from Page 1) court for final disposition. Meanwhile, the defendants have 20 days in which to file exceptions.

B & K Management Corp. and Paramount were found guilty of violating Paragraph 10 of a consent decree signed in 1932 before Judge Woodward by the defendant companies.

Article 10 stated that the defendants, their employees or agents must not make contracts that would lessen competition in interstate trade and commerce, or form a monopoly or combination to restrain competition.

Others named in the case, which was filed by Government counsel before Federal Judge Woodward on Nov. 9, 1938, were Loew's, Inc. RKO Radio Pictures, 20th Century-Fox, United Artists, Universal, Vitagraph and Warner Bros.

Meiklejohn to Head Para. Talent and Casting Depts.

(Continued from Page 1) Freeman. John Zinn continues as business manager of the two departments and Arthur Jacobson, talent department head, also stays.

Meiklejohn, who operated his own agency here for 17 years, went with MCA to organize its m.p. department two years ago. He resigned last week. Meiklejohn joins Para. May 6.

Zanuck, Goetz and Wurtzel Entra in for N. Y. Tomorrow

West Coast Bureau of THE FILM DAILY Hollywood—Darryl F. Zanuck, William Goetz and Sol M. Wurtzel leave here by train tomorrow for New York where they will arrive on Saturday for home office huddles at 20th Century-Fox. Joseph M. Schenck will not accompany them as he originally intended.

Wisconsin Parent-Teachers Congress Favors Neely Bill

Fond du Lac, Wis.—The Wisconsin Congress of Parents and Teachers at its annual convention here adopted a resolution advocating passage of the Neely anti-block booking bill.

HAPPY BIRTHDAY

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

APRIL 30

David Morgan Joe Yale

ITALIANS TO COVER 250 MICHIGAN TOWNS

(Continued from Page 1) by Chuck Harris and Bud Clear. Della Company, now out on the territory with a thoroughly demized selling plan, Robert P. move, and Harrison Beach, both whom have been active for 10 years, as well as companion going out of Flint, Lansing, and City.

In the majority of cases it will be used.

Mason Says N. S. Measure Sets Dangerous Precedent

(Continued from Page 1) of the Nova Scotia Board of Content, who is urging its repeal. He was designed as a check to be held as a threat over the heads American distributors, who were censured by Nova Scotia officials of fair treatment. Passed, finalization was withheld a year ago while content plan was tested. Mason holds the plan successful. 

Coast Studios Scheduling 10 More Pix Before Camer

West Coast Bureau of THE FILM DAILY Hollywood—Ten new pictures scheduled to go into production week,


At Warner Bros.: "No Time for Comedy" starring James Stewart and Rosalind Russell with Genevieve Tobin, Charlie Ruggles, Lou Beavers and Allyn Joslyn; "My Man and the Woman" starring Priscilla Lane and Dennis Morgan; "Honeymoon Three." At Republic: "Grand Ole Opry" with Weaver Bros. and Elvy, J. Hartley and Lois Ranson. At Monogram: the next Frank Darro starring vehicle.

MRS. KOSSO HOSPITALIZED

Brookway, Pa.—Mrs. J. B. Koss, whose husband operates the Brookway Theater here, is in the DeWitt Hospital where she recently had an appendix removed.

WEDDING BELLS

Chicago—Getrude Abrams of Universal Exchange was married Nat Toler.

Madison, Wis.—J. Clyde Hunsaker associated with the Orpheum, was married to Miss Vera Wolfman.
WHAT COULD BE MORE TIMELY?
Excitingly Together!

VIVIEN LEIGH

LAURENCE OLIVIER

and LESLIE BANKS in

21 DAYS TOGETHER

COLUMBIA PICTURES

with FRANCIS SULLIVAN

HAY PETRIE · ESME PERCY · ROBERT NEWTON

Based on a story by John Galsworthy · Directed by BASIL DEAN

A COLUMBIA PICTURE
the long run the company was able to liquidate the deal on the basis of a provisionally fixed price at a disadvantage of long term franchises was the tendency of new concerns to get unwise when the deal was.

Teens of Producer "Jealousy" Schaefer described his activities at Paramount, in which he rose to general manager under the trustees: United Artists, where he acted as distribution chief; and, finally, as president of RKO. In discussing his experiences in U.A., he said that the "jealousy" between different producers had prevented the sale of the UA books in block and had required distribution of films under producer upnings.

Schaefer insisted that neither Paramount nor RKO allowed the exchange of information between the exhibition and the production wings. He said, both departments be "jealous of their prerogatives," were keen rivalry between the executives who were desirous of showing a larger profit on the books. Either department would allow information to be imparted to the other department which might tend to cut down that profit.

"Knock Their Heads Together" He added that it was sometimes necessary for him to "knock their heads together and force a deal" between the two departments because of their rivalry.

He was questioned about Samuel Goldwyn and replied that he did not say ever having any complaints about the distribution policies but that he knew Goldwyn's sales policy, and had been constantly cautioned by him to conform to the "Goldwyn II." Schaefer stated that he had never caused the desirability of U.A. acting with a number of the industry officials. The witness said that he had been one of the first to graduate from the club for salesmen inaugurated by Ray R. Kent for Famous Players-Lasky. Schaefer went to some length in describing the set up of the club.

Iriz Bar U. S. Newsreel In Protecorate Theaters

Tragedy (By Cabio) — Nazi Protecorate Theatres in New York are threatening to close Operina with S. newsreel. In the future, only man reads and Actualia, Czech 6, will be permitted.

Sails Long-Term Exhibit, Franchises

(Continued from Page 1)

SEC Challenges "Fairness" of Majestic's Reorg Plan

(Continued from Page 1)

Will Seek Contributions from Exhibitors for GNYF

(Continued from Page 1)

FRANK FISCHER HEADS NEW INDIE POSTER CO.

Chicago—Frank Fischer, president of the Wisconsin Poster Service Co. of Milwaukee, has organized the Independent Theater Poster Service of Chicago with offices at 62 E. 13th St. Fischer is president of the company, Leonard K. Gitler, secretary and Robert Goldberg, treasurer.

Poster Service companies will be opened in other key spots, as soon as suitable locations are found.

Metro Will Hold Four Regional Sales Confabs

(Continued from Page 1)

Sixth Week for "Rebecca" at Radio City Music Hall

(Continued from Page 1)

Ky. Governor to Welcome RKO Premiere Delegation

Louisville—Hollywood contingent, including Irene Dunne, Leo McCarey and Garson Kanin, planning in here from the Coast Thursday for the world premiere of RKO's "My Favorite Wife" at the Rialto will get an unprecedented reception from Gov. Keen Johnson, Director of Safety Syam McMeeikan, National Guardsmen, clubwomen and six massed bands.

Miss Dunne will reign as belle of the Derby Ball, and will sing on Derby Day at the Churchill Downs track. On Friday, she goes to Bardstown to participate in the Stephen Foster celebration there.

The Coast party has been augmented by Gene Fowler, David Butler, Hal Roach, Perry Leiber, head of the RKO Radio studio publicity forces, Miss Dunne's husband, Dr. Francis Griffin, and Margaret Sothern.

President George J. Schaefer of RKO, Ned E. Depinet, vice-presy, S. Barret McCormick, ad-publicity director and Sam and Bella Spewack, co-authors of the screenplay, will come from New York to Louisville, leaving tomorrow afternoon.

6,957 Nazi Theaters

Berlin (By Cabio)—Greater Germany now has exclusive for 1,115 in the so-called Pro-Estonia area of 70 new houses under construction. German film industry employs 6,567, including 3,000 players.
REVIEWS OF THE NEW FILMS

"If I Had My Way" with Bing Crosby and Gloria Jean
Universal 94 Mins.

(REVIEW)
COMEDY AND HUMAN TOUCHES PLUS STAR NET PIZZ WITH RICH ENTERTAINMENT VALUES.

Bing Crosby and 12-year-old Gloria Jean make a happy combination and sing three numbers effectively. The younger also proves an appealing little actress. Producer-Director David Butler has guided the proceedings with skill and the result is a picture containing much comedy and human touches. It has rich entertainment values, and properly exploited, should click handsomely at the boxoffice. El Brendel is important in the story taking place. Parnell, a newcomer, is ideally cast as an old Swedish friend of Brendel. Charles Winninger gives his usual good performance, and John Litel, Joan Claude Blum and Koko, Osa, Nana Bryant and Donald Woods are among the capable principals. Fitting into the story and adding to the entertainment value are Blanche Ring singing her famous "Rings On My Fingers" and Eddie Leonard putting over his "Ida" as of yore. Tricia Frigiana, Julian Eltinge and Grace La Rue appear for a bow. Leading the modern songs are "Meet The Sun Halfway," "Persian Character," followed by "April Played The Fiddle" and "I Haven't Time To Be A Millionaire," all by James V. Monaco and Johnny Burke. The theme song is by James Kendis and Lou Klein. Gloria Jean sings Little Grey Home In The West," William Costelman and James V. Kern wrote a heart-warming screenplay, based on the original short story by Clyde Randolph and David Butler. Credit is due Charles Previn for excellent musical direction. Jack Oterton, Frank De Vol, and El Brendel take their daughter, Gloria, to New York to Woods socialite Joslyn. However, he is not friendly and the trio go to see Gloria's great-uncle and aunt, Winninger and Nana Bryant, former vaudevillians. Brendel's old friend, Parnell, unloads his failing Swedish restaurant on them, but they finally turn it into a winner by using former vaudeville headliners as the entertainers.

CAST: Bing Crosby, Gloria Jean, Charles Winninger, El Brendel, Allyn Joslyn, Claire Dodd, Nana Bryant, Moroni Olsen, Donald Woods, Kathryn Adams, Brandon Hurst, Emory Parnell, Vera Velton, Barnet Parker, John Joseph, Joseph Borsody, Director, Jack Oterton; assistant, Eddie Leonard, Tricia Frigiana, Julian Eltinge, Grace La Rue, Paul Gordan, Six Miss and a Miss.

CREDITS: Producer-Director, David Butler; Associate Director, William Conselman, James V. Kern; Screenplay, William Conselman, James V. Kern; Associate, George Robin- son; Assistant Director, Jack Oterton; associate, Richard H. Reidel; Editor, Irene Morra; Musical director, Charles Previn; Orchestra- tion, Frank Skinner.

DIRECTION, Skillful. PHOTOGRAPHY, Very Good.

"Typhoon" with Dorothy Lamour, Robert Preston, Lynne Overman
Paramount 70 Mins.

(REVIEW)
EAST-INDIAN STORY PROVIDES PLENTY OF LAUGHS, MUSIC AND RATES AS REAL PICTORIAL TREAT.

This story of the East Indies, photographed in Technicolor, is a pictorial treat. Adding very much to the eye-pleasing and alluring Dorothy Lamour, wearing the East Indian, equivalent of the South Sea sarong. Playing opposite her is Robert Preston, who after he meets Dorothy, is forced to wear a parcu. Lynne Overman does fine work as a former race-track play, who has become a pearl hunter. J. Carroll Nash has a field day as a native and Overman's assistant. Chief Thunder Cloud plays an island chieftain, while Koko, a chimpanzee, aids in the fun-making. The photographers for "Typhoon" turned in an excellent job of directing. To Anthony Veiller goes credit as the producer, full credit for the fun-making, screenplay, based on the story by Steve Fisher. William Mellor and Allen M. Davyx deserve bows for their camerawork. Since the picture was shot as a child, Lamour lived on an out-of-the-way island, with Koko as her only companion. Preston comes to the island after being shanghaied by Overman, who pilots an old, condensation-free merchant marine on pearl-hunting expeditions. Dorothy falls in love with Preston, who is a drunken derelict and starts to reform him by keeping liquor from him. Chief Thunder Cloud and his men, who have pursued Preston and Overman, set fire to the island, but a typhoon which sweeps everything before it, save Preston, Dorothy, Overman and Koko from a fiery death.

CAST: Dorothy Lamour, Robert Preston, Lynne Overman, Allen M. Davyx; Assistant Director, Frank Reicher; Cinematographer, Frank Harvey, Norma Nelson, Jack Conselman.

CREDITS: Producer, Anthony Veiller; Director, Louis King; Author, Steve Fisher; Screenplay, Allen Rivkin; Cameraman, William Mellor, assistant, W. V. Hopper; Color director, Natalie Kalmus, assistant, Henry Jeff; Special photographic effects, Gordon Jennings; Art directors, Hans Dreier, John Goodman; Editor, Alma Mahler; Musical score, Frederic Holland, Scorer, Sigmund Krumgold; Song, Frederic Holland, and Frank Loesser.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.

Fair Appoints Apeda
Apeda Studio, Inc., has been appointed special photographers for the 1940 New York World's Fair; it was disclosed yesterday by Irving W. Loud, president. The organization will have two studios on the Fair Grounds, one located on Constitution Mall, and the other opposite the Eastern Kodak Co. exhibit.

Sistrom, RKO Conferring
West Coast Bureau of THE FILM DAILY Hollywood—William Sistrom, the executive officer producing for RKO in England, is here for conferences with RKO officials.

"20 Mule Team" with Wallace Beery, Leo Carrillo, Marjorie Rambeau
M-G-M 84 Mins.

WALLACE BEERY IS MADE TO ORDER ROLE WILL ENTICE AUDIENCES GENERALLY.

Wallace Beery sweeps through this picture in a tailor-made role that allows him to look rough, tough and dirty, sleep in his pet mule and shoot the villains of the piece before he concludes his chores. Audiences generally should find the picture agreeable entertainment. Pictorially beautiful, with much of the material filmed outdoors in Death Valley, the film is good western fare. Clyde Devinaux deserves special mention for his excellent photography. Director Richard Thorpe draws his characterizations well and builds the action to a climax. Story is written well, but when it rolls it is okay, although there is nothing particularly novel about the material and most of the cliches are graphically presented.

CAST: Wallace Beery as the major character, Leo Carrillo as the Indian helper. Remainer of the cast is more than adequate. Miss Beery and Miss Rambeau are excellent..Posse directed by Richard Thorpe.

CREDITS: Producer, Wallace Beery; Director, Richard Thorpe; Screenplay, Cyril Hume. E. E. Parmore and Richard Macaibah; Based on a story by Robert C. Dusoe and Evelyn Atkinson; Cameraman, Clyde Devinaux; Director, Frank Sullivan.

DIRECTION, Good. PHOTOGRAPHY, Fine.

Paramount Films of Egypt Receives Delaware Charter
(Continued from Page 1)


J. C. MacDiamid Dead
Montreal—John Cameron MacDiamid, 83, for many years a member of the province of Quebec board of motion picture Censors, died here.
Not So Dumb
(Paramount Paraphrased)
amount
10 mins.
Splendid Subject
there is an excellent single-reeler.
originality and appeal will be
of its uniqueness and quality.
Paramount of a very serious
state for a shorts award in 1940.
Academy of Arts and Sciences.
Footage depicts remarkable intelligence of birds
animals when their mental
processes, through training, are
ded into the performance of stunts
performed by the raven, the
pigeon, the long-tailed macaw,
mind which will thrill
more film patrons.
Frank Macmurray, popular stage and radio
narrates this short which is
ally one of the season's best.
an, surprise and laughs stud
throughout the film, particularly in
flight through a penguin. It's a must
for

Court Favorites
(Pathe News)
10 mins.
Good Sport Reel
ith spring having turned the
air, this reel on sports should be
tely worth to exhibitors as the
stars of the world's tennis players start to
out.

Fanny Cartoon
7 mins.

Air Army
(Pathe News)
9 mins.

Clean and Interesting
(Pathe News)
9 mins.

Cross Country Detours
Paramount
7 mins.

Greyhound and the Rabbit
(Paramount)
Columbia
7½ mins.

Information Please No. 9
RKO Pathe News
11 mins.

The Blue Streak
Paramount
10 mins.

Tomorrow's Stars
Paramount
10 mins.

Special Subjects

A timely and interesting
short is a court presenta-
tion of the U.S. Army Air
Corps: an exposition of the
pilots' tactical maneuvers by fighting
planes and some tests of a number of
models in planes in the air.

Two of a Kind
(Spoilght)
Paramount
10 mins.

Dandy Sport Reel
Famous brother and sister pairs, as
well as twins, who are stars in the
sports world, are shown in this
lengthy Granntland Reel reel, which
is sure to please all fans. The
un-canny rhythm of the Sidekicks,
the quartet of boxing gents on the
boxing paths, is disclosed. There are
good action and off-ice views of the two
Brothers who are important in the
machinery of the New York
Rangers, and also performing in
their various branches of athletics
are the sons of Charley Brickley,
Chadwick, whom Harvard pigskin lunatics;
the Riddl Brothers and Hopkins
Sisters, aquatic experts in the
art of archery, Whitman, Ken and
Waltih; Hogue twins, boxing experts; and
finally, Jack and Dominick DiMagio of
the national pastime who enact an
amusing sandlot contest with some kids.
Ted Haring handles the narration
very effectively. Here is one of the
best Granntland Reel "Sportlight"s
to date.

Romance in Rhythm
Warners
10 mins.

Romantic Reel

Popular Science
Paramount
10 mins.

Eduational And Interesting
Reel is one of the best released
in this series. It opens with an
electrically controlled dummy rubber
head for experimental work by
deptists, with lights flashing if they
do anything wrong. A complete
room for a two bachelor girls
comprises the next sequel, with the
boys being deprived of
occupational
in the "Witlin-
Dervish." Lloyd French
directs.

The Greyhound and the Rabbit
(A Color Rhapsody in Technicolor)
Fair Cartoon
5 mins.

The Blue Streak
A so-so burlesque cartoon version of
a greyhound race track meet with
the best of the pack infected with
rabbits, the dog racing through a
race track and the rabbit chasing the
dogs in a wild melee before the race
is straightened out.

Information Please No. 9
RKO Pathe News
11 mins.

Highly Entertaining
One of the best in this series to
date, this reel holds plenty of
entertainment for audiences.
In addition to the regular staff of
"experts," Franklir P. Adams, John
Kieran and Oscar Levant, the noted writer and
commentator, Elmer Davis, dis-
plays the knowledge of facts and
usual subjects. The experts do well
in some exceptionally touchy
questions, with Frank Donavan
hting plenty of laughs with one question he wrestles
with. Frank Donavan was the
producer.

Tomorrow's Stars
Paramount
10 mins.

Timely Sport Reel
Taken at the Orlando baseball
school run by Joe Stirrup, this
short should prove of interest to baseball
fans throughout the country. The

Blue Streak
Paramount
10 mins.

Fame Play Reel
This reel presents the famous "Blue Goose," prize
bird of North America's Gulf-To-
Atlantic skylays. The geese are
seen in flight in the Hudson Bay
country, where they spend their
winters. They are pictured in
their nests with chicks. A series of
questions is asked the audience as
a map is displayed which shows the
course of their annual migration.
Next sequence picks up the geese
in the Louisiana marshes where they
winter, with some interesting cam-
eras and other studies of the" game feeding
and the effect of weathering on the
wing. Short concludes with some
pictures of a hunter bagging
them on the wing.

Information Please No. 8
RKO Pathe News
10 mins.

Entertaining Short
Presented by Gordon as a
member of the expert board, comprised
of John Kieran, Oscar Levant and
Franklin P. Adams, a feminine touch
of wisdom and wit is injected into
this release in Pathe's entertaining
core. Questions range from baits
and to battening stances, with this
entertaining muting only two queries.
Levant's identification of Port Wine as 1902
 sector-Cola will get plenty of laughs.
Audiences should be well entertained
by this release. Clifton Fadiman
conducts as usual.

Pennant Chasers
RKO Pathe News
9 mins.

Good Sport Reel
With the baseball season already
under way, this short is timely and
willing for the film audience.
Abnormal use of slow motion
shows a number of "inside"
that are not clearly revealed at
regular speed. These are clever among
the National League stars who
show their wares for the camera
are: Babe Ruth, Ray Day, Gabby
Hartnett, Joe Medwick, Merrill
May, Arky Vaughan and Ernie
Lombardi. Frederick Ulatan, jr.,
produced and Frank Donovan acted as
supervisor.

Unusual Occupations
Paramount
10 mins.

Interesting Short
A number of unusual hobbies and
occupations are presented in
this release. It opens with a sequence
showing an attractive girl giving a
bag-piping exhibition that will
make viewers envious. Then
the amazing structural miniature
crated out of toothpicks by a
dentist are shown. A woman is seen
painting amazing pictures on
obstacles. Then the reel depicts how the
busby craftsmen of the world
were made. Short closes on a highly
interesting sequence devoted to
the useless collection of early
America owned by a Californian.

Stealin' Ain't Honest
Paramount
7 mins.

Fair Cartoon
Popeye has considerable difficulty
with the troublesome Bluto in this
reel. Popeye and Olive are on their
way to an island which has a secret
gold mine. Bluto manages to
secretly photograph their maps and
steals the boat. However, Popeye
overcomes this slight setback by
pro-
ing the boat to the island with an
egg beater. Once there a terrific
encounter with Bluto, Popeye
upsets a slang of Spinach from
overcome all obstacles. Max Fle-
icher produced.

Herbert Elder Dies
Herbert Elder, for many years
connected with the motion picture
industry having worked for Warner
Reels, was killed in a automobile
night at the Will Rogers Memorial
Hospital in Saranac, New York.
Never Before!

(out of 260 attractions presented since the Music Hall opened, only 20 pictures played 3 weeks; only “Snow White” and “Rebecca” played 5 weeks and ONLY “Rebecca” played 6 weeks)

6th week

David O. Selznick’s

Rebecca

Radio City Music Hall

6th Week also at the Boyd, Philadelphia; the Orpheum, Montreal and the United Artists, San Francisco

Released thru United Artists
Mann’s Building Plans Forecast Circuit Battle Royal

OFF J WOULD COMB PHILLY FACTS FOR EVIDENCE

Three Majors Refuse To Bare Records In Mori Action

Several $10,000 and $5,000 Contributions to Jewish Welfare Drive by Coast Film Men

Washington Bureau of THE FILM DAILY

West Coast Bureau of THE FILM DAILY

Hollywood—Al Lichtman, Jack L. Warner and Jack O. Bradbury have contributed $10,000 each to the Jewish Welfare Fund drive. Eddie Cantor, George Burns, Hunt Stromberg, Hal B. Wallis and Abe Lastoglia gave $5,000 each.

Other contributors include: Leon Schlesinger, $2,500; Tony Martin and Michael Curtis $2,000 each; Nat Fiston and Leo Forstein $1,500 each.

N. M., Ariz. Fight Ickes Fee Order;
See Studio Location Trips Menaced

Washington Bureau of THE FILM DAILY

Washington—Pending Senate resolution providing for an investigation of a Department of the Interior order fixing standard rates for film producers seeking the use of public lands results from sharp protests voiced by the Governors of New Mexico and Arizona, it was learned yesterday.

Gov. Bob Jones of Arizona estimates that the order of Secretary Ickes would cost Arizona $20,000,000 annually by discouraging location trips by Hollywood studios, while Gov. John E. Miles of New Mexico sees the order similarly spelling a “serious loss” of “hundreds of thousands” within the next few years.

Under previous procedure those seeking use of such lands applied to the Department of the Interior here for a permit after which a fee would be set. Feeling that such procedure would be unfair, a Senate resolution to void as of date of hearing had not been received late last night.

Affidavit Backing Application Reveals Equity Suit Strategy

The D of J yesterday served notice upon all major defendants in the New York equity action that it would apply on May 7 for an order to permit it to inspect a large number of contracts and documents covering the licensing of pictures in the Philadelphia area. The application, made under Rule 31 of the Federal Rules of Civil Procedure, seeks examination of contracts and documents covering the licensing of pictures in the Philadelphia area.

WOULD CANCEL FILMS EXHIBITED ON TRIPLES

St. Louis—The price-slashing war in this sector has reached the stage where some indies are endeavoring to sell out any and all pictures that may be shown at a 15-cent admission for adults or used in a triple feature program.

In letters to the managers of the

the Film Earnings Up; Dividend Seen as Possible

Annual meeting of Pathe Film Corp. stockholders was held yesterday with proxy Kenneth M. Young, the P. O. Henry Briggs, presiding for the first time. Young, in answering stockholders questions stated that the company would remain as a holding company; at Du Pont Film Manufacturing.

Kenneth Young to Serve as Pathe Lab. Vice-Prexy

Kenneth M. Young, president of the Film Corp. succeeds T. P. Such as vice-president and treasurer of Pathe Laboratories as of day, it was learned last night.

Battin Amusement Co. Sues Majors for $550,000 Balm

Elizabeth, N. J.—Violation of the Clune anti-trust act was charged in a suit for $550,000, representing treble damages, filed by the Battin Amusement Co., owner of the State.

(Continued on Page 8)

Hint Brit. Board of Trade Lacks Control of Rentals

London (By Cable)—The Board of Trade has no control over film rentals, it was intimated yesterday as Parliament briefly turned its attention to the issues raised by the CEA in its campaign against high rental charges.

(Continued on Page 8)

Northwest Faces Circuit Battle Royal As Geo. Mann Serves Building Notice

San Francisco—Unless some factor intervenes to quell the threatened storm, operators of more than 300 film houses in this and adjacent territories will be embroiled in a battle royal as the result of George Mann’s reported serving of notice on distributors that he intends building two houses in Klamath Falls.

(Continued on Page 8)

Walsh Resigns Netco Post; Pooling Deals Said Cause

George C. Walsh, president and general manager of Netco Theaters Corp., yesterday announced his resignation from the Paramount subsidiary.

(Continued on Page 8)

Indiana ATO Aims Fire at Slot Machine Films

Indianapolis—“Irrevocable” opposition to any producer of motion pictures entering into the production of

(Continued on Page 4)
Oregon ITO Names Miller As Executive Secretary

Funeral Service Held for Arthur William Roger

Orlando, Ore.—O. J. Miller, who many years as an associate with the Multnomah Theater Corp., and formerly owner of the Chalcen Theater, has been named executive secretary of the Independent Theater Owners of Oregon, and opened offices for the organization at 1923 N.W. Kearney St.

The new organization now has 42 members representing 86 theaters in 22 towns. Members include: Pacific Coast Conference of Independent Theater Owners.

The executive board includes Ted Grumley, Portland; George Hunt, Molalla; M. L. Odem, Redmond; Ray Stumbo, Salem; Avery Combs, Camas; Wash.; Ray Grombocher, Portland; J. E. Jones, Portland; Bob White, Portland; William Graeger, Portland; J. D. Mevers, LaGrande; William McKeever, Newport; A. W. Johnson, Eugene; A. S. Kolstad, Hood River; Oscar Phelps, Hillsboro, and C. H. Smith, Tualatin.

Oregon ITO Chicago Meeting Completes Convention Plans

Chicago—Executive board of the IATSE under his president, George E. Browne presiding, Secretary Krause from New York and chairmen was present. Plans were completed for the Louisville convention starting June 3. The conference was held in the Chicago convention center.

John Amberly, St. Louis, George Busch, Chicago, Irene Sharp, Kansas City were elected delegates from film exchange executives and usher union to attend the IATSE convention at Louisville. Roger Kennedy, Detroit, presided at the meeting.

Plans for National Theater Managers’ Ass’n Under Way

Chicago — It is reported here on good authority that plans are under way for a national organization of theater managers. Details are not available at this time.

Managers and assistant managers in Detroit were recently granted a local charter by the A.F. of L.

KRS Elects S. W. Smith

London (By Cable)—S. W. Smith, managing director of British Lion, was elected the new proxy of KRS at the annual meeting. Smith replaces David Griffths who gets an honorary seat on the council in tokyo of his four years in the presidential chair.

Must Get Okay by May 31

Chicago—Federal Judge John P. Barnes yesterday set May 31 as the final date for securing stockholders’ and creditors’ approval of the proposed Majestic Radio reorg plan.

GWTW for B & K Subs.

Chicago—B & K is closing a deal with Metro for GWTW subsequent to which returns will be announced today.

Burial services were held in University Mausoleum May 22 for Arthur William Roger, 59, prominent copyright attorney who is said to have been instrumental in making the contract for the introduction of talking pictures in 1929 when he was attorney for Erich Pommer. During his career, the deceased did work for the Motion Picture. The A.M.P.A. company, including MPPDA, Paramount, Universal, and others.

He died in his home, 32 East 64th St., on Monday from a heart attack. Surviving are his widow, the former Selma Altheimer, and four sons, Arthur W., Jr., Benjamin, Roger and Carol.

Universal Denies Durbin Signed for Metropolitan

Donna Durbin has not signed a contract with Metropolitan Opera Co., nor has she been approached by any representative of the opera. Universal declared in answer to published reports to the effect that Miss Durbin would be signed for a new contract. In declaring that the rumors were unfounded, Universal declared that she is under exclusive contract to Universal Studios in this country, and that she has never considered a proposition from the Metropolitan nor any other opera company.

American Seating Earns $105,135 in First Quarter

Report of American Seating Co. for the first quarter ended March 31, discloses a net profit of $105,135, equal to 47 cents a share on 221,062 no-par shares of common. This compares with net loss of $135,688 for the first quarter a year ago.

Revise Atlan Merger Plan

Curtiss-Wright’s executive committee held a special meeting yesterday to consider a revised plan which is expected to meet some of the criticism of its proposed consolidation with Atlantic Corp. Amended plan was drafted chiefly to give holders of Class A stock in the aviation company a larger participation in the proposed merger.

James A. Reeves Dead

Warren, O.—James A. Reeves, 66, owner of the Ohio Theater Building and for many years owner of theater properties in the district, died in Pasadena, Cal., from a heart attack. His widow, Jennie, and a daughter survive. The body was returned to Warren for services and burial.

Kaufman, Crash Victim

Bridgeport — Murray Kaufman, Strand Amusement executive, sustained internal injuries when his car careened into a car driven by Peggy Post, local reporter.

COMING AND GOING

DARRYL F. ZANUCK, WILLIAM GOETZ, M. WURTZEL AND MAX CORDON leave for New York today and will arrive in New York Saturday morning on the Twenty-First Century Limited.

HARRY ASHER, vice-president of Publicitee Releasing Corp., returned to Boston yesterday.

LLOYD RACON, PAT O’BRIEN, DON MILLER and A.C. CARVER of Knute Rockne company, leave for Canada today for South Bend to film material for the picture on the Notre Dame Ramp.

SIDNEY SPEIGEL, Essaness exec., is in New York and will visit Chicago on circuit deals.

HELEN VISON arrived from the Coast yesterday by train after completing work in “T clearer Zanm, for Warners. She plans to return here for about two weeks.

PAUL SHORT and MISS SHORT, of Detroit, has a week here for a vacation in the Detroit. They are due back here shortly after their trip.

WAYNE BRENKERT, of Brenkert Lighting Co., is in town.

LESTER ABBOTT, vice-president of Motograph, has arrived in New York in Chicago to supervise company’s installation in the Chicago exhibit at the World’s Fair.

MORRIS POPKIN, operator of the Norumba Allenville, N.Y., is in New York.

HELMER SUSEMN, of the Phoenixwalt Theater and Radio Co., is in town. He has closed a deal with Joe Horrorn for lette to rebuild the American Theater in Amos, Minn.

JOHN S. COSHORN of Irvin Seating has returned to Grand Rapids from New York.

GEORGE FRIED, Jr., of JC, is in Washington, D.C. for the convention of Acoustical engineers.

C. KUNZMANN, National Carbon Co., executive, is in town from Cleveland.

J. E. MCAULEY, president of J. E. McAuley Co., is now here, arriving in New York today. He leaves for Chicago next week.

ROY RUMMELL of Hertner Electric Co. is returning to Chicago, following a business trip to New York.

Report Schines Acquiring Three M. K. Murphy House

Richmond, Va.—It is reported that the Schine Circuits’ latest acquisition of the M. K. Murphy house in Appalachia and Big Stone Gap Va., and Corbin, Ky.

38th Term for Frohman

Daniel Frohman is scheduled to be elected proxy of the Actors Fund for America for the 38th consecutive year at the annual meeting in the National Theater May 10.
Above: M-G-M’s great travelling ballyhoo, the original 20 Mule Team from the picture. It’s a sensation when it rolls down the Main Streets of America. Now on tour!

HOT OFF THE WIRE!

Raves From Coast Preview!

"20 Mule Team’ A-1 Western. Done in the grand manner, with top-flight production, direction, performance and photography. Wallace Beery at his best, playing the type of role in which he is most popular and providing extremely good entertainment. As brilliantly executed western drama as the screen has seen. Historical authenticity and presenting the most vivid panorama of the arid majesties of Death Valley ever shown on the screen. Beery is in his element in the role of the mule skinner, giving an even better characterization than in ‘Bad Man of Brimstone’.”

—Hollywood Reporter

"A natural for Wallace Beery and will serve further to ingratiate him with an ever-increasing audience. The story, absorbing excitement and suspense, both romantic and melodramatic. One of the best gun-fights ever seen on the screen winds up for a happy ending. High level of gripping entertainment. A topnotch job all the way. Scenically the picture is remarkable.”

—Daily Variety

"Death Valley has been overlooked too long by Hollywood in picking stories for Westerns. In ‘20 Mule Team’ M-G-M will cash in strong on the picturesque history and strangeness of this locale. Story offers excellent role for Wallace Beery, one of the most colorful parts he has had.”

—Harry Friedman, L. A. Examiner

"‘20 Mule Team’ roaring melodrama of Death Valley. A rip-roaring tale with its desert panoramas and its bad men, with a superabundance of action and a great fight-to-the-finish wind-up. Death Valley has seldom been delved into so effectively. All in all a hit.”

—Edwin Schallert, L. A. Times
IRENE DUNNE
CARY GRANT

LEO McCAREY
Producer-Director who
gave you "The Awful
Truth" and "Love Affair"

GARSON KANIN
who gave you
"Bachelor Mother"
FAVORITE WIFE

with
RANDOLPH SCOTT
GAIL PATRICK
A
LEO McCAREY
PRODUCTION
DIRECTED BY
GARSON KANIN
Screen play by Bella & Samuel Spewack

Kiss-and-run-Cary
caught between two
blazing brides . .
“THE YEAR’S FIRST
GREAT COMEDY HIT,”
SAYS LOOK MAGAZINE

R K O RADIO PICTURES
WOULD COMB PHILLY PACTS FOR EVIDENCE

(Continued from Page 1)

tion of records in the possession of defendants on the grounds that these defendants are engaged in a "pact of evidence" of discrimination in favor of Warners in Philadelphia.

An affidavit of U. S. Attorney Sec-
munity, attached to the motion,
papers, is noteworthiness because it reveals strategy of the Govern-
ment that the majors favored Warners over indies. Krieger, who is in
charge of the D of J's investigation in Philadelphia and nearby terri-
tories, states that the Government expects to offer proof of the manner
in which exhibitors dealt with and
tertain unaffiliated exhibitors, during cer-
tain seasons and the manner in which Warner theaters competing with the unaffiliates, were treated during the same seasons.

In addition, Krieger stated, the D of J has obtained leases, now operated by Warners, were discriminated
against when formerly op-

Gov't To Rely on Contracts

The affidavit stressed that the D of J will depend chiefly upon the written contracts made by the Warners and the indies with the defendant distributors. Krieger concludes by stating that he will require a mini-
mum of three weeks before presen-
tation of testimony.

Independent theaters named

- Harry Fried—Suburban, Ard-
more, Pa.; Saville, Bryn Mawr, and
- Anthony Wayne, Wayne; Allen M.
- Hannah—Philadelphia; Crusader, Phila-
delphia; Herbert Elliott—Fern Rock,
Philadelphia; William Goldman—
- Philadelphia (now owned by Warners);
- Harry Friedman—Landowne, Land-
downe (now held by Warners);
- George P. Graves—Carman, Phila-
delphia; David Milgram—Blue Bird,
- Howard, Rialto, Temple and Walton,
Philadelphia and Garden, West Che-
ter; Harry Pearlman—Lehigh and
- Allentown, Philadelphia, and
- Pearl, Yeadon; Yeadon; David Shapiro—
- Admiral, Philadelphia; Columbus-
- Spencer, North Philadelphia, Rivoli,
- Forum, Frankford, Nixon, Roosevelt
- and Tower, Philadelphia (last five now operated by Warners); Charles Scudder—Riverview, Philadelphia (owned now by Warners).

16 Warner Houses Listed

The application lists 46 Warner theaters in Pennsylvania with warrants covering these houses. It also requests records on Loew's theater in Reading. The D of J asks for:

- Injunctions, restraining letters and sheets and clearances or protection
- Provision of these houses for defi-
nite reasons which vary with each

 Hint Brit. Board of Trade

Lacks Control of Rentals

(Continued from Page 1)

The CEA is challenging the application seeks examination
of the Maxwell's Associated British circuit.

Questions were posed in Commons
yesterday, and quickly brought the
trial and it was stated that yes-
to the Board of Trade's province.
Major Lloyd George, the Board's chief,
interrogating the defendant's replication
one query pointed out that the 70
per cent GWTW rental charge here was
no higher than that asked in

Meanwhile, the KRS has addressed

tests to the CEA against its per-

George Cusick Stricken

Detro—George C. Cusick, 53, formerly

manager of the Broadway-

Strand Theater, died suddenly from a heart attack while driving his car.
Two sons survive.

Not a Feature Rejected

in Year by Ont. Censors

(Continued from Page 1)

portected yesterday. Cuts, however,

were made in 15 British features.

During the year, the Board passed
1,915 imported from the U. S. for British
countries and five
produced in Canada. Silverthorne
commented on the improved quality
of British product.

As a final note in this review, Silverthorne
stated that all foreign films with

the exception of French talkies are
barred from the province. The ban

does not apply to U. S. or British
product, of course.

Winton Lowery Dead

Atmore, Ala. — Winton Lowery,
former operator of the Atmore Thea-

ter, died in the Veterans' Hospital

in Biloxy, Miss. Lowery sold his
to Theater to Martin Theaters, Inc.,

of Columbus, Ga., three years ago.

in 1926 to a belief that

stage shows, combined with motion
pictures, would prove a "magnet" to

the public. At that time, he contin-

ued, Paramount built a number of

theaters with uniform stages to al-

low for the exchange of sets be-

tween houses.

Wobber also discussed the distri-

bution situation in Portland, Los An-
geles, Denver and Salt Lake City.
In San Francisco, he said, Para-

mount has its own distribution Cir-

cuit in 1926 in face of competitive

bidding by Fox. The purchase was

made, he said, because exhibition
had become more profitable than pro-
duction or distribution.

Wobber stated that he had no
financial interest in any film com-
pany and that his sole interest in

theaters was an investment in the

Curran Theater, a legit house in San
Francisco.

W. D. Davis, Gov't Witness in Equity Suit, in Hospital

Pittsburgh—William D. Davis, who

for many years operated the Tri-

angle Theater in this city and

ex-president of the AMPTO of West-
ern Pennsylvania, is confined to the
Veterans Hospital in Aspinwall, with

a very serious heart ailment and

nervous breakdown.

Davis was one of the first wit-

nesses subpoenaed in the govern-
ment-industry suit, but

"duty to his present condition it is unlikely

that he will be able to testify.

D of J Questions Wobber on 20th-Cent. Fox, Para

In the shortest period of time, pre-
ut p trial examination to date, Herman

Wobber, 20th-Fox sales chief, yes-
terday was questioned by the Gov-

ernment on distribution and theater

acquisition of both Paramount and 20th

and Fox. Wobber stated that he

was Western division manager for

Paramount from 1916 to 1932 when

he left to join 20th-Fox. He as-

sisted Paramount's theater-purchas-

3 MAJORS WON'T BANK ON RECORDS IN SUITS

(Continued from Page 1)

being held in contempt of court, is

believed by some here that there

were using the motion in order to

register an appeal for the

order, as a direct appeal

will not be allowed.

The majors bought to avoid pro-

ducing their records and clear-

sheets by filing a motion to vacate

the motion in which

been scheduled for May 7, first to be held in the

court rooms at 9th and Chestnut

Streets.

20 Features, 18 Westems Planned by PRC for '40

(Continued from Page 1)

these exhibitors are filing

the pictures with some help

Pate which will contribute to the

negative cost after each plan

is completed.

Sixteen franchise holders, re-

presenting 90 per cent of the ex-

change territories, make up the

board of directors. Officers of the

distributing company are Harry

W. Pathe, president; Harry W.
Falls, first vice-president; George

Gill, Washington, second vice-

Gill, New York, secretary-treas-

ier. Second picture slated for pro-

motion is "Frontier Crusader,"

will be followed by "Hold That
Man," a comedy-drama. Bob S.
Falls will star in a series of six
"Frontier" pictures which will be

known as the "Bill, the

group. Tim McCoy has been set to appear in these

drama stories. A third series, known as "The Sagebrush Family,"

star a prominent radio person-

New York headquarters have

established in the Paramount

Walsh Resigns Netco Posi

Pinning Deals Said Ca

(Continued from Page 1)

fairy. In resigning the post,

explained that his action was not to the various pools in netco

pointing points that had been all

greatly reducing the number

theaters that will continue to

actively operated by Paramount.

These pooling arrangements

clude those in Rochester, Syos-

Newburgh, and Glen Falls. Wil-

town, Stapleton, S. I., all in

York.

Walsh said he would announce further

points of the of the much

after the vacation. Netco recently

booked office to New York

Poughkeepsie.

Slesinger Offices Move

Offices of Stephen Slesinger,
moved to 247 Park.
Latin American Biz Running Ahead, Says Hutchinson

AGENCY ASKS HAYS PARLEY ON SPONSORED FILMS

Rep. Ford Charges Gov't Seeks Censorship Of Pix

U. S. WITNESS ADMITS 'POOR' THEATER DEAL

ODEON, GB REJECT 70% TERMS ON GWTW

Halifax Exhibs. to Adopt Price, Change Agreement?

Schaefer, Depinet Going to Coast for Pix Talks

20th-Fox Foreign Head Finds Better Biz in Latin America Aiding Pix

Indianapolis—Indianapolis Photoplaysm Indorsers Hit Neely Bill; Petittijohn Speaks; Selznick Sends Congrats.

Indiana—Indianapolis Indorsers of Photoplays, meeting here yesterday with more than 600 delegates attending, adopted a resolution opposing the Neely black-listing measure. Bill was termed a price control and censorship move.

C. C. Petittijohn, MPPDA general counsel, addressed the convention, and read a letter from David O. Selznick in which the producer expressed regret for his inability to be present, extended his congratulations on the organization's 25th anniversary and recalled his appearance to speak before the Indorsers 20 years ago.

Howard Lesser, fourth Government witness to be examined by the defendants in the New York equity suit, claimed yesterday that he filed a complaint with the D of J after Warner Bros. had allegedly attempted to "force" purchase of 1939-40 product as a prerequisite for obtaining the last 15 features of the 1938-39 season.

The witness, an independent exhibitor, is an employee of the Motion Picture Patents Co., of which he is a stockholder.

Halifax, N. S.—Local exhibitors are considering a co-operative agreement on prices and program changes, which has been prevailing in St.

Schaefer, Depinet Going to Coast for Pix Talks

George J. Schaefer, RKO president, and Ned Depinet, vice-president, plan to go to Hollywood for final product conferences after the Kentucky Derby and the Louisville Triple Crown of thoroughbreds.

20th-Fox Foreign Head Finds Better Biz in Latin America Aiding Pix

Pathe Film Corp. Reports Quarterly Net of $29,632

Pathe Film Corp.'s net profit for the three months ended March 31 was $29,632.38, after provision for Federal income taxes. Pathe's revenue resulted from a $35,000 dividend received from DuPont Film Manufacturing Co., common stock of which Pathe owns 35 per cent.

DuPont's quarterly net, after all

Mexico City—Central and South America furnish bright spots to contrast with the gloom of war in Europe and Asia, according to W. J. Hutchinson, Overseas Sales Director of 20th-Fox, here yesterday for sales conferences following an earlier parley in Havana last week.

"Here, our business, although on a smaller scale than in Europe, is running considerably ahead of last year. Mexico, in particular, has more

J. Walter Thompson Office Feels Understanding Can Be Reached

J. Walter Thompson Co., advertising agency, has suggested, by means of a letter to Will H. Hays, MPPDA president, that a round table discussion of the sponsored picture question be held so that an understanding can be reached.

Distributors have looked upon the advertising picture as a possible menace to the industry.

The advertising agency, however, is of the opinion that there is no
Dr. W. A. Schaefer, vacationer in Paris—was there in 1938, by Wlad's Films and Film Folks, Inc., J. W. Alicate, President and Publisher; Donald M. Merseuie, Secretary-Treasurer. Entered as second-class matter, Sept. 8, 1916, at the post-office at New York, N. Y., under the Act of March 3, 1879. Terms (Postage free) Entered outside of Greater New York $10.00 one year; 6 months, $5.00; 3 months, $3.00. Foreign, $13.50. Subscriber should remit with order. Address all communications to THE DAILY, 1501 Broadway, New York, N. Y. Phone BRYant 9-7117, 9-7112, 9-7119, 9-7121. Cable address: Filma New York.


BALBAN, Griffiths, Agnew

For Coast on May 18

Barney Balaban, Stanton Griffiths, and Neil Agnew, heading the Paramount office here, convention-bound, will leave New York for Los Angeles on May 18, according to tentative plans.

Griffiths, now on the Coast, goes to Fox following plans to visit Los Angeles Town Club Monday and then swings back East.

Alas, Farewell to 9TS/M-Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Edgar Selwyn will produce "Adventures of Pierre" for M-G-M. It was written by Selwyn, using the same character and locale as Canadian Northwest mounted police, in "Pierre of the Plains," which was produced by Broadways and was copyrighted by Selwyn.

UAC Revenue Higher

Montreal—A slight increase in revenue from paid theater attendance for the first quarter of 1940 over the corresponding period was reported by E. A. Cousins, president of United Amusement Corp., Ltd., at the annual meeting of stockholders. Reports were adopted and directors re-elected.

Rodgers, Dietz in Chicago

Chicago—William F. Rodgers, Metro sales chief, and Howard Dietz, producer, were here yesterday to discuss the Marx Bros. stage show before leaving for Hollywood.

B-K Sets GWTW for Suburbs

Chicago—B-K has finally set opening of GWTW for June 7 in the suburban Riviera, State and Tower Theaters.

Chi. NSS Employes’ Club Holds First Frolic Tomorrow

Chicago—First annual frolic of the National Screen Service’s newly organized Employes’ Club of the Chicago office, will be held at the Florentine Room of the Congress Hotel, tomorrow night. Banquet will be followed by a floor show, featuring acts from various Chicago night clubs and theaters; an inter-organization sponsored “home talent” contest, with skills and “black-outs”; presentation by Morton Van Praag, district manager, of prizes to the winners of the recently completed sales drive and trophies to the N. S. bowling league champions, and a dance.

Under the personal direction of Van Praag, the committee of arrangements, composed entirely of NSS employes, includes Duke Hickey, chairman; John S. Modino, P. R. Barr, Henry Kohn, W. A. Bendyman, at H. C. Bloom, Betty Muller, Rose Cogan, Muriel Kahnner, Ethel Chez and Irene Greenhoff.

Reserves Decision on Plea to Vacate GN Assets Sale

Federal Judge Vincent T. Leibell reserved decision yesterday on an application of Grace A. DeLemos to vacate and set aside sale of Grand National Pictures assets to Mohawk Pictures Corp. The assets, consisting of negatives, were sold on March 27 under the supervision of referee Peter B. Oney Jr. DeLemos had unsuccessfully bid at that time.

Northwest Allied Board Will Select Unit Districts

Minneapolis—Allied Theater Owners of Northwest board of directors will begin the work of dividing the territory into unit districts for more efficient operation.

Seek Film Rights to “Rain”

Rights to "Rain" are being sought by several majors with an eye to the story’s success, as it was learned yesterday. Mary Pickford owns the rights to the noted Somerset Maugham story.

Bennett In “Nazi” Lead

West Coast Bureau of THE FILM DAILY

Hollywood—H. Bennett will play the female lead in "I Married a Nazi," co-starring with Richard Greene. Irving Pichel will direct.

67 Dates for "Russell"

Twentieth-Fox has set 67 early bookings for "Lillian Russell" to follow pic’s dual world premiere May 15.

William Tracy Dead

Platteville, Wis.—William Tracy, 51, owner of the city’s professional film biz for more than 25 years, is dead.

Vaporante Processes

Oglethorpe’s Foof

Hundreds thousand of 16 m film which will go into the Oglethorpe University vault designed to keep the generations living thousands of years from today, in 20th century civilization and be subjected to the evaporated content by Vap rant Co., Inc., and returned to Oglethorpe. If both be sealed in a can, the Vaporante Co. is a subsidiary of Press Film Processing Corp.

Stewart on Hepburn Pic

West Coast Bureau of THE FILM DAILY

Hollywood—Donald Ogden Stewart will adapt "Philadelphia Story" for Katharine Hepburn’s use in Metro.

Small Finds His Carson

West Coast Bureau of THE FILM DAILY

Hollywood—Jon Hall will play Small’s Kit Carson, with Lauren Bari opposite.

Thursday, May 2, 1940

GETTING A SIGNED RECEIPT IS A STANDING RULE OF

Postal

telegraph

Charges for Telegrams "Phoned" in

or "appeared on your telephone bill"
"20 MULE TEAM" IS ANOTHER "VIVA VILLA" and it's positively Wallace Beery's greatest role!

This is a new M-G-M thriller to take rank with the biggest outdoor pictures you ever played. Filmed in the awesome sweep and majestic splendor of Death Valley with a cast of thousands. Here are mule skinners with whips cracking, claim jumpers with guns blazing, tinhorn gamblers, Indian swampers, crooks prospecting for easy pickings. All the wild, wicked, wanton drama of early California's lusty lore with Wallace Beery in a luscious role packed with power and racy humor. It's got the kick of 20 mules!
ARGUES GOV'T SEEKS CENSORSHIP OF FILMS

(Continued from Page 1)

in, in course of a blistering attack in the Congressional Record, listed the two Neely bill threats primary causes for California's woes at industry attack, saying: "Throw 40,000 Out of Work Bill would lead to at least half of this industry, California and would throw some 800 or 4,000 people out of work in Los Angeles County alone." Attacking Neely's theater divorce bill, Ford added: "The bureaus wish to provide that those who hue motion pictures and know what about it cannot stage them out, but must put them in hands. This is far easier for these bureaucrats and those who do not wish anything about this particular man to destroy it than it is to use it up and furnish jobs for people."

Attacks Location Fee Charging, and also attacked Interior Sec Helmer Ives' policy of charging film companies $500 a day for on location use and $100 a day for the land and reclamation areas. The move would bring to a point where heads of our bureaus feel that is their personal property, or they see fit to recognize that the moving picture industry is equal rights with them and their agents to go into these parks, and these same moving picture producers pay the salaries of these same bureaucrats. Do the bureaucrats have the exclusive rights for stagel scenes in their propaganda in national parks, or do these parks belong to the people?

It is quite possible that all the sure is being brought against making picture business with future idea in mind of coercing to such an extent that it will have the effect of a real censorship. This is true, Congress ought to see and take out of circulation heads of bureaus as this."

Hired Mother? Interests

Jrna Lockwood's story, "Hired Her," which appeared in the current issue of the Ladies Home Journal, has brought forth inquiries con- ing the screen rights from several interested producers, according her agent, A. Monte Stein.

ALONG THE DAIL

with PHIL M. DAILY

- - - ONE of the most potent factors, contributing to the popularity of "Buck Benny Rides Again"...at the New York Paramount (where it appears domiciled for a good three weeks)...is the avalanche of air plugs the opus has grabbed...via the enterprise of Bob Gilham...the man-mountain of Paramount...in charge of the company's promotional destinies...Round the country...wherever the picture has been shown...this air campaign has also conspired to pack the customers in...

- - - THERE isn't room in this intimate corner...to enumerate all the air tie-ins...Jack himself has fortified the picture via the Jello program...then guest-starred on the Kate Smith coast-to-coaster...and will appear in similar guise on Ripley's "Believe It or Not" tomorrow night...Too, Fred Allen has clarroned the film (Fred and Jack team in a Paramount pic this summer)...and Eddie "Rochester" Anderson has also been taking the measure of the wave-lengths for his "hoss"...by being Fred Allen's guest on one occasion...and performing on the local WIN broadcast of the film's Harlem debut...

Even Mark Sandrich, producer of the comedy hit, networked it on Stella Unger's "Hollywood News Girl"...and Phil Harris, member of the picture's cast...Jimmy McHugh, composer of the song hits...and Dennis Day, singing feature player...all rode the air waves on special occasions for Jack...Additionally, there has been a six-week span of plugging the musical numbers...on all manner of programs...Paramount isn't missing a single opportunity to turn "Buck Benny Rides Again" into a maximum grosser...for radio has been only one of the several channels employed...

- - - THE sure-fire sign of Spring is the re-opening on Monday noon...of the Loew-Metro World's Fair Information Center...aboard the traffic island at the triple intersection of Broadway, Seventh Ave., and 46th St...The Info Center will be open daily from 9:30 a.m. to 9:30 p.m. ...

- - - SPEAKING of promotion generally...film companies and exhibs...are strategically beginning to pay more attention to newspapers published by various unions...and by the same token these newspapers are beginning to pay more attention to movie news...For example, the Ladies Garment Workers...have a live sheet with a reported circulation of some 170,000...and an alert editorial policy under Editor Max Danish...who recognizes the importance of filmland...

Furthermore, the newspaper has a keen column on pix...skillfully purveyed by Allen Saunders...

- - - TO-NIGHT, some 200 Picture Pioneers will gather in the Waldorf Astoria...for the org's Spring Conference Ballhead...under the expert watch of Jack Cohn, the Pioneers' House Manager...

The entertainment program will include real, live "orse racing" jockeys et al...and the initiation of 18 candidates into the society will also be a highlight...The gents to be admitted include a young fellow by the name of James J. Walker, former Mayor of New York...

DARK COMMUNITY IN GREAT DEPTH
BY LEADING THEATRES

CAST
CLAIRE TREVOR
JOHN WAYNE
WALTER PIDGEON
ROY ROGERS
GEORGE HAYES
PORTER HALL
MARJORIE MAIN
RAYMOND WALBURN

Raoul Walsh

ROXY
PARAMOUNT and FENWAY
EARLE
FOX
ALVIN
COLONIAL
NORVA
STRAND
ESQUIRE and UPTOWN
NEW MALCO
STATE
ORPHEUM
PALOMAR
PARAMOUNT
GRAND
20th CENTURY
CENTURY
PARAMOUNT
STRAND
WARNER

NEW YORK CITY, N. Y.
BOSTON, MASS.
PHILADELPHIA, PA.
ST. LOUIS, MO.
PITTSBURGH, PA.
RICHMOND, VA.
NORFOLK, VA.
LOUISVILLE, KY.
KANSAS CITY, MO.
MEMPHIS, TENN.
OMAHA, NEBR.
PORTLAND, ORE.
SEATTLE, WASH.
DENVER, COLO.
ALBANY, N. Y.
BUFFALO, N. Y.
ROCHESTER, N. Y.
SYRACUSE, N. Y.
PROVIDENCE, R. I.
BRIDGEPORT, CONN.

A REPUBLIC
The story of
"THE
BLACK KNIGHT
OF KANSAS"
Who lived and loved in the
Rhett Butler manner.

WARNER'S

DOWNTOWN (DAY AND DATE) HOLLYWOOD

LOS ANGELES, CALIF. • HOLLYWOOD, CALIF.

RIALTO • TACOMA, WASH.

ORPHEUM • OAKLAND, CALIF.

EMPIRE • BIRMINGHAM, ALA.

SAVANNAH • SAVANNAH, GA.

PARAMOUNT • BATON ROUGE, LA.

SAENGER • PENSACOLA, FLA.

MAJESTIC • SHREVEPORT, LA.

CROWN • MOBILE, ALA.

MAJESTIC • HOUSTON, TEX.

MAJESTIC • DALLAS, TEX.

SHERIDAN • MIAMI, FLA.

STATE • OKLAHOMA CITY, OKLA.
need for any controversy, but that unless an understanding can be reached by all parties, some antagonism is bound to result.

The Thompson agency has participated in the production of 22 sponsored pictures in the last year, of which 14 have been of the "minute movies" type, latter being animated cartoons in Technicolor.

Agency reports that exhibitors are welcoming these pictures, declaring some theater owners assert they are superior to the Hollywood-made product. Exhibitors claim there have been no squawks from the audiences, according to the agency. MPDA at a board meeting last week reportedly gave the sponsored ad problem serious attention, stirred by the Thompson agency's recent page ad in Fortune citing forward strides made by ad pix.


Metro Pacts for Two West Coast Bureau of THE FILM DAILY Hollywood—Eleanor Powell and Mary Howard have new Metro pacts.

**Odeon, Gaumont British Reject 70% GWTW Terms**

(Continued from Page 1) Odeon, together, GB and Odeon control 700 theaters. Maxwell's circuit embraces more than 500.

Sidney (By Cable)—GWTW is settling down to top biz at the St. James and Liberty here, following its gala opening at the former Monday night and regular opening at both on Tuesday. Pix has been set for two Melbourne houses, Regent (Hoyts) and Metro (Loew) on June 1. Meanwhile the Exhibitors Association of Australia is aping the CEA in its assault on Metro's terms for the pix.

**You Say It** Financial Reporter, Wall St. daily centered on refraining from coverage to finance, has added a film department, with William Smith functioning as critic. Write your own comment.

**Jack Gohn Honored by Dominion's Vets**

(Continued from Page 1) Arthur A. Low and M.A. Schlesinger of New York and Max Levy of Chicago, members of New York's Picture Pioneers which Cohn organized and headed.

Other life memberships, it was announced, have been conferred upon W. Ray Edens and Eddie Golden, Monogram execs.; Arthur Gottlieb of Film Labs. of Canada and M. Norrish proxy of Associated Screen News of Canada.

The Canadian organization, with 125 members, will hold its first convention in August, probably here. It is headed by Clair Hague, Universal's Canadian manager, with Oscar Hanson of Empire Universal as vice-president and Ray Lewis as secretary-treasurer.

In addition to the officers, the executive board embraces F. E. american manager RKO-Radio; Ben Cronk, Haskell Masters, Canadian manager United Artists; Sam Sernberg, Herbert Hendelman, Canadian editor; Edward Wells, secretary of the Motion Picture Distributors Association; Syd Taube, Fred Pursel, James P. O'Loghlin, Canadian manager for 20th-Fox; Jake Smith, Charles Stephenson and Archie Laurie of Laurie theaters.

Highlights of the rally, arranged by a committee consisting of Lourie, Taube, Stephenson, Stewart, Cronk and Walter Kennedy, were a dinner followed by a gala show in an old time nickelodeon theater with hard wooden seats and all, constructed inside the hotel. J. J. Fitzgibbons, FPC vice-pres., was emcee.

**Schaefe, Depinet Going to Coast for Pix Talks**

(Continued from Page 1) world promise of RKO's "My Favorite Wife." Depinet will return to New York next week but Schaefel may remain a week longer for last-minute parleys before the company's annual sales convention in New York.

Louisville, Ky.—Premiere of "My Favorite Wife," with Irene Dunne in person, takes place tonight at the Radio Theater here. Hollywood delegation, including Miss Dunne, arrives this morning. Party include: Producer Leo McCarey, Director Garson Kanin, Randolph Scott, Gene Fowler, David Butler, Hal Roach, Percy Lieber, Margaret Ettinger, and H. Dunne's husband, Dr. Francis Griffin.

New York's contingent, also arriving this morning, includes George J. Schaefer, Ned Depinet, S. Barret McCormick, Irving Shifrinn and Sam and Bella Spewack, authors of the play. Miss Dunne will sing Stephen Foster songs at the Foster celebration and "My Old Kentucky Home" just preceding the running of the Derby.
The Film Daily

S. WITNESS ADMITS ‘POOR’ THEATER DEAL

(Continued from Page 1)

The 540-seat Rialto theater, in Paterson, N. J., also complained to Government because, he said, the 3-seat Regent in Paterson faced seven days’ clearance over his theater during the past six months. The Regent was closed due to lack of customers who had moved north to more modern theaters.

Lesser admitted that on purchasing the Rialto two years ago the owner had advised him of the clearance when the Regent opened. He claimed he did not know that the Rialto shared the clearance until he purchased it.

Towns’ Staff Comes May 6 to Prepare for Equity Trial

Paul Williams, Special Assistant to Attorney General, will move his entourage to a New York office May 6 to prepare for trial of government’s equity suit, it was announced yesterday. Assisting him in this new office will be special assistants, Robert L. Wright, F. Claggett, James Malloy, J. H. Doyle and James Hayes, special attorneys, J. A. Tryon, J. Franklin Cunningham and J. P. Farnsworth.

N.Y. Filing Contempt Motion Pending Objections

(Continued from Page 1)

At his report and file their objections, it was learned here yesterday, the government has given defense counsel 20 days in which to file their objections. They have filed a motion for contempt of court. Thereafter, the court will issue a ruling. The government will then have 30 days to file its brief in support of the contempt motion. If the court grants the motion, it will order the defense to produce additional evidence. The defense will then have 30 days to file an appeal.

Fox Exhibs. to Adopt ‘Price, Change Agreement’

(Continued from Page 1)

The rock bottom in St. John, which is 15 cents, is in Halifax, which is 15 cents, ranging through 10, 25, 30 cents to 50. It is reported that the Halifax has the highest price in St. John, or at least 20 cents in Halifax, which is the same price as in St. John. Also, the Halifax has established a twice weekly change agreement between the two cities, which is now prevailing.

Four Complete Sets of GWTW Prints Sold Out During 16 Weeks’ Run at Chi. Oriental

(Continued from Page 1)

Chicago—With the closing of GWTW set for May 16, Oriental claims: (1) longest single run of any house in the U. S. S. exceeding the N. Y. Capital by five weeks; (2) four complete sets of prints of 16,000 miles of film have been run out; (3) run totals 337 showings, for a total of 1,348 hours.

Oriental will go to a stage show policy starting May 17.

New Killman Color Process Patent Rights to be Sold

(Continued from Page 1)

Warners reported among major companies studying its possibilities. Options held locally by Winston Evans in the company’s 35 per cent common stock interest amounted to $158,513 in 1940 as compared with $138,513 in 1939. Of these earnings, $123,528 were undistributed in 1940 and $105,513 in 1939. The company is considering a capital increase of $100,000.

Mrs. Roosevelt Will Appear in First “Hobby Lobby” Short with Audience Participation Productions

(Continued from Page 1)

Mrs. Roosevelt will appear before the cameras today at the Fox Movietone studios here.

S.O.S. Acquires Sun-Arc Stock of Carbon Products


These carbons were formerly sold under the trade name of Sun-Arc and will be continued by S.O.S. under their existing name.

Femmes Hitting the Road

West Coast Bureau of THE FILM DAILY

Hollywood — With 20th-Fox already planning “Ladies of the Road,” Columbia announces “Girls of the Road.”

REPORT PARA. PLANS EXPLOITATION FORCE

(Continued from Page 1)

handle campaigns on Paramount pictures in his respective district.

It is understood that a decision on this move will be made at the forthcoming convention and branch managers’ convention in Los Angeles late this month.

EDMUND LOWE • IRENE HERVEY

HENRY WILCOXON • PAUL FIX

Directed by Phil Rosen

A REPUBLIC PICTURE
THE ALL-STAR DOUBLE BILL

Frank Capra's
IT HAPPENED ONE NIGHT
starring CLARK GABLE CLAUDETTE COLBERT

ASK THE MAN WHO'S BOOKED 'EM!

CALL THE EXCHANGE THAT HAS 'EM!

Frank Capra's
MR. DEEDS GOES TO TOWN
starring JEAN ARTHUR GARY COOPER

Just as timely... just as amusing... just as thrilling... as the first memorable day they were screened!
MP Research Council "Turns On Heat" For Neely Bill

REPORT AUSTRALIAN REMITTANCE AGREEMENT NEAR
Majors Change Strategy, Bare Records In Mori Suit

U. S. Film Service to Ask All Distributors to Bid for Release of Its "Fight for Life"

Washington—Invitations for bids on the U. S. Film Service production "Fight for Life" will be sent out to distributors in about 10 days. The bid invitations are being prepared now and will be sent to all distributors, it was said.

Meanwhile, continuance of the film service appears to be in a very precarious position following the Senate's refusal to appropriate funds. Presidential intervention in behalf of the Film Service is regarded as unlikely by observers.

Gregg of Erpi Sees U. S. Capturing Equipment Market in Latin-America

New theaters with seating capacities up to 3,000 are springing up in almost every area in Central and South America, it was reported yesterday by E. S. Gregg, general foreign manager of Erpi, following his return from a three months Latin-American tour.

Gregg, who visited 14 countries, negotiated 22,000 wholly by air, described business in most Latin-American countries as in the "mild boom" stage. He said: "Erpi's business is keeping well abreast of this building advance and our line of theater supplies including sound equipment as well as projection apparatus is rapidly replacing the European-made product. This is

Asher, Mannix May Fly to London at Week-end

If accommodations can be acquired, Irving Asher and E. J. Mannix, M-G-M production executives, will leave over the week-end by clipper for Europe, with London their destination. It was explained yesterday, following their arrival from the Coast, that the purpose of

"Night at the Races" Is 1940 Sensation!

Last night in the Waldorf-Astoria, the Motion Picture Pioneers launched "A Night at the Races," with more than 200 film executives on hand for the occasion, held under the aegis of Jack Cahn, organization's House Manager. Entertainment scored handsomely. For review of the highlights of the current season turn to Page 6.

M P PROD & DIST
28 W 44TH ST

THE FILM DAILY

file copy

do not remove

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

E. L. 77, No. 88
NEW YORK, FRIDAY, MAY 3, 1940
TEN CENTS

by Vitagraph, Loew's and Paramount Precedes Contemp Move

Philadelphia—Indicative of a change in defense strategy, counsel Vitagraph, Loew's and Paramount yesterday delivered their bids and master contracts to Special Master David Bachman in connection with the examinations of defendants in the Mori (Vineland, N. J.) trust suit.

Evans averred any possible con-
(Continued on Page 7)

"SALES CONCLAVE TO CALL EXECUTIVES"

Exchange managers, salesmen and others from 16 exchanges, in addition to home office and Canadian representatives, will attend a Western regional convention in Atlantic City, May 11-15. A second session for the Western personnel is scheduled for Chicago a week later.

(Continued on Page 6)

Sons to Ask Action in Ford Anti-Trust Suit

Chicago—Lewis Jacobson, attorney for Ford, Ford, operator of the suburb Theater, Evanston, said yesterday he would go into Federal court if James Willkerson's court order is not reversed.

"My Favorite Wife" Spells O. Smash

"My Favorite Wife," given its world premiere by KCO at the Rialto, Louisville, Ky., last night, is a solid 40 minutes of entertainment for audiences who laugh. The picture contains a sequence of laughter from one scene to the next, which makes it ideal for a comedy house. (Continued on Page 7)

Col. Signs George Stevens to Producer-Director Pact

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia yesterday announced the signing of George Stevens to an exclusive producer-director contract. First assignment probably will be the Louis Bromfield novel, "New Orleans," with
(Continued on Page 7)

San Francisco—The Motion Picture Research Council, foe of block-booking and blind-selling, has driven another nail in the consent decree's coffin, it was disclosed here yesterday.

Lining up with Allied States, the Council has ruled the D of C's plan for the settlement of the New York equity suit no substitute for the Neely block-booking measure, fol-

Percentage Figure Still Being Negotiated: Aussies Want 50%

No agreement has been reached yet in Australia between U. S. distributors, and the Government on the percentage of remittances that will be "frozen" during the war as a move to conserve dollar exchange, it was stated yesterday by a major foreign department. It was stated that a final percentage figure was still being negotiated, but there was a strong possibility that the agreement will be concluded in a short time. No allocation has been set yet as a basis for the remittance percentages.

The proposition offered to the
(Continued on Page 3)

NO DEFINITE QUOTA FOR UNITED JEWISH APPEAL

With aim of effecting a close-knit organization for its impending drive, the Amusement Division of the United Jewish Appeal, under the chairmanship of David Bernstein,
(Continued on Page 7)

Edison Progress Pageant to Mark Metro Pix Debut

The five "home town" communities of Orange, East Orange, West Orange, South Orange and Maplewood will join forces in co-operation with national and state authorities
(Continued on Page 7)
Appoint Goodman to Head Photophone Service Work

With his appointment as assistant manager of the RCA National Service Division, announced yesterday by W. L. Johnstone, Photophone Service Manager, Adolph Goodman assumes charge of all Photophone service activities. Goodman will continue an active interest in Photophone service technical development which he has supervised for several years.

C. Johnson, Kansas City district manager, has transferred to the Camden office to promote the sale of RCA sound amplification and reproducing equipments. His position has been filled by the appointment of Bill Hardman formerly of the National Service staff at Camden.

Three New Tennessee Fix Theaters Open Within Week

Nashville, Tenn.—Three new film theaters have opened in Nashville within a week. They include the Capital Theater, one of the few Negro-owned and operated theaters in the city, the 1,200-seater, part of a $250,000 suburban center development adjoining the Crescent's semi-outskirts. A $35,000 project of Dave and Bernard Woolner, the latter a community activist, the Capital will be second-runs to 10-26 cents.

Two Feature Films Will be Telecast Next Week

NBC's tele program for next week calls for two feature films, "Cabin Broke," scheduled for Sunday afternoon, and "Mystery in Space," all-Navajo east pix, set for Friday afternoon. The film will have its first display on July 9 in the presence of President Franklin D. Roosevelt. The film, which will be transmitted in cooperation with the National Federation of Stamp Clubs, will have its six dates on the Belmont Track, starting Thursday, July 11.

Dinner for Sid Samuelson Is Held Without Samuelson

Illness of Sidney Samuelson prevented his attending a testimonial dinner held here last night in Newark, an event planned by New Jersey Allied. Unit was unable to call off the dinner and the affair was held without the guest of honor. Samuelson, now heading the Eastern Pennsylvania Allied group, was recently named New Jersey Allied leader.

The testimonial dinner may be re-staged at a later date.

"Win the Bank," Theater Game, Held Lottery in Mo.

Jefferson City, Mo.—"Win the Bank" is a lottery the Attorney-General's department has ruled, so informing Prosecuting Attorney W. W. Graves of Jackson County who has sought an opinion.

The "Win the Bank" plan, used by a number of theaters in Kansas City and elsewhere, provides a prize for the person obtaining the highest total from a selection made from 60 numbers printed on a contest blank.

Local News in Color Tried by Fox Midwest

Kansas City—Fox Midwest is sending its own cameraman, Cooper Johnson, to shoot home-town newscasts in color. Shot in 16 mm. reels are without commercial tieups.

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK—OBER-THE-COUNTER SECURITIES

Pathes Film 7 pd. | 40 3/4 | 40 3/4 | + 1/4 |
| Fox Time 7 pd. | 40 3/4 | 40 3/4 | + 1/4 |
| Loew's Thea. Rez 61 1st | 45 69 7 | 45 69 7 | + 4 69 7 |
| Met. Picts. Bldg. | 45 69 7 | 45 69 7 | + 4 69 7 |
| RKO 4rd St. Bldg. | 45 69 7 | 45 69 7 | + 4 69 7 |

Mono. Holding Western Sales Meeting in Frisco

Monogram will hold a western regional convention at the Empire Hotel, San Francisco, tomorrow and Sunday. President W. Ray Johnson, Scott Dunlap, production head, and Lawrence Edward Golden, sales manager, leave Los Angeles today with other members of the L. A. delegation.

Scheduled to attend the two-day session, besides Johnson, Dunlap and Golden, are Howard Stubbins, president of Monogram Pictures of Canada, R. M. Huyck, Monogram's Los An geles manager; Al Goldstein, William Duggan, Al Harris, Seattle; Walter Woolsey, Portland; M. H. Hulling, Gordon Allen and Cliff Metcalf, San Francisco, and M. J. E. McCarthy and Bud Forrey, of the studio.

Radio Film Commentators to Speak at Am Am Meet

Seventeen members of the National Radio Film Commentators Circle, all affiliated with local stations, will be guests of the American Film Institute Thursday next, May 19, at the Dunsmoor, Leon Bamberger, the president, announced.

David Lowe, president of the Circle, will preside for the convention and in addition to his remarks, will introduce four speakers. A question period follows the talks.

The Circle has 122 members elected among 43 states. They represented as feeding their grains have been neglected by film industry.
SSIE REMITTANCE REEMBT SCNT SAKD NEAR

(CONTINUED FROM PAGE 1)

bars. by the Aussie government similar to the English deal. How- it has been pointed out by the users that their operating in Australia were considered rather than in England, there- ing remittances on a 50 per basis considerably smaller in ranges than those received from England.

is also anticipated that a clause be in the agreement allowing the States a part of the seign for one year's legislation is en- forced. However, requests for a renewal of exhibitors rejection per- missions, were stated by the Gover- nment to be outside of its prov- ence. The state governments set up rejection percentages. New Zealand is not included in the proposal. Distributors' reac- tion in New York, was mixed, with exhibitors believing the current was acceptable and others seeing further revisions necessary. "The names of the states," revenue australia varied from $4,000,000 to $50,000,000, made by some foreign exhibitors, to a "stake" of $7,000, cited by Leon Snider, Australian, exhibitor, while in this country.

D. Censor to Pass on Coin-in-the-Slot Pix

troit—Coin-operated films will subject to regulation film censor- or Charles W. Snider, local police, tol THE FILM DAILY.

a ruling on the subject, he said, as must be reviewed by the film censorship, this plan will be worked out by the dis- tance. Since the pictures are be- yond control for public exhibition, they very definitely subject to cen-

bert Sherwood Prod.

in Deal With Columbia?

bert Sherwood Productions has formed on the Coast and re- ported has closed a one-picture deal with Columbia. First picture is a "Legacy," based on a novel by to be published by Alfred Knopf, is not to be con- sidered with Robert E. Sherwood, the

Oppose Pa. Sunday Pix

t sburg. — Churchmen at closing sessions of the annual convention of the Pennsylvania Na- tion of Churches this week led a resolution opposing legali- zation of Sunday movies.

paradise Would Dissolve

tion for permission to dis- possess was filed yesterday in the New Supreme Court by Paradise 
es Corp., which formerly ran Belmont Theater.

LOUISVILLE

—LOUISVILLE

• • • EVEN the feverish interest in Saturday's Kentucky Derby ..... went into eclipse here last night . . . . as RKO Radio unared on the screen of the local Rialto Theater . . . the brilliant world premiere of the company's new and rollicking comedy . . . . "My Favorite Wife" . . . .

It was a great day and evening for the Blue Grass State . . . .
and particularly for her metropolis . . . which appears to have estab- lished a monopoly lately . . . on premiers . . . the city having but a short span ago . . . witnessed the bow of "One Million B. C." .

• • • INSTITUTIONAL Fourth Street . . . . was indeed, cinematically speaking, the first street of the land last evening . . . . as thousands thronged this main stem . . . . .striving for a glimpse of film stars and prominent motion picture personalities . . . . . who were present in force . . . . From RKO Radio's home office came President George J. Schaefer . . . . Vice-President Ned E. Depinet . . . . and Barret McCormick, promotional chief . . . . while the Hollywood contingent included Irene Dunne, star of the opus . . . . Randolph Scott, Walter and Mrs. Connolly . . . . Leo Mc- Carey, vehicle's producer . . . . Garson Kanin, who directed . . .

Dr. Francis Griffin, Miss Dunne's hubby . . . . Sam and Bella Spe- wack, the scenarists . . . . Gene Fowler, author . . . . plus Hal Roach, David Butler, Margaret Etinger and Perry Lieber .

• • • SCREEN luminaries and execs . . . . were by no means the sole magnets . . . . of Louisville eyes . . . . for along with the visitors as they marched to the blare of bands . . . . into the sunlit-arbath bather parts of the Rialto . . . . were Gov. Keen Johnson, Mayor Joseph D. Scholtz, Mrs. Samuel Conner, Democratic National Committee woman from Kentucky . . . . a delegation of prominent women . . . . and the student body representatives of Loretto Academy . . . . of which Irene Dunne, a native of Louisville, is an alumna . . . . Even the seventh annual biz session of the Honorable Order of Kentucky Colonels . . . . which was held at the Kentucky Hotel to complete plans for the annual Derby Eve Banquet tonight . . . . was understandably brief . . . . as the Colonels. Suh . . . . hugged nervously at their glee bells and leaped from their jauneled halv unguied . . . . in their anxiety to get to the Rialto for the festivities .

• • • WELL, Saturday's the Derby . . . . and no amount of clairvoyance on the part of this corner . . . . can prognosticate the winner . . . . but there is one positive winner already on the lips and in the hearts of Olv Louisville . . . . and that's "My Favorite Wife" . . . . It has already come in with flying colors . . . . and with it . . . . exhibits, everywhere will be . . . . on the right track.


MPRC TURNS "HEAT" ON FOR THE NEEDY BILL

(Continued from Page 1)

lowing a review of the plan by Mrs. Moore, Chairman, the National Legislative Committee; Henry R. Atkinson of the National Advisory Committee; and members of the Joint Congressional Commit- tee in Washington.

The Council, it is indicated, will be in the front battle line when the hearings on the Neely bill start in Washington on May 13, and as a preliminary move, is calling on its affiliates to "turn on the heat" via a post card barrage.

Call to action says, "Compulsory book-blocking and blind-selling centralize control of neighborhood entertainment in a commercial monop- oly. Education, culture and child welfare are involved, as is the freedom to reject propaganda. It is a menace to democratic American ideals.

It is disclosed that the national endorsing groups of which the MPRC is one have distributed "thousands of copies" of the Neely bill in the drive to spur House passage before adjournment.

Ross Going to Coast; Will Decide on Production Site

Nat Ross, who has a one-picture production deal with Columbia, plans to leave tonight or tomorrow for Hollywood where he will decide whether he will make his contemplated feature on the Coast or in New York.

Ross is talking terms with Eastern Service Studio and Erpi, but if nego- tiations are unsuccessful the picture will be made in Hollywood. He originally planned to produce at Biograph.

Lehman Suggests 14 N.Y. State Stories for Films

West Coast Bureau of THE FILM DAILY

Hollywood—Wesley Ruggles has asked the Governors of 44 states to suggest film stories with state back- grounds. Gov. Herbert Lehman of New York has sent along 14.

Suspend Priscilla Lane

West Coast Bureau of THE FILM DAILY

Hollywood—Because of her report refusal to take the starring role in "Money and the Woman," Warners has suspended Priscilla Lane.

New Termer for Traube

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth-Fox has handed a new contract to Director Shepard Traube.

Silents in Sixth Month

Miami Playhouse started its sixth month of silent revivals yesterday.
EXCITE ME

IRENE DUNNE  CARY GRANT
"My Favorite Wife"
with
RANDOLPH SCOTT  GAIL PATRICK
A LEO McCAREY PRODUCTION
DIRECTED BY  GARSON KANIN
Screen play by Bella & Samuel Spewack
Louisville, May 3—For the first time in its history this city has something to talk about on Derby Eve besides that turf classic—the amazing World Premiere last night at the Rialto Theatre of "My Favorite Wife," an event that lighted the town with its brilliance and introduced to America one of the funniest pictures the screen has ever shown!
“U” Sales Conclave to Call Executives

New York Preview

“A Night at the Races”

Motion Picture Pioneers

COLOSSAL COMEDY WHOSE RACING CLIMAX REVALUES ENTERTAINMENT BY USING TREADMILLS INSTEAD OF THE USUAL SOUND TRACK.

This grand comedy was unleashed last night in the snotty Waldorf Astoria by a brilliantly talented and increasingly “spirited” cast, each member of which has had at least 25 years experience in filmland. The production was unusual in that it was above criticism because no critics were there. Furthermore, it unashamedly plagiarized a Marx Brothers picture, and cannot be termed a “vehicle” because only men and women were in evidence. From the viewpoint of this reviewer, the opus was spotted in the wrong house, the atmosphere of the Waldorf being too swanky. A more pop situation, it seems, could have been selected for example the center ring of Ringling Bros. Barnum & Bailey Circus, in which event MPFDA might have come across with a seal. Although the comedy rolled until past midnight, indeed eclipsing in running time the vaunted “Gene With the Wind,” the story is very simple. At the outset, more than 200 executives, representing more distinguished Pioneers than Cecil DeMille ever dreamed of putting into one attraction, appeared in a cocktail qualifying scene, after which a banquet was staged, presided over by Jack Cohn, cast in the role of House Manager, and featuring the Rocky and Sonora and the Fuzz and Nuts on running on treadmills. A pari-mutual betting was in order, and, with wagers down, ten per cent of which went to the Motion Picture Pioneers’ Relief Fund and the balance to the winners, Jack (Official Starter) Alicato sprang the barrier for the first of two races which pitted Robinson’s horse against Sooner’s Marvin’s. The second hurdle also had three entries, Terry’s Ram, Cohn’s Jack, and Buckley’s Harry. Judge Pecora was as usual the judge, and the Harry’s Brandt and Buxbaum the stewards. Through-out the production ran the theme that the cup that cheers brings a happy ending Cohn’s production technique was fine. Photography, what there was of it, can best be described as flashy.


CREDITS: Producer, Jack Cohn; Directors, Hal Hode, Harry Brandt, Marvin Schenck, Joe Horstman, et al.; Special Effects, James J. Walker, Judge Pecora, J. C. Flippen; Author and Screenplay, Anonymous; Wardrobe, Moe Levy to London’s Bond Street; Sound, Plenty; Music, The Four Sons.

DIRECTION, Bull’s Eye. PHOTOGRAPHY, Very Still.

Hoffberg Gets 3 Donat Pix

Acquisition of three English-made features starring Robert Donat was announced yesterday by W. H. Hoffberg. Pictures were purchased from United Artists, Merle Oberon, Willy Fingers, Edmund Gwenn and Miles Mander are also prominent in the productions.

Studios in Stellar Role

Douglas in Stellar Role

Recent feature, “He Stayed for Breakfast,” alias “Ode to Liberty,” B. P. Schulberg’s first Columbia production, in which Douglas Douglas will star. It’s an adaptation of a French play.

Tanchuck as Tele Director

West Coast Bureau of THE FILM DAILY

Hollywood—Nat Tanchuck, publicist of ADJUSTED TO EARTH crew and owner of IFO, has been signed by WOXAQ to produce, write and direct television series of plays and series. Series, which is called “A Man Named Brown,” will be televised May 9.

C. V. Father-Son Banquet

Washington Bureau of THE FILM DAILY

Hold its 17th annual Father and Son banquet on May 12, it is announced here. Carter Barron, John J. Payette and Harry Meikin are handling arrangements.

Auto Stunt Driver Sues “U” for Use of Scene

Indianapolis — Universal Pictures Inc., Studebaker Corp. and Lucky Teeter, d recurse, totally huge. driver, are named defendants in a $500,000 damage suit filed in Superior Court by Earl Simon, a stunt driver. Suit purports to sue a general used scene once stunts done by him and his assistants at the Studebaker proving grounds, in "Danger on Wheels." Simon has alleged that, in connection with a stunt performed by a car driven by the defendant organizations, he was injured. Simon, according to his complaint, has suffered a broken leg, and a broken hand.

Unfinished Wagnerian Opera May be Film

West Coast Bureau of THE FILM DAILY

Hollywood—An completed, unrecorded, work by Richard Wagner, a fore he evolved the theory on which the orchestra vocals, sections and instruments, words etc. may be equally important in an opera rendition, may find its way to the screen shortly, according to plans now being developed by Irving Thalberg, 20th Century-Fox director.

Start "Belgique in June"

London (By Cable) — Twenty Fox has sent its most pretentious British pix, “La Libre Belgique for June production at Shepher Bush. Michael Redgrave may be seen as Eugene Van Doren, who published the clandestine sheet during the World War.

Merit Playdate Drive

Playdate drive will be inaugurate May 15 by Merit Pictures Corp. with prizes awarded to exhibitors every week. Exhibitors will get a ticket for each playdate they make, with drawings of tickets every two weeks to be awarded to winners. Drive will conclude July 30.

Autry Pix In Lowes Houses

Gene Autry’s latest Republic film, “Rancho Grande,” will be shown at all new New York Metropolitan Theatres, beginning May 10.
Tulsa to Have Two Drive-Ins This Summer

Tulsa, Okla.—At least two drive-in theaters will be constructed near the city limits here, one of them to be in operation by June 1, according to L. A. Chatham and Abe Rosewall, representatives of Griffith-Southwestern Theaters here.

Chatham has announced that he has optioned four sites, with decisions depending on traffic checks. First to be constructed will accommodate about 1,000 cars, involving 10 elevations.

Edison Progress Pageant to Mark Metro Pix Debut

(Continued from Page 1)

to present an Edison “Pageant of Progress” from May 14 to May 16, and M-G-M has arranged for the world premieres of its picture, “Edison, the Man,” in four theaters on the evening of May 16.

Col. Signs George Stevens to Producer-Director Pact

(Continued from Page 1)

Jean Arthur starring. Stevens was last with RKO Radio.

Ex-Loew Cashier Queen of Nat’l Restaurant Week

Marietta Ronchetti, of 1616 Grand Avenue, the Bronx, a child’s restaurant waitress, selected by the New York State Restaurant Ass’n as N. Y. Queen of National Restaurant Week, the week of May 6th, and who will be officially crowned and presented with a scepter at City Hall, today, started out as a cashier at Loew’s Burnside Theater. Her mother is now a matron at Loew’s 17th Street Theater, one brother an usher at the Capitol Theater, another Loew’s operation.

Circuit Court Upholds, Reverses in Patent Suit

Chicago—U. S. Circuit Court of Appeals has upheld in part and reversed in part the District Court decisions in Wagner Sign Service—Adler Sign Letter Co. patent litigation.

Circuit Court finds Wagner’s first patent valid and that Adler’s letter of the notched flanged type infringes, but that Adler’s letter of the lug type does not infringe. Additionally, both Adler’s patent and Wagner’s second patent are held to be invalid.

Cagney in Press Tale

Hollywood — James Cagney will star in “The Stuff of Heroes,” newspaper tale, for Warners.

“Human Beast” Stays

With an attendance record claimed, Thalia is holding over “The Human Beast,” June release.

Silverstone and Goldwyn Due From Coast on Monday

Goldwyn will reveal his plans for 1940-41 production while in New York. Whether he will commit himself as to his product deliveries to United Artists, in view of the pending suit, could not be definitely determined yesterday, but it was indicated that no announcement would be made until the case has been settled.

Asher, Mannix May Fly to London at Week-end

the trip was to get first hand information on M-G-M activities in England. Their findings will be reported to Louis B. Mayer.

Death for German Producer

Paris (By Cable)—Fritz Erner, German film producer, condemned to die by the Paris Military tribunal following conviction on an espionage charge.

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount is negotiating with Director Al Rogell for the purchase of his original story, “If This Be Treason,” based on the life of Nathan Hale.

Rogell, currently directing Universal’s “One of the Boston Buller tons,” and committed to one picture for R-K-O, or completion of his present assignment, has indicated his willingness to sell the yarn to Paramount if production will be held up until his services are available as the director.
**REVIEW OF THE NEW FILMS**

"My Favorite Wife" with Cary Grant, Irene Dunne, Gail Patrick, Randolph Scott

"Saps at Sea" with Laurel and Hardy


"In Old Missouri" with the Weaver Brothers and Elke Sommer

HILLYBARN YARN OKAY FOR SMALL TOWN TRADE, BUT HAS LITTLE LARGE CITY APPEAL

Exhibitors in the hinterlands did surprisingly good business with a real public release entitled "Jeepers Creepers" and it is very likely they will do as well with this picture, but as film for urban audiences it fails to have appeal. The story is nothing more than a series of situations which provide opportunities for the Weaver Brothers and to dish up their own particular brand of billy humor, ranging from broad slapstick homespun homilies. June Storey, Marjorie Stanton, Thurston Hall, Alan Ladd, Loretta Young, support the principals but Frank McDonald directed, a film beset with numerous difficulties, is perhaps no propugnator in this instance, releasing the lot of the sharecroppers landing on land owned by his company, turning over to everything in the Weaver lives and dispersing them. Edest brochures, working everything out nicely before the tune winds up, trapping the crooks were robbing Hall, effecting a reconciliation for Hall with his wife, relieving sharecroppers' burden and taking care of their interests.


CREDITS: Associate Producer, Art Schaefer; Director, Frank McDonald; Original Screenplay, Donnell and Studs Gowan; Cameraman, Ernest Miller; Editor, Ernest Nims.

DIRECTION, Adequate. PHOTOGRAPHY, O. K.

**FOREIGN**

"Little Adventurers" (Italian dialogue, no English titles)

ESPERA FILMS

NEW YORK TIMES: Industrial propaganda scenario made more entertaining by efforts of you cast.

DAILY NEWS: A little Mark II and a lot of nationalistic zeal are bodied in film, but it entertain and has considerable humor.

HERALD TRIBUNE: Has been no propugnator in this instance, could have been rated as an adventure story.

CREDITS: Mediterranean Films presentation, Flicks Calzavara, PLT 7, Nello De Rossi, Rolando Vona, Leo Chiorio.

Ann Sothern as Dulcy

**FOREIGN**

"The Mayor's Dilemma" (French dialogue, English titles)

Film Alliance of the U. S. A.

DAILY NEWS: Amusing comedy has excellent cast and good direction.

HERALD TRIBUNE: Photoplay of rich dramatic substance, engaging characteristics and captivating background.

NEW YORK TIMES: Cheerful and deeply affectionate film.

CREDITS: Producer, S. Nebanzahl; Director, Raymond Bernard; Screenplay: Charles L. Sayre; Art Director, Roland Larruceau.

**FRIENDLY**

"Fairbanks Film Program"

Fairbanks career of the late Doug Fairbanks, starting with "The Lamb" in 1915, will be reviewed in a series of films, as it is shown at the Modern Art Film Library, beginning Monday and extending through June 30. Fairbanks presented the Library with a complete collection of his films last year.

"Hokinson as Mrs. Carter"

"West Coast Bureau of THE FILM DAILY" Hollywood—Par. has acquired "Dillon Hayes" Nelson Indian novel, and Universal has bought "Unincer Payments," original by Erna Lazarus and W. Scott Darling.

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Biographical Stories Planned For 1940-41 Season

ANUCK SEES HIGHER ADMISSIONS AS NECESSARY

ock-Down, Drag-Out Fight On Neely Bill In House

HE WEEK IN REVIEW

bi. Contempt Case Report

By L. H. MITCHELL

TESTIC

CONTROVERSY: Special Edgar Eldridge's report on the contempt case ruled by the District Court of Appeals in New York was the subject of controversy. The report, which succeeded in getting the case to the Supreme Court, was praised by some and criticized by others.

PUBLIC APPEAL: The public has responded positively to the appeal for higher admissions rates. The campaign has been successful in increasing ticket sales and improving the financial situation of the theater industry.

RCA PLEA FOR TELES FREEDOM

Washington Bureau of THE FILM DAILY

Washington—RCA has submitted a plea for the freedom of the U.S. to perform its duties in the foreign markets. The company has stated that its operations are essential to maintaining the nation's economic stability.

Sweden Without Shipments of Prints for Third Week

Checkup at the end of the third week of major foreign department showed that it had been impossible for companies to ship prints to Sweden for the past three weeks and that ship... (Continued on Page 4)

45 Biographical Stories for 1940-41; Warners Lead Field With 16 Proposed

Pa. Exhibs. Apprehensive as Legislature Convenes

Harrisburg, Pa. — The Pennsylvania legislature convened today in a special session called by Gov. Arthur H. James primarily to provide additional relief funds. The additional funds are proposed to be provided through transfers of monies...

NEW ALLIED UNIT IN N. Y.

May Be Represented at Chi.

Convention in June

Plans for a new exhibitor organization in New York State are reported to be in work and details may be completed within a month. It is understood that the association will seek to affiliate with national Allied and will send representatives to the Allied convention in Chicago next month if the organization has been perfected.

Large part of the embryonic membership is said to be composed of former members of the dormant Allied of New York. First group to get under way is expected to be in Albany where activity is under way.

Other groups will be operative in Syracuse, Schenectady and Buffalo. A state-wide meeting of prospective unit leaders probably will be held next month.

Public Has Demonstrated It Will Pay For What It Wants, His View

Commitments already announced by 20th-Fox, both with respect to the budget of $25,000,000 and the company's lineup for the 1940-41 season, will be adhered to, despite the fact that film commerce between the U.S. and Europe is "taking a terrible beating." It was asserted Saturday by Darryl F. Zanuck, vice-president in charge of production, as... (Continued on Page 4)

ANTI-CLEARANCE LAW FOR TEXAS LOOMING

Dallas—A state law which would do away with clearance is being talked about here as the result of the student "strike" at Texas A & M College at College Station.

The students are protesting... (Continued on Page 6)

Execs. Add to Holdings of Universal Corp. Stock

Washington Bureau of THE FILM DAILY

Washington—Report of Universal Corp. to the SEC reveals Nathan J. Blumberg has acquired 10,500 shares... (Continued on Page 6)

GWTW U. S. 'Take' Nearing 20 Millions

As of today "Gone With the Wind" has piled up a domestic gross of approximately $17,000,000, and within another seven days, it is expected that the picture will hit the $20,000,000 mark. When first released, it was predicted by THE FILM DAILY that GWTW would gross over $20,000,000 in six months.

BY RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—If present production plans hold, Hollywood studios will swamp theater screens with biographical stories next season. Checkup shows 45, formed a record on schedules, with the probability that there will be others. Warners leads the field in the number of biographical stories con...

(Continued on Page 4)

(Continued on Page 6)

(Continued on Page 7)
The Broadway Parade

Picture and Distributor

The Fight for Life (U. S. Film Service-Loretz)—9th week
Rebecca (United Artists-Stroheim)—10th week
Stronge Corps (Metro-Goldwyn-Mayer Pictures)—2d week
Buck Benny Kids Again (Paramount Pictures)—2d week
Twin City in Broadway (Paramount)—2d week
Star Dust (Twentieth Century-Fox)—Roxy
Saturday's Children (Warner Bros. Pictures)—Rivoli
If I Had My Way (Universal Pictures)—Strand
Saps at Sea (United Artists—Roach)—Central
Suicide Legion (Alliance Films)—Central
Song of the South (RKO)—Century Pictures (a-b)
Mysterious Mr. Fuhrer (Monogram Pictures)—Palace
Covered Wagon Trail (Monogram Pictures)—Palace
Primrose Path (RKO Radio Pictures—a-b)—Palace
Charlie Chan's Murder Cruise (Twentieth Century-Fox)—Palace

Globe

Go with the Wind (Metro-Goldwyn-Mayer-Schneck)—21st week

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—10th week
The Mayor's Diploma (Film Alliance)—3rd week
Cinematographe—5th St. Flourh
Stella del Mare (Espiros Films)—Cinecitta
Torte la Vita e Una Goode (Italian feature)—Cine Roma
Janzelio (Azteca Films)—4th St. Theater
Ora, Poncianto (Azteca Films)—4th St. Theater

FUTURE OPENINGS

West of Canton City (Universal Pictures)—May 7
Rialto
My Son, My Sex (United Artists—Small)—May 9
Music Hall
Women Without Names (Paramount Pictures)—May 9
Criterion
Dark City (Republic Pictures)—May 10
Strand
Took Rode Zone (Warner Bros. Pictures)—May 17
Strand
Typhon (Paramount Pictures)—May 17
Strand
Twenty-one Days Together (Columbia Pictures)—Rivoli
Strand
Twentieth-Mile Trail (Metro-Goldwyn-Mayer Pictures)—Capitol
Capitol
So This is London (Twentieth Century-Film)—May 8 (a)
Central
Ghost Valley Raiders (Republic Pictures)—May 8 (a)
Capitol
Johnny Apollo (Twentieth Century-Film)—May 8 (a)
Central
Angel from Texas (First National Pictures)—May 9 (a)
Palace
Waterloo Bridge (Metro-Goldwyn-Mayer Pictures)—Capitol

FOREIGN

La Mazurka de Pope (Espiros Films)—May 9
Cinecitta
La Conciencio del Maglio (Azteca Films)—May 10
48th St. Theater

CBS Reports First Tele Activity to be West

CBS here at the week-end scouted reports that its first tele activity would be on the West Coast rather than in the East, pointing out that it does not at the present time even have an application pending for a Coast transmitter.

Reports originated with the Associated Broadcast Technicians unit of the National Brotherhood of Electrical Workers which has just renewed its contract with CBS for another year. Contract gives the union tele jurisdiction.

Sheridan With Cagney

West Coast Bureau of THE FILM DAILY

Hollywood—Ann Sheridan is Warner's final choice for the feminine lead opposite James Cagney in "City for Conquest."

Would Examine Scafehr

Examination before trial of George J. Scafehr, RKO pressy, was asked Friday by Curon College perpse manufacture manufacturing, in an application filed in the New York Supreme Court, where it is suing for redress for injunction and damages claiming that its perfume had been shown an unfavourable light in the film "Primrose Path."

Song Writers to Meet on Obscene Song Issue

Special meeting of the Song Writers' Protective Association has been called for 2 p.m. tomorrow at the Park Central Hotel to act on a resolution authorizing a Committee on Obsoen songs which had to take disciplinary action against members found guilty of writing obscene songs. Provision is made for review by the general membership.

Tri-States Closes 1940-41 Circuit Deal With 20th-Fox

First 1940-41 circuit deal has been closed by 20th-Fox. It's with Tri-States and covers 26 spots in the Des Moines-OMaha territory.

Financials

QUOTATIONS OF FRIDAY, MAY 1, NEW YORK STOCK MARKET

Item High Low Close Chge. Pct.
--- --- --- --- ---
Am. East 101% 101% 101% --
Col. Picts. etc. (21%) 15% 15% 15% --
Columbia Picts. pfd. 50% 50% 50% --
Con. Fm. Ind. 15% 15% 15% --
East Coast 15% 15% 15% --
Los'ns. Inc. 34% 34% 34% --
pat. pfd. 101% 101% 101% --
Paramount 71% 71% 71% --
Paramount 1st pfd. 91% 91% 91% --
Paramount 2nd pfd. 91% 91% 91% --
Path. Film 101% 101% 101% --
RKO 1st pfd. 91% 91% 91% --
20th Century-Fox 81% 81% 81% --
Universal Picts. etc. 100% 100% 100% --
Univ. Picts. 100% 100% 100% --
New York Curb Pict's
Monogram Picts.
Sarris Corp.
Sunshine Corp.
Technicolor Corp.
Trencorp Ltd.
Universal Corp., inc.
Universal Pic.
N. Y. Over-the-counter Securities
Path. Film 7 ptd.
Path. Film, Corp., first bid 1st 41/2
Los'ns. Thea. Realty 61% 1st 41/2
Met. Pict Health & Life 7 41/2 61/2
RKO Thea. Bldg. 41st st 57 66 61/2
Roxy Thea. Bldg. 41st st 57 66 61/2

The Daily Film 
Volume 73, No. 89 Wednesday, May 6, 1940

The Broadway Parade

The rich parade and spectacular showings that have been a regular feature of the annual pageant of film achievements at the Winter Garden Theatre this month took on added significance tonight when the final curtain fell on the three-week-long festival. The performances, presented by the city's leading theatre chain, Tri-States Theatres, attracted a total audience of more than 500,000 persons who were entertained by films and related activities.

The event was sponsored by the Motion Picture Industry of America, Inc., which is responsible for the production of all the films shown during the week-long festival. It is the first time that a similar event has been held in any city in the United States.

The finale of the festival was marked by a gala party held at the Winter Garden Theatre, where entertainment was provided by a group of well-known stars of the screen and stage. The party was attended by a large number of guests, including many prominent figures in the entertainment industry.

Some of the highlights of the evening included a presentation of the newly released film "The Adventures of Don Quixote," which was shown in a special screening for the benefit of the United Cerebral Palsy Association. The film, which is based on the classic novel by Cervantes, features an all-star cast and is directed by one of Hollywood's leading directors.

Another feature of the evening was a special presentation of the latest episode of the popular television series "The Jimmy Durante Show," which was broadcast live from the Winter Garden Theatre. The show featured a number of guest performers, including some of the top names in the entertainment industry.

The evening concluded with a grand finale, which included a special presentation of the newly released film "The Miracle of Choice," which is directed by one of Hollywood's most acclaimed directors. The film tells the story of a young man who must make a difficult decision that will have a profound impact on his life.

The success of the festival has prompted the Motion Picture Industry of America to consider holding similar events in other cities in the future. The organization is currently in the process of planning a number of other events that will be held in the near future.
Ever in the forefront of industry showmanship, M-G-M again is first in friendly exhibitor service. Today's big Broadway event is the opening of our Booth pictured below. The many services which it rendered to exhibitors and their friends last year have been amplified. It is truly the industry's official and most conveniently located World's Fair Information Center.

**GRAND OPENING**

*at 12 Noon*

**TODAY!**

Come One! Come All to Times Square in the heart of N.Y.

**WORLD'S FAIR INFORMATION CENTER**

*Courtesy of Loew's-Metro-Goldwyn-Mayer*

Music by World's Fair Band! Celebrities! City Officials!

**Information Center**

for the Film Trade from Coast to Coast

Open 12 Hours Daily

starting 9:30 A.M.

Register when you arrive in town! 100 cheerful services free!

**Premiere Today!**

**M-G-M Releases In May Are A World's Fair in Themselves!**

THE NAVY'S IN TOWN—WITH AN ADOPTED SON!

A lonely orphan picks a gob as his "pop"—and the whole fleet plays Godfather! Then the kid "adopts" a "mom" who'd sworn she'd never marry a sailor!

Four in Technicolor Planned by 20th-Fox

Twentieth-Fox will probably have four Technicolor features for 1940-41. Mentioned for dye set gigs are "The Return of Frank Jones," "The Great Commandment," "Down Argentine Way" and "Song of the Islands."

Availability Suit Settled By Agreement Out of Court

Cleveland—Through a settlement effected out of court Vitagraph, Inc., has agreed to recognize and to adhere to the prevailing custom of releasing pictures to subsequent run theaters not less than 38 days after the completion of the first run.

The agreement followed a suit filed by Meyer Fine, involving the Shaker Theater in which he asked that Vitagraph be enjoined from playing "Virginia City" at Warners Colony and other local subsequent run houses 28 days after the completion of the first run engagement at the Hippodrome. "Virginia City" completed its first run on April 5, making the subsequent run availability date May 11. However, a group of houses, including Warners Colony advertised the picture for May 4 showing.

While this was a specific case involving a particular theater and a particular picture, the agreement concluded works to the advantage of all Cleveland theater owners, according to attorney Jerome Friedlander of Fine's counsel.

Jersey Sets Edison Day to Mark Metro Premiere

Gov. A. Harry Moore of New Jersey has proclaimed May 15 as Thomas Alva Edison Day. It's in connection with the observance May 14-16 of the Edison Pageant of Progress, the latter tied in with the multiple premiere on the 16th of Metro's "Edison, the Man," in the Oranges.

Pageant features thus far set include a giant fireworks display atop Eagle Rock, West Orange, on the 16th, to be followed by a ball at the Orange Armory. Metro players are expected to come on from the Coast to attend. Parade through the four Oranges is set for the 16th.

"Edison, the Man" will be shown one night only at the Hollywood Theater, East Orange; Palace Orange; Windsor, West Orange, and the Cameo, South Orange.

New Virginia House Set

First state-financed theater in the U. S. is set for Virginia, with the project to start this Summer, according to Robert Porterfield, director of the Barter Theater in Abingdon, Va. The Virginia state theater will be mobile, moving seasonably to various sections of the state.

commital on the possibility of doing so at this time.

Sidney R. Kent, who welcomed the production trio at Grand Central Terminal, stated that he expected to go to the Coast for his Spring studio checkup later this month.

HIGHER ADMISSIONS NECESSARY—ZANUCK

(Continued from Page 1)

he arrived from the Coast on 20th Century Limited, together with his executive assistant, Will Goetz, and Sol M. Wurtzel, executive producer, for production confab with President Sydney R. Kehr and other officers.

Zanuck said that there is every possibility of 20th-Fox spending more than the announced budget, with the hope that big grosses will compensate for foreseeable losses. He implied that b.o. could equitably be raised, but the public has already demonstrated that they will pay to see the type of features which appeal to it. Unless general upward adjustment of admission prices is indicated and extended playing is gained, he added, he does not how any company can break even with international conditions as they are.

$50,000 for White's Story

Zanuck disclosed that 20th-Fox purchased the screen rights to Stuart White's best seller, "Wild Geese Calling," for the sum of $50,000, and that deal was closed on the train en route to New York. Price of rights for "Janna" was put at $50,000.

Zanuck refused to divulge the amount involved in the acquisition of "Green Was My Valley." Acquisition of the three properties give the company the number 1, 3 and 5 slots in the current list of best selling production costs on "Lillian Russell," he cited as a minimum of $580,000.

If the industry is to successfully meet the revenue problem posed by the new season, the "blowing up of attractions to very large proportions is essential," Zanuck declared, and that certainly production costs cannot be reduced. He said there has been a lineup of so elaborate and substantial feature will be made and distributed by 20th-Fox in 1940-41.

Temple Decision Possible

Regarding the Coast reports Shirley Temple, now making "Young People" and 20th-Fox are approaching the parting of the ways, Zanuck asserted that the star's contract one year to go, and that even span may not see the exertion of the pact's terms calling for her appearance in a feature. Decision be reached at the Eastern parsley.

The three production officials here for the customary quarterly meeting on studio affairs, it emphasized, and will return to Coast this midweek. In the interval they will stay at the Sherry-Neir.

Kent Plans Coast Visit

Zanuck said that he, Goetz and Wurtzel had not come East with specific thought of appearing for examination in the current Government's New York equity a against the majors, and was
NEW YORK SUBMITS PLEA FOR TELE'S FREEDOM

(Continued from Page 1)

of, submitted at the FCC's request by RCA, 9:10 a.m., and was said to be the result of a request that rules be written which will permit telecasting on a regular and full commercial basis.

RCA further told the FCC that it is ready to manufacture and sell transmitter-receivers which will receive teletransmission of all types specified by the commission and used in regular public-program service. A brief added that "it was not possible, now or in the future, for any company to have a monopoly on television."

RCA attacked Para, picture interexchange group, for being behind the DuMont Laboratories, which has been rejected by the FCC as a regular carrier for all purposes. It was pointed out that Para's quasi-public character was primarily for the purpose of "protecting" its ledger in the movie and theater industry and not to develop the new medium of television.

Idel and Cohen Take Lido Theater, Brooklyn

Idel and Max Cohen are taking over the Lido Theater, Brooklyn, having given up the Paras Court, which they had operated for the last three years.

Idel and Cohen have filed suit against the Avengy Realty Corp., owners of the building which houses Paras Court, asking $25,000 in damages and attorneys' fees, charging that the owners leased the upper floor for a dance hall, thereby making the building unsafe and forcing them to give up their lease.

Ben Croix de Guerre for Movietyc News Man

(Cable) - Georges Mejan, who has been stationed at the Avengy Realty Corporation, owners of the building which houses Paras Court, asking $25,000 in damages and attorneys' fees, charging that the owners leased the upper floor for a dance hall, thereby making the building unsafe and forcing them to give up their lease.

RCA to Pay Dividends

Quarterly dividend has been declared by RCA's board of directors on outstanding shares of $3.50 cumulative First preferred and on "B" preferred. Dividends on former is 87½ cents a share, and on the latter $1.25 a share. The dividends are payable on Aug. 1, to be paid on July 1, to stockholders of record at close of business on Aug. 1.

"Maryland" on July 12

"Maryland," 20th-Fox Technicolor special, will be released July 12, 10 days later than first announced. Pix are due to have a dual world premiere July 11 at New York's Radio City Music Hall and New Center theaters, Baltimore.

"The Bat" on Shelf

At Coast Bureau of THE DAILY NEWS, Hollywood—Unavailability of Alfred Hitchcock as producer has caused 20th-Fox Prod. to shelve "The Bat" as its first for UA.

Knock-Down, Drag-Out Fight On Neely Bill in House

(Continued from Page 1)

join in a withering attack being made by Rep. John M. Costello, D., Calif., who prepared a five-page analysis of the industry and its operation for insertion in the Congressional Record Annex.

Sees Untold Hardships

Costello's analysis in essence finds that the Neely block-booking measure will bring untold hardships to the industry and he calls upon his House colleagues to study its provisions carefully before imposing such a statute on the industry.

"No one quarrels with the avowed purpose of this act," says Costello. "Everyone wants to see better and finer motion pictures exhibited, and it is not surprising that this purpose is widely endorsed. There is nothing in the Neely bill that prohibits the showing of the most objectionable pictures, or that will require the showing of the finest pictures.

"It is merely an uncertain but drastic bill to regulate wholesale dealers and the retail dealers in the motion picture business that is likely to produce quite unexpected and devastating results."

Calls Bill "Patent Medicine"

"It is offered as a legislative patent medicine to cure all the ills of the motion picture industry, but it contains a slow poison as its active ingredient.

"Section three of the bill is opposed by independent exhibitors, Costello said, as it will arbitrarily freeze the asking prices first quoted by each distributor on its pictures, which, he said, is usually somewhat higher than those finally agreed upon and which will prevent negotiations for more favorable prices and terms and will prohibit price discounts and reductions by the wholesale distributor to secure orders for more than one picture.

Michael Todd Using Bands With Film Draw for Fair

Dance bands and orks with demonstrated film house b.o. pulling power will be used by Michael Todd for his Dancing Campus at the World's Fair. Already set are Harry Hecht, Gene Krupa, Ben Bernie and Kay Kyser, with others to be added. Todd will have Gypsy Rose Lee in "The Streets of Parie" at the Fair's Hall of Music, the Albert-Fairie-Rasch Dancers in "Sazarac" at his Gay New Orleans and will bolster "The Hot Drunkard" at the Opy House with silent film thrillers.

To Set 'Westerner' Campaign

West Coast Bureau of THE DAILY NEWS

Hollywood—Samuel Goldwyn will set sales campaign on "The Westerner" in New York where he arrives by plane today, accompanied by Mrs. Goldwyn.

Cleveland Exhibs. to Meet

Cleveland—Cleveland Motion Picture Exhibitors Association meets tomorrow.
ANTI-CLEARANCE LAW FOR TEXAS LOOMING

(Continued from Page 1) against the inability of the campus theater to show first-run pictures because of the clearance granted Mrs. M. Schollman's three theaters in nearby Bryan. These houses were patronized by Texas A & M students until the recent decision by the student body to stay out of Bryan until College Station was given first-runs. Repercussions of the incident are expected all over the state. Banning of clearance by law is looming, observers here believe.

Execs. Add to Holdings of Universal Corp. Stock

(Continued from Page 1) common voting trust certificates and disposed of 1,000 for an addition of 9,500 certificates. This brings his total to 13,500 certificates.

Peyton Gibson has acquired 500 certificates and now holds 1,300 certificates and 26,500 through Standard Capital Company. Charles D. Prutzman has acquired 3,500 certificates bringing his total to 4,400.

Blumberg also holds 10,000 common voting trust certificates warrants. Gibson reported no warrants held directly but holds 111,283 warrants through Standard Capital. Prutzman reported receiving 3,000 warrants from the corporation without charge, representing his total warrant holdings.

Acquisition of 300 shares of Loew's Inc. common stock by C. C. Moskowitz is reported. Moskowitz now holds 900 shares. Loew's also purchased another 25 shares of Loew's Boston Theaters common. The parent company now holds 100,339 shares.

Report of Pathe Film states Robert M. McKinney has acquired 11 shares of common stock, representing his entire holdings.

Accidentally Wounded

Logan, W. Va.—Mrs. M. E. Thalheimer, wife of Marcus Thalheimer, Logan Theater, Logan, W. Va., suffered serious injuries when a gun falling in her home was accidentally discharged.

Wednesday, May 6

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays: MAY 6 John C. Flinn Oliver H. P. Garrett I. Altman

ON THE DIARIO

with PHIL M. DALY

TO THE REVIEWS • THE BUSINESS • THE THEATER

○ ○ ○ ALL film theaters are naturally amusement places......but some are just naturally amusing......so odd and often mirth-provoking......that it's a wonder they have escaped the notice of Bob Ripley......From time to time in this column......we intend presenting a number of these exhibition field oddities......which prove patently that our industry is not altogether a "serious business"......For example,—and you can believe it or not,—there's the theater down in Vienna, Ga. ......owned and operated by W. E. Griffin ......the sections of seats......for the white and colored folks respectively......are both on the ground floor......and each section has its individual picture screen......There being only one projection room......the picture is actually relayed from the white folks' screen to that serving the colored patrons......Strange as it may seem......the method is very effective......Mister Griffin declares he owns all the patent rights......

○ ○ ○ THEN there's the house out in Mt. Home, Ark........which is held directly responsible for greatly increasing sobriety among itinerant patrons......The manager has twin daughters who help operate the theater......to tax the Waldorf Astoria with one of these gala in the booth......and walk around to the main entrance......apparently the same gal takes up your pastebored......Identical in looks and dress......the manager's daughters have caused several over-enthusiastic tipplers to "take the pledge"......at least temporarily......

○ ○ ○ EVERY night is bank night out in Chicago's Praga Theater......for the reason that the theater is in a bank building......the erstwhile "Adams State Bank"......which name prominently adorns a section of the upper facade......House shows,—unless Faye has recently intervened,—only foreign pix......Now down in the Ferriday, La. section......there's a small house which doesn't have to worry about building prestige among the farmers......It has a lady manager, a lady ticket seller, a lady ticket taker......and no kiddin' a lady projectionist......It's no place for a bachelor film salesman......

○ ○ ○ THE Great White Way area gets another film house next Sunday night......via the opening of the Forty-Eighth St. Music Hall......whose policy is to show old-time movies......and serve beer and pretzels to the patrons......The initial program includes some footage of McKinley, T. R., Andrew Carnegie and Kaiser Bill etc......plus a Bill Hart two-reeler......and Jack Benny's first screen effort......which is being re-titled, "Casanova Rides Again"......This latter classic's sound track spills vocal commentary by Fred Allen and Eddie "Rochester" Anderson......re Benny's acting ability......

○ ○ ○ THAT same night, next Sunday......June Storey, Gene Autry's leading lady at Republic, appears with the singing cowboy......on his CBS air show for Wrigley......in a radio presentation of "Rancho Grande"......one of their most recent Republic films......Publicist Paula Gould's new novel......published by House of Field, Inc......has just made its bow in all the bookshops......This titled "Publicity Girl"......which the author has been in behalf of several pix companies and many film stars......Word comes from the Warner Club......that its members, their relatives and friends......will embark on a "mystery cruise" on Wednesday, June 18......as the org's Annualouting feature......Cruise chairman is Ralph Pudd......and his committeemen are Nat Felman, S. Schneider, Harry Mayer, Robert Salomons, Stuart Arons, H. B. Bimbaum, and Ann Martin......

OHIO THEATERS PASS ALONG ADMISH LOAD

Dover, O.—Effective yesterday the State theaters passed along the State tax to patrons. The tax previously was included in the regular 25-35 cent admissions.

"For years we have been paying this tax, paying it out of our pocket, a burden of 3 or 4 cents per ticket," the Shean said, "Few Ohio theaters have been as generous, none in the lands. With the rising cost of wood product we are forced to this slight adjustment in our prices in the announcement read.

Pa. Exhibs. Apprehensive as Legislature Coincides

(Continued from Page 1) from various special funds to a general fund. Exhibs. are apprehensive about enactment of any new taxes, but requests a tax on admissions to help cover needs, but James has indicated new taxes will be enacted.

To Fete Tippy Harris

Chicago—Tippy Harrison, rear from the industry, will be the dinner in the Congress Club Florentine Room Thursday.

WEDDING BELLS

Marriage of Caroline Hen Ascap's exec. staff to William J. McBeth, Jr., took place at the Little Church Around the Corner. Bride before joining was on the stage. They're mooning in New England.

Cleveland—Sidney Garfinkle, representative for Quality films, and Evelyn Goldstein, married on May 26.

Urbania, O.—Lou Harris, m. of the Fairbanks Theater, field, and Mary Martell, actress, Blackstone, the magician, wed.

Chicago—Laverne Schoening, B & K cashier department, widowed Frank Cotthol next month.

New Orleans—Jean Kimball, the several lovely reasons being all in the Vitagraph office, married Frank Perschall.

Pittsburgh—Engagement of John J. Engel, local manager, Quality Premium Distributor, Sylvia Neufeld of Philadelphia just been announced.
FIRST METRO REGIONAL ON TODAY IN 'FRISCO

The Exhibitor says

DARK COMMAND

"All superlatives must be pulled out of the dictionary to describe the excellence of 'Dark Command.' Action, thrills and a beautiful romance"

The story of "The BLACK KNIGHT of KANSAS"

He blazed a path of fiery death... and the ruins of a horrified countryside smouldered in his wake

RAOUL WALSH—Director

A Republic Picture
DERBY DAY IS OVER BUT THE BIG RACE IS GOING STRONG!

FLASH!

"BUCK BENNY RIDES AGAIN"... is out ahead of "ROAD TO SINGAPORE" in New York, Chicago, Boston, San Francisco, Seattle, Providence, Hartford and Kansas City!

PUT YOUR MONEY ON THOSE PARAMOUNT WINNERS—YOU CAN'T loose!
Women's Clubs Duped on Neely Bill, Says Kuykendall

GRIFFIS ASKS CONTINUED INDEPENDENCE FOR PIX

lloew's Quarterly Net Rises $420,901 to $6,789,828

Roach Sets Financing by New York, Coast Banks for $8,000,000 Production Lineup

SALES MEET TO CALL FIVE UA PRODUCERS

HAWKS' UPC TO MAKE 10 FILMS FOR RKO

Metro May Announce New Program at N. Y. Meeting

Para, Exec. Accuses Gov't of "Pointing Heaviest Guns" at Industry

BLUMBERG PRE-TRIAL EXAM. ON THURSDAY

Kuykendall Charges Women's Clubs Duped on Neely Bill by Their Reps.

By RALPH WILE

New Korda Co, in U. S. Will Make Two Pix for UA

Metro May Announce New Program at N. Y. Meeting

Chicago Alliance Circuit Shows 15 P. C. Biz Increase

Rodgers, Pasternak to Speak at PCC Convention Tomorrow

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

New York, Tuesday, May 7, 1940

TEN CENTS

intimate in Character
international in Scope
independent in Thought

Download by [Author] from the Don Lee Broadcast

vision to put programs into theaters is revealed in a
in the Coast network made a tentative agreement with
in programs in theaters. At

commercialized Television
pected Within Two Weeks

Atlantic Bureau of THE FILM DAILY
Washington — FCC's decision on mercealization of telc is expected
Chairman James L. has cut short his vacation to

relay of the FCC in acting on a
based on results of its in-

Petel Replaces Whelpley at RKO's St. John Branch

C. John, N. B.—E. A. Whelpley, from RKO Radio exchange man-
here, has resigned, with Leslie

Jacobi to Oppose Browne for Presidency of IATSE

Candidacy of Vincent Jacobii, busi-
ness agent of Local 1, New York
stage hands, for the presidency of
the IATSE, was disclosed at the
week-end. Jacobi is the first can-
didate to toss his hat in the ring with

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(Continued on Page 9)
Sax and Orsatti Here to Show Phonovision

Demonstration of Phonovision, the coin-in-the-slot talking picture device, will be held at Sherry Netherland Hotel, New York, on Thursday. Sam Sax, executive of the Phonovision Corp. of America, announced yesterday. Machine will be on display all day.

Phonovision was designed for use in hotels, cocktail lounges, etc., and patrons can get eye and ear entertainment in the same manner that they now get phonograph music in public places.

Sax and Frank Orsatti arrived here over the weekend from Hollywood.

Carl Goodman Succeeding Tippy Harrison With G-H

Chicago—Carl Goodman, son of Julius Goodman, Goodman-Harrison circuit president, has been named general manager of the G-H group of theaters, succeeding Tippy Harrison, who is resigning after 22 years in harness.

Jack Kirsch and Allied members will give Tippy a dinner at the Congress Hotel Thursday night. It is expected that several hundred theater men will attend. Tippy joins the Chicago Theater as an executive position, next month.

Would Force N.Y. N. Censors to Again View "Ecstasy"

Petition for a mandamus to compel the inspection of the film "Ecstasy" by the motion picture division of the New York State Department of Education was filed yesterday by Eureka Productions, in the New York Supreme Court. The Department has refused to examine a film because it had previously rejected it. Eureka claims to have radically changed the film by eliminations.

Atlanta Operators' Exec. Killed in Motor Crash

Atlanta, Ga.—John H. Daniel, 52, operators' union vice-president and Bit-Alto's projectionist, was killed yesterday and his wife was injured when their automobile crashed into a telephone pole near Palmetto. They were on route to Atlanta from Columbus where they had been visiting. Two sons also survive.

Rites for Max Margolies

Cincinnati—Max Margolies, Republic manager here for the past five years, who died Sunday at the age of 68, was buried here yesterday. He is survived by his widow and a daughter. Margolies had been associated with Nat Lefkin in the Cincinnati and Cleveland territory for 19 years before he joined Republic.

Myers Circuit in Allied

Chicago—Sam Myers circuit has joined Illinois Allied.
You’ll see it proved every day!

IT’S THE KIND OF MASS-APPEAL ATTRACTION EVERY AUDIENCE TAKES TO ITS HEART!

The play was a record breaker—and the picture’s even better!

FOR SHOWMANSHIP, WARNER BROS.
DON LEE FILES PLAN FOR TELE IN THEATERS

(Continued from Page 1)

The same time, the brief made a plea for full commercialization and ending of hanging restrictions. It was also stated in the brief that three or four advertisers have indicated they are ready to use station W6XAO, the Lee television station, and that these programs would provide a means to determine the wants of advertisers and public reaction.

The brief estimates that such an arrangement with theaters would permit program expenditures of $18,000 to $20,000 a week. It is stated that not only would these programs be available to people owning television receivers, but could be seen and heard by those in attendance in theaters. It is also asserted that this program expenditure would be available regardless of whether the public purchased television receivers; in other words, this expenditure would be independent of the number of receiving sets in the hands of the public.

It was estimated in the brief that there are between 300 and 400 television sets in use in the Los Angeles area at the present time, but the brief is expressed that with full commercialization, approximately 10,000 sets could be sold in a reasonable length of time.

Goldberg’s Big Features to be Replaced by PDC

Cincinnati—Lee Goldberg of Big Features Rights, announces the name Big Features will be replaced by PDC, and branches of Big Features will become offices of the national organization of Producers Distributing Corp.

110 Restaurants, Taverns Have Television Receivers

Television receivers are now installed in approximately 110 taverns and restaurants in the New York area. NBC estimates. Home sets number about 3,000.

KUYKENDALL CHARGES WOMEN’S CLUBS DUE

(Continued from Page 3)

today by Ed Kuykendall, MPTO prexy.

Kuykendall, who arrived to address the Pacific Coast Convention opening here today at the Ambassador Hotel, for trustees’ meetings today, declared that the women’s clubs support the Neely bill was predicated upon such misrepresentations.

The MPTO prexy told THE FILM DAILY that during the last month and a half he has addressed numerous women’s organizations and learned that members were not familiar with real provisions of bill but had been duped by their Washington leaders. He added women were not interested in trade practices.

Kuykendall said picture industry is based on styles and cycles under the proposed legislation exhibitors would be required to be present at a picture, by synopsis, dealing with a subject that might be out of date before the time it was to be played in theatres exhibitors would have no control over the privilege.

The exhibit, execues, leaves here Sunday by plane for Washington to attend House Committee hearings on the Neely bill Monday. Members of MPTO executive committee and other officials will also attend hearing.

Metro May Announce New Program at N. Y. Meet

(Continued from Page 1)

holding the reins, it was learned today the company’s 1940-41 product lineup will not be publicly announced until the New York region on May 17-18.

The basic regional on May 14 will intervene, while the final regional opens in Washington on the 20th. Local parade show for following which the Women’s Press Office group, including Howard Di, publicity-ad head; Edwin Aaron, to Rodgers, and Joel Bernhard, head East.

Want Kid Ban Repealed

Halifax, N. S.—Exhibs are seeing repeal of a Nova Scotia statute which makes theater operators liable to a $100 fine for admitting children under 15 accompanied parents during the daytime.

Shea Contract Awarded

Columbus, O.—General contract for construction of new film theatre which Shea will build in New Mexico has been awarded to Western Bros. of Davenport, according to Chitect H. C. Holbrook.

‘Mayerling’ Re-made?

West Coast Bar, THE FILM DAILY

Hollywood—Shey Mayer, Nernbach, has produced ‘Mayerling’ in Europe, would like to produce film in this country under auspices of M-G-M, where he is under contract.
WHEN THEY ASK YOU—

“What is the title of Vivien Leigh’s first new production since ‘Gone With The Wind’?”

be sure you know the correct answer
It's Metro-Goldwyn-Mayer's
and it's a honey!
Watch Your Pulse!

Her first screen role since she was the beautiful Scarlett O'Hara!
His most powerfully romantic performance
The picture the world is waiting for!

Vivien Leigh
Robert Taylor

"Waterloo Bridge"

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play by S. N. Behrman, Hans Rameau and George Froeschel Based on the Play "Waterloo Bridge" by Robert E. Sherwood

A METRO-GOLDWYN-MAYER PICTURE • Directed by MERVYN LeROY • Produced by SIDNEY FRANKLIN
Short Subject Reviews

"Calling on Colombia" (Fitz-Patrick TravelTalk) M-G-M Colorful Subject 8 mins.

Public buildings, floating markets, unique harbor craft, and the shallow-draft boats which ply the Magdalena River are but a few of the engaging sights depicted as Fitz-Patrick trains his color cameras on Barranquilla, chief port of Colombia. Contrast of the river traffic with the great liners which put in from sea is interesting, as are the scenes of old Cartagena which is one of South America's most historic cities. The footage is in Technicolor, which adds immeasurably to the reel's appeal, for it catches the colorful atmosphere of the Northern Colombian scene. Narration by Fitz-Patrick deals with the romance and history of both municipalities, and is valuably informative. Theater chair travelers will like this short.

"Aida" (Symphonic Featurette) Guaranteed Pictures 9 mins. Good Philharmonic

The National Philharmonic Symphony Orchestra's rendition of the opera by Verdi should delight the growing army of music lovers. Conducted by Frederick Feller, the 125-piece orchestra and mixed chorus of 100 voices do a straightforward musical job, with the pictorial part of the subject subordinated to the music. Feller, who also directed the picture, held it to one set, letting the camera move to the various sections of the orchestra as they highlighted a part of the selection.

Plottel Replaces Whelply at RKO's St. John Branch

(Continued from Page 1)

Plottel replacing. Other exchange staff changes are in prospect. Exchange serves the maritime provinces.

Plaza at Friend Burns

Friend, Neb. — Wally Johnson's Plaza, 260 seats, was totally destroyed by fire with loss around $20,000. He has no immediate rebuilding plans.

further added that not a dollar has been paid to a broker or middleman and that financing has been entirely through exchanges offered to its security holders, through banks and insurance companies and in the process its average interest rates have been reduced from about 5% to about 3½% per cent, with a saving to Paramount of about $1,500,000 per year, that during the past four years it has reduced its consolidated debt about $20,000,000, paid approximately $8,000,000 in dividends and converted about $11,600,000 of its preferred shares into common.

SALES MEET TO CALL FIVE UA PRODUCERS

(Continued from Page 1)
of 27-29 pictures for the new season. He indicated, also, that no other producers, aside from those already mentioned, would be added to the roster.

Published reports that UA was talking a three-picture deal with Gene Markey, until recently with 20th-Fox, were denied.

Goldwyn, who arrived yesterday, plans to remain in New York about a month. He flew in with Mrs. Goldwyn, Mr. and Mrs. Alexander Korda, Mr. and Mrs. Paley and Norma Shearer in a chartered American Airliner.

Taylor Opposes Hepburn?

Hollywood—Robert Tayloriloos as the male lead opposite Katharine Hepburn in Metro's version of "Philadelphia Story." Garfield in "Bill Doctor?"


with

EDMUND LOWE • IRENE HERVEY
HENRY WILCOXON • PAUL FIX

A REPUBLIC PICTURE

Directed by Phil Rosen

Tuesday, May 7, 1940

NEWS AND REVIEW
LOEW'S QUARTERLY
NET IS $6,789,828

(Continued from Page 1)
company's share of profits of affiliated companies, amounted to $11,103,666 in 1940, as against $10,516,588 in 1939.

Loew's film costs amortization table has been revised, applicable to pictures released since Aug. 1, 1941. Due mainly to war conditions abroad, the company now charges 70 per cent to the domestic market and 30 per cent abroad, compared to the former allocation of 65 per cent domestic and 35 per cent foreign.

Additionally, amortization rates have been accelerated, and as a result, approximately $865,000 more has been charged off to amortization expense in the 1940 28-week period than would have been deducted under the old amortization procedure.

In the period ended in 1940 depreciation and taxes charges were $5,411,356, compared to $4,629,541 in 1939. In each year $900,000 was reserved for contingencies. Net amounts to $49.66 per share on the preferred in the 1940 period, compared with $46.58 for the 1939 period.

Wm. Hawks' UPC to Make 10 Films for RKO Release

(Continued from Page 1)
ment. While the company's first will be a Colman vehicle as yet unselected, negotiations are under way for players to appear in the other films.


Pittsburgh — Mrs. Julie E. Berman, a former resident of this city and mother of Pandro S. Berman, was quietly married here to Arthur K. Stern, of Philadelphia, in the study of Rabbi Jack Rothschild.

Hollywood — Mary Martin and Richard Baer, former motion picture story editor, were married in Yuma over the week-end.

Louisville — Arline Judge and James McKinley Bryant, N. Y. hotel employees, were married "somewheres" in Kentucky while in town for the Derby.

Chicago Alliance Circuit
Shows 15 P. C. Biz Increase

(Continued from Page 1)
the same period last year. Chief Booker John Doerr says better films, improving employment in the territory, and cooler weather, aided. Circuit is planning to open the new 1,500-seat State theater in Loganport, Ind., next month.

Herbert Sullivan, who has been in charge of the Foxy theater there, will handle both houses.

Fifth managers' drive for circuit is under way with $1,500 in cash prizes for the winners of the 15 weeks' drive, which will terminate on Aug. 19. Several film companies also will make awards for special drives on individual films.

Commercialized Television
Expected Within Two Weeks

(Continued from Page 1)
vestigation of the alleged monopoly in radio broadcasting was characterized yesterday as a "mockery" by Senator Tobey, New Hampshire Republican.

FCC Chairman Floyd said he expected that the Commission's committee would have the report ready this week, but he was uncertain whether it would be made public when it is presented to the full FCC.

Coast Studios Adding 11 to Shooting Roster

West Coast Bureau of THE FILM DAILY

Hollywood Eleven pictures are scheduled to go before the cameras this week, the roster:

At Columbia: "Ghosts of the Road" with Ann Dvorak, Helen Mack, Lola Lane, Evelyn Young, Marjorie Cooley and Melodon Grayson.

At Paramount: "Ghost Music" starring Bing Crosby and Mary Martin, with Basil Rathbone and Oscar Levant; "Victory" starring Fredric March and Betty Field, with Margaret Wycherly.

At RKO-Radio: "Stage to China" starring George O'Brien with Virginia Vale.

At M-G-M: "Escape" co-starring Norma Shearer and Robert Taylor, with Paul Lukas, Felix Bressart and Bonita Granville.

At Universal: "Slightly Tempted" with Hugh Herbert; "Junior G-Men" with Billy Halop, Huntz Hall, Gabriel Dell and Bernard Punsly; "I'm Nobody's Sweetheart Now."


Chicago Alliance Circuit
Shows 15 P. C. Biz Increase

(Continued from Page 1)
new Korda Co. in U. S. to Make Two Pix for UA

(Continued from Page 1)
route to London. It is understood that "Chief of Bagdad," now being completed, will be an additional release.

Completion of a new company, Alexander Korda Films, Inc., for the production of the American pictures, was announced by Korda yesterday. This company, financed by American capital, is scheduled to make two high-budgeted pictures for the new season. Stories have not been determined, although he has signed several stars to appear in them.

In London, Korda plans to continue his production activities. He hopes to leave here by clipper Saturday and will return as soon as he can formulate his British program.

Officers of the new American company are Korda, president; Zoltan Korda and Samuel Silverstone, vice-presidents; Morris Helperin, secretary. The directors are the same, under the name of Alexander Korda, British legal counsel. Other members of the staff include Jack Okey, production manager, and William Hornbeck, film editor.

Rodgers, Pasternak to Speak at PCC Convention Tomorrow

(Continued from Page 1)
"and Joe Pasternak speaking on "Peace in Our Time" and the place of Darryl F. Zanuck who is in the East."

On Thursday John K. Hilliard of Motion Picture Herald will talk on "Standardization of Sound in Theaters" and Carl Hyde, State Department of Unemployment, will discuss "Effect of Social Security on Theaters and Their Employes." Ed Kuykendall, MPTOA, prexy, and Neal F. Agnew will also address the convention.

Zoning and clearance, commercial previews, double bills and moveovers will be discussed by Robert H. Poole, Bob White, Booth Harvey, W. G. Riple, A. West Johnson, John Levin, L. O. Lukas, Hugh Bruen, Jack Y. Huhn and J. M. Hone, members of the conference.

The association of Motion Picture Producers will be hosts at a banquet tomorrow at the Ambassador Hotel with Columbia entertaining at lunch tomorrow and Universal on Thursday.

Jacobi to Oppose Browne for Presidency of IATSE

(Continued from Page 1)

George E. Browne, I.A prexy, who is scheduled to run for succeeding term, is also running in Sunday's election of the stagehands and similar employees' section, with two business agents, with strong opposition for this post.

BLUMBERG PRE-TRIAL EXAM. ON THURSDAY

(Continued from Page 1)
J's equity suit, it was learned last night. Non-controversial questions are anticipated in the examination, and at the same time, the attorneys will try to agree upon various questions to be pre pared for the Court.

It was also learned that Nate Blumberg, "U" prexy, will be questioned on Thursday in a preliminary examination and will be followed Friday by C. C. Moskowitz, L. U. attorneys.

U. S. attorneys started their file yesterday from Washington and was predicted that the exact would be completed today. The will be quartered in four rooms at the U. S. Courthouse building.

Thursday or Friday, coupled with the motion of 20th-Fox to dismiss the suit as against 19 officers of the company.

Report of Criminal Suit vs. Majors "News" to D of W

Washington—The Justice Department's anti-trust division answered on the report that the Department was planning to file a criminal suit against the majors there, advised that they haven't heard anything regarding such reported criminal proceeding.

The anti-trust division emphasized that the case, which goes to June 3, was an equity case and up to now the Department has been busy "disposing of preliminaries" a prelude to basing its case on the contentions alleged monopoly, restraint of trade and accuracy of Data of producer-owned ater.

William E. Reeves Dead
Cape Elizabeth, Me.—William Reeves, former manager of Strand Theater, Portland, and 30 years in the amusement business in that city, died at his home.

George Bresler Expires
Dayton, Ky. — George Bresler, owner of the Liberty Theater and former president of the American Can, at Bellevue, is dead.

STORKS!

Cincinnati — Universal's Fred Schrier is father of an 8½ lb. baby.

Son was born to Geraldine F. and Husband, private life Mrs. Edw. Lindsay-Hogg, at Darkness Pavilions.

New Haven—Norman Randall, sistant at the Paramount Theater is father of a new baby girl, Patricia.
TWO IN A ROW FROM RKO!
Stupendous and Colossal
Describe Irene Dunne Visit

Huge Crowds Storm Rialto

Picsures on Picture Page)
By MARION PORTER.
Now we know why stupendous and colossal are Hollywood's favorite words.
They are necessary to describe such showings as the world premiere of "My Favorite Wife" at the Rialto Theater Thursday night with Irene Dunne, Louisville's favorite of the RKO-Radio pictures, appearing in person.

The Courier-Journal's review of the film is on page 6, section 2.

Stupendous, colossal and terrifying were the crowds that surged into the theater in hope of a glimpse of the famous actress. Thousands were unable to get seats inside.

Group Arrives By Plane.
Miss Dunne, together with Randolph Scott, also in the production, the director, and other movie moguls arrived by plane earlier in the day at Bowman Field.

The big events of the Kentucky trip by Miss Dunne are her appearance at the Stephen Collins Foster stamp issue celebration at the state fairgrounds in Bowling Green at 2 p.m. and the Kentucky Derby Saturday, when she will sing "My Old Kentucky Home." Upon the advice of other members of her party who told her it would be "dangerous" to enter the Rialto through the crowded front entrance, Miss Dunne reluctantly consented to abandon the traditional premiere "entrance" with the other celebrities and go for a spot of greeting for the populace, and agreed to slip in the back way.

Miss Dunne Wears Light Blue.
Dressed in a light blue long-sleeved dinner dress and matching turban and wearing a shoulder bouquet of orchids, Miss Dunne, still back-logged with Mr. Scott, arrived at the dialogue of their pictures while she was seen from the bally box behind the screen.

Meanwhile photographers scurried about taking pictures of the stars and the director, Leo McCarey, Boyd Martin, The Courier-Journal's drama critic, who was master of ceremonies, mem-bered her lines of introduction for the audience: the crew of WAV.

Irene Dunne and Randolph Scott
Backstage at The Rialto

D. Scholtz and Mrs. Scholtz were introduced all around and the stage hands patiently assembled a dressing room set while walking around numerous ladies in evening gowns, hats and flowers and gentlemen in dinner coats.

When Miss Dunne was presented to the audience the atmosphere was electrified and electrically charged hand-waving among the backstage contingent. She spoke briefly in her pleasant voice and consented to sing a song—"Wishing Will Make It So."

Ticket "Scalper" Nabbed.
Mr. Martin was introduced by Bert Blackwell of WAV. The dramatic critic presented in succession Bella and Sam Speare, authors of the production; Walter Connolly, who played in a stock company here and who recently appeared in "The Great Victor Herbert," Mr. McCarey, David Butler, director of "Kentucky," Mrs. Connolly, Mr. Scott, the governor and Miss Dunne. Mr. Martin thanked the Fourth Avenue Photographers, RKO-Radio Pictures and John E. Muselman, manager of the Rialto, for bringing Miss Dunne and her party Louisville. Mr. Martin, Fred Doolle and Dennis H. Long were at a dinner party for the star preceding the premiere.

Evidence that Irene Dunne Louisville homecoming received the ultimate in public success was offered by the Police Department Friday night when they charged 1500 youth, here for the premiere with scalping in connection with the premiere of Miss Dunne picture.

The youth is Fred Kavanagh, 21, who was charged also with disorderly conduct and vagrancy. It is charge that he purchased eight tickets to the premiere at 43 cents each, but admitted he had to sell them, gave only for standing room, at that price. He had sold six when arrested.

A real tear that was not a movie product came to the eyes of Irene when she heard and saw the extent of the movement that filled the street in front of the theater. (Continued on Page 5, Column 1.)
GOES WILD ORITE WIFE"!

Section One

24 Pages

RIALTO DOES BIGGEST BUSINESS IN 3 YEARS!

Coast Preview Critics Say—

VARIETY—
"Sure-fire . . . made to order for the top first runs."

FILM DAILY—
"One laugh after another . . . should do land-office business."

MOTION PICTURE DAILY—
"One of the funniest pictures of the year."

MOTION PICTURE HERALD—
"The audience was swept with laughter."

BOX OFFICE—
"All hands hit the jackpot for comedy."

HOLLYWOOD REPORTER—
"RKO has a solid hit . . . Should take the kinks out of a lot of box-offices."

HOLLYWOOD VARIETY—
"Sure-fire prescription for a hit show of most prosperous dimensions."

LOUELLA PARSONS, L. A. Examiner—
"A rogue of a picture...Sophisticated, sparkling, gay and so hilarious it will make the worst grouch forget he is mad."

EDWIN SCHALLERT, L. A. Times—
"Will yield enjoyment and laughter in largest measure."

VIRGINIA WRIGHT, L. A. Daily News—
"Rapid-fire nonsense, played in broad comedy style...Great antidote for the news of the day."

JAMES STARR, L. A. Herald-Express—
"If it is not the comedy favorite of 1940 I will eat the film reel by reel."

RENE DUNNE  CARY GRANT

"My Favorite Wife"

with RANDOLPH SCOTT  GAIL PATRICK

A LEO McCAREY PRODUCTION
MORE BIG OPENINGS REPORT

New Orleans, Kansas City, Montreal, Vancouver, Buffalo, St. Louis, and Niagara Falls--six out of seven are flashing word of sensational success withSeattle and Portland holding over terrific business!
ash!

FOR

IRENE

with

ROLAND YOUNG • ALAN MARSHAL

MAY ROBSON

BILLIE BURKE

ARThUR TREACHER • MARsha HUnt

ISABEL JEWELL • DORIS NOLAN

PRODUCED AND DIRECTED BY

HERBERT WILCOX

RKO RADIO PICTURES
**Turnabout**

with Adolphe Menjou, Carole Landis, John Hubbard

UA-Republic 83 Mins. [HOLLYWOOD PREVIEW]

**DECIDEDLY DIFFERENT COMEDY GIVES LEADS A FIELD DAY AND PILLES UP COUNTLESS LAUGHS.**

Here is a decidedly different comedy, based on the book written by the late Thomas Smith, who authored the Topper stories. It is a wild, wacky affair and the leads have a field day. Hal Roach has directed the processing, an expert hand, piling up numerous laughs. Adolphe Menjou does splendid work as a partner in a screwball advertising agency, while John Hubbard and Carole Landis, as husband and wife, furnish much comedy. William Garner as a partner of Menjou and Hubbard, Veree Teasdale is a secretary in the agency, Donald Meek, Marjorie Main, Val, and cook in the Hubbard-Landis household, Mary Astor and Joyce Compton, Carole's gossipy friends: Bertin Churchill, an important client of the agency, Franklin Pangborn, Margaret Roach, Inez Courtney, Polly Ann Young, second at the agency, and Max Morita are among the capable principals. Mickell Novak, Berne Giler and John McClain have contributed amusing screenplay and Rian James furnished additional dialogue. The fun starts when Hubbard and his wife, Carole, want to trade places, Hubbard to take the kids to the race track and go to cocktail parties and Carole to do Hubbard's work at the agency. Renéant, an Indian god, causes their wishes to be realized, and their personalities, voices and mannerisms are transposed. However, there is no transposition of their attire. Many complications, enuise, with the laughs piling up. Before the picture ends, Hubbard and Carole become their normal selves again, and Carole, single-handedly, has to go the full distance to retain the Menjou-Hubbard-Gargan agency and to double his appropriation.


CREDITS: Producer-Director, Hal Roach; Author, Thorne Smith; Screenplay, Mickell Novak, Berne Giler, John McClain; Additional Dialog, Rian James; Cameraman, Norbert Brodine; Photographic Effects, Roy Seawright; Editor, Bert Jordan; Art Director, Nikolai Remisoff; Musical Score, Arthur Morton.

DIRECTION, Expert, PHOTOGRAPHY, Very Good.

**For “Cobra Strikes” Lead**

**West Coast Bureau of THE FILM DAILY**

Hollywood—Paul Lukas and Joseph Schlecht have possibilities for the leading role in “The Cobra Strikes” the new play by Aubrey Whipple and Robert Sanfraz. Al Woods recently flew to Hollywood to cast in preparation for its production on the West Coast prior to a Broadway opening in the Fall.

**Star Dust**

with Linda Darnell, John Payne, Roland Young

20th-Fox 85 Mins. [HOLLYWOOD PREVIEW]

**AMUSING AND EATABLE TALE ABOUT HOLLYWOOD IS GOOD GENERAL ENTERTAINMENT.**

Delving into the talent hunting side of Hollywood, an enjoyable film for general entertainment purposes has been concocted by 20th-Fox in this release. The picture has all the ingredients of a rousing musical comedy. When the cast itself is pleasing and able, Walter Lang turns in a good directorial job from a script provided by Robert Ellis and Helen Logan. Linda Darnell is extremely attractive in the lead role, and her acting talents improve with every picture. John Payne is personable and able opposite Miss Darnell. Remainder of the cast is considerably more than adequate, including William Tabbert, Dorothy Compton, Mary Healy, Jessie Ralph and Donald Meek. Roland Young does a first rate job in the role of a sympathetic talent scout. Young returns from a talent hunt with Payne. Miss Darnell and Mary Healy among his finds. Linda is turned down by Young because of his friendship for her, while the mother and the fact that he doesn’t want her to experience the customary Hollywood heart-brake at the end of this he shows up just after the same little private promotion on her own hook. Studio politics defeat Linda in her first attempt and she decides to go home. However, she and her friend, Miss Ground, pull a fast one and get the attention of William Garner when Lin-keen successfully is really worked out in a good climax. A number of Hollywood trappings, including Grauman’s Chinese Theater,Sid himself, the noted concrete blocks with the footsteps and other items are used for decorative purposes, and they build up the picture’s picture. Go on, Miss Darnell.


CREDITS: In charge of production, Darrell F. Zanuck; Associate Producer, Kenneth Macgowan; Director, Walter Lang; Screenplay, Robert Ellis and Helen Logan; Based on a story by Jessie Malo, Kenneth Earl and Ivan Kahn; Cameraman, Peeverly Marley; Editor, Robert Simpson.

DIRECTION, Good. PHOTOGRAPHY, Good.

**Ohio Censor Board Nixes “The Birth of a Nation”**

Akron, O.—Ohio censors nixed a scheduled revival of “The Birth of a Nation” here in the Central High School auditorium by the Summit County Teachers Association, over protest. A crowd of 1,000 was assembled.

**Frank Wyman Dead**

San Francisco—Frank Wyman, 75, for 58 years a figure in San Francisco theater life, died at his home here.

**Butler on Special Effects**

**West Coast Bureau of THE FILM DAILY**

Hollywood—Lawrence Butler has arrived from England and will start work immediately on special effects for “Attenborough and the White Lion,” which John Cunnigham produced, “Thief of Bagdad.”

**Field Signs for “Victory”**

**West Coast Bureau of THE FILM DAILY**

Hollywood—Fritz Feld has been signed to play a featured role, that of a leader of a girls’ orchestra, in “Victory” which John Cunnigham will direct for Paramount.

**Ivens Making Pix for N.Y.U.**

Joris Ivens, is making a new documentary for the Educational Film Institute of New York University. The film will deal with new economic frontiers in America.

**“French Without Tears”**

with Ray Milland, Ellen Drew, Janie Darcey

Paramount 75 Mins. [HOLLYWOOD PREVIEW]

FAIRLY AMUSING COMEDY IS EMBRACED BY CHOICE OF MATERIALLY SLOW PACE.

Produced in England from a popular play of a few seasons back, this new release falls below the airy light of its predecessor. The material for a comedy is there, but the material is not as good as it could have been were the picture’s pace on the slow. Anthony Asquith, English director of piece, seems lacking in the lighting and touch necessary to make a comedy of type hilarious. Ray Milland does an adequate job in the role and he gets along for part of the players. Ellen is attractive as the female tempter of the picture, and Janie Darcey, a fine actress, does a near bit of acting in a supporting role. Other lead male roles filled by Roland Culver, Dave Tree, Guy Middleton, and adequacy. Audiences generally should like the picture and exhibitors should have difficulty in selling it. Sidney Toler has established himself firmly as the superb Oriental sleuth in the public’s mind, and he has been provided with a good script and a strong supporting cast of capable players. Eugene Forde does a good job of directing, pointing the story all the way to a dramatic finish. The screenplay provided by Robertson Mac-Nicol and Direct is cohesive and briskly paced. In addition to Toler, who gives his customary smooth performance as Charlie Chan and Miss Milland, each board, in a decorative touch, Lionel Atwill ably performs as a suspicious character: Sen Yung portrays Chan’s son; and Cora Witherspoon, Robert Logan, and Leo Carroll contribute good bits. Montague Shaw, a Scotland Yard inspector, suspects a fellow traveler on a world cruise of being a masked strangler. Before he can confirm his suspicions to Toler when the boat stops in Honolulu he is married. Chan boards the ship to take up where the inspector left off. From there on there are several murders, plots to kill Toler, counter plots by the wily detective and a surprise climax which unmasks the real killer.


CREDITS: Associate Producer, John Stone; Director, Eugene Forde; Screenplay, Robertson Mac-Nicol and Direct; Based on a novel by Earl Derr Biggers; Cameraman: Virgil Miller; Editor, Harvey Reynolds.

DIRECTION, Good. PHOTOGRAPHY, Good.

Chicago Legit. Season Said Best in 10 Yeas

Chicago—Legit, season here, closing, was marked by the biggest hit in 10 years; attractions to an increase of four over last year.

Martha Books for Pix

**West Coast Bureau of THE FILM DAILY**

Hollywood—Julie Lipnik, Martha By-The-Day books are in picture market. Henry Holt & Co. sent the books when the situation is made. The books have more than 250,000 copies and a successful stage play.

Davis Has Strup Threat

Hazard, Ky.—L. O. Davis, Virginia Amusement Co., is in a strup threat infection.
**New Italian Proposals Require Native Distributors**

**GOLDWYN HITS BLOCK-BOOKING; WILL TRADE SHOW**

Jackson May Lead Gov't Attack at Equity Suit Trial

Coding Statements Are Expected to Take Up the First Week

Attorney General Robert Jackson considering making the opening statement to Federal Judge Henry Goddard at the start of the Government's equity suit, it was recently reported yesterday. It is understood that after Jackson's argument, Thurman W. Arnold, Assistant Attorney General, and Paul Williams, special assistant, will complete the statement of the Government's case. Present plans call for

(Continued on Page 6)

"WILL ANNOUNCE 'FLEXIBLE' PROGRAM"

Flexibility of program as well as potential will again be the keynote of Versal's message to its Eastern forces when William A. Scully, general sales manager, addresses the salesmen to the effect that Versal's activities in Atlantic City on Saturday, sessions will last through Monday, the number or type of pictures

(Continued on Page 6)

Movision Won't Compete with Theaters, Asserts Sax

Ticket-in-the-slot movies, which will be provided by Movision, of America, headed by Sam and Frank Orsatti, will not be slitted to go into competition with

(Continued on Page 6)

Stumbling Blocks for U.S. Distribs.

Said Retained in Italian Proposals

**RCA's 9 by 12 Ft. Tele System Will Be Ready by July, Stockholders Told**

RCA expects to have theatrical television perfected to the point that a 9 by 12 foot screen will be employed by July, it was disclosed yesterday as the company, with NBC, demonstrated a new large screen reception at its annual stockholders' meeting.

The screen employed measures 4½ by 6 feet, and reception of the test program yesterday was marked by pictorial detail not yet approached by the smaller receivers. Single weakness noted was in lighting. In handling of the cameras, including close and long shots, and shifting of scenes, there was a marked approach to film technique.

Program was emceed by Lowell Thomas, doubling as newscaster, and included The Merry Muses, singing

(Continued on Page 7)

Washington Meet Off, WB to Hold Regional

Dropping its announced plans for a Washington sales convention, Warners instead will hold two regional sessions, the first at the William Penn Hotel in Pittsburgh June 10-12 and the second at the Blackstone, Chicago, June 17-19. Washington plans were cancelled "for reasons of practicality and economy," it was said.

Grad Sears, sales chief, said the Pittsburgh meeting will be attended by district, branch and zone managers from the Eastern and Canadian territories, while the Chicago conference will be attended by district, branch and zone managers from the Eastern and Canadian territories.

(Continued on Page 7)

**All Parties in Griffith Anti-Trust Suit Ordered to Appear in O. C. Court May 16**

Oklahoma City—Federal Judge Vaughn has ordered all parties in the D of J's Griffith anti-trust suit to appear in court May 16. On Monday, the Government filed a response to the court's order of April 5, granting the defendants the right to a bill of particulars. The Government said it could not comply because "information requested is in the possession of the defendant" and asked the court for a further order.

**Finds Neely Bill Disastrous; "Westerner" Deeds Up to the Exhibs."**

By AL STEEN

FILM DAILY Staff Writer

Samuel Goldwyn tossed a couple of bombshells into the industry yesterday when he announced that (a) he was in favor of the elimination of blockbooking and that (b) he would trade shows, the "Westerner" in every exchange center, stipulating that no exhibitor need buy the picture until he has seen it.

Speaking at a trade press conference, Goldwyn emphatically declared

(Continued on Page 3)

**GREENTHAL TO HEAD NEW UA FIELD FORCE**

Appointment of Monroe Greenthal to head UA's new permanent field exploitation force which, covering 15 key city exchange centers, will come operative June 1 was announced yesterday by Murray Silverstone

(Continued on Page 3)

**'U' Advances Joseph Garrison from Branch to District Mgr.**

Universal's general sales manager, William A. Scully, yesterday announced the appointment of Joseph Garrison, branch manager in St. Louis, to the post of district manager with a territory embracing the Omaha, Kansas City, Des Moines and

(Continued on Page 6)

Rome (By Cable)—Following conferences between F. W. Alport, MPDA rep., and executives of the Italian government's film bureau a set of new proposals have been drawn up for study by the American distributors, but principal objections raised by the distributors with the creation of ENIC have not been removed, it is reliably reported. It is not expected that the American dis-

(Continued on Page 7)
Barney Pitkin Testimonial at New Haven Attractions 100

New Haven—"We've worked together, fought together over deals, and I enjoyed it, so I'm expecting another . . . I feel greatly honored because I know I am protected by friends," said Barney Pitkin. RKO has booked a Pitkin film and other guests assembled at Ruebeocro Country Club last night for its 20th anniversary on Meadow St.

Harry F. Shaw, Low-Poli Division manager, as toastmaster introduced Herbert MacIntyre, RKO Division manager, William McShae, Michael Power, August Schubert, Larry Graymer, Ross Caroli, and Thomas G. Donaldson, chairman, and other speakers. Morris Joseph, Universal manager, "Dean" of Meadow Street, presented a gift on the part of the guests. Laugan sensation was Hon. Igor Joseph Hodapp, Czechoslovakian sports authority and the Rebis of Bridgeport. Peter Perkos and Randy Maler, New Britain, General Manager of Sabella. Walter Drumm, Edward Pesek, Sidney Krammer, William Brown, and Harry Roberts of New York.


Court Dismisses Action Causes in Columbia Suit

Two causes of action in the complaint of five minority stockholders against Columbia Pictures and its officers and directors were dismissed yesterday by New York Supreme Court Justice Philip J. McCook. The Court denied an application of Columbia to strike out a certain paragraph in the complaint and to dismiss a number of other causes. Dismissal of the two causes followed the ruling that they were barred by the statute of limitations. The causes sought refunds of alleged excess salaries and bonuses to Harry and Jack Cohn, paid over six years ago.

Harlan Thompson Joins WB

West Coast Bureau of THE FILM DAILY

Hollywood—Harlan Thompson, formerly with Paramount, has joined Warners as associate producer.

Shift Readie Pool Date

Effective date of the Walter Reade Tom's River pool has been shifted to June.

PARA. Doubles Bank Balances—Griffis

West Coast Bureau of THE FILM DAILY

Hollywood—Despite the fact that Paramount has released a new feature picture into Spain in several years, it has kept its Spanish organization intact, and has more than doubled its bank balances there, it was disclosed here by Stanton Griffis, Paramount's general manager. Feat was accomplished by circulation of old pictures which are available in Spain. Spanish audiences see them again and again.

Before the Spanish civil war, Parament's Spanish market enabled the company to take off about $1,000,000 annually, Griffis said.

Acquires 16 mm. Rights to 8 Old Features Released by UA

Announcement was made yesterday by Non-Theatrical Pictures Corp. that it has acquired for proper conduct. A creditor's committee of the theaters the 16 mm. rights to eight features produced by Harry Goetz Pictures and released by United Artists Corporation.


GN Assets Sale to Mohawk Upheld by Judge Leibell

Federal Judge Vincent T. Leibell yesterday upheld a sale of Grand National Pictures' assets to Mohawk Pictures Corp. for $71,500 plus a percentage. The Court, in its decision, denied an application of Gustave A. DeLemass to vacate the auction sale on the ground that it has been impropriely conducted. A creditors committee under supervision of referee John E. Joyce had elected to accept Mohawk's offer rather than that of DeLemass. The latter was later raised to $29,500, which has been returned to $71,500. No opinion accompanied Judge Leibell's decision.

Nathanson Heads Group to Provide Camp Films

Toronto, Ont.—N. L. Nathanson has accepted the chairmanship of a national committee to provide films for Canadian soldier camps and overseas carriers during the summer training period. Represented on the committee are the Canadian Legion, Y.M.C.A., Salvation Army, and Knights of Columbus. General directions will be under the Minister of National Defense.

Ford Trust Set Delay

Chicago—Lewis Jacobson, attorney for Frank Ford in the Stadium Theater case, yesterday postponed his court appearance in Federal Judge Willkerson's court for three weeks.

Coming and Going

SAM SAX and FRANK ORSL off of Print 674. Corp. of America will remain at the 674. Netherland for the next four weeks.

JACK BENNY and his scripter, BILL MIDDLETON, will be at Chicago last night for the TWA.

DENNIS DAY, EDIE "ROCHESTER" AND SON, HARRY BALDWIN have returned here via the Coast by plane from New York.

KENNETH HOWARD of AGA is last night by TWA plane for the Coast.

DONALD FLAM and BOB GOLDSBERG of WMCA are scheduled to leave New York tonight for Hollywood by air.

GEORGE SKUGAS flies to Hollywood from New York.

LAWRENCE TIBBETT left New York last night for the Coast by TWA.

LEDA BAUER, Eastern story editor for UA, has arrived in Hollywood for studio commitments.

JACK PAYNE has returned to the Coast a short stay here.

EARL WINGART, 20th-Fox publicist, is in Chicago tonight, tomorrow morning, finishing the touches on the gala premiere of "Burling Russell," which will be staged next week.

JOE WIBER and LOU FIELDS are stopping in Waukegan.

VERNON L. WALKER, RKO camerman, is in Chicago for the coast yesterday by plane after a 28-day special material for the new product.

British Films Up, Foreign Down in Last Quarto

London (By Cable)—British pictures exhibited in the United Kingdom during the quota year March 31, 1940 increased by 610 per cent over previous year. Foreign pictures shown during same period dropped by 134 per cent.

British-made shorts dropped however, from 276 to 240; while shorts took a big tumble, falling from 776 to 87 for the year ending last March 31.

Monopoly Hearings End

Washington Bureau of THE FILM DAILY

Washington—Chairman O'Malley of the Senate Committee, who was to preside at the hearings, postponed the hearings indefinitely on the men's quota matters. The Senate Committee, which has already heard the testimony of the four major companies, will consider the possibility of amending the 1930 law to provide for a quota of products other than the men's models. The hearings will continue at a later date.

Defer PCC Resolutions

West Coast Bureau of THE FILM DAILY

Hollywood—Travelling to Washington by PCC of ITO yesterday decided not to draft any resolutions in advance of the general meeting. Everyone will have a chance to present his own ideas so that the resolutions can be based on consensus of opinion.

Operate on Miss Whitney

West Coast Bureau of THE FILM DAILY

Hollywood — Eleanor Whitney is recovering from an emergency appendectomy.

FINANCIAL

NEW YORK STOCK MARKET

Net

High Low Close Chg.

Am. Steam.......

Caba. Tel. (div.) ......15 7/16

Columbia Pict.s...15 7/16

Con. Fin. Ind. pd.......15 7/16

E. Kodak........15 7/16

Fed. Reserve Note......15 7/16

Gravois...........15 7/16

Low's, Inc.......35 3/4

N.Y. Fire......35 3/4

Paramount......7 7/16

Paramount 2nd pfd......7 7/16

Pathé Film......10 1/2

RKO 20th Century-Fox......10 1/2

RKO Pictures.......10 1/2

Univ. Pict. Corp......8 1/4

Warner Bros......4 1/4

Wealth Bros.......4 1/4

women Bros. divs. 84 1/2

MONROE CUB MARKET

Monogram Picts. .........2

Sonorone Corp...........

Transcorder...........

Trans-Lux......14 1/2

Universal Corp...........

Universal Picts. .........2

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

George Archiband

James T. Timling

Wednesday, May 8, 1940
GOLDWYN HITS AT BLOCK-BOOKING

(Continued from Page 1)

he was against the Neely bill provisions, that raised the measure would be dis-

sian and the personal

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ALL THE PRESS PRESCRIBES

LORETTA YOUNG * MILLAND

The Doctor Takes a Wife

Screen play by George Seaton and Ken Englund
Directed by ALEXANDER HALL · Produced by William Perlberg
A COLUMBIA PICTURE

Doctor MILT HARKER
INT. NEWS SERVICE

Rv
Best comedy
I’ve seen this year!

Doctor VERN HAUGHLAND
ASSOCIATED PRESS

Rv
I have never heard an audience do so much laughing!

Doctor IVAN SPEAR
BOXOFFICE

Rv
A worthy successor to IT HAPPENED ONE NIGHT... an uproarious romantic comedy!

Doctor WHITNEY BOLTON
PHILADELPHIA INQUIRER

Rv
My prescription is for EVERYONE to see it. By all means Loretta’s and Ray’s best picture!

Doctor DOROTHY HAYNE
STOCKTON (CAL.) RECORD

Rv
For the laugh of your life, see this hilarious new comedy!

Doctor MONROE LATHROP
ST. LOUIS GLOBE-DEMOCRAT

Rv
Best farce comedy I’ve seen in years!
HE DOCTOR TAKES A WIFE!

AHALL

Alexander Hall has done a bang-up job!

Doctor

JIMMY STARR

LOS ANGELES HERALD-EXPRESS

Greatest collection of noisy guffaws since THE AWFUL TRUTH!

Doctor

GEORGE FISCHER

MUTUAL BROADCASTING SYSTEM

Gayest, daffiest comedy I've seen since I can't remember when! Absolute tops!

Doctor

HEDDA HOPPER

LOS ANGELES TIMES

Hurray! Hurray!

Doctor

MAYME OBER PEAKE

BOSTON GLOBE

Just what the doctor ordered. I should like to see it again!

Doctor

HARRY CROCKER

LOS ANGELES EXAMINER

Delightful laugh fest. Miss Young and Milland shine as comedian and comedienne!

Doctor

TED MAGEE

PICTURE PLAY

Fast, furiously funny... Go and see THE DOCTOR TAKES A WIFE by all means!

Doctor

HERB BREGSTEIN

CLICK MAGAZINE

Swell comedy. Easily tops THE AWFUL TRUTH!

Doctor

GRACE WILCOX

DETROIT FREE PRESS

Miss Young was never happier cast, and this is the picture Milland has long waited for!

Doctor

HARRY NIEMEYER

ST. LOUIS POST-DISPATCH

Better than IT HAPPENED ONE NIGHT!
Zenith Experiments With "Wired Tele"
Progressing, Asserts Prexy McDonald

Chicago—Zenith is making progress in its experiments with tele transmission over telephone wires, according to Com. Eugene F. McDonald, prexy. McDonald believes such transmission would offer an economic solution to the tele problem through program subscription provision.

(Continued from Page 1)

Phonovision Won't Compete with Theaters, Asserts Sax

(Continued from Page 1)

To Open Star, Potsdam

Potsdam—James Papayannakos is opening the new Star on May 15.

Errol as "Lord Epping"
West Coast Bureau of THE FILM DAILY

Hollywood—First of six features which Leon Errol will make for RKO will be "Lord Epping Out West," George Roberts-Jack Townley original. Errol also will make six shorts for RKO.

(Continued from Page 1)

Phonovision was the name it was stated yesterday by Sax who is spending some four weeks in New York to complete arrangements for the manufacture of units and to co-ordinate marketing policies.

Sax explained that his organization is dividing its proposed marketing activities into (1) coin-operated entertainment machines, (2) advertising media units, and (3) machines for use in visual education. The machines, capable of presenting 10 shows of 30 minutes duration each, project 16 mm. film, various models being used for black-and-white and color footage. Machines utilizing motion pictures for entertainment will be, according to present plans, licensed to users on a 99-year lease, which provides that all films shown must be presented in strict accordance with the provisions of the Hays Code.

18 by 21 Inch Screen Used

Phonovision, Sax declared, has had machines designed by several leading companies, among them Johns-Manville. Two of the units, exhibited to THE FILM DAILY yesterday in advance of general trade press showings measure 28 x 32 inches at the base and 72 inches in height, their screens measuring 18 by 21 inches. Within these measurements a complete mobile theater is provided.

Sax said the company (1) will present outstanding talent; (2) will employ its own staff of song writers, composers and arrangers, thus eliminating royalty charges; and (3) that arrangements have been concluded with one of the world's largest studio to produce all its entertainment subjects.

In connection with the nickel-in-the-slot movies' commercial advertising, it is stated by Sax that "Phonovision offers a enormous step forward in this direction."

Checkup yesterday revealed that several top flight ad agencies have already approached the Sax-Orratti combination in efforts to use Phonovision.

Rep. Buys Two Stories
West Coast Bureau of THE FILM DAILY

Hollywood—Republic has purchased the old Nicholas Consentino play, "Moon Over Mulberry Street," and Dwan Decker's magazine play, "Sing, Dance, Plenty Hot."

'Dark Command' at Roosevelt

Chicago—Republic's "Dark Command" will have its first Chicago showing at the Roosevelt Theater on Friday.

(Continued from Page 1)

for the first week to be devoted to open programs which both the Government and the defendants, with a view to outlining the major positions both pro and con in the suit.

Following the opening, Special Assistant Attorney General Krieger is expected to present evidence of the distribution situation in Philadelphia and part of New Jersey and Connecticut. The territory has been chosen because it is understood that the clearing situation there is comparatively clear and the Government feels that the trial Judge will be able to get a clear picture. It was also said that the National Allied is strongest in this territory and that this association and the Government will present their cases in the preparation of the Government's case.

Expect Summer Adjournment
Judge Goddard will probably take the trial during August and September. Following the adjournment William P. Farnsworth, Special Assistant Attorney General, will present the situation in New York and Connecticut, and the balance of New Jersey and Connecticut regarding distribution, it is understood.

The New England theater distribution setup will be depicted by Court Krieger during December with the middle West, including Chicago, following in January. Robert E. Wright, Special Assistant Attorney General, is expected to handle the middle West during the trial.

It Just Didn't Happen

That Louisville-reported wedding of Arline Judge and James McKinney Bryant yesterday turned into just another newspaper day dream.

Wedding Bells

Albany—Anne Hawkins, impressario for Grand National exchange here until its closing, eloped April 22 with Jack Moron, it has been disclosed.

Indianapolis—Donald Cox, RKO radio booker, has announced his engagement to Helen Eldridge. Wedding will take place June 25.

Indianapolis—Mary Lou Linn, Columbia biller, was married to Richard L. Chapman in the Methodist Church here.

West Coast Bureau of THE FILM DAILY

Hollywood—Mary Korman will wed Ralph McCutcheon, Colors rancher, July 6 in Greeley, Colorado.

Newark—Tony Williams, Warn Theaters district manager for New Jersey and See Matnick, both Jack Warner N. J. zone manager are to be married on June 25.
Films ready in July

(Continued from Page 1)

numbers: Miss Rivkin, 8-yearold piano prodigy; a chapter in the tele serial, The Simpson Boys; a record of musicians from the NBC phonograph; Sheila Barrett, mimic; and Johnson, who thanked the crew for their support of Madame Kerstin Thorborg. Forrest handled the announcing.

First Unit Costs $12,500

A unit used yesterday was built at a cost of $12,500 as an intermediate step in the development of apparatus for projection of moving images, but it has already been apparent that the 4 1/2 x 6 foot screen has possibilities for use in the schools and other places where viewing group numbers of 150. RCA, however, has no immediate plans for market output. From 12 to 18 months will be required for its commercial employment.

Cathode Ray Tube System

The new system is based on a new optic of extremely wide aperture, a kinescope capable of voltage operation, and apparatus suited to these conditions. Essential elements are the new projection tube and the new system. These provide more and utilize it more effectively over before, so that large screen becomes practical.

Aid Sarnoff, RCA proxy, in a report to stockholders discussed its future, predicting it is "to revolutionize the broadcast industry just as the addition of sight revolutionized the motion picture industry."

Reports First Quarter Earnings

By O. M. 1939's

90 per cent increase in earnings for the first quarter of 1940, the similar period, is 1 by RCA. At the annual stockholders meeting yesterday, President David Sarnoff revealed the profit for the first quarter of $2,812,893, compared to $1,120,000 in 1939—a jump of $864,893.

Earnings are equal to predividend requirements and 4.5 cents per share on the common, as against preferred requirements of 4.6 cents on the common.

Income for the quarter was $2,853,093. Charges for interest, amortization of patents, and federal income tax would be released in a week or 10 days.

N. Y. Exchange Staff Will be RKO Parley's Greeters

A. A. Schubart, general chairman of RKO Radio's Ninth Annual International Sales Convention, has named the New York exchange sales staff as the reception committee for May 27-30 parley.

Bob Wolf is branch manager of the New York branch, Frank Drumm is office manager, and others on the reception committee list are Phil Hodes, Jack Ellis, Lou Kutinsky, Harry Zeitels, Ed Carroll and John Schwartz.

Cathode Ray Tube System

Patent for Robt. Lorenzen

A more brilliant television image is created for a cathode ray tube system recently patented by Robert Lorenzen. The system, which provides for increased intensity, is said to be readily substituted for present tube systems, without affecting receivers. George H. Callaghan, joint owner with Lorenzen, will market the patent.

first quarter were net income, $2,826,312.56. Preferred dividend requirements were $804,926.68 in 1940 and $805,309.45 in 1939. Balance for common stock is $1,150,966.76 for the 1940 quarter and $642,800.61 for 1939.

Four directors, Gano Dunn, Edward J. Nally, Edward F. MacGrady and DeWitt Millhauser, were all reelected.

GDP Makes FCC's Television Action

(Continued from Page 1)

NATIONAL AFFILIATED THEATERS RESPONSIBLE FOR ABOUT THIRD OF GROSS INTAKE, SAYS PARA.'S GRIFFS

West Coast Bureau of THE FILM DAILY

Hollywood—Affiliated theaters, approximately 2,600 in number, are responsible for "a little more than a third of the gross intake," according to Stanton Griffis, Para. executive committee chairman, now on the Coast.

Griffis said that Paramount product represents only 3 per cent of pictures used in its own theaters.

Walters' Washington Meet Off; to Hold Regionals

(Continued from Page 1)

clave will be for the West and South.

Roy Haines, eastern and Canadian sales manager, will be in charge of the regional meeting at Pittsburgh. Ben Kalmenson, western and southern sales manager, will preside at Chicago. Sears and other top executives of Walters and its affiliated companies will address both.

B & K Managerial Shifts

Chicago—Will Holden, manager of the B & K State Lake Theater, succeeds Roy Bruder, resigned, as manager of the Chicago Theater. Charles Cottle goes from the Marbro to the State Lake, Dr. O'Donnell from the Prudence to the Marbro, George Romine from the Senate to the Paradise and Roy Winsberg from the Lakeside to the Senate Theater.

ITALY NOW PROPOSES NATIVE DISTRIBUTORS

(Continued from Page 1)

Distributors will accept any proposals to re-enter this market unless key elements in the new proposals are altered.

Number one objection certain to be raised by the American distributors is the fact that the new proposals still provide Italian distributors, government-licensed, shall handle all imports under agreement with the American distributors. In effect, this means the distributors will be unable to do business directly.

In addition to numerous other clauses, some of which might eventually be modified or altered, there is no indication that N Duco's government will increase the allocation of dollars which may be exported.

In the new proposals it is also proposed, say informed sources, that American distributors, if and when they re-enter the market, invest their surplus earnings in Italian production. It is also not likely that the quota of Italian pictures which must be shown in theaters on a ratio basis to imports will be cut.

A reply from the American firms is expected shortly, with the answer possibly opening an avenue for further negotiations.

FILM BULLETIN says . . . .

DARK COMMAND

"WILL GET VERY GOOD GROSSES IN EVERY LOCATION. RAOUl WALSH HAS DONE A MAGNIFICENT JOB OF DIRECTION"

The story of "The BLACK KNIGHT of KANSAS"

School teacher by day . . . Border Emperor by night . . He lived and loved with fiery abandon.
THEY TAKE THEM ALL IN THEIR STRIDE

DIFFICULT, unusual, routine — no matter what the shot requires, one of the three Eastman negative films will more than fill the bill. Special ability backed by unvarying uniformity has made them the mainstay of modern cameramen. Eastman Kodak Co., Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Lukan Offers PCC Resolution Slamming Double Bills

(See Column 2 Below)

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

NEW YORK, THURSDAY, MAY 9, 1940

TEN CENTS

Peace Drive” Planned To Settle Industry Problems

ARA - Dumont Call RCA Charges “Red Herring”

David Selznick Voices Opposition To Block-Booking

TEN CENTS

Sold The Trade
...thru the trade

— CHESTER B. BAHN

Murray Silverstone’s announcement of United Artists’ advertising, publicity exploitation policy, made at his press conference Tuesday, represents a reversal what is best described as showmanship’s principles.

In essence, it means that next season UA goes to sell the trade thru the trade. It is predicated upon Silverstone’s conclusion that, first, the trade press is the link between the exhibitor and the distributor, secondly, that the exhibitor is in best position to “sell” his own clientele, thirdly, that aggressive, intelligent exploitation made available to the exhibitor is more valuable than waste-basked press and advertising copy buried in the back pages of magazines.

Silverstone’s conviction that an advertising message addressed to the nation’s screen in their own press is the most effective step in marketing films it makes no challenge. If the exhibitor is “in,” he is, in turn, “sold”. It’s the same, its very simplicity apparently has counted against it.

Silverstone’s slant on film advertising in general magazines will bear thoughtful consideration. He wonders how many people read the copy, pointing out that it is an established reader habit to read, even in the daily news, only those advertisements which have direct, immediate interest. And he further observes that the advertising competition in magazines is too keen, film copy being forced to compete with innumerable other advertisers for public attention.

“HE UA exec’s decision to stress exploitation, with Monroe Greenthal directing a permanent key city pre-selling field force of is on equally sound grounds. An able policeman, working closely and personally with the exhibitor, can accomplish a maximum “selling,” provided of course that the picture backs up the claims made for it, nothing Silverstone himself is quick to disbelieve.

During the last six months, as perhaps never before, the industry has had an illus- (Continued on Page 2)

Higher Quality Pix Seen As Bringing Increase in Admissions

By C. R. ABBEY

FILM DAILY Staff Correspondent

Rochester, N. Y. — Opposition to block-booking was voiced here yesterday by David O. Selznick, following his arrival by plane to participate in the University of Rochester’s clinic on “New Frontiers in American Life.”

Selznick’s statement followed by

Lukum Slams Duals In PCC Resolution

West Coast Bureau of THE FILM DAILY

Los Angeles—On behalf of independent exhibitors of Alaska, Washington and Northern Idaho, L. O. Lukun of Seattle presented a resolution before the PCC of ITO condemning double bills. The resolution.

(Continued on Page 6)

Nick, Weston Abandon Fight Against Ouster From 143

St. Louis—Final settlement of the dispute for control of Local No. 143 was reached in Circuit Judge Oak—

(Continued on Page 6)

CEA Cables GWTW Appeal to Mayor

London (By Cable) — Harry F. E. Coates, CEA proxy, has cabled a personal appeal to T. A. Miller to “do the big thing” and allow normal rental and trading conditions for GWTW here, it was learned yesterday. The CEA has advised its members not to raise admission prices for the film and not to pay more than 50 per cent. Metro is asking 70 per cent.

URGES WOMEN’S CLUBS SHUN NEEDY SUPPORT

Indianapolis Suit Tests Legality of License Fee

Indianapolis — The ATOI suit which was filed in the name of Hollywood Theater Corp. against the City of Indianapolis contesting the

(Continued on Page 6)

Raibourn Denies Para. Has Dumont Control; Says RCA Beclouds Issue

Denying that Paramount controls the Allen B. Dumont Laboratories, charging RCA with dragging a “red herring” across the trail of a simple technical discussion in an attempt to beset the Washington situation, and asserting that the RCA statements made to the FCC about the intentions of motion picture interests in regard to making television inferior rather than superior to motion pictures, Paul Raibourn, treasurer of Dumont and an executive of Paramount, scored RCA yesterday in a sharply worded release to the press.

Raibourn assailed the RCA report

(Continued on Page 6)

UA Has 10 Pix More Before Season Ends

United Artists has scheduled 10 pictures for release during the summer and early fall to complete the 1939-40 program, guaranteeing a steady supply of product up to the first release of the 1940-41 lineup.

Murray Silverstone announced yesterday. The new program will be

(Continued on Page 7)

D of J to Start Philly Record Study on Monday

As a result of a conference held yesterday between counsel for the Government and major defendants in the New York equity suit, the D of J is expected to start the inspection of records covering the Philadelphia theater area on

(Continued on Page 7)

20-Fox Paid Zanuck $255,000.

Sonja Henie $249,166 in 1939

Darryl F. Zanuck, vice-president of 20th Century-Fox in charge of production, was paid a salary of $255,- (Continued on Page 6)
Thursday, May 9, 1939

Sell the Trade 

(Continued from Page 1)

traction of what advert exploitation—pre-

selling, essentially—can accomplish in the

way of filling grosses, via extended runs and

inceased admissions. To state that higher

grosses are sorely needed in the domestic

market these days is to state the obvious.

As Silverstone says, the industry for some
time to come stands to make or break

here.

The point is, of course, it can "make"

with selling the trade through the trade the

game approach.

Faye, Arnold to Attend

Premiere at Pittsburgh

Appearances of Alice Faye and
Edward Arnold at the premiere of
"Lillian Russell" at the Alvin Thea-
ter, Pittsburgh, on May 15 have been
set by the 20th-Fox advertising and

publicity department, it was announced

yesterday. Two stars then will converge
New York to appear on the Kate Smith

show on May 17 for a radio preview of

the picture, Don Ameche, Cesar
Romero, Mary Healy and Arleen

Whelan will appear at the Clinton,
la., premiere, also being held on May 16.

Briefs Ordered in Fight 

To Oust Educ. Trustee

Federal Judge Edward A. Conger

yesterday reserved decision after an-

gram of an application to set

aside the appointment of James A.

Davidson as trustee of Educational

Pictures. The Court ordered briefs
to be filed by Monday, Harry G.

Fromberg, trustee for Grand Na-

tional Pictures, is seeking to upset

Davidson's appointment by referee

John E. Joyce on the ground that he

is disqualified to act as trustee.

Texas A & M Students

Threaten Long "Strike"

College Station, Tex. — In their

fight for first-run pictures in this

college town, members of the Texas

A & M junior class have voted to

continue their "strike" against at-
tending the first-run houses in near-

by Bryan into the next school year.

The Campus house just opened, has
to follow Bryan 90 days after first-

run.

Chi, Palace, Pastime Closing

Chicago — The RKO Palace has

notified the operators' union that the

house will close for the summer on

May 15. The Pastime Theater also

is closing. The house is to be

bought down. Operators will lose 11 jobs,

the union reports.

Kill Daylight Saving

Cleveland—Legislative Committee of the

City Council yesterday unani-
mously killed the proposed daylight

saving plan, following opposition by

theater and labor representatives.

$200,662 Paid to Odum, 

Atlas SEC Report Shows

Annual report of Atlas Corp., filed

yesterday with the SEC, discloses that

Prexy Floyd B. Odum received in

1938 a salary of $200,662; L. Boyd

Hatch, executive vice-president and
director, a salary of $56,231; and

Simpson, Thacher and Bartlett, At-

las counsel, legal fees amounting

to $100,500, in connection with the

organization of RKO Corp. and

Utilities Power & Light.

Bathvon & Co., Inc., returned

$55,000 for supervisory services in con-
nexion with the RKO reorg, and

4,000 from Atlas for special ser-

vices.

All-Star Cast Lined Up 

for Community Chest Pix

West Coast bureau of THE FILM DAILY

Hollywood—All-star cast lined up

for the Community Chest-Red Cross

feature which RKO will finance for

Roger Corman. Production budget,

cost will include Annabella, Brian

Aherne, Charles Boyer, Freddie Bar-

net, Charles Chaplin, Ronald

Colman, Madeleine Carroll, Oliva

de Havilland, Sir Cedric Hardwicke

and Vivien Leigh. It was learned yester-

day. Directorial stint will be

shared by Alfred Hitchcock, Herbert

Wilcox and Robert Stevens.

Canada to Place Its War

Pictures in U. S. Theaters

Ottawa—Canadian war films will

be shown in U. S. theaters in order to

interest Americans in the Dom-

inion's war effort, the Dominion

Motion Picture Bureau announces.

Bureaus hopes to have them exhibited

throughout the U. S. First of the films, "Atlantic Patrol" is at

present being shown in Canada and the U. K.

In order to avoid the propa-

ganda tinge, special care is being

taken with the films to be sent to

the U. S., according to Stuart Leger's

production superintendent.

May Make Spanish Language

Films at New Fla. Studios

Coral Gables, Fls.—Production of

pix for the Latin-American market at

the new studios of the Colomade

Pictures Corp., here looks as possi-

ble. Studios are expected to be ready

for active production June 1.

$30,000 for Will Rogers Fund

Chicago—Approximately $30,000

has been collected here in the Will

Rogers Fund drive, Tom Gilliam,

chairman of the fund, reports, sur-

passing any previous Rogers Fund

drive in Chicago.

Promote Art Schmidt

Art Schmidt, who has been han-

dling publicity for Loew's out-of-

town theatre, is now being shifted to

Howard Dietz's depart-

ment as a publicity co-ordinator.

Gene Murphy moves into Schmidt's

former spot.

FINANCIAL

NEW YORK STOCK MARKET

High Low Close Percent

Am. Sect

Cotto. Sect. vrs. (2%) 67 61 64 6

Columbia Pfd.

Comm. Ind.

Comm. Pfd. ind. pfd.

East. Kodak

do pfd.

Gen. Th. Eq.

General Motors

do pfd.

Paramount

Pathe Film

RKO

20th Century-Fox

do pfd.

United Artists

do pfd.

Warner Bros.

do pfd.

NEW YORK BOND MARKET

Kraus B. ref. 6 6/16 102 102 102.5 101.25

Laue's deb. 3 1/4 101 101 101.5 100.75

P. Bway 6/25

Pathe. Pcts. 605

Pathe. Pcts. cv. 3 1/4 89 89

RKO 6 1/4 99 99 98 97

Warner Bros. deb. 6 1/8 99 99 99 97

NEW YORK CURB MARKET

Monogram Picts.

Sinatra Corp.

Technicolor

Trans-lux

Universal Corp. vts.

Universal Corp.

N. Y. OVER-THE-COUNTER SECURITIES

Pathé Film 7 pfd.

Bid Asked

Fox Thea. Office Bldg. 1st 46

Lowe's Thea. Realty 1st 46

Met. Playhouses. Inc. 2nd 45 69 71

Norsky Thea. Bldg. 4st 57

663/4 681/4

Young woman college graduate. Keen under-

standing of film industry. Enthusiastic and enter-

prising; wishes position with motion picture

industry. Excellent references. Five years' experi-

ence in film industry. Well-versed in ability to

sell your film. Write

Box No. 1715

The Film Daily

1501 Broadway

New York City
Along the road with Phil M. Daly

COLUMBIA'S "Mr. Smith Goes to Washington" won top honor yesterday at the Youthsbuilders' Forum Award Luncheon... tendered in the Banquet Room of the Hotel Martinique... The Capra classic grabbed the plaque because the youngsters considered... that the opus, more than any other production of the past year, had shown them... how democracy works... Citations of honorable mention were given to RKO-Radio's "Abel Lincoln in Illinois" and to Warners' series of patriotic shorts. As pinch hitter for Jack Cohen... Hal Hode received the plaque in behalf of Columbia... while Jack Lewis and Norman Moroy represented respectively... the RKO-WB and W.B. organizations... aides.

TO this scribe... the Youthsbuilders' Luncheon had an aspect of importance... which quite transcended the awarding of honors alone... for as part of the program... which found Mrs. Franklin D. Roosevelt as the principal guest and speaker... a group of youngsters unleashed their views... on a number of topics which are of vast consequence to the American people currently... Producers, distributors, exhibitors et al., who perchance may be laboring under the impression... that the up-and-coming generation doesn't do any heavy thinking... should have been on hand... for they would have learned a lot of valuable things... about the youthful intelligence and discrimination... with respect to everything... including films...

IN presenting the award to Columbia... Robert Ehres- bhard, 14, of Townsend Harris High School said... "We have chosen this picture ('Mr. Smith Goes to Washington') because it shows that there is revolution in government sometimes... but that in a democracy, honesty always wins"... Of "Abel Lincoln in Illinois," he declared: This picture shows how much just one man can do for democracy"... and remarked re the Warners patriotic shorts... "They show how our democracy had to be fought for... and how it grew".

THE Youthsbuilders' Luncheon also revealed... an open letter" addressed to "The Big Shots of Hollywood"... wherein James Breetveld, young editor-in-chief of his organization's publication, "Listen America Now... suggests feature players for biographical films... He memorializes the Warners to cast as follows: Erol Flynn as Nathan Hale... Paul Muni as Benjamin Franklin... Edward G. Robinson as Beeth- hoven... James Cagney as Davy Crockett... and Bette Davis as Clara Barton... and for M-G-M to assign Spencer Tracy to the role of Parnell... Robert Taylor to play Julius Caesar... and Ferdinand Gravet, Chapin... 20th-Fox should, he averted, cast Brian Aherne as Sir Francis Drake... and Tyrone Power as Thomas Jefferson.

JOE Heppner and Jimmy Sileo, photographers for our pix here... have been elected to new posts in the local Press Photographers' Assoc... Joe was made first v.p. and Jimmy board chairman. The PPA membership took the ballet casting occasion to present Joe with a swell travel bag... for his excellent work as president of the dance committee... among the recent PPA Ball held in the Hotel Astor...

Thirty years is a long time in pictures... so Douglas Rothacker is about to receive well-deserved congrats... having started in the biz with the Rothacker Film Mfg. Co. in Chicago... three decades ago tomorrow... After that org. was sold to Consolidated in 1920... Doug entered the educational and industrial end of filmmaking... and is still going strong at the old stand... Today's Amiga meedah day!...

Selznick opposed to block-booking

24 hours a stand made pale in New York by Samuel Goldwyn, like Selznick relating through UA. Selznick was accompanied here by John Hay Whitney, Selznick-International board chairman.

Selznick said: "I am opposed to any inclusion of any of our productions in block-booking. I prefer to have our pictures sold individually on their own merits."

Discussing the situation confronting the industry, Selznick said that an admission fee, "perhaps will have to be raised to meet costs of pictures of higher quality."

Selznick: "We've lost almost our entire foreign market for pictures, but we're going to try to meet this crisis by going after better films. These won't all be historical stories or any one type. We must do better all along the line."

R.1. Court Rules Grocery Bank Night no Lottery

Providence—Supreme Court here ruled Bank Night No Lottery, as conducted by Big Chief Corp., grocery concern, in 1938 was not lottery and ordered case remitted to Superior Court, where guilty charge on indictment of conducting lottery had been handed down against corporation in 1939, with directions to "find the defendant not guilty."

Justice Moss, on bench, pointed out that unless voluntary consideration was required from everyone receiving a chance in the award of prizes—in short, paying for tickets for no prize or award scheme could be termed a lottery.

"Thief" Unit on Location

West Coast Bureau of THE FILM DAILY

Hollywood — "Thief of Bagdad" company, headed by Sabu, June Duprez and John Justin, leave for location this week. Zoltan Korda will direct, and in the absence of Alexander Korda, who is en route to England, Maurice Hulprin will accompany the troupe. They will go to the Grand Canyon, the Painted Desert and Prescott, Ariz. They plan to be gone about two weeks.

"The Millenium"

At the Youthsbuilders' Luncheon in the Martinique Hotel yesterday, formal presentation of the plaque to Columbia for "Mr. Smith Goes to Washington" was impending when Mrs. Franklin D. Roose- velt rose to speak. Coincidentally, the same 100 youngsters at the session had just had their dessert placed in front of the First Lady of the Land. On a side of the tables while the First Lady of the Land delivered her address. At the conclu- sion, Hon. Byrnes MacDonald arose and said: "Mrs. Roosevelt is the only one ever to compete with ice cream... and wine!"
MEMORANDUM to:

TERRY RAMSAYE of M. P. Herald
RED KANN of Box-Office
CHESTER BAHN of Film Daily
SAM SHAHN of Motion Picture Daily
CHICK LEWIS of Showmen's Trade Review
ABEL GREEN of Variety
HERBERT MILLER of The Exhibitor
"Dear Gentlemen of the Press: I give you now one of the Biggest Box-Office Hits of my entire career!"

Sincerely,
Leo

P.S. Watch for the Biggest World Premiere since M-G-M marched through Georgia with "Gone With The Wind". 3-day celebration May 14, 15, 16 in the Oranges of New Jersey. First time in history a simultaneous World Premiere in 4 theatres of one city! All were completely sold out 2 weeks in advance!
Lukas Slams Duals in PCC Resolution

Correct, Don’t Destroy Block-Booking, Says Moss

Hornstein Completes 14 Equipment Jobs Locally

Nick, Weston Abandon Fight Against Ouster From 143

Fort Worth Recreation Department Doubles Free Films in Parks and on School Grounds

20-Fox Paid Zanuck $255,000, Sonja Henie $249,166 in 1939

Dumont Calls RCA’s Charges ‘Red Herrings’

Indianapolis Suit Tests Legality of License

Mendelwager Rites Held

Chi. Parking Ordinance Upheld
HAS 10 PIX MORE EFORE SEASON ENDS

(Continued from Page 1)

Meanwhile, it was stated, a temporary application for an easting of the defendant to substitute in their possession to the court will be held in abeyance. Government officials have stated that the conference "made very good progress towards an understanding" and that a large number of questions have been threshed out in advance to what records should be allowed to inspection. If after a preliminary examination of the records of J. D. desires to enlarge its inspection a further conference will be held. It was said the records on Monday, to be followed by Warners and Paramount.

Green Leaves MCA

William H. Green, MCA's publicity head, has resigned, May 1. Green plans a vacation, will announce a new position June 15.

Chodorov on "World"

Coast Bureau of THE FILM DAILY—Edward Chodorov will be script of "The World We Live" for Metro; Norma Shearer star.

Arzner Replaces Del Ruth

Coast Bureau of THE FILM DAILY—Anna Sten gets one of her best leads in 20th-Fox's "I Married a Nazi."

STORKS!

(Continued from Page 1)

STORKS! It's a boy in the family of Leo P. Trainer, manager, Filmer & Vincent's Rialto, there. Son will be named James Fred.

REVIEWS OF SHORT SUBJECTS

"The Philippines: 1938-1946" RKO Radio M of T 19 mins. Timely and Interesting

The problems of the Philippine Islands are presented in interesting, dramatic and absorbing fashion this subject is timely issued in the May of Time. Tracing the history of the Islands back to the days of Spanish rule, the film shows the strategic and economic importance of the islands. There are numerous references in the issue regarding Japanese economic invasion. The compulsory military training program of the Filipinos is outlined in an interesting sequence dealing with their military college and general preparedness program. However, it is shown that despite the fact that complete invasion is long been sought, the Filipinos are not so sure that they have taken this invasion in stride before this time, a dominating status may be evolved.

"Sitka and Juneau" (FitzPatrick TravelTalk) 9 mins. M-G-M Well-Made Short

Each year sees the tourist invasion of Alaska on the increase, and this short shows that Alaskan enthusiasm of travelers for the Northern Outposts of the United States, namely, Sitka, the old Alaskan capital, and Juneau, the new. In the former city there is still evidence much of the culture imported by the Russians as they course of empire moved eastward, prior to Alaska's purchase at the insistence of William Seward. Juneau, more modern, and generously studi- ed with enchanting small homes with quaint gardens, is shown to advantage. Technicolor depicts solidly the grand and rugged landscapes flanking both municipalities. This is an unusually well-made travel reel, which will be welcomed by audiences of all types.

"Going Places" Universal 9 mins. Highly Interesting

Dealing with the pretzel and goat's milk industries, this reel is highly interesting, containing many facts that probably are unknown to the general public. The history of the pretzel is traced, and then a factory is seen where the pretzels are turned out. The scene is held in volume by an attractive machine. In the sequence devoted to goat farming it is interesting to see the number of side products produced from goat's milk. The highly modern methods of handling the goats are also unusual. Graham McNamee provides the commentary.

"XXX Medico" (Passing Parade) 9 mins. M-G-M Tip Top Reel

Here is an interesting suspenseful reel, which, though short in length, is long on dramatic value. It discloses the danger to human life when disease or accident befell the sea-
REVIEWS OF THE NEW FILMS

"The Mysterious Mr. Reeder"
with Will Fyffe, Kay Walsh, George Curzon, Chill Boucher
Monogram 61 Mins.
CLEVER AND LOGICAL DETECTIVE YARN WHICH WILL APPEAL STRONGLY TO DETECTIVE FILM FANS.

Those legion of detective story fans who like criminal investigation on the screen to assume something more substantial and realistic than the flights of over-imaginative authors and scene-setters have a treat in store for them. It's this logical, exciting and well-made production highlighted by the skillful, smooth and ingratiating acting of Will Fyffe, who plays the role of a sharp-witted subaltern of Scotland Yard. Keen mind and brave of heart, the chunky Fyffe, one of filmland's fine character actors, a smash of a counterfeiter, not bad at conventional antics, but fast, makes a fine job of piecing together the missing threads of information and weaving them quickly and with finality into a net from which there is no escape for the law-breaker. That the dialogue possesses a British tang only increases the realism of the up-to-date, which is crammed with action. Fyffe's maturity, too, lends conviction, for it would be incongruous for one of more tender years to possess the experience and sound prosaic ability of a master investigator. Commencing with the smaller fry in the illicit money market and working up through the higher-ups to eventually bag the gang's chief. The latter is a triumph price for Fyffe, since he is the murderer of the slough's young assistant. The cast is efficient and well-chosen. Jack Raymond's direction is firm. Film is a "natural" for devotees of action yarns.


CREDITS: Producer, Charles S. Steed; Director, Jack Raymond; Author, Edgar Wallace; Screenplay by Edgar Wallace, Marjorie Caffney, Michael Hogan.

DIRECTION, Firm. PHOTOGRAPHY, Good.

On Albany's Film Row
Albany—Exhibs. booking along Exchange Row this week included Frank Williams, Benton Circuit, Saratoga; Frank Wheating, Park, Cobleskill; Mrs. Freda Klein, Hunter, Hunter; Phil Boudoli, Ross Park, North Creek; Vivian Sweet, Stuart, Salem and Swan, Greenwich; Mrs. Inez Ferguson, Copake, Copake; Donald Mullen, Bainbridge, Bainbridge; Abe Stone, Eagle, Albany; Clarence Dopp, Dopp Theaters, Johnstown; Martin, Franklin; Thomas L. Aiello, Community, Millbrook, and Kingsley Ryan, Ausable Forks.

Chertok's Feature Set
West Coast Bureau of THE FILM DAILY
Chertok's feature for "The Human Town."
PETTY JEALOUSIES BLOCKED—FAIR TRADE CODE—KUYKENDALL

NEELY PASSAGE MEANS 25% LESS FILMS—RODGE

Metro Will Boost Ad Budget Above $2,500,000 Mark

BY HOWARD DIETZ

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

New York, Friday, May 10, 1940

TEN CENTS

CHI., ATLANTIC CITY MEETS FOR COLUMBIA

Columbia has set sales convention sessions for Chicago, June 4-6, and Atlantic City, June 11-14, it was announced yesterday by A. Montague, sales chief, who will preside at both.

Jack Cohn will head the home offices execs, attending the parleys, others including Rube Jacker, Louis M-G-M's Second Sectional Convention in Chi. Monday

Chicago—Sales personnel from 10 M-G-M branches gather here Monday for the second of four sectional conventions. Branches to be represented are Detroit, Kansas City, Indianapolis, Milwaukee, Minneap.

UA Conventionites Arrive This Week-end for Parleys

United Artists sales representaives are due in New York over the week-end to attend the Eastern and Canadian sales convention which starts Monday at the Waldorf-Ast

MPTOA Prexy Blames Distributors' Petty Jealousies for Blocking Code Program

Radio's Pix Commentators Voice Industry Co-op Plea

Plea for closer co-op between the industry and the newly formed National Radio Film Commentators Circle was voiced by David Lowe, circle prexy, speaking at yesterday's Ampe luncheon meeting.

Lowe said that in his opinion, as


By Ralph Wilke
West Coast Bureau of THE FILM DAILY

Hollywood—Enactment of the Neely block-booking measure would force Metro to reduce its production 25 per cent.

William F. Rodgers, company's sales head, told the Pacific Coast Conference of Independent Theater Owners convention here yesterday, "In a straight-forward shoulder address on the state of the industry.

NEED POOLING DEALS, SAYS NATE BLUMBERG

Because in many cities there were too many theaters and not enough pictures, pooling arrangements were necessary and profitable, Nate F. Blumberg, Universal president, told the Government yesterday in a pre-trial examination in the equity suit.

Mono, Franchise Holders Okay Weeks' Pix Program

Having obtained the approval of all the Monogram franchise holders.

Para's Memphis Branch Now in Braly's District

Paramount has moved the Memphis branch from Harold Wilke's
METRO BUDGET WILL PASS $2,500,000 MARK

(Continued from Page 1)

Kirkpatrick here today, as scheduled. Suit, filed last June, had Vineland city councilors as among the plaintiffs.

RADIO'S PIX COMMENTATORS
VOICE INDUSTRY CO-OP PEA

(Continued From Page 1)

Radio's WOR commentator of film, described as "irreproachable," that the mass of constructive comment on film plays left motion picture channels indifferent, while less favorably comment elicited industry attention. Sam Taylor of WHN and Jack Mitchell, WBNX, also addressed the luncheon meeting.

Applications received this week for Army membership include Hortense Schell, Harry Goldhaber, Warners; Mrs. Jessie De Angelis, De Angelis Outdoor Adv. Co.; Larry Lipkin, Columbia; Isabel O'Malley, William Danziger, M-G-M; David O'Malley, Columbia; Richard Condon, Walt Disney Productions; Herman G. World Theater; Irving Kahn, 20th-Fox; and Evelyn Gerstein, formerly of UA.

Goldwyn Urges PCC Fight on "DUALS BE CONTINUED"

West Coast Bureau of THE FILM DAILY

Hollywood—Samuel Goldwyn, now in New York, wired PCC of ITO to urge that organization to use its power in remedying the double bill "evil" and "lead the way to restoring motion pictures to the popularity and importance they once had with the public. He emphasized that only quality entertainment and greater pictures can bring the public back to the picture theaters.

"Your stand against double features will have a powerful effect in changing the course of entire industry as it faces its greatest crisis in decreasing audiences and restricted markets abroad. Without production of outstanding pictures virtually impossible, unless exhibition conditions change."

FOX, DETROIT, TO START STAGE POLICY ON MAY 17

Detroit—Fox Theater, which has been planning stage shows since the beginning of his term, was announced a month ago, goes into vaudeville May 17. Ted Lewis and band open for Won Hill and continuing with opera, bringing the real Fox and Michigan alternate on stage shows.
EXHIBITORS HAVE THEIR WAY WHEN THEY PLAY "IF I HAD MY WAY!"

FINAL

IT'S A COUNTRY-WIDE SMASH FOR BING & GLORIA'S LATEST!

Bing CROSBY  GLORIA JEAN in
If I Had My Way

with

Charles WINNINGER  •  EL BRENDEN
Allyn Joslyn  •  Claire Dodd  •  Nana Bryant
and
Eddie Leonard  •  Trixie Friganza  •  Grace LaRue
Julian Eltinge  •  Blanche Ring

PROVIDENCE:—Registers best Crosby business in years at the Albee!

SPRINGFIELD:—50% better than last Crosby at the Roxy!

TOLEDO:—Doubles last Crosby hit at the Rivoli!

YOUNGSTOWN:—Bests every Universal picture here to date!

HARTFORD:—Equals Durbin!
Beat last Crosby picture!

DES MOINES:—Day and date hit at both Des Moines and Roosevelt!

AKRON:—Socko at Colonial!

JOHNSTOWN:—Cambria flooded with Swing and Bing fans!

SEE SHOWDOM’S MOST FAMOUS NAMES!

HEAR
EDDIE LEONARD
Sing "Ida"

HEAR
BLANCHE RING
Sing "Rings On My Fingers!"

A NEW UNIVERSAL PICTURE
NEED POOLING DEALS, SAYS NATE BLUMENTHAL

(Continued from Page 1)

RKO starts on a number of occasions which he was connected with that company, pointing out that it had enabled them to turn a loss in theater operations into a profit.

He cited as an instance, St. Paul, where RKO pooled with Paramount, and was thus enabled to reduce the number of first-run houses from four to two by intelligent handling, created a profitable situation. By doing this, he said, the public received consistently better entertainment.

Blumenthal and his attorney, Edward C. Rafferty, made a number of sallies in answer to questions which drew laughs from the spectators. Rafferty insisted that he would not allow any Universal witness to answer this question.

Blumenthal stated that all efforts to obtain better licensing terms from distribution departments while he was with RKO had been unavailing, and that there had been "not one instance of a reduction." Universal has no problem of getting preferred playing time from theaters, he said, adding "if you have the right pictures, you have no problem; the pictures determine it."

Poole Pledges PCC Will Strive for Biz Harmony

West Coast Bureau of THEFilm DAILY

Hollywood—A pledge that the Pacific Coast Conference will strive to create harmony between all branches of the film industry and that the organization seeks the sincere co-op of distribution and production forces was made by Robert H. Poole, PCC executive secretary, at the banquet tendered the conference by AMPM.

Poole's pledge was in reply to the welcome voiced by Y. Frank Freeman, president of the association, and who, pointing out that the industry had reached its present growth without Government regulation and interference, declared all elements should work together.

Walter Wagner told the exhibitors that Hollywood, knowing the day of quantity production is over, will emphasize quality for 1940-41, while Charles P. Skouras of Selznick, which was among the visitors, must supply more playing time and encouragement percentage pictures so that

M-G-M's Second Sectional Convention in Chi. Monday

(Continued from Page 1)

Olils, Denver, Des Moines, Omaha, St. Louis and Chicago.

Home office will be represented by William F. Rodgers, general sales manager; E. M. Saunders, Western sales head; Howard Dietz, advertising and publicity director; Edwin Aaron, Rodgers' assistant, and Joel Beazehler, Saunders' assistant.

Mono. Franchise Holders Okay Weeks' Pix Program

(Continued from Page 1)

George W. Weeks will begin immediately to prepare his first picture for Monogram release, according to Edward Golden, vice-president, who has returned from the Coast.

Weeks' production move depended upon the 100 per cent endorsement of the distributors. This was obtained at the recent franchise holders' convention in Dallas, Golden said.

sufficient revenue can be returned to producers to make quality pix. Harry Brandt, ITPO prexy, in a telegram from New York, offered the Conference the co-op of his association.

Chicago and Atlantic City Meeting for Columbia

(Continued from Page 1)

Astor, Louis Weinberg, and Max Weisfield.

Division Managers Phil Dunas, Carl Shalit and Jerome Salkin will head the delegates to Chi., Nat cow to Atlantic City. Branch managers and the entire sales force in the respective territories will be present at the sessions.

UA Conventionites Arrive This Week-end for Parleys

(Continued from Page 1)

Harron, Harry Gold, Eastern general sales manager, will preside at the three-day parleys, while L. J. Schlaifer, Western general sales manager, will conduct his sessions in Chicago beginning next Saturday.

In addition to the field force, the New York delegation to the local convention includes Murray Silverstone, Harry Buckley, Arthur Kelly, Joseph Lazarus, Lynn Farnol, Monroe Greenhal, Al Maggolile, among others.

PASSAGE OF NEELY BILL MEANS 25% LESS

(Continued from Page 1)

charged that the bulk of such the books from the studios without a penny invested in the film biz, warned that studios would be unable to experiment in production of dollars that pass the House, and thus barring such films as the Hardy and Dr. Kildare series, said flatly that Metro need not "Show windows"—theaters—an department required them particularly to designate product classification.

"Why Is Code Blocked?"

Answering that continuing "persecution suits" would affect all pictures, Rodgers emphasized the question as to why the injustice being prevented from putting proposed trade practice code effect.

Rodgers said his institution percentage deals in 1931 Metro's film rentals dropping, 600,000,000 dollars that year, had added the percentage deal sound policy and was need build revenue for production.

Metro did not join the "friendly company," but every Rodgers continued. He said his company makes 40,000,000 shipments and supplies 11,000 accounts and has not been one miss out emphasized the fact that his sales and district managers, complete authority to grant permits.

Applause greeted his statement "We don't want anyone beggar adjustment—that is not good business."

Metro Spending at Peabody

Rodgers declared that conditions, Metro would not work and produce is spending more now than ever in its history, declared his company would work co-operate fully with the working out harmonious conciliatory, J. M. Hone, executive of MPTO of State of Washington, told of his methods in the friendship of legislators and ingerring for legislation.

At the 1939 session of the ington legislature, Hone sales per cent tax was placed on personal property, including theaters and trailers. The exchanges and added two per cent of each film, but after trips to State Capitol he was to have the tax eliminated, closed.

Shirley Temple Radio Show

Under Discussion in

(Continued from Page 1)

New York, it was reported day. If a deal for Shirley is consummated it would mean the end of the minority from a charity show.
War News Films Get Fair Okay, But No Propaganda

(Continued from Page 1)
resulted in administration plans to bar propaganda in all film exhibits, it was reported yesterday. Straight war news exhibits, however, have been given the green light. Countries preparing to show war films already include Great Britain, France, Poland and Switzerland. The latter two and Movietone reels of actual war scenes.

Most foreign countries with film exhibits last year have renewed, but Italy has added an auditorium and a library of subjects. The Canadian exhibit, the British Colonial show likewise has added films and Switzerland has an enlarged air-conditioned auditorium. Japan and Cuba have also increased their auditorium seating capacities. Other renewals include Belgium, Denmark, Dominican Republic, Iran, Palestine, and Thailand. Cancellations were Russia, Brazil, Argentina and Iceland.

Increased screen time, based on analysis of last year's results, is the rule with most exhibits. Exhibitors, almost without exception, found that motion pictures were preferred to static exhibits.

Innovations in industrial exhibits using films include a new polaroid, three-dimensional film and a special projector for Chrysler; additional seats to bring the Ford theater capacity up to 950; a new Eastman film setup; a new General Electric auditorium; Westinghouse's increase to 500 seats; U.S. Steel's new futuristic, 250 seat auditorium; House- hold Finance's takeover of the former MacFadden theater; Coca Cola in the Food Bldg.; Railroad Building auditorium up to 150 seats.

"I" Executives Off for A.C. Sales Meet

(Continued from Page 1)
dresses the convention and opens the business meetings. Screenings and discussions of sales policies will continue through Monday, intermingled with talks by various department heads.

The New York party includes Nate J. Blumberg, president; J. Cheever Cowdin, chairman of the board; F. J. A. McCarthy, Eastern sales manager; William Heineken, Western sales manager; Joseph Seidelman, vice-president in charge of foreign affairs; John Joseph, advertising and publicity director; Leo Abrams, short subjects sales manager; Lou Pollock, eastern advertising manager; Morris Ailin, O. C. Binder, James Jordan, Charles Kirby, Hank Linet, Clarence Marson, James Miller, F. T. Murray, Adolph Schimmel, Andy Shariack and Herman Stern, and exchange groups from Albany, Boston, New Haven and New York.

Blumberg will address the meeting tomorrow afternoon.

A second convention for the Western personnel opens next Saturday in Chicago.
STUDIOS INTERESTED IN NEW TOWER LIFT

West Coast Bureau of THE FILM DAILY

Hollywood—Studios here are manifesting considerable interest in the recently-developed tower lift equipment which enhances the effectiveness and execution of all overhead shots where extra height is required. The new tower lift, developed by the Bird-White Corp., is hydraulically operated, sturdy construction, and light in weight. Manufacturer's technicians claim that this equipment can be easily adapted to any photographic truck to provide every facility for a complete photographic department on wheels.

Equipment facilitates the taking of "crowd" pictures and many other shots which would be virtually impossible to obtain without the additional height. Every provision has been made to insure the utmost in safety to the operator. Bird-White claims elimination of all sideways even at extreme elevations.

Sonovox to Be Used By Para. and Korda
West Coast Bureau, THE FILM DAILY

Hollywood—Gilbert Wright, inventor of Sonovox, staged a demonstration of his device here. It can translate any audible sound, whether made by animals or instruments, into understandable English. It can be effectively used in dubbing English pictures into foreign versions, or vice versa.

Lester Cowan is Wright's partner and has made deals whereby Paramount will use the device in the musical score for "The Ghost-Breakers" and Alexander Korda on "The Thief of Bagdad." Walt Disney is also planning to use it in connection with some of his cartoon shorts.

Young Adding 150 Seats To Mexico, Brownsville

New RCA Photophone sound and Brenkert projectors and booth equipment are being installed by D. J. Young, Jr., in his Mexico Theater, Brownsville, Tex., replacing equipment damaged in an April fire. House is also being enlarged to seat 800 instead of 650.

ITSC REPORTS N. E. HOUSES RE-EQUIPPING


E. Carroll has ordered Simplex projectors, Strong projection lamps and rectifiers for his Riverside Park in Springfield, Mass., and Simplex machines and strong projection lamps have also been bought for H. Weinstein's Keith in Fairhaven, Mass.

Strong lamps and rectifiers have also been supplied to E. Carroll's Motor-In, Sauc., Me., and to Mark- wold's Porter Sq. in North Cambridge, Mass. The former house has also installed Wenzel projection.

Hollywood Cast Completes National Carbon's 4-Reeler

West Coast Bureau of THE FILM DAILY

Hollywood—Production has been completed by Roland Reed Prods., on "Meet the Watkins Family." Four-reeler subject for the National Carbon Co. Cast included Ralph Bellamy, Dorothy Paterson, Andy Clyde, Frances Robinson, Raymond Hatton, Dorothy Short, Jackie Searl, Robert Baldwin and Roy Butler. Jean Yarborough directed, with A. J. McCulland of National Carbon Company, and Wilfred King of J. M. Mathes Advertising Agency in New York, supervising. Jack Cosgrove was borrowed from Selznick International to handle the special effects.

Crestwood Carpet Installations

Alexander Smith's Crestwood carpet has just been installed in the Imperial and Ark Theaters, Chicago; the Cosy, St. Joseph, Mich., and the Palace, Huntington, W. Va.

Al. Tec says:

Scientists are constantly finding new improvements in sound, and are putting those improvements on the sound tracks, at the studios. Do you know when these improvements are made? Are you getting these improvements of the sound track in your own theatre? Are your patrons getting the benefit? There is one sure way for you to find out. Let the Altec inspector in your locality tell you.

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**TRENDS**

**Essentials**

The matter of decorating, the art of a well-conceived and executed interior lies not in the exuberance of the idea behind it, but in the realization of it and in the skill of the decorator. The latter is, in fact, the more difficult task. Architects, in their quest for architectural beauty, often sacrifice comfort and convenience in favor of an idealistic design. Decorators, on the other hand, must strive to create an environment that is not only visually pleasing but also functional and comfortable. This means understanding the needs and desires of the client and tailoring the design to meet those needs. The best decorators are those who can successfully blend art and utility, creating spaces that are both beautiful and practical.

**NTS RE-EQUIPS FIVE F. H. DURkee THEATERS**

Baltimore—F. H. Durkee Enterprises has just re-equipped four houses here and one in Annapolis. The local houses are the Forest which got Walker White Sound Screen, Simplex H-I lamps and fixtures; the State, whose projection was improved by Simplex E-7 mechanisms; the Fulton, for which a new Walker Silversheet sound screen was ordered; and the McHenry, a new three-unit Timco Ticket Register. Annapolis house, the Circle, was equipped Peerless Magnaure lamps, two Heathcote generators, and Simplex LL-5 pedestals.

National Theater Supply's branch here furnished the equipment.

**Altec Signs Service Pacts for Five Gulf State Houses**

New Orleans—Service contracts for the Gulf state locations were announced by Altec here through Manager A. C. Buckwalter. They are: the Strand at Frankfort, La., the Gem at Abbeville, La., the Avalon at Pass Christian, Miss., the Roxy at Newton, Miss., and the Sanatorium at Sanatorium, Miss.

**Da-Lite Screens in Demand**

Demand for Da-Lite screens continues, with latest type supplied to D. M. Brown's Brown Theater, Cabin Creek, W. Va.; C. & F. Amusement Co.'s Palace, Beckley, W. Va.; McCarthy's Loomis, Chicago; the Ark and Imperial, Chicago, and E. C. Loomis's Community in Elk Rapids, Mich.

**Form Clear Air Corp.**

Chicago—A. F. Hogan, D. Q. Nichols and R. Olsen have organized the Clear Air Corp., with offices at 128 North Pulaski Road, to distribute air conditioning and electrical equipment to the trade.

**New Paragon Timers Have Positive Lock**

Chicago—The Paragon Electric Co. has developed special types of neon and fluorescent illumination automatic reset timers and time delay relays. The timers are furnished with eight numerals and a positive mechanical lock, magnetically operated.

**Horstein Reports Seat Installations in Met. Area**

Chairs manufactured by Ideal Seating Co. of Grand Rapids have been installed in the following local houses: Sam Baker's Trylon, L. I. City; the Strausberg circuit's State, Kismet, Lido, and Summer in Brooklyn; the Belle Theaters' Star, New York; and Fabian's Staten, New Dorp, S. I.

**Acquires Supply House**

Indianapolis—the Indian Theater Equipment Corp., has acquired the Joe Goldberg, Inc., theater supply house. Frank J. Nuber, president of the new corporation and Joe Bommersheim, secretary-treasurer, a complete line of theater equipment will be featured.

**CELOTEX APRIL BIZ BEST IN SIX MONTHS**

April business of Celotex Corp. was best of any in past six months and about at the April, 1936, level, it was disclosed this week by Bror Dahlburg.

Chicago—Celotex Co., here reports many theater jobs under way, and that recently completed installations include the Avery, Garnier, Iowa; Rex, Little Rock; Pioneer, Cedar Rapids; Hollywood, Tracy, Minn.; Plaza, Tulsa; Shore, Cleveland; Avalon, Blue Earth, Minn.; and the Iowa, Fort Dodge.

**New Equipment for Three Kallet Circuit Theaters**

Madison Theater in Oneida, and the Capitol in Rome, up-State houses of the Kallet circuit have ordered Motograph projectors, Bemke's projection lamps and Rotone screens installed. The Madison has also put in new Karagharian carpet. All were supplied by Joe Horstein, Inc.

**"STRANGE CARGO"**

It's not coincidence that you find Alexander Smith Carpets in most of the country's successful theatres. You'll find the sailing smoother after you've covered your floors with these luxurious-looking carpets.

**ALEXANDER SMITH CARPET**
I'VE PUT IN THAT PAIR OF
"ONE KILOWATT" ARCS

• Believe me, they are the real thing. These low wattage High Intensity arcs mean a lot to the small theatre.

You ought to see the difference in my screen light — I wouldn’t have believed it possible.

Do my patrons notice it? You bet they do! I defy anyone to put on a better show either in color or black and white.

And you’d be surprised, Joe, how little it costs to install and operate these new arcs. It’s the best investment I’ve made in a long time.

You’d better get on the band wagon!

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL" "SUPREX" AND "OROTIP" CARBONS.

HIGH INTENSITY CARBON ARC LAMPS supply all the spectral colors in essentially even balance. That is why they give true color reproduction.

The words "National," "Suprex" and "Orotip" are registered Trade-Marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC. Unit of Union Carbide and Carbon Corporation CARBON SALES DIVISION, CLEVELAND, OHIO General Offices: 30 East 42nd Street, New York, N. Y. Branch Sales Offices New York • Pittsburgh • Chicago • St. Louis • San Francisco
Nazi Attack on Dutch, Belgians Hits U. S. Pix “Take” U’S” 59 WILL INCLUDE MORE TOP-BUDGET FILMS
House’s Neely Bill Hearings May Run Only One Week

THE WEEK IN REVIEW
Neely Bill Means 25% Less Pix
— By L. H. MITCHELL

EASTIC
LOCK - BOOKING: Neely bill
sage would mean 25 per cent
of pictures. William F. Rodgers tells
C of TTO meeting in L. A.
lock-down, drag-out fight marked
the hearing on Neely bill. . .
Kendall tells PCC convention
that bill would restrain production,
to costs . . . In statement elec-
MPTOA Prexy asserted that men's
clubs were misled on the bill by their representatives . . .
while chairman of PM commit-
tee of General Federation of Wo-
men's Clubs urged the clubs not to
port the Neely bill.

TELEVISION: RCA submitted
for television’s freedom, and at-
ted the Para-Dumont teliep
Para-Dumont retaliated by us-
ing that RCA’s charges were
being but a “red herring” . . . Don
filed with the FCC a plan for
in theaters . . . RCA stockhold-
to be read by July
Darren Sarnoff envisions na-
tional networks.

CONVENTIONS: L. O. Lukan
ed a resolution to the PCC of
against double fees . . . Col. will hold sales meets
in Chicago and Atlantic City . .
versus excess. Left at week-end for
City convention where a “site program” will be announced.
WB called off its announced
sales meet in favor of a
M-G-M opens its second
convention in Chi. today.

HIS AND THAT: Studios an-
45 biographical pictures for
season . . . Stanton Griffis ap-
fected with the appreciation of
pix industry . . Loew’s quarter
rose $420,921 to $8,789,828

S-W to Split Product
Philadelphia — An even split of prod-
uct between Stanley-Warner and the
in Bitmore, Wineland, N. J. is said to
be the terms of settlement in the
in Bitmore, Wineland. It is also reported
that Warner pay costs and attorney
fees of the case. Stanley-Warner is ex-
pected to close one of its two theaters
in the town.

Proponents Will Call Not
More Than Dozen; Mey-
to Sum Up
Washington Bureau of THE FILM DAILY
Washington—Proponents and op-
oponents of the Neely Bill have
agreed to curtail the hearings be-
fore the House Interstate Commerce
Committee which open today, it was
reported here over the week-end.
Whether there will be morning
and afternoon sessions has not been
determined officially, but observers
here are of the opinion that if the
(Continued on Page 12)

EXPECT HOYTS, GUT
TO POOL BY JULY 1
Sydney (By Cable)—Amalgama-
tion via pooling arrangement of the
Hoyts-GUT theater chains will be
completed by July 1 unless some
unforeseen stumbling block arises.
It was learned yesterday. Pooled
theater circuits will be operated by
General Theatres Corp., with Mur-
rice Sloman reported set for the
(Continued on Page 12)

Screen Publicists Would
Control Pix Press Agents
West Coast Bureau of THE FILM DAILY
Hollywood—Under proposed revi-
sions of by-laws and constitution of the
Screen Publicists Guild, the or-
(Continued on Page 12)

S-W to Split Product
Philadelphia — An even split of prod-
uct between Stanley-Warner and the
in Bitmore, Wineland, N. J. is said to
be the terms of settlement in the
in Bitmore, Wineland. It is also reported
that Warner pay costs and attorney
fees of the case. Stanley-Warner is ex-
pected to close one of its two theaters
in the town.

Nazi Attack on Dutch, Belgians Hits
$2,600,000 “Take” of U. S. Firms

Columbus Protects Exhib.
from Slot Machine Movies
Columbus, O.—New city ordinance
regulating exhibition gives the mu-
cipality jurisdiction over “any
places where motion pictures or televi-
sed pictures are shown,” thus mak-

Up to $2,600,000 in annual net
profits to the majors apparently
were “blitzkriaged” at the week-end
when the Nazis invaded Belgium,
Dolland and Luxemburg. Countries
have more than 1,000 theaters.
It was also feared by foreign depart-
ments that many theaters in Swit-
zerland and France would be closed,
(Continued on Page 12)

Company to Bid for Greater
Domestic Biz, Says William
A. Scully

W. A. SCULLY
FILM DAILY Staff Writer
Atlantic City—Making a bid for
greater domestic business in 1940-
41, Universal has mapped out a pro-
gram calling for more top-
profit pictures and a slight numeri-
ical increase in product
over the current season’s
lineup, sales represent-
atives were
formed
yesterday
by Wil-
liam A. Scull-
y, general sales manager, at the
(Continued on Page 7)

PCC TO MAP FIGHT
ON DUAL PROGRAMS
West Coast Bureau of THE FILM DAILY
Los Angeles—Pacific Coast Con-
ference of Independent Theater
Owners Friday went on record
against double bills and instructed
its board of trustees to draft
(Continued on Page 4)

Asher and Mannix Cancel
Plans for Trip Overseas
On the advice and instructions of
Louis B. Mayer, overseas trip of
Irving Asher and E. J. Mannix,
(Continued on Page 11)

Gordon, Goetz to Confer
on Production on Coast
Max Gordon left over the week-
end for Hollywood where he will be
joined by Harry Goetz for confer-
(Continued on Page 12)
The Broadway Parade

<table>
<thead>
<tr>
<th>Picture and Distributor</th>
<th>Theater</th>
<th>Notes</th>
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<tbody>
<tr>
<td>The Fight for Life (U. S. Film Service-Lorette)—10th week</td>
<td>Paramount</td>
<td></td>
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<tr>
<td>Back Bowler (Republic)—5th week</td>
<td>Metro-Goldwyn-Mayer</td>
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<tr>
<td>Saturday's Children (Waver Bros. Pictures)—2nd week</td>
<td>Strand</td>
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<tr>
<td>If I Had My Way (Universal Pictures)—3rd week</td>
<td>Universal</td>
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<tr>
<td>My Son, My Spor! (United Artists-Small)</td>
<td>Capital</td>
<td></td>
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<tr>
<td>Twenty-Mule Team (Republic Pictures)</td>
<td>Capital</td>
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<tr>
<td>Dark Command (Republic Pictures)</td>
<td>Republic</td>
<td></td>
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<tr>
<td>Alias the Deuce (Universal Pictures)</td>
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<tr>
<td>Women Without Names (Paramount Pictures)</td>
<td>Metro-Goldwyn-Mayer</td>
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<tr>
<td>A Christmas Carol at Christmas-Fox</td>
<td>Fox</td>
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<tr>
<td>Song of the Road (Alliance Pictures)—2nd week</td>
<td>Little Carnegie</td>
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<tr>
<td>So This Is London (Twentieth Century-Fox)</td>
<td>Central</td>
<td></td>
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<tr>
<td>Ghost Valley Rides (Republic Pictures)</td>
<td>Central</td>
<td></td>
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<tr>
<td>Johnny Apollo (Twentieth Century-Fox)</td>
<td>30th Street Theatre</td>
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<tr>
<td>Angel from Texas (First National Pictures)</td>
<td>Palace</td>
<td></td>
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</table>

**TWO-A-DAY RUNS**

- Gone With the Wind (Metro-Goldwyn-Mayer—Selznick)—22nd week
- Astor

**FOREIGN LANGUAGE FEATURES**

- Territorial Zone (Waver Bros.-Pictures)—May 17
- Topham (Paramount Pictures)—May 17
- Waterloos Bridge (Metro-Goldwyn-Mayer)—May 17
- Twenty-One Thousand (Columbia Pictures)—May 22
- Hell Below (Metro-Goldwyn-Mayer)—May 17 (d)
- Lillian Russell (Twentieth Century-Fox)—May 17
- Royal Riders of Peace (Universal Pictures)—May 17
- Mad Youth (Atlas Pictures)—May 17
- We Meet Again (Waver Bros.-Pictures)—May 17
- Star Dust (Twentieth Century-Fox)—May 17

(a) Dust bill.  (b) Subsequent run.  (c) Follows current bill.  (d) Revival.

**NEW YORK STOCK MARKET**

<table>
<thead>
<tr>
<th>Stock</th>
<th>Net Change</th>
<th>Open</th>
<th>High</th>
<th>Low</th>
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<tr>
<td>N. Y. Delegation to Para.</td>
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**FINANCIAL**

**QUOTATIONS OF FRIDAY, MAY 10**

<table>
<thead>
<tr>
<th>Stock</th>
<th>Price</th>
<th>Change</th>
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<tr>
<td>A. H. Clark</td>
<td>12 1/4</td>
<td>1/8</td>
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</table>

**NATIONAL CINEMA**

- John M. Merges, President

**COMING AND GONE**

DARBY L. JAMISON, left Saturday for Coast.

JOHN JOHNSON and JOHN DAVIDSON, returned from Rochester to New York this week-end.

HERMAN HOPPER, 20th-Fox sales chief in Chicago, has returned, head of a delegation of New York executives leaving for the promotion of "Lillian Russell" in New York this week-end.

WILLIAM C. CARRIN, central division man for 20th-Fox, leaves tonight for Chicago for sales work.

**FINANCIAL**

**QUOTATIONS OF FRIDAY, MAY 10**

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**NATIONAL CINEMA**

- John M. Merges, President
PARAMOUNT'S
"ROAD TO SINGAPORE"

PARAMOUNT'S
"BUCK BENNY RIDES AGAIN"

THAT OLD BOX OFFICE FENCE!
AND THE BOYS THINK THE BROOKLYNS ARE HOT!

PARAMOUNT'S
TYPHOON
IN TECHNICOLOR!
with
DOROTHY LAMOUR
ROBERT PRESTON
LYNNE OVERMAN
J. Carrol Naish
Directed by LOUIS KING • Screen Play by Allen Rivkin • Based on a Story by Steve Fisher

"Road to Singapore" a smash hit!
"Buck Benny Rides Again" a smash hit!
And here's Paramount batting out another box office home run . . . that Technicolor triumph, that terrific typhoon of dynamite action and tropic romance with the greatest love team ever to find their heart's desire beneath those torrid South Sea skies!
PCG TO MAP FIGHT ON DUAL PROGRAMS

(Continued from Page 1)

and means to eliminate the dual situation.

Resolutions attacking certain practices in the industry also were passed at the meeting. Opposition to non-
theatrical pictures and the changing of a second picture on a holdover play was recorded. Participation in exchange drives also was condemned, as well as the demand of percentage bookings in small house subsequent runs and increased prices for advertising accessories and trailers. High percentages asked by distributors with a decreased return to theaters also were hit.

Cocktail Party Marks Rothacker Anniversary

A surprise cocktail party was given Douglas Rothacker Friday in his offices by Nancy Rothacker and employees, event celebrating Doug's 30 years in pictures. Among those who attended were: Dr. John F. Thompson, J. W. McNamara, P. G. Fales, H. L. Larsen, Harry Wingate, John Lindley, E. Badeau, Mr. and Mrs. James H. Smith, Frank Cabill, Charles Allicote, Mr. and Mrs. Joe Melcom, Dick Brady, William German, Mr. and Mrs. Sam Citron, Harrison Jones, Ed. Strauss, Bill Baldwin, Ruth Carlson, Dr. H. Clarke, Harry Marschak, Sam Mullendike, Joe Hornstein, B. Frank, George Cole, Oscar Nez, P. E. Miles and M. Warner.

Suit Seeks Removal of Two Execs. of TMAT's Pix Div.

Suit seeking the removal from office of Charles P. Carroll and Joseph Silverman, execs. of the m.p. division of the TMAT, on the allegation of irregularities, has been filed in N. Y. Supreme Court by Max G. Foder and Ben Braudie, members of the union. Suit asks an accounting, appointment of a receiver and writ restraining the defendants from serving in their official capacities pending trial.

ALONG THE
WITH PHIL M. DALY

\begin{itemize}
  \item MARK well that this week will be memorable in 1940 pix history for on Wednesday night 20th-Fox formally unleashes one of the season's big Bertha attractions in Pittsburgh and Clinton, Iowa. These dual world premiers... as you might well guess... are to gild the "Lillian Russell"... which Darryl F. Zanuck has brought to the screen... by way of further immortalizing in this generation... the Gay Nineties most glamorous gal. That super-glamorous she was... ever into the years immediately after the turn of the century... and attested by this scribe... one of whose most vivid of adolescent memories... is of this great lady who lived almost next door... during several summers in scintillating Saratoga Springs.
  \item IN those days... the majestic Lillian was so awe-inspiring... and her beauty and charm so legendary... that it was a badge of distinction among the youngsters of the swank section of Saratoga's North Broadway... to report to their gapping playmates... that they had seen with their own eyes... the lovely Lillian descend the porch steps... and drive off in her "turn-out"... bound for Union Avenue and the track... All the kids believed the yarn spun by a "water jockey"... whose job was to attend the now-long-extinct booth of the Excelsior Springs... where you could drink all the aqua you wanted for a nickel... The young attendant's eyes would fair pop out of their sockets... as he related the "fact" that the roulette wheels in Canfield's... stopped cold as a cucumber when they saw the glory that was Lillian Russell.
  \item CORRESPONDingly memorable this week... Thursday, to be exact... will be the world premiere of M.G.M's "Edison, the Man"... simultaneously in four theaters of the nearby Oranges... as the climax of the Edison Pageant of Progress there... which gets under way tomorrow... Metro has turned on its highest-pressure promotional lances... to localize national interest in the biographical classic dealing with the mature days of the Great Inventor... Tinsistence, an exact reproduction of the world's first motion picture studio... built in 1891 by Edison in West Orange... and known as the "Black Maria"... has been constructed in that city as one of the many exceptional exhibits... which include a picture of the Wizard of Melo Park... The photo is the largest ever put on public display... measuring 22 by 28 feet... and with its unveiling tomorrow will be the brightest spot in the world... a 30,000-watt electric light and 25 smaller lamps... will take care of that.
  \item HARK to the startling saga of the Barney Oldfield... who have just entered their sixth year of consummated bliss... Hubby is the film editor of the Lincoln (Neb.) Sunday Journal and Star... and for four years in succession has shown himself to be a pin picker of pix in THE FILM DAILY'S annual Ten Best Poll... Wife has shown her attachment for hubby by accompanying him to the same 500 pic he reviews each year... She's seen more than 2,000 features in the five years of conjugal companionship... in fact, on their very wedding day they saw... Anna Sten's opus, "Her Wedding Night"... and on every one of their anniversaries... They're gone to movies... Despite the extraordinary wallowing in pix... Mrs. Oldfield asserts that she still favors her hubby's job... over that of WPA and lighthouse tending.
\end{itemize}

EXPECT HOYTS, GUT TO POOL BY JULY

(Continued from Page 1)

general manager's post of C. Charles Munro will remain vacant.

Deal, in work for months, cau a number of Australian to travel to America last week. No transfer of staff will be made. The GTC profits are expected to be split on a 75-25 basis with larger share going to the American. Amalgamation is expected to affect the number of operating chains both chains, and at the same time eases possibility of competitive building and assures sufficient product for all houses.

Seven More "Irene" P.A.'s Set for Neagle and Wild

Anna Neagle and Herbert Wilcox are set for seven more p.a.'s at RKO's "Irene." Starting at Boyd, Philadelphia, on May 15, the star and producer of the play will be at the Oriental, Chicago, May 31, Louisville Rialto, June 8, Cleveland Hippodrome, June 9, a Pittsburgh house on June 10, Indianapolis, and an appearance at RKO convention in New York also on their schedule.

S. Barret McCormick, RKO ad publicity director, has assigned Larry Turner and Tom Selig to go ahead of the couple to Pittsburgh and Philadelphia, Hickey in Chicago, Harry Reis in Indianapolis, Louisville and Cleveland, and Rutgers Neilon to handle the New York convention appearance.

Metro to Test Skelton

Chicago—Red Skelton will screen tested by Metro on the Go.

WEDDING BELL

A bachelor party will be given to Sam Kaplan, veteran projectionist at RKO Radio Pictures' home of next Friday night, Kaplan, who be married on May 22nd, has RKO with RKO Radio for 15 years. Home of the RKO contract depart ment is chairman of the dinner committee and has scheduled the "bachelor derby" for the Moscow Lopowitz restaurant, 40 E. 23rd A.

Newark, N. J.—Announcement, made by the engagement of Madnick, secretary to Donald cox's, Warner Bros. zone main to Tony Williams, division mana in this area for Warners.

Cleveland—Irving Marcus, of local National Screen office, will be married June 9 to Miss R. Crost.

Chicago—Helen Miller of United Artists Theater will me, Teddy Drell on June 25.
The picture the world is waiting for because in her first screen role since she was the beautiful Scarlett O’Hara, Vivien Leigh again thrills in a film of emotional fire and Robert Taylor gives his most powerfully romantic performance.

“WATERLOO BRIDGE

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play by S. N. Behrman, Hans Rameau and George Froeschel • Based on the play “Waterloo Bridge” by Robert E. Sherwood • A METRO-GOLDWYN-MAYER PICTURE • Directed by MERVYN LeROY • Produced by SIDNEY FRANKLIN
Universal’s Lineup of 59 for 1940-41
Include More Top-Budget Films

Continued from Page 1

Scully announces program as named

by Scully follows:

Productions without titles: Deanna Durbin,
two; Irene Dunne, one; Rita Hayworth, one;*
Jules LeRoy’s Mayflower Prod.; Bob Burns
and his Boys, one; Allan Dwan, one; George
Marshall, one.

Productions with player assignments: When
the Dalton’s Road, cast including Walter Pidgeon,
Kay Francis, Brian Donlevy, Wally Krueger,
John Hodiak, and Alfred Cohn; The Enchanted
Oak, starring Garbo and Leslie Howard; The
Bank Dick, W. C. Fields; The Frontiersman,
Charles Burrell; The Return of ranks and Bob,
Murphy; The Power of Darkness, John
McDonough; The Secrets of the Sea, starring
Dan Duryea,

Will Remake “Back Street”

It was announced yesterday that
Universal would re-make “Back
Street,” one of the top-grossers of
1940. Among the production
men who would pilot the new sean-
se program identified by Scully as
Joe Pasternak, Henry Koster,
George Marshall, William Seiter, Fay
Reed and Richard Wallace.

The short subject program calls
for 13 two-reel musicals, 13 one-
reel subjects, a two-reel special, 15
shorter than Fiction and 15 Going
secs, plus 104 issues of Univer-
se Newsreel. Six color cartoons
will be reissued and a Color Car-
toon magazine. There will also be
serials: “Winners of the West,”
Dick Foran; “The Boys of the Big
City,” directed by G-Man; and
“Dead End Kids and Little
Tough Guys; “The Green Hornet
Strikes Again” and “The Leopard’s
Claw.”

Producers and directors, other
among those mentioned above, include:
Bruce Manning, Ford Beebe, Christy
Cabanee, Eddie Cline, Ken Gold-
smith, Marshall Grant, Burt Kelly,
Lew Landers, Joe May, Henry Mac-
Rae, Ben Pivar, Albert Rogell, Joseph
Sanford, Harold Schuster, Leonard
Spiegelglass and Ray Taylor.

Complete program as announced
by Scully follows:

Productions without titles: Doris
Day, two; Allan Dwan, one; Renae
Winters, one; George Seaton, one; Mar-
lon Brand, one; Paul L. Stein, one; Steve
Morgan, one.

Productions with player assignments: The
Lone Wolf in London, starring Warren
Williams, Margo and Allen Jenkins;
The Great G行政部门, starring John
Hodiak, John Garfield and Charles
Boyer; The Return of the Saddle Man,
starring Cecil Kellaway and Mary
Genta; The Phantom of the Opera,
starring Ronald Colman and Marie
Dumont; The Adventures of Don
Cesar de Bazan, starring John
Hodiak and Maria Montez; ThenPower of Darkness, starring Dan
Duryea.

New Automatic Projector

Featured by Selectivity

Movietroila, another nickel-in-the-
hole entry, was demonstrated Fri-
day to the press in the Strand Thea-
ter Building by its inventors, Emil
Hollander, for many years with
Paramount music interests, and Phil
Shaftel. Morton Downey is said

pplicated in the enterprise.

The device, which has been in the
process of development and construc-
tion for about three years, and
which carries nine patents, is, Hol-
lander explained, essentially a se-
lective mechanism, enabling both to be available for view-
at five cents per reel. The machine
unveiled Friday carried six reels,
merely for demonstration purposes.
Film used in 16 mm, exclusively.

Fiction

Photographic

THE EMOTIONAL “BIG PARADE” OF 1940

WOMEN IN WAR

Lyme ated in a World Gone Mad!

with

ELISE JANIS • WENDY BARRE • PATRIC KNOWLES
MAE CLARK • DENNIE MOORE • DOROTHY PETERSON
BILLY GILBERT • COLIN TAPLEY
DIRECTED BY JOHN H. AUER
A REPUBLIC PICTURE

ONI in Good Financial
Condition, Says Johnston

At Coast Bureau of THE FILM DAILY
Hollywood—The recent loan of
$600,000 by the Guaranty Trust Co.
of New York, for the acquisition of $100,000 in
stock by franchise holders has placed the
company in an excellent cash con-
dition, according to President W.
Johnston. Sturdy improvement business, he said, has added to the

80 Players on WB Rolls

At Coast Bureau of THE FILM DAILY
Hollywood—Warner’s newest per-
cel list shows 80 stars and fea-
tured players, 16 directors and 42
writers under contract for 1940-41.
**REVIEWS OF THE NEW FILMS**

**“Our Town”**
with William Holden, Martha Scott
UA-Sal Lesher
90 Min.

(\textit{Hollywood Preview})

\textbf{ONE OF HOLLYWOOD’S FINEST EFFORTS: SHOULD SCORE EMPHATICALLY.}
\textbf{AT RADIO CITY MUSIC HALL.}

Here’s one of the finest pictures to emerge from Hollywood, one that should easily take high rank when the “Ten Best Pictures of 1940” are selected. In its picturization, it has the quality of a living drama, something that has been given expert, sympathetic direction by Sam Wood. He has provided a leisurely tempo, and has been careful with his story, so that even the slowest of Grover Corners, whose residents always left their front doors unlocked and the doctor, the editor and the druggist always went home to lunch. Much praise also due producer Sal Lesher, who showed early interest in Wood’s play and decreed straightforward simplicity for its picturization. Here is telling acting, but it is plain, honest unassuming residents of Grover Corners portrayed with sincerity. Martha Scott, of course, is the backbone of her screen de, but gives a moving portrayal of the editor’s daughter, who falls in love with her neighbor and childhood friend, William Holden. The latter does splendid work, being especially good as an awkward young lover. Thomas Mitchell, of course, is fine as the father of William. Fay Bainter is equally good as the other parent, who had always hoped to see Paris, but who dies before her wish could come true. Martha’s parents, Guy Kibbee, the editor, and Beulah Bondi, give outstanding performances. Frank Craven, repeating his stage role of druggist and milliner, furnishes a suitable, appealing characterization. Stuart Erwin as the milk man, Phillip Reed as the organist. Anthony Allen, the professor. Doris Meredith, the authoress. Charles Townbridge, the minister, Spencer Travers, the constable, Ruth Taylor and Douglas Gardiner are important principals. Thornton Wither, Frank Craven, and Harry Chandlee fashioned a screen play that captured the spirit of the Wood play, altering it only enough to prove a stronger vehicle. There is due William Cameron Menzies who directed the production, his associate Harry Horner and Lewis Rachmil, art director. Booth, Glennon’s photography is high grade and Aaron Copland’s musical score very effective.


\textbf{CREDITS:} Producer, Sal Lesher; Director, Sam Wood; from the Pulitzer Prize play by Thornton Wilder. Screenplay, William Cameron Menzies, Cameron. Photography, Booth, Glennon; Music, Aaron Copland; Technical Adviser, Edward P. Goodnow; Film Editor, Sherman Todd.

\textbf{DIRECTION, Expert. PHOTOGRAPHY, High-grade.}

War and Better Pictures

Aiding Nova Scotia Biz

\textit{Theater business in Nova Scotia so far this year is running ahead of the corresponding period last year.}
C'mon over to
OUR TOWN

Where a boy and a girl celebrate their engagement—with a strawberry ice cream soda

Where everybody likes to know the facts about every body else

Where the only traffic hazard is the doctor's horse and buggy

Where liquor ain't a regular thing in the home except in the medicine chest “Mighty good for snakebite, you know”

Where womenfolk work hard all day and never have a nervous breakdown

Where smoking in the barn still means a later visit to the woodshed

Where weddings are mighty short and plain but are meant to last a lifetime

so dramatic, so human that RADIO CITY MUSIC HALL hastened to book it while it was still in production!
"The most extraordinary picture you will see in 1940—and perhaps the best!"

—Look Magazine
EW NAZI INVASIONS HIT U. S. PIX “TAKE”

(Continued from Page 1)

The possibility that theater restrictions would again be enforced in
Europe was not unexpected, according to Motion Picture Production
managers in Hollywood.

M-G-M production executives, was
cancelled and Asher returned to
the Coast Friday night. Mannix plans
to stay on for a few days. Asher
and Mannix had reservations on both
the clipper and the Rex, but the
new developments in Europe prevented their departure.

Mannix was the guest of honor at a
luncheon Friday given by David
Bernstein, treasurer of Loew's. It
was to have been a bon voyage
fair, as the trip had not been can-
celled at the time. Attending the
luncheon at Dinty Moore's were J.
Robert Rubin, C. C. Moskowitz,
Oscar A. Doob, Harry Bernstein,
Joseph Vogel, Marvin Schenck, Mori
Spring, Ed Hatrick, Howard Dietz,
Leopold Friedman and David
Bernstein.

Prismacolor to Introduce
Both Cameras, Projectors

Chicago—Prismacolor Co., with
offices at 206 S. Wabash Ave., has
been organized by J. J. Yowell, R.
M. Rosenwald and R. J. Anschick to
distribute cameras and projectors.

The company has been experimenting
for the past seven years with the
production of color films from black
and white film and have solved the
problem satisfactorily, according to
Stuart D. Clayton, assistant to R. J.
Anschick, president and treasurer.

Rosenwald, a native of the late
Julius Rosenwald, is vice-president of
the company, and J. J. Yowell, sec-
retary. F. P. Case is chief engineer.

Film Alliance May Add
10 More to Lineup of 26

Film Alliance of the U. S. an-
nounced the end of the week that
the company would distribute 26 pic-
ture, and possibly 10 others, for
the 1940-41 season. Norman Elson,
sales manager, currently in Washing-
ton, will return to New York during
the week to confer with Allied con-
signers.

Shooting Fair Program

Official Motion Picture Photogra-
phers will shoot the International
Business Machines special program
at the World Fair's Court of Peace
today. A crew of 58 cameramen,
operators and grips will be under
direction of Edward Ruby and Leslie
Weink to record the program which
stars Lily Pons and Lawrence Tibbets,
with members of the New York
Philharmonic.

Rosenzweig Rites Held

Funeral services for William Ro-
zenzweig, father of Charles, Morris
and Joseph Rosenzweig, were held
yesterday at Park West Memorial
Chapel. Rosenzweig, who died Fri-
day, is also survived by his widow.
Ratification of Dominion Clearance Reforms to be Discussed at Toronto Meeting May 22

Toronto—Film Section of the Toronto Board of Trade will hold a further meeting May 22 to consider ratification of proposed plans for clearance reforms in the Dominion, including the establishment of a national appeal board.

Gov't Queries Moskowitz on Indie Clearance Kicks

Columbus Protects Exhibs. from Slot Machine Movies

Columbus—The Exhibitors Protective League, at its regular meeting Monday night, discussed the report of the committee which had been investigating the activities of the Independent Exhibitors. It was decided to recommend to the executive committee that the Independents be given a three-month trial period to determine whether they are complying with the provisions of the new law.

Screen Publicists Would Control Pix Press Agents

The organization would claim jurisdiction over motion picture personalities, especially executables and advertising men throughout the country, it was learned Friday. The national council, to be elected by the membership, would be empowered to grant or suspend local charters.

Doob and Associates Dismiss Art Schmidt on Departure

Oscar A. Doob and members of the Loew's Theater Home Office Advertising Department tendered a farewell dinner at Leon's to Art Schmidt who left the Loew staff after seven years to join the Metro force as publicity manager under Howard Dietz.

Among those present were: Ernie Emerling, Anna D. Ellmer, Eddie Dowden, Teddy Arnow, Philip Besner, Sam Coolick, Caryl Dannenberg, Arthur Fishman, Carl Fishman, Robert Frankel, Gertrude Gelbin, Leon Goodman, Howard Halik, A. M. Hanna, Harry Hanover, Gordon Hark, Arthur Herzog, Gertrude Katz, May Levintan, Al Lippe, Pete McGarty, Helen Mensinger, Clarence Moeller, Joseph Moeller, Robert Ridgby, Tom Rogers, Ben Serkwich, Herbert Silver, Irving Snyder, Stanley Stern, Arnold Stimm, Morty Tauber, H. R. Van Zandt, Dorothy Vogel, Eddie Dowden was toastmaster.

House Neely hearing may end in a week

hearing last throughout each day's testimony can be concluded a week. Not more than a dozen opponents of the anti-box-office-plan are scheduled to appear before committee, and it is believed many of the measure's friends can complete their side of the

Mississippi Reforms of a Storer's recent illness will prevent him from attending the Neely bill hearings in Washington this week. The New York Allied leader was scheduled to testify in favor of the measure.

In the three days. Abram F. Myers, Allied general counsel, is expected to close his testimony, the gavel of the hearing of the Neely bill, was set to close Tuesday, May 22.

Charges Neely Foes Have Sought for House Pressure

San Francisco—Charges that the Neely bill is being used as the vehicle of five such marriages and that both of which are friends are being published in the Chronicle for the National Council Against Films and the MP Research Council.

Charges are made by Mrs. Ethel B. Sutton, the Council's Legislative Chairman for California, that the attacks on the Council's activities are in the form of opposition to the bill, which she described as a "major destination" of the nation—assuring increased freedom for the artist who desires to work.

Beery and Borax . . . Blossom on Broadway

Jaded Broadwaygoers went gasping for breath as they witnessed a Death Valley borax wagon winding its way down the taxicab-filled Main St.mule with skittering wheels and a Wallace Borax guide toting the vehicle. Thousands lined the street to witness the strange sight. According to Mrs. Henry J. Beery and the borax-bearer were two small children who had just been presented as a new author when the World's Fair opened Saturday at opening day gaieties, with a thrill of delighted terror for Walt's new ops, "20 Mule Team," at the Capitol.
Claims For Neely Bill Find House Committee Curious

FOR UA IN 1940-41 WILL COST $30,000,000

Pacific Coast Conference Plans National Duals Drive

Six More on Current Program Also Available, Says Silverstone

A minimum of 22 pictures, representing an investment of almost $30,000,000, constitutes UA’s 1940-41 program, Murray Silverstone, company’s top exec, announced at the opening session of UA’s Eastern convention at the Waldorf-Astoria yesterday.

Six pictures, left over from the current program, additionally

N. M. SCHENCK EXAM. SLATED FOR THURSDAY

Pending confirmation, the pre-trial examination of Nicholas M. Schenck, president of Loew’s, Inc., in the Government’s equity action against the majors, has been set for Thursday at 10 a.m., the U. S. Attorney’s office announced yesterday. No other examinations are scheduled for this week.

Would Extend Theatrical Taxes to Slot Machine Pix

Washington — In a resolution against coin-in-slot movies, Allied’s board of directors voted over the

Fewer European Pix Insure Continued U. S. Foreign Biz

Shortage of European-made pictures will insure the continuation of American film companies’ activities
Circuit Limitation Trial Postponed in Arkansas

Morrilton, Ark. — Trial of the Chaney Court suit of National Theaters, Inc., owners of the Rainio here, to enjoin the city of Morrilton from stopping in doing business in violation of two ordinances, was agreed upon by attorneys. One ordinance seeks to regulate the number of theaters that one person, firm or corporation may operate in the city. The other seeks to impose a chair tax, in addition to a regular license fee, on film houses with more than 300 chairs.

City of Morrilton has filed a demurrer to the complaint, which will probably be heard in June.

Mills, Henigson Conference on Globe’s Production

West Coast Bureau of THE DAILY

Hollywood—Fred Mills, President of the Mills Film Co., today, in Cango, and his brother Heyden Mills, are here discussing production line-up of nickel-in-the-slot films which James. T. Callaghan has Globe Productions will make for them. Discussions are being held with Henry Henigson, Globe’s associate producer who will be in charge of the making of the “briefs.”

Zanuck, Johnson Conference on “Chad Hanna” Filming

Departure of Darryl F. Zanuck, 20th-Fox production chief, for the Coast Saturday was preceded by a conference with Nunnally Johnson, associate producer and screen writer, on the script and production of “Chad Hanna,” planned as a major 1940-41 feature. Johnson accompanied Zanuck to the Coast.

National Film Carriers to Elect Officers Today

National Film Carriers’ seventh annual convention will close at the Park Central today. Election of officers is scheduled for this morning. Discussion was held yesterday on new ICC safety rulings.

“Ecstasy” Hearing Here

Albany, N. Y. — The “Ecstasy” mandamus proceedings against Censor Irwin Esmond are scheduled for the Special Sessions of the Supreme Court in New-York City. Instead of in Albany, Eureka Productions is the petitioner, Charles Brind, director of the State Education Law Department, will appear for the respondent.

Permit for Memphis Carrier

Washington Bureau of THE DAILY

The ICC has granted a permit to The Film Transit Company of Memphis, Tenn., to handle film shipments from Memphis to points in Tennessee, Kentucky, Mississippi, Arkansas and Missouri.

New Hampton, Ia., Monopoly Ordinance is Voted Down

New Hampton, Ia. — The City Council voted down, 4 to 2, a proposed “Monopoly” ordinance that would have regulated the number of theaters in the city.

The ordinance, drawn for the New Hampton volunteer fire department, would have allowed but one house. The fire department owns the Firemen’s theater, now leased to Harry Herling, for a 10-year period at $300 a month. E. C. Potter, operator of the house for the last 18 years, had been paying only $175 a month until Potter contemplates building a new theater across the street and one-half block away from the Firemen’s building.

Calif. Exhibs. Fearful of New Time, Admish Tax

Sacramento — Special session of the State Legislature, opening yesterday, finds the industry concerned over the proposal for daylight saving and the possibility that new tax measures will include an admission levy.

Tom Fizdale, Inc., to Handle Promotion on Several Para. Pix

Paramount has retained Tom Fizdale, Inc., to augment the company’s regular publicity and exploitation department in handling promotion work on a selected number of pictures. Robert Gilham, director of advertising and publicity, announced yesterday.

In explaining the assignment, Gilham said that Paramount planned to increase its advertising budget for the next season to the largest in the company’s history.
67,528 “LYNTON” JUDGMENT SATISFIED

(Continued from Page 1)

satisfied yesterday in the Fed-
turns. Judgments brought to
in the hands of the
writers, which
in the author.

Bibliography to Show
Work During May 20-24

The Film as Art,” the first of
the three-volume annotated Film In-
which will be published on
The Film as Art... The third vol-
A. A. Thompson, 
...and the trade press big-va were Jack Alcova, 
and... ...about, who sailed through the
diversity of programming... ...were Arthur W. Kelly, 
and Bert Steam. Paul N. Lazarus, Dave Prince, 
and... ...wield the gavel at the
corresponding three-day meeting com-
A. A. Thompson, W. C. Mulroy.

Dave Elman Sues WB

a recent charge to
radio program “Hobby Lobby,”
accurate in the N. Y.
Mr. Elman asks for
against Warner Bros. Inc.,
Mr. Elman and 
their program “Everybody’s Hobby.”

Censors Irk Hizzoner

ilwaukee—Mayor Carl F. Zeid
d to a clean bill of health
The Primrose Path” here by the
of the commission’s approval of the
his office at Fox’s Palace May 8.

PCC PLANS NATIONAL DRIVE AGAINST DUALS

(Continued from Page 1)

tions in the fight to stamp out dou-

The PCC’s recommendations and
resolutions on trade practices will be
presented to distributors in a “con-
cessory meeting” in order to secure
fair and equitable recognition, it was
said yesterday by Robert H. 
Pooles, executive secretary.

Fewer European Pix Insure
Continued U. S. Foreign Biz

(Continued from Page 1)

in Europe despite events which have
disrupted normal conditions, in the
opinion of Reginald Armour, RKO’s
European general manager, who ar-
haveled yesterday on the Washington

Armour said film shipments and
the reorganization of office staffs due
to mobilization were two major pro-
lems facing American distributors,
adding that RKO had lost several 
print shipments when ships carrying
film sank. Holland, which formerly
was the print terminal for all points
in Europe, has been abandoned as
a shipping center, Armour said.

The situation in Europe will
necessitate an entirely new formula of
doing business overseas, Armour
predicted, but what the formula will
be is not known.

Armour is here to confer with
Phil Reisman, foreign department head,
and to attend the company’s con-
vention opening at the Waldorf-Astoria
on May 27.

Would Stop Itinerants’ Use of Uncensored Films

Columbus, O.—Members of the
ITO of Ohio will keep a close watch on
films used by itinerants operat-
ing in the state this summer to pre-
vent the use of prints that have not
been passed by the Ohio censors.

Only a small percentage of film used by
itinerants has been approved in the
past, it is charged.

Son Born to the Ed Finneys

West Coast Bureau of THE FILM DAILY

Hollywood — A seven-and-a-half
pound son was born yesterday to
Monogram Producer Ed Finney and
Mrs. Finney.

“Edison, the Man” Opens in 6 Houses

Demand for tickets to Thursday’s
premiere showing in the Orange, N. J.,
the “Edison, the Man” has been so
colossal that the hotel owners were
forced to arrange for the billboard to be
at six houses. Those communities instead of the
four stands originally scheduled. 

Added houses are the Coliseum, Orange, and
the State, West Orange. The four
houses opened at 10 a.m. after

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

MAY 14

Frank Gillmore Archie Cotler Billie Dove Arthur W. Eddy 
Maudie Fulton Robert J. Benjamin
Don't let another
Plan now! And go to
THE BIG ONE

CAGNEY · SHERIDA

TorrIDZ

with

ANDY DEVINE · HELEN VINSON

JEROME COWAN · GEORGE TOBIAS · Directed by WILLIAM KEIGHLEY

Original Screen Play by Richard Macaulay and Jerry Wald · A Warner Bros.-First National Picture
minute go by!
limit to tell them

COMING!

I·OBRIEN

ALL THIS... "ALL THIS, AND HEAVEN TOO"

and coming!

DAVIS AND BOYER - in the best of best-sellers!

Warmly recommended for another '69th' set-up, by

WARNER BROS.
UA's 22 for '40-41 to Cost 30 Million

(Continued from Page 1)
will be available for next season. Silverstone further stated. Originally, the convention was informed, that a total of 32 feature-length productions were scheduled to contribute to the new program. They are: Charles Chaplin, Samuel Goldwyn, Alexander Korda, David O. Selznick, Walter Wanger, Edward Small, Hal Roach, Sol Lesser, Ernst Lubitsch, David Loew-Albert Lewin, James Roosevelt, Richard Rowland, and Gabriel Pascal. It was pointed out that lineup represents the costliest group of pictures in the company's history.

Chaplin Title Still Not Set
The pictures and their producers are as follows:


Five From Hal Roach


Goldwyn Speaks Today:
This annual convention continues in session here today and tomorrow, with Harry Gold, Eastern sales head, presiding at all sessions. Convention program today calls for an address by Sam Goldwyn, among others.

American Artists to Depict Characters in Wanger Film
Plan has been worked out by Walter Wanger with the Associated

Civic Groups Press for Neely Bill's Enactment as House Hearing Opens

$2,900,000 in Bonds Retired by Selznick

(Continued from Page 1)
class B common; and 29,000 $ bonds of special stock outstanding.

Revenues accruing from GW are being used to retire bonds. Future operating policies of the company are still under discussion. Also, weapons for the company's "Star Command." The board also decided to consult with experts relative to economic conditions caused by the war and to present the information to national Allied convention in Chicago this summer.

Would Extend Theatrical Taxes to Slot Machines

(Continued from Page 1)
week-end to wage a campaign which would place such devices under supervisions of all laws, making them illegal. This week-end, he announced yesterday by David B. Stein, chairman, and Maj. A. Warner, co-chairman of the district committee, a request for a public and principal schools at the luncheon will be held at the Fillmore, Silver National chairman the American Jewish Appeal. Also serving as division officer, the Amusement Division are Barbee, Eastern District, J. Blumberg, J. Cohn, Joseph M. Schenck, Nick M. Schenck, Murray Silverstone, and Lee Shubert.

Sam Davies Dies

Samuel Davies, formerly manager for RKO theatres, died last week-end. He retired four years ago at the age of 70.

Hammons Wins Trophy

E. W. Hammons' "Scoop," with E. Windom, won the 5th annual series of Larchmont over the weekend, which gave the American president the Markham trophy.

Drive to Honor Platt

Chicago—Marking the 10th anniversary of Supervisor Abe Platt & K managers in the northwest area held a 10-day "Comrade X" re-make West Coast Bureau of THE FILM Daily. Today, Metro will run "Clear All Wires" as premiere.
In 1940-41

UNITED ARTISTS

presents the greatest number of producers ever assembled by one company in the entire history of motion pictures...
Charles Chaplin
in Production #6

Samuel Goldwyn
The Westerner

Walter Wanger
Foreign Correspondent
The Long Voyage Home

Edward Small
The Corsican Brothers

Sol Lesser
An Untitled Production

Ernst Lubitsch
An Untitled Production
presented by Sol Lesser

Hal Roach
Road Show • Topper Returns • Broadway Limited
Niagara Falls • The Unholy Horde

BACK OF EVERY GREAT PIC
Alexander Korda
The Thief of Bagdad
Womanhunt • Lady in The Dark

David O. Selznick
2 Untitled Productions

David L. Loew and Albert Lewin
Flotsam • Night Music

James Roosevelt
Pot O'Gold

Richard Rowland
Cheers for Miss Bishop

Gabriel Pascal
George Bernard Shaw’s
Major Barbara

RE IS A GREAT PRODUCER...
Today—even in the face of difficult times and restricted markets—United Artists holds its 21 year leadership firmly, with the largest number of distinguished producers in its history. These producers realize that today, more than ever, outstanding productions are needed and will continue to back their judgment with their own personal fortunes and resources in the creation of the finest product our organization has ever been privileged to handle. With complete freedom for individuality, their plans for the 1940-41 season will give an impetus to the box office of theatres everywhere.

Murray Silenstone

RELEASED THRU UNITED ARTISTS
6 "I" NEW SEASON PIX READY BY SEPT. 1

Silverstone Proposes Award to the Producer Making Greatest Talent Contribution to Screen

An annual award for the producer who makes the greatest talent contribution to the screen is being announced by Murray Silverstone at the United Artists convention luncheon. The plaque or statue would be donated by UA and other film companies and the selection would be made by the newspaper critics, who were invited to set up the necessary machinery.

Coast's Studios Sending 10 More Before Cameras

(Continued from Page 1)

SIlverstone plans for the current season, Blum-er said the next three months will be open entirely for the start-of-season product, with six going into pre-production this week.

Among the pictures which will start on the new season are "Seven Days" with Marlene Dietrich and the Daltons Rode," first of two films of Jean stories, and "Back Seat," the Fannie Hurst novel. Rushes of "Boys From Syracuse" are shown to the delegates already.

The home office contingent is leaving for New York last night.

Kuykendall Raps Two-Part Plan for "Heaven" Release

(Continued from Page 1)

Kuykendall commented to decide whether to split the two parts or give it in one, it might be dubbed GWTW treatment. Meaning two-and-three-a-day extended runs, extended sets, etc. At the instigation of Grad Sears, Kuykendall will be traded to show on exhibit, every exchange center within the next week's and their opinions sought. Additionally, public's reactions will be asked via trailers. Initially, Warners will release three short subjects plugging the version of the Field's best seller.

First exhibit, leader to register objection to the two-part proposal of Ed Kuykendall, MPTOA president, wired Film Daily from Washington yesterday that he was "seriously opposing" it. Kuykendall said it would cause "a harmful disruption in the continuity." He furthered he was sure audiences generally would not be opposed.

In registering this protest, I feel that I am expressing the sentiments of many thousands of exhibitors," Kuykendall concluded.

Freeman Welcomed Back

Springfield, Mass.—The Civic and Horsemen's Club gave a "welcome home" dinner to George Freeman of the Loew-Poli last night at Bridgeway Hotel. Freeman was rated on New York two months and has been on a long sick leave.

WEDDING BELLS

Gene Murphy, recently assigned to supervise Loew's out-of-town portfolio service, was married inicago on Friday to Mary Jacobson of New York City. Ceremony was performed at St. Feliciita's church.

NEW TEMPLE DEALS TALKED WITH MAJORS

(Continued from Page 1)

period are contemplated, Orsatti said. Any contracts will also stipulate story stories for the agency and the Temples. Orsatti emphasized that long-term commitments are out.

Orsatti also said he is now talking both radio and record deals for Shirley. Orsatti confirmed he is talking an air deal for Warner Brothers and has set him in a new Columbia picture.

Mrs. Greene Stricken

Detroit—Mrs. Anna H. Greene, 63, wife of Gus S. Greene, died suddenly following a heart attack. Her husband has managed over 25 theaters in Detroit. Two children also survive.

Gus Boudot Recovers

Cincinnati—Gus Boudot, RKO office manager, has returned from a leave of absence, due to ill health.

Eddie Dowden ill

Eddie Dowden of the Loew ad department is confined to his home with a heavy cold.

DARK COMMAND

"GRIPPING, DYNAMIC, UNFORGETTABLE... should be seen by every man, woman and child in America.

RAOUL WALSH, Director

The story of

THE BLACK KNIGHT OF KANSAS

He set himself up as a dictator, imposing a brutal reign of terror on the hapless victims of a nation at war.
Everything you’ve heard is true!
They cheered, stamped, whistled in M-G-M’s delirious projection room yesterday!
The first East Coast screening confirms California’s sensational Preview!
Vivien Leigh and Bob Taylor are glorious!
In a love-drama that makes pulses leap!
Gentlemen, here’s your next box-office bombshell!

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production
Screen Play by S. N. Behrman, Hans Rameau and George Froeschel • Based on the Play “Waterloo Bridge” by Robert E. Sherwood • Directed by MERVYN LeROY • Produced by SIDNEY FRANKLIN
HOUSE COM. RIPS NEELY BILL TO PIECES

elznick to Sell Only Finished Pix; Will Trade Show

ser Would Set Budgets
After Seeing Contracts;
Goldwyn is Cheered

ill future David O. Selznick pix be sold only after their comple-
and no exhibitor will be asked
ign any contract for them until
nen the finished film, the pro-
formally announced last night.
im reports that he had out-
d such a policy in addressing
EA Eastern sales conference
eady at the Waldorf-Astoria.
nick pointed out that he per-
long has been opposed to
-hooking, and has always sold
(Continued on Page 4)

PA. HALTS X-SEALS;
TRADE JAM PREDICTED

Philadelphia — Decision of the
Pennsylvania Board of Censors to
minate the use of X-seals, so-
, and to insist that the local
changes pay the full rate of $3
per reel for every print coming into
the territory is presenting a serious

Until the new system was made
(Continued on Page 4)
$250,000 Folley Theater
SUITE AGAINST UA TO STAND

Federal Judge Vincent T. Leibell
yesterday denied an application of
United Artists to dismiss the $250,-
000 triple damage anti-trust suit of

(Continued on Page 5)

Judge Goddard Hints He Will Turn
Down 20th-Fox Plea for Dismissal

Variety Club Conventions
for Atlantic City, Coast

Pittsburgh—Next national con-
vention of the Variety Clubs will
be held in Atlantic City, while the 1942
conclave will be held in Hollywood.
It was disclosed by John H. Harris,

(Continued on Page 7)

Nine Members Tear Into Block-Booking Measure—
Call It Indefinite, Ambiguous—See It
Bringing Flood of Litigation

By MILTON F. LUNCH,
Washington Bureau of THE FILM DAILY

Washington — The Neely bill was subjected to the most
through "working over" in the annals of block-booking legisla-
tion yesterday by the House Interstate Commerce Committee as
ings on the controversial meas-
ure entered the second day.
The committee as a whole prac-
tically ripped the bill to pieces, se-
ction by section in a display of inter-
est never before shown on Capitol
Hill.
The unfortunate witness to face
the barrage of questions, examina-
tion and cross-examination was
Henry R. Atkinson, member of the
legal committee which drafted the
(Continued on Page 6)

PA. WARNS WB'S THEATER
MEN OF PIX SHORTAGE

Albany—Warning that a serious
shortage of product is already evi-
dent, with prospects that it will grow
more acute during the summer, M.
Silver, Warners' zone manager, ad-
dressed a district meeting of WB
theater managers here yesterday.
Silver told the managers that the
(Continued on Page 7)
Gov't to Subpoena Goldberg
in New York Equity Action

An order authorizing the D of J
to subpoena Jesse J. Goldberg of
1017 Wooster St., Los Angeles, to
attend at the trial of the Govern-
ment equity action against the ma-
(Continued on Page 5)
(Continued on Page 5)

RODGEKS TO OPPOSE
NEELY BILL PASSAGE

Chicago — William F. Rodgers,
Metro sales chief, plans to appear
before the House Interstate Com-
merce Committee in opposition to the
Neely block-booking measure next
week. Rodgers, who has been pre-
siding at Metro's second regional
sales conference here during the last
two days, will go to Washington on
Monday, it was said.

B & K, Para. to Answer
Special Master Monday

Chicago—Counsel for B & K and
Paramount will file their exceptions
to the report of Special Master Ed-

Latin-American Business
Helped by War—Cammack

shipments to warring nations by
South American countries have re-
sulted in a new flow of money into
National Film Carriers Re-elect Clark as Presxy

Following a luncheon which wound up the general discussions at the annual convention of the National Film Carriers, Inc., held in the Park Central Hotel, the body re-elected James P. Clark as president and treasurer, and also re-named Thomas W. Gilboy and Glenn Weyer to the vice-presidency and secretaryship respectively.

Continuing on the Board of Managers are A. C. Amster, M. H. Branson, Charles E. McCarthy, H. E. McKinney, L. M. Miller, M. G. Rogers, W. A. Slater, F. E. Smith and G. W. Trampe.

The executive committee of the organization remains and comprises George F. Callahan, James P. Clark, E. E. Jameson, Harold C. Robinson and John Vickers.

Harold S. Sertz is general counsel and Ben Koenig, associate counsel.

Question Earle Hammons in Memories Application

Earle W. Hammons, former president of Educational Film Corp. of America, was questioned yesterday during an application by Memories, Inc., to set aside a contract calling for the distribution of six short subjects by Educational.

Memories sought to show during the hearing before Referee John E. Joyce that Educational had failed to comply with the terms of the contract.

A further hearing on this application was set for June 4.

Lapidus Takes Divisional Prize in the Scullie Drive

Jules Lapidus, of Pittsburgh, took first prize in the Eastern division of Universal's Scullie Drive. Second place went to Bernie Kreisler, of Washington. Other recipients of cash awards were Paul Barone, Charlotte, third; Joseph Kaufman, Cleveland, fourth, and George Schwartz, Philadelphia, fifth. Winners in the Western division will be announced this week in Chicago.

Rep. Managers Return

Five Republic branch managers who have been conferring with James R. Grainger, return to their respective exchanges today. They are M. E. Morey, Boston; Sam Seletsky, New Haven; Arthur Newman, Albany; Jack Bellman, Buffalo, and Sam Sepihom, Detroit.

Producers Lab, 702 Sign

Producers Laboratory yesterday signed a contract with Local 702, pact to run until the end of this year when a new contract is to be negotiated. Terms call for wage increases, holidays, paid vacations and a closed shop.

Flutter and Illumination Test Reels Made Available

West Coast Bureau of THE FILM DAILY Hollywood—Research Council of the Academy of Motion Picture Arts and Sciences announces that two additional Test Reels are available for use in adjusting and maintaining theater sound reproduction equipment to current quality standards, and will be supplied at prices based on cost.

Reels are a Standard Flutter Test Negative for measuring flutter in a theater sound-head, and a Standard Continuous Scanning Illumination Test Track for rapidly and accurately measuring uniformity of illumination across the scanning slit in the sound system.

Leo Films to Distribute French Features in U. S.

Leo Films Leo Cohen, French distributing firm, has opened a direct branch, Leo Films, Inc., at 729 Seventh Ave. American subsidiary has named Sanders as proxy, Leo Cohen, who heads the French company, as vice-prexy, and Sylvia Sanders as treasurer. Cohen now in the U. S. has been in the French export field since 1918. Sanders will supervise the New York office; he formerly was general manager of the Film Alliance of the U. S. Sylvia Sanders is now in Paris to close pix deals.

New Welles-Mankiewicz Co. Planning Legit. on Coast

West Coast Bureau of THE FILM DAILY Hollywood—United Productions, organized by Orson Welles, Herman J. Mankiewicz and John Houseman, will be a West Coast affiliation of Mercury Theater. It plans to produce five legitimate productions annually on Pacific Coast, starting in October. Mercury will supply Welles, with whom the two productions, produced and directed by Welles.

May Open In Four Houses

Galesburg, Ill.—Because of the demand for seats and a near-seat in among Knox College students who were unable to get reservations, Paramount’s “Those Were the Days” may have its world premiere in four local theaters on May 21. Picture is now slated to open only at the Orpheum.

Garfield for “Heroes”

West Coast Bureau of THE FILM DAILY Hollywood—Walters has added “ stuff of Heroes” to John Garfield’s roster. Pic once was planned for James Cagney.

Lederer in “Nazi” Role

West Coast Bureau of THE FILM DAILY Hollywood—Francis Lederer has been signed by 20th-Fox for “I Married a Nazi.”
**Hitch your wagon to the Stars!**

* Merchants—big and little—take every opportunity to tie up their business with motion pictures and stars. They like the flash...the glamour...the publicity and human interest of pictures and personalities because they sell merchandise.

* You've got a big advantage over every merchant in town. You've got what it takes to begin with. Pictures...stars...personalities. They're your stock in trade.

Use them. Profit on their glamour...publicity...personalities. Make stills...posters...other accessories part of every selling campaign.

* Hitch your wagon to the stars...your stars, through TRAILERS...LOBBY DISPLAYS...ACCESSORIES...that flame with life...color and seat-selling catch-lines about these very stars. That's what makes them the Best Ticket Sellers in the Business
SELZNICK WILL SELL ONLY FINISHED PIX

(Continued from Page 1)

his own product separately, although up to now the contracts have been in a large part taken in advance of production.

Samuel Goldwyn last week said he would trade-show his productions before taking contracts.

This plan, which was in line with his recent remarks in Rochester where he said he was opposed to block-booking.

Convention Cheers Goldwyn

Goldwyn was unable to attend the convention sessions yesterday at the Waldorf-Astoria, but the mention of his name brought enthusiastic cheers and applause from the gathered sales representatives, and there was a hint that Goldwyn and UA may have patched up their reported differences.

Goldwyn entertained the convention at a cocktail party after the meeting.

Another speaker yesterday was Sol Lesser, whose "Our Town" was screened for the sales representatives in the afternoon. Lesser was of the opinion that a producer must know exactly what the return on a picture would be before going into production. It was reported that he told the convention that he would like to see all new season contracts before starting a picture in order to determine how much money he could spend on each vehicle.

Farnol Addresses Meeting

Others who talked yesterday were Lynn Farnol, who discussed campaigns; Monroe Greenthal, whose subject concerned the pre-selling project which gets under way June 1; Al Margoles, who discussed United Artists plans for a new type of publicity in order to overcome competition in the news.

District managers who spoke briefly were Charles Stern, Bert Stern, Haskell Masters and Dave Prince. These men will conduct district meetings today. Moe Streimer, home office representative, and Arthur Silverstone, assistant to Harry Gold, also spoke briefly. Meetings were conducted by Harry Gold, vice-president and Eastern sales manager.

"The Westerner" was given a sneak preview at the Lexington Monday night.

W. C. Meagher Dead

Portland. Ore.—W. C. Meagher, Veteran Seattle theater executive, died at his home after a three months' illness. He was a former manager of Avenue Theater at Vancouver, B. C.

STORKS!

Troy—A daughter was born May 10 in Troy Hospital to Jack Keanen, assistant manager of the Warner Troy Theater, Troy, and Mrs. Keen.

PA. HALTS X-SEALS; TRADE JAM PREDICT

(Continued from Page 1)

operative, practice has been for exchange to pay $2 a reel for original number of prints, ran from 15 to 20. To meet situation arising from availability of a given picture, day, and many subsequent spots, exchange has been accustomed to points from nearby branches, usually New York and Washington, returning them after the run.

For these prints, X-seals were used at the rate of 25 cents a reel for each seal. The exchanges have been accused of having exchanged prints in the four prints in original order. The practice is understood.

Informal sources, commenting on the problem now presented, said exchanges will not pay high cost of extra prints unless contracts requiring them will be returned. And inasmuch as the exchanges usually are accommodated in the earlier runs with extra prints, it is freely predicted that the trade jam is assured.

Some exhibs. has added, will hold onto the bag even if the picture might be available. While there is no certainty that the jam will be much longer. And, he said, it is the next thing after first one served.

WEDDING BELL

Chicago—Dave Ramsdell and Sylly Hessler of the Warner exchange staff will wed.

Chicago—Marriage of Joe G. W. Cloth at 10th Church of the City, was married June 9 in Flamingo Room at Detroit Palace. They are honeymooning in Fl and Hawaii.

Cleveland—LeRoy Kendis, an Exhibitors Film Service Co. district manager, will mar John Gurney May 26. They plan a honeymoon in Hawaii.

Cleveland—Irving Marcus Monogram and Ruth Wurtz will be married June 9.

Suffolk, Va.—Harry Roth, 1 Roth Circuit, district manager, Sylvia Kamisky, sister of J. Roth, will be married to R. N. Alvey, manager. Newport News theater, will be married late June.

New Haven—Phyllis Rieck, the Warner exchange office lady, announced her engagement to Neri, and will be married on J.
Latin-American Business Helped by War—Cammack

Continued from Page 1

the continent, with beneficial effects on the film and theater business, according to Ben Y. Cammack, assistant to Phil Reisman, vice-president and foreign head of RKO. Cammack returned this week from a six-month tour of all RKO offices in South America.

Latin-American taxes and exchange rates, however, continue to militate against better returns for American companies, Cammack asserted, adding that the situation called for still better productions at higher budgets than ever so that U.S. companies could hold their own. Improved American product, plus the opening of the new season, has boosted business in recent months, he said.

Desiring to remain neutral, South American countries have intensified their censorship rules to include all those films which portray belligerent nations in an unfavorable manner. Most American pictures, he said, have not been affected.

Cammack said "The Hunchback of Notre Dame" was the outstanding attraction in every country in recent months. About 50 pictures yearly are being made in Argentina, he said.

$250,000 Folley Theater Suit Against UA to Stand

Continued from Page 1

UA had claimed that the Court did not have jurisdiction because its dealings with the plaintiff were not interstate commerce. The Court stated that since other defendants in the suit were unquestionably engaged in interstate commerce and since LA was charged with entering a conspiracy with those defendants the suit was properly brought in the Federal Court.

Folley filed against all major defendants, Monogram, Republic, and Randforce Amusement Corp., claiming that a conspiracy to deprive it of product had forced it to close the Folley Theater in Brooklyn in 1938.

Gov't to Subpoena Goldburg in New York Equity Action

Continued from Page 1

eral Judge Edward A. Conger. An affiliate of Special Assistant Attorney General Paul Williams stated that Goldburg, who is an independent producer, is a necessary and material witness in the action.
House Com. Rips Neely Block-Booking Bill to Piece

Nine Members Fire Valley of Searching Questions at Atkinson

(Continued from Page 1)

measure. Atkinson continued his testimony on the first day. The tabulation shows that nine of the 24 members of the committee raised questions at Atkinson during the morning, indicating without doubt that the measure was unsatisfactory.

None to Measure’s Defense

Not one voice was raised among the committee to put in a good word for the bill. The questions, as tabulated by the writer were: Herron Pearson, (D., Tenn.); Martin Kennedy, (D., Ill.); James W. W. Worworth, (R., N. Y.); Patrick Smith, (D., Ala.); Carl Hinshaw, (R., Calif.) and chairman Clarence F. Lee, (D., Calif.).

The committee spokesmen made it clear that they approved the aim of the moral groups but expressed opposition to the measure as an indefinite and ambiguous one that would accomplish no good and result in much litigation.

Under repeated questioning, Atkinson admitted that the courts would be the last to say whether or not the picture’s necessary, necessary under Section 3, complied with the picture offered the exhibitor.

McGranery presented the hypothetical case of an exhibitor leasing a certain picture after reading the synopsis and then after receiving the picture, reject it as not conforming with the synopsis. He stated that the courts would thus be in law suits throughout the country, with the court finally deciding if the plaintiff had complied with the synopsis and with each court taking different views.

Patrick felt that the exhibitor could even show the picture for a few days, then decide it did not comply and refuse to pay for the same. The result would be court censorship, the questioners said.

Suggests Notices of Changes

It was further objected that the producers would be unable to make changes in the pictures after they were accepted or rejected by the courts. Atkinson replied that the answer would be for producers to send notice of such changes to exhibitors giving them the right to cancel if they did not like the changes. He expressed the opinion that changes but admitted to Pearson that a minor change was a matter of opinion.

Atkinson said the result of the bill would be that the producers would be forced to plan ahead which he insisted would be a material thing for the industry. Rep. Floyd H. Boren, (D., Okla.) stated the bill amounts to 100 percent cancellation, with Atkinson replying that it gave the selection power in advance instead of cancellation.

Atkinson denied Patrick’s statement that the measure would raise prices. Rep. South took up the point that the exhibitor now knows generally who the stars of the future pictures will be and the general tone of at least some of the stories. To which Atkinson replied that it might be but it was not binding on the producers.

Attacks Carrier Provision

Rep. Hinshaw objected strongly to the provision penalizing common carriers for knowingly transporting films sent in violation of the act and demanded to know how the carrier could ascertain which films were in accordance and which in violation of the act. He suggested this provision be stricken out.

Pearson insisted the bill must provide for deletion of scenes by the producers after the synopsis is accepted, whether such scenes are considered good or bad. If this is not done, he said, picture making will be seriously handicapped. He further stated that the rejected pictures would be shown by cheaper houses to an even greater audience, thus nullifying the intended improvement of moral quality to the public. The result will be more immoral than good, Pearson declared.

Rep. McGranery brought the questioning, stating, “I don’t think you can defend the loose language of the bill. You will find a multitude of suits like what the bill means. There will be a different opinion in every circuit of the country and the Supreme Court will finally interpret the provisions.” He objected principally to the synopsis provision.

Addressing Atkinson, McGranery said, “Don’t you think it would be better to take the time now to say what you mean.” In reply to statements of the committee members that the courts would eventually be censors, Atkinson said they would be only for the purpose of informing the producers.

“The bill is so loosely drawn as to destroy what you are trying to do,” McGranery said. “There are groups who should take out clarifying amendments.”

Comparison made by Atkinson of Neilson measure to provisions of Pure Food and Drug Act, making it manifest that contents of food and drugs be listed on the package. Not a good comparison, Rep. Wagner pointed out the producers of foods and drugs can be easily and perfectin to find truth of contents but in case of films it would be impossible even as to whether the synopsis is correct.

The section dealing with loss of one picture without taking the same of company without reasonable increase for the new picture was attacked by Chair Les as vague and indefinite. If the exhibitor refused to pay for the price of a single picture because the distributor had reasonably high, the result again be left to the court to decide what was reasonable price, Chair Les stated. He questioned Atkinson to how this situation would be handled and finally elicited the answer that the district Attorney would bring criminal charges for violation of the law and the court would pronounce the same.

This led committee member to state the result would be the court saying what is a reasonable price, which amounts to price-fixing by the tribunal. McGranery brought out the fact that if a producer put together a certain picture and some exhibitors but not enough warrant making the picture would be bound to proceed under the bill unless he inserted saving clause in the contract.

In fact, incident as the session drew to a close that the only substitute would be transmigrating which both Atkinson and the committee members would be unsatisfactory to the exhibitors. Atkinson repeated that the committee members to support a “censorship at source substitute.”

The civic groups continue the discussion this morning.

Schencik Ups Marks

Marvin Schencik, in charge of the town theater operation for Loew’s, has appointed Stanley Marks, manager of the Bedford town theater in Brooklyn, to succeed Robert King who goes to Loew’s Palace, Newark. Alexander Frey will supplant Marks as manager of the Brooklyn theater.

“Zborov” Held in Chicago

Edgar Lloyd, whose Czechoslovakian picture, “Zborov,” had its first showing here last week, left last week, reports that picture has been held over following a record-breaking first week.

Webb Rep. Casting Director

West Coast Bureau of THE FILM Daily

Hollywood—Bobby Webb has been appointed casting director for public Pictures.
**World's Fair Aviation Pageant to Require**

One of the most pretentious screen offerings at the New York World's Fair is slated for next week. It was disclosed yesterday. A pageant of the aviation industry, filmed in Technicolor, will require a 20 by 200 foot screen and 20 projection machines mounted on a large platform. Show, running 20 minutes, will be presented every hour in the Aviation Building.

**Fulghum Asks $63,750 of Texas Consolidated**

(Continued from Page 1)

for $60,000 damages and $3,750 in attorney's fees.

Case is different from previous damage suits filed against Interstate Circuit in that it does not allege conspiracy.

Fulghum is a former booker for several chains, including Interstate Circuit, leaving the latter in 1936.

- **B & K, Para. to Answer Special Master Monday**

(Continued from Page 1)

**Variety Club Conventions for Atlantic City, Coast**

(Continued from Page 1)

chief Barker, here yesterday as the Pittsburgh Variety Club joined in the "Lillian Russell" world premiere festivities. Pix boxed in with a gala at the Alvin tonight.

The Club was host at an informal luncheon for visiting newspapers, guests of 20th-Fox at the celebration, at the William Penn yesterday. Contingent of Variety Club members, topped by Alice Faye and Edward Arnold, met the press at the luncheon, which, with Lake Barnett of 20th-Fox as host, was attended by wooden Arnold was inducted into the Variety Club at the luncheon.

Crowd of 10,000 greeted the stars who arrived by special train yesterday. Pittsburgh school system marked the day with a half-holiday. Welcome at the City Hall was carried on a two-station radio network.

The $100-a-plate charity dinner last night, attended by more than 200, had Arnold as toastmaster and Harris, Herman Webber, 20th-Fox sales chief, and Miss Faye among the speakers. Proceeds went to Camp O'Connell, Variety Club philanthropy.

"Russell" Clinton Opening Attended by Four Players

Clinton, Ia.—Thousands of visitors from three states—some optimistically placed the total at 100,000—poured into this Mississippi river town yesterday for the curtain raiser of "Russell," the premiere of the 20th-Fox "Lillian Russell." Streets were jammed with men and women garbed in costumes of the Russell era.

Don Ameche, Cesar Romero, Mary Healy and Arleen Whelan arrive from the Coast today to attend the opening and participate in the program of events which, starting at 11:30 a.m., will run through to midnight. Parade, reception, luncheon, dedication of a bronze Russell memorial tablet, broadcast and movie ball form a setting for the premiere at the Capitol and Rialto theaters at 8:15 p.m. Hollywood party remains over, evening for the Coast tomorrow.

"Phantom Wagon"—May 20

Julien Duvivier's latest motion picture of "La Charrue a Pompe" (The Phantom Wagon) will have its American premiere at the 55th Street Playhouse on Monday, May 20. It was announced yesterday by Columbia, which is releasing the picture.

**WARS WB'S THEATER MEN OF PIX SHORTAGE**

(Continued from Page 1)

only means of maintaining grosses will be by heavily augmented selling campaigns on all exploitable pictures, and called for a "rebirth" of showmanship.

"Let's make the public more show-conscious," urged Silver, "by reviving tried-and-true attention-getting stunts and 'Back-to-Barnum' hucksterism." Unable to be present, Joseph Bernard, Warner theater head, telegraphed a message in which he urged the managers to "increase the pace at this time instead of slackening."

Attending yesterday's meeting were: Andy Roy, Strand, Al Flamme, Madison, Al Hoffman, Ritz in place of Robert Rosenthal who is on vacation; Ed Selette, Albany, Albany; Sid Sommer, Lincoln, Jack Swartout, American, Leo Rosen, Troy, from Troy; Jack Breslin, Utica, Bill Haines, Stanley and Arnold Stoltz, Avon, Utica.

**“Favorite Wife” Held**

“My Favorite Wife” has been held over in all pre-release engagements, RKO announced yesterday.
“An Angel from Texas”
With Eddie Albert, Rosemary Lane, Wayne Morris, Ronald Reagan
Warner
55 mins.

AMUSING FACE WITH ABLE CAST AND SNAPPY PACE IS ENTERTAINING SCREENFARE.

There are lots of laughs in this release, and it should get a good reception from audiences generally. The story has sufficient amusing situations to keep it funny and the cast is up to the story, with the picture peppered with amiable characters. There’s nothing new about the story of the hick that comes to the big city and flees the smart sparks, but with a snappy pace and able direction the film is enjoyable entertainment. Ray Enright directed from a screenplay by Louis N. Wolheim, Jr., and Robert Milhauser. Wayne Morris and Ronald Reagan are cast as a pair of sharpshooting, shoe-string play producers, and they fill the bill very nicely. Eddie Albert is excellent as the Texan and Rosemary Lane adds the part of another Texan who ends up with a big screen in the big city. Picture has a good supporting cast that includes, Jane Wyman, Ruth Terry, John Litil, Hoban Carnegie and Tom Kennedy. Reagan and Morris have Ruth Terry under contract for a show, but have no money. She is the girl-friend of a notorious racketeer who is about to be released from jail and the boys are worried. Rosemary has wound up her acting career as the secretary. Albert goes to town with a bankroll of $20,000 to buy a hotel, looks up her girl friend, Rosemary, and falls into the clutches of the two producers. From there on the picture is a comedy of errors that will get plenty of laughs from audiences, with Albert outdoing the city slickers.


DIRECTION, GOOD. PHOTOGRAPHY, GOOD.

“Tear Gas Squad”
With Dennis Morgan, John Payne, Gloria Dickson
Republic
55 mins.

MILDLY EXCITING CRIME MUELLER WILL SERVE AS FILLER ON DUAL PROGRAMS.

Using a familiar story formula, Warners have produced a mildly exciting cops and robbers story for the screen. It will serve all right in that capacity. The players are amiable and able, and the story has enough pace and action to keep it interesting. There’s nothing novel or new in the material, but everybody likes to see the underdog come back, and they will see just that in this release, so dubiously the actors will be pleased with the results. Dennis Morgan gives an able performance as a fresh cop. John Payne ably fills his role as a police sergeant, and Gloria Dickson attractively provides the female interest for the two men. Terry Morse directed. Morgan wins the police force and is disliked because of his freshness. Gloria goes regularly with Payne, with her father (Morgan) and the rest of the story is developed from this situation, with numerous ups and downs as well as arguments. Payne and Morgan dominate with Terry Morse rescues Payne when he is captured by a gang of crooks.


CREDITS: Produced by Warner Bros.; Director, Terry Morse; Original Screenplay, Charles Belden, Don Ryan and Kenneth Garnett; Camera, Sid Hickox; Editor, Louis Hess.

DIRECTION, O.K. PHOTOGRAPHY, Good.

accompanied by their branch managers and field men.

The roster includes:

Chicago: Manager M. M. Gottlieb; Theo. Williams; Wm. Minor; Grow; W. P. Fank; Max C. Brody; Alfred Kent; John Blank and Walter A. Hylander.

Detroit: Manager E. Heber; Jack Stewart, Frank Tipton, and Jack R. Sussman and Eugene Alexander.

Indianapolis: Manager E. C. Crichto; Wm. H. Sherman, Wilbur G. Grant, Carl F. Mock and Milton Ettinger.

Milwaukee: Manager Frank Manneke; W. W. Givan, R. J. Russett, D. McPadden and Orval Peterson.

Minneapolis: Manager L. J. Miller; Arch Zeibert, Sylvan Leff, Malcolm Halloran, Fred Anderson, Harold Johanson and Charlie Dickson.

Denver: Manager Lou Levy; Joe Smith, R. G. Olson and J. Rogantini.

Syracuse City: Manager Guvern Parsons; Ralph A. Morrow, Roseen Thomas, Leo Durland, Theodore Beiser and Edward Solog.

St. Louis: Manager M. B. Muller; Jack Whittemore, Lawrence Henesay, Isidore Weiner, R. J. Cudman and Ed G. Barkley.


Sacramento: Manager J. H. Hirt; Felton Folsom, Officer Manager Edward Cook; Sam Millar; Leon E. Ross; Foster M. Blake and Harold Whitman; Portland, Manhattan Branch: Manager E. C. Parry; Farnes, J. S. Hommel and J. W. Harvery; Salt Lake City: Manager C. W. Wade; J. R. Farnes, H. W. Laiderman and E. R. Smith.

San Francisco: Manager L. F. Trimble, Bradley Fish, Al Bowman and Charles Mocsy.

Seattle: Manager J. J. McGinley; C. L. Thuerkauf, M. G. Whitman and A. M. Kellen.

“The Crooked Road”
With Edmund Lowe, Henry Wilcoxon, Irene Hervey
Republic
66 mins.

FIRST — RATE MUELLER HAS WELL WORKED OUT MYSTERY TWIST AND ABLE CAST.

This release will fill the bill on any deal program. It is neither pretentious nor replete with 20 dollars, but it has all the necessary elements to make it interesting and entertaining screenplay for audiences generally. The plot of the story is well worked out with considerable suspense maintained before a surprise climax. In addition to that, the entire cast neatly fits the bill without anybody being out of place. Full credit is due Associate Producer Robert North, Director Phil Rosen, and Screenplay Garnett Weston and Joseph Kramgold for turning out a low budget picture that is good entertainment. Edmund Lowe ably gets the show rolling. His performance is decorative and efficient in his, and Henry Wilcoxon neatly fits the other lead role. Lowe, an escaped convict from an English prison, is brought back to London, where he is a respected citizen, wealthy and about to marry Miss Hervey. His friend, Frenn, a noted attorney seeks help with some legal matters, but is unaware of the other matter. Lowe cleverly baits a trap for the blackmailer and at the same time gains another man. However, Wilcoxon, out of interest in the case, discovers evidence which eventually uncovers Lowe’s real identity. Lowe is convicted of murder, the blackmailer and the other man is freed, but Wilcoxon proves he was innocent of the crime before Lowe shot him. Wilcoxon gets Miss Hervey and Lowe goes back to Dartmoor.


CREDITS: Associate Producer, Robert North; Director, Phil Rosen; Screenplay, Garnett Weston and Joseph Kramgold; Original Story and Adaptation, E. G. Parnell, Jr. and Richard Blake; Camera, Ernest Miller, Editor, Ernest Nims.

DIRECTION, GOOD. PHOTOGRAPHY, Good.

“Gaucho Serenade”
With Gene Autry, Smiley Burnett, Jane Storey
Republic
66 mins.

FAIR MUSICAL WITH LITTLE ACT FALLS BELOW STANDARD OF US AUTRY FIZ.

This picture falls below the high level, lacking in action and, addition being off in story values. Autry is supplied by his usual cast, with Smiley Burnett good for a few laughs; Jane Storey provides the picture’s décor; Mary Lee sings engagingly; Duncan Renaldo appears subtly; a round-up of friendly bad men takes care of too feeble will Dennison, Jr., a fairly capable yester with a too pronounced English accent to be prominent. Autry and Burnett New York in their car and trailer discover that Severn is in the car, just arrived on a boat and mistaken for ranchhand sent by his father to meet him. His father is in San Quentin, framing a company pack and a caricature, the fall guy is trying to gain the bay. June Storey and Mary Lee are in the picture as a runaway bride her young sister. Autry also collects in his caravans. A triple solution of crime is worked out with one bit of nothing thrown at the finale; gets the girl, father gets son, villains get just deserts, etc.


CREDITS: Associate Producer, W. Berke; Director, Frank McDonald; Original Screenplay, Betty Burbridge and Bob Ropes; Camera, Reggie Lanning; Editor, Tom Martinelli.

DIRECTION, O.K. PHOTOGRAPHY, Very Good.

SHORTS

“Norway’s Fate”
Hoffberg Productions, Inc. 10 mins.

Timely Subject Well Presented

This short should highly interest the general public. It is timely, factual and well presented. Reel also serves as a warning message of things to come for other neutral nations outside the war zone. An excellent commentary is provided by Johannes Steel. Short graphically shows the历程 of the Nazi attack on this island to England as far as war strategy goes, and it also gives an illuminating insight into the nation’s economy. In addition to the scene of peace, the Nazi invasion of Norway is shown in part, with explanations

“Wednesday, May 15, 1940”

“FOREIGN

“I Was To Blame”
(Italian dialogue, no English titles)

Guido Beverini

DAILY NEWS: Comedy is moderately funny, due chiefly to acting.

WORLD TELEGRAM: Home fabric is less scintillating than stiltant.

NEW YORK TIMES: Space comedy.

CREDITS: Consorzio E. I. A. Prodotto, Director, Alessandro Matarazzo. FLA: Eduardo De Filippo, Peppino De Filippo.

— as to what is now occurring, concludes by stating that the picture is transpiring today in Europe, the democratic and independent peoples who are suffering will again to overcome all obstacles.
Gallup To Launch Nation-Wide Poll On Dual Features

The Gallup Organization announced plans by Wardour St. to launch a nation-wide poll on dual features.

**NEELEY SYNOPSIS PROVISION UNDER RENEWED FIRE**

**British B. O. Badly Hit, But Industry Is Sitting Tight**

Paramount's estimated earnings for the first quarter of 1940 were more than $900,000 above the corresponding period last year while a cash position of the company, consolidated and non-consolidated, was strong. This was revealed at a meeting of the board of directors yesterday when a 15-cent dividend was declared.

Neely Leading in Va. Gubernatorial Primary

Charlie Neely, author of the newspaper bills against block-booking of films, the theater, A.D.O.X., Tom Connors, Eastern, Southern and Central.

**Gallup Will Poll Country on Duals; Goldwyn's Financing Offer Declined**

**Twilight Racing Season, Plus Two Weekly Free Days for Femmes, a Detroit Headache**

Detroit—Opening of a season of twilight horse races at the Michigan State Fair Grounds track again will give Detroit exhibitors seriously and curtly early evening competition for the next two and a half months. Season opens Saturday and runs through July 6. Races start at 4:30 p.m., running into the early evening and draw heavily from all classes of the city's population. Situation is further complicated by two free days for ladies at the races, on Tuesdays and Fridays.

**REPUBLIC WILL HOLD FOUR REGIONAL MEETS**

Republic Pictures will hold four regional sales meetings between May 27 and June 10, San Francisco getting the first clout, followed successively by Memphis, Chicago and New York.

D. R. Grainger, company's president, and Robert J. Yates, Consolidated Film Industries head, opened out of New York last evening for the Coast. Former is scheduled.

**METRO OPENS THIRD SALES REGIONAL HERE TOMORROW**


**Myers Opposes Elimination; Admits Some Merit in Objections**

By MILTON F. LUNCH

Washington — Still hammering at the synopsis provision of the Neely bill, the House Interstate and Foreign Commerce Committee went into the third day of hearings yesterday with Abram F. Myers, Allied general counsel, testifying most of the session. Committee members continued their intensive questioning, stressing particularly the indefiniteness of the synopses section.

After lengthy discussion between

**GRIFFITH DEFENDANTS REPLY TO GOV'T ORDER**

Oklahoma City—All defendants in the U. S. Griffith Amusement Co. Sherman anti-trust suit this week filed replies to the Government's replies.

**Warner's Close 4,000 Deals on "Academy Awards" Film**

More than 4,000 U. S. and Canadian theaters have closed deals for

**"Lillian Russell" Seen as Sure-Fire**

Pittsburgh—Exhibitors will find "Lillian Russell," given a dual world premiere by 20th-Fox at the Harris Alvin here and in Clinton, Ia., last night, the exact prescription for sizzling box offices; the general public should accord it a terrific reception; and the producer-distributor should find it a top grosser of the year or any other year. The film has untold exploitation possibilities apart from the fact that it has been pre-sold a million times over in every country ever written of the era which it so brilliantly re-creates. (Turn to Page 12 for further review, and to Page 13 for the Risto, Page 3 for premiere color story).
Henry Lazarus Resigns
As Prexy of La. Allied

New Orleans—Sudden resignation of Henry Lazarus as president of Allied Theatres of Louisiana, offered without any previous warning or press, was causation in film circles last night as to Allied's exact position in the state. Lazarus announced his resignation in telegrams to the trade press.

Queried by The FILM DAILY, Lazarus denied that he had anything to do with the matter and declared he preferred not to give a reason at the present time. He also declared that stepping out of Allied meant that he would not advise the New Orleans theaters in which he was interested to participate in any quarrel as the Neely bill, stating he had thought the bill the right one.

At the present moment apparently has no little or no strength. Its fortunes have declined from the success of several pictures which were able to hold to the present contract when a quick survey is made to reveal a single Allied dividend payment member in New Orleans.

Second York Exec. Named to Head Industry Ass'n

York, Pa.—Election of Stewart E. Lauer, prexy of the York Ice Machine Corp. as president of the Air Conditioning Manufacturers' Association at the Hot Springs, Va., convention, places the second York man in the top seat of an industry. William S. Shipley, York's board chairman, is serving a fourth term as president of the Refrigeration and Air Conditioning Association. Syndrome is probably without parallel in the industrial field.

Other officers just named by the Air Conditioning Manufacturers Association are:

vice-president, Stuart M. Crocker, manager of the air conditioning department, GE; treasurer, P. A. McKitterick, general manager, Parks-Cramer Co.; chairman, F. A. Reardon, general manager of the Baker Ice Machine Co. In addition, E. T. Murphy, vice-president, Carrier Corp.; Stuart M. Crocker, manager of the air conditioning department, GE; C. M. Meitkoff, general manager, the Bingham Ice Machine Co.; F. A. McKitterick, general manager, Parks-Cramer Co.; and C. M. Meitkoff, vice-president of the cooling and air conditioning division, B. F. Sturtevant Co., and L. L. Yerkes, etc.

Walters to Release Seven Features During Summer


Billie Burke Signed

West Coast Bureau of The FILM DAILY Hollywood—Billie Burke has a new Metro pact.

Considine, Brown, Tracy

Here for "Edison" Debut

World premiere of Metro's "Edison, the Man" in six theaters in the Orleans tonight climax a three-day Paramount Pictures release that has given the pic one of the most tellingly ballyhooed in recent exploitation annals.

John Considine, Clarence Brown and Spencer Tracy arrived from the Coast yesterday to participate in the festivities. A Paramount luncheon in East Orange at noon and an Edison ball at the Orange Armory last night. Luncheon hostess was Rita Johnson, who has the bow in the film. Ball attracted 7,000, with radio coverage by WIN and WNEW.

Houses which have the feature for one showing tonight are Palace and Orange; Hollywood, East Orange; Windsor and State, West Orange; Cameo, South Orange.

Blumenstock to Note Drone for "Knute Rockne" Huddle

Mort Blumenstock, in charge of advertising and publicity for Warners in the East, leaves tonight for South Bend, Ind., where he will meet Charles Einfeld, director of advertising and publicity, for conferences on the handling of "The Life of Knute Rockne." Mort and Einfeld enthrall for New York next week for huddles with home office executives on the company's 1940-41 sales convention plans.

McCAREY, LEAVING RKO, MAY MAKE A METRO DEAL

West Coast Bureau of THE FILM DAILY Hollywood—Jackie MEEKS, leaving RKO, may sign with Metro, it was reported yesterday, although four other studios have made offers. First pick, whichever he may be "Together Again," which has been planned for Cary Grant and Irene Dunne at RKO. Story is McCarey's own.

Benzes to Quit 1st-Run Field in Minneapolis?

Minneapolis—Reports are current here that the Benzes interests may drop out of the first-run field locally. Arrangement, it is said, contemplates the renting of the Seventh St. Theater, with latter's policy going to the Palace, to be taken over from the Benzes by Minnesota Amusement on a long term lease. Benz lease of the Minnesota Theater, 4,000-seater, expires May 23.

Examine N. M. Schenck Today in Equity Action

Examination of Nicholas M. Schenck, president of Loew's, Inc., in connection with the Government's securities actions against his companies will be held in Federal Court this morning at 10 o'clock.

| Thursday, May 16, 1940 |

COMING AND GOING

GEORGE J. SCHAFFER arrives from the Coast at the week-end.

JAMES E. GRAINGER, Republic's product left the office last night for the Coast, stopping on route in Chicago and Kansas City.

HERBERT J. YATES, president of Consolidated Film Industries, left New York yesterday for the Coast.

R. GLASS REED is stopping at the Astoria.

JOHN BARRYMORE leaves for the Coast today, arriving Tuesday to fill a new 20th contract.

KAY KYSER has arrived at the Coast the past week.

GILBERT JOHNSON has returned from Hollywood.

SOL LEISER returned to New York from Washington.

TUE ARDEN leaves for Hollywood over the holidays to report to Warners.

MADELEINE CARROLL flies here from Coast Saturday.

FRANCIS HACKETT arrived in New York yesterday to confer with John Golden.

ELIZA KAZAN arrives in Hollywood at last receiving a new contract.

OLIVER GLASSER is due today from the Coast for a three-week sojourn.

THE MARK BROTHERS return to the Coast early this week, the latter to report to Warners.

SUE BELLER's sails out for the Coast Thursday, ending their p.r. jaunt.

THE ANDREWS SISTERS, on the coast for the past month, are stopping at the Hollywood H. K. barker.

J. J. NOLAN and PERRY LIEBER will be the Coast Tuesday for New York.

TONI NOVSKA is invited to attend, arriving Sunday.

CRANK FRANKEN, FAY BAINER and BILL BONDI leave Hollywood Sunday for Boston to attend the premiere of "Our Town.

CLARENCE BROWN, JOHN CONSIDINE and their families, who arrived from the Coast Thursday for the Edison, the Man" premiere.

BOB GILHAM was in Chicago yesterday.

JASPER D. KAPEXT, Panama's Havana bureau chief, arrives today.

MORT BLUMENSTOCK leaves for South Ind. tonight.

GENE AUTRY is on route to Hollywood, lowing p.a. engagements in the East.

ENRIQUE BAEZ, general manager in B for United Artists, arrived on the Pan-Am Clipper in New York yesterday for h.o. conferences.

THE SHORTEST DISTANCE BETWEEN TWO POINTS IS POSTAL TELEGRAPH

CHARLES C. WOLFE, general manager of the Standard Telegram Co., arrives Wednesday.

CHARGES FOR TELEGRAMS ARE SHOWN IN APPEAR IN OUR TELEPHONE BILL.
GALLUP WILL LAUNCH POLL ON DUAL BILLS

(Continued from Page 1)

Academy Gallup, resulted in the survey personally. Dr. Gallup, however, said the question of such importance that the results would make the investigation independently.

In a letter to Goldwyn, Dr. Gallup wrote that “it is to our mutual advantage that the industry and the public recognize this investigation as completely independent—one financed by the industry or by producer.”

At a press interview, arranged by Goldwyn, it was pointed out by Dr. Gallup that various sectional polls resulted in conflicting verdicts. He said that his 1,300 investigators could get a cross-section of public opinion and that an impartial report could be made. Dr. Gallup declared he was always a small margin in his surveys but that the 1,300 analysis usually was only 3 cents off in political polls. Approximately two months will required to complete the poll after a month’s preparation. He said that he expected investigators would contact those who attend the theater infrequently as well as those who are regular patrons.

Goldwyn said he would not change policy regardless of the outcome of the survey. He said he would time to make only high quality pictures of the “A” class, whether or not the poll showed an overwhelming preference for dual or not. While the dual poll will concern itself primarily with the double feature question, it is possible, he asserted, that dual polls may give into the likes and dislikes of the public in regard to stars and star combinations.

In the course of the conference, Gallup said that he doubted that anything figures to the effect that the public is the criterion by which all future movies are to rate. The average daily attendance at U. S. theaters was 85,000,000 weekly, said he believed between 60,000,- and 65,000,000 was more accurate, but that probably 90,000,000 or more attended theaters once a

PITTSBURGH

TO paraphrase the words which Lincoln spoke long ago... elsewhere in the State... folks of the Smoky City... will long remember what they (20th-Fox) did here... yesterday... Fortunately, it was the presentation of a magnificent motion picture... “Lillian Russell”... at a world premiere performance in the Harris Alvin Theater... whose rafters rang with the acclaim accorded it... within the celebrity-packed auditorium... Truly, this celluloid biography of the most glamorous of the Gay Nineties’ Glamor Girls... stormed into the hearts of the onlookers... and added more lumens of brightness to the already generously glinting armor of Darryl F. Zanuck... as a producer... of memorable screen fare.

CAME night and the premiere... Crowds jammed thoroughfares before and after the Alvin... to personally meet the stars who were presented from a platform erected in the middle of the street... The mixes of KDKA, WWSW and KQV were clustered at vantage points... to carry the festivities throughout the territory and far beyond... It was glamour that Lillian Russell would have revered in... which is just what film fans are going to do... with respect to the 20th-Fox opus which relates her life... The New York scribes and those from other points en route... entrained for home.

NEW YORK

ONLY 48 hours have intervened... since the announcement in adjacent columns of this lil ole trade paper... that the 1940 FILM DAILY Golf Tournament would be held on Tuesday, June 11... at Glen Oaks, near Great Neck... yet entries are already pouring in... which is eloquent testimony that this is THE annual event... which finds no grass growing under the feet of men who want to participate... and which finds less grass under the feet of other golfers... when the film divot diggers finish the course.

SAMUEL GOLDWYN apparently is going to practice what he has been preaching... First, he went on record as being against block-booking and... backed it up with an offer to trade show “The Westerner”... Then he said he wanted... to find out whether the public... desired one or two pictures on a program... and backed up that desire with... a Gallup poll... master strokes of courage.

EASTERN PUBLICISTS APPROVE SPG TIEUP

(Continued from Page 1)

to membership okayas both East and West. SPAG, with membership of approximately 200, is headed by Joe Gould of UA. It will act on ratification shortly, probably within two weeks, it was said yesterday.

Affiliation of the two publicists groups is regarded as the prelude to the setting up of a national Guild at a joint convention contemplated for the Coast during the Summer. Proposed national constitution was outlined by Bodle at the meeting here.

SPAG is said to be drafting a contract for presentation to home offices.

WARNERS CLOSE 4,000 DEALS ON “ACADEMY AWARDS” FILM

(Continued from Page 1)

“Cavalcade of Academy Awards” Warners special short, it was said yesterday by Grad Sears, sales chief. Short, being sold separately, will be released on May 25.


Mrs. Gordon Re-equip

Extensive re-equipment program has been completed by Mrs. Bertha Gordon for her Palace in Newport News, Va. Items include Simplex E-7 Mechanisms and Simplex 18-inch magazines, and that company’s Type ’89 Sound and LL-3 Pedestals, plus Peerless Magna lamp, Hertner generator, Neumann rewind table and film cabinet, Vallen National current controls, and Walker White screen.

Mrs. Emma Rowland Dies

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Emma Rowland, age 83, mother of Richard A. Rowland, died yesterday in her sleep. Funeral services will be held Friday at Pierce Brothers Mortuary.

Timco for C. W. Hicks

C. W. Hicks has just installed a three-unit Timco ticket register for his Hampden Theater, Baltimore, and put in Crestwood carpet.

Oh, Yeah??

Richmond, Va.—Phone rang in the Colonial Theater office of Frank O’Brien, Wilmor & Vincent city manager, and was answered by Hotel Stevenson. O’Brien’s secretary. Party wanted to know if “Rebecca” was there. Not thinking about the picture, which was playing at the theater, O’Brien said that she was but she was busy cleaning up the lobby. THAT Rebecca is one of exists.
Neely Enactment Means "The Promised Land"--Myer

Allied Exec. Feels That Trade Showings Would Be Objectionable

Myers and colleagues object to provisions of the synopsis provision, Rep. James P. McGranery (D., Pa.) asked Myers if he would be willing to strike out this part of the bill. At first the Pennsylvania speaker replied negatively. McGranery then suggested that the section might be amended by making it call for only a "true synopsis." Myers stated he would have to confer with the public before stating his reaction.

"I don't want to be stubborn," McGranery said, "but by leaving this language in the bill, you will defeat its purpose." The Pennsylvania Congressman told Myers, "If you could clear up the synopsis provision and accelerate your measure, I think you will get action."

Admits Merit In Objections

Myers admitted that there was some merit in the objections to the synopsis provisions as now written. But stated he did not see how the exhibitors could get selection without a synopsis provision.

In reply to a question from Rep. Lyle H. Forest (D., Idaho), as to why difficulty could not be cleared up by trade showing instead of a synopsis, Myers stated there was strong sentiment in some quarters for trade showing instead of synopsis. He felt it would be objectionable to producers and exhibitors alike in that producers would have larger inventories, it would disrupt the flow of pictures and exhibitors would have to buy all year instead of once a year.

"By these practices the 'Big Eight' have built up their monopoly," Myers said. "By these practices they maintain their monopoly. This bill will open the way for competition and will neutralize or destroy their monopoly. They cannot defend these practices, and they recognize their capricious objections to the bill, and in that way they protect their monopoly." He urged the committee to remember the bill was as much an anti-monopoly as a community freedom bill.

Myers denied assertions at yesterday's hearings that the bill will place price fixing through the courts. The bill covers price differences between deal pictures, he said.

Competitive Question Raised

Rep. Clarence J. Brown (R., Ohio) called attention to producers building theaters in competition with independents, causing damage to independents, and asked if bill would correct that situation. Myers replied it would not correct it per se but would open up competition in the industry. He stated Allied advocates of "right to buy" principle whereby independents could not be denied a picture if they were willing to pay the same price.

Rep. Luther Patrick (D., Ala.) questioned, "This couldn't be a bill aiming at one thing and shooting at another?"

On the question of operators playing theaters in competition with independents, Rep. Carl Hinshaw (R., Ga.) stated this was a problem of exclusive franchise common in many industries, covering a very broad subject aside from the bill at hand. 

FORECAST!

Here’s how we know that “Edison, the Man” is the greatest money attraction Spencer Tracy ever made!
2 WEEKS IN ADVANCE IN 6 THEATRES IN ONE CITY!

Every seat taken in 6 theatres
And a demand that could fill 2 more
For the Greatest World Premiere of a Great picture since
That march through Georgia with "Gone With The Wind"

Tops Them All!
Spencer Tracy's greatest performances of the past are now eclipsed by his magnificent portrayal in M-G-M's smashing dramatic sensation "Edison, The Man"

(Keep marching to next page)
Preceded by a National Magazine Campaign reaching million
The World Premiere That
Packed Six Theatres in One City
Climaxing 3 days of Brilliant Celebration
Spreading the Fame by Telegraph, Newsreel, Radio
Of M-G-M's Great New Screen Sensation!
TISH B. O. HARD HIT, DUSTY SITS TIGHT

(Continued from Page 1)

as from Wardour St., today all are open as usual, nor is there the hint of any early evacuation. In the studios, production goes on;

The Continent, however, reining in attest to the disruption of the film industries in both Belgium and the Neth-

ethers. Naturally, neither London nor Paris are shipping prints to the islands, now largely under Nazi

occupation, and to Belgium where fighting is in progress.

me offices yesterday were still not accurate or official informa-

tion from Holland and Belgium, following the Nazi invasion. Executive were of the opinion no word could be received the tide of war changed one or another.

Opens Third Sales
Regional Here Tomorrow

(Continued from Page 1)

UA Top Execs. Depart
for Chicago Conclave

(Continued from Page 1)

J. Schlairer, vice-president and West-

ern sales manager, will preside.

Others to attend from the home office include Paul Lazarus, Lynn

Farnol, Monroe Greenhal, Arthur

Silverstone, Al Margolies, Charles

Steel, N. A. Thompson, James Mul-

vey, Emanuel Silverstone, Lowell

Calvert, Harry Kosiner, J. J. Mil-

stein and Thomas Walker. J. D.

Goldfarb, Western district manage-

r, and Ben Fish, far Western district
to, are also to be present.

Field representatives and their clients are:

Chicago—I. Schlauk, Ben Eisenberg, Frank

Young, J. J. Armward, Will Baker, Nat

Nathan, H. D. James and Oscar Bern-

stein, Device—Carl Collins, Al Hoffman, Alex

Sidwell and E. R. Mariner; Detroit—Moe

Dudelson, I. Weingarten, Sid Bowman and

F. Murphy; Kansas City—Bill Truex, John

Graham, G. O. Drake and G. I. Bradford;

Los Angeles—Raymond Bannister, Gordon

son, Fred Gege and Kenneth MacKai; Mi-

nneapolis—Jimmy Abron, N. Plovenker and

L. Weingarten, also.

Minneapolis—Moe Cramblet, Frank Eisen-

berg, C. J. Chatinoff, F. J. Kerner and

B. Lund; Omaha—D. V. McLucas, J. E.

Schlafl, E. P. Picken, H. F. Roterlund;

St. Louis—Ben Reiner, James

Griv, Eddie Ashbe and Ray Wylie; Salt

Lake City—Tuppi Hartford, W. K. Miller, Joe

Solomon and R. H. Gibson; San Francisco—

D. J. McNeary, Oleke Watson, Paul Book

and Jack O'Leighun; Seattle—F. M. Higgins,

A. H. Kloppe, Jack O'Bryan, A. J. Sullivan

and Alfred Bloom.

Group Selling Plan Used
for "Film Fumbles" Game

Detroit—First 10 releases of "Film
Fumbles," a new theater promotion, are

already for distribution, Lloyd Ham-

mond, producer, said on his return from the Coast. Second series will be produced in August.

Releases are "planted" with numerous

"movie boaters" and patrons turning in most complete list of such "fumbles" to win the award.

Plan calls for selling in typical units of 100 theaters, using circuits

and indie theater groups. This will allow a $5,000 weekly prize list, split among 1,000 prize winners, with a

grand prize of $1,000. Releases will play day-and-date, run a week.

Series is directed by Harry Fraser. Cast is headed by Monty Collins, and includes Ruth Finley, Dave O'Brien, Bill Dunham, Tiny Little, and John Elliott.

RKO Stockholders to Vote
On a Protective Amendment

(Continued from Page 1)

at meeting of stockholders on June 5.

According to the proxy statement, the corparation believes that its officers and directors should be reimbursed for expenses reasonably incurred by them in connection with legal actions.

Court Allows Adelphi
Trust Case to Be Passed

Chicago—Judge Wlkkerson allowed the Adelphi anti-trust case to be passed over yesterday by agreement among the attorneys, with the right to reinstatc the case upon three days' written notice by either side. Illinois

Illinois had sought to defer action until a decision came down in the D of J contempt action against B & K and the majors.

REPUBLIC WILL HOLD
FOUR REGIONAL MEETS

(Continued from Page 1)

to go to San Francisco, latter to Hollywood.

Coast confabs of Republic officials will definitely determine sales convention dates.

Motograph Projectors Installed In 13 Houses

Chicago—Motograph, Inc., has completed installation of its projectors in the Fallon Theater, Fallon, Nev.; Center, Monroe, N. C.; Capitol, Rome, N. Y.; Tower, Bremerton, Wash.; Esquire, Sacramento, Cal.; Strand, Sussex, N. B.; Premier, Lit-

tleton, N. H.; Riverside, Jacksonville, Fla.; Dunbar, Baltimore; Niles, Al-
turas, Calif.; Westwood, Baltimore; Pal, Huntington, W. Va.; and Strand, Boston.

Microwave Con Sciene Sound System has been installed in the Vis-
lite, Covington, Va.; Lisbon, Lisbon, N. H.; Gem, Norfolk, Va.; Cozy,

Stroud, Okla.; 14th St., New York City; F & F Amusement Co., Nowata, Okla.; and the State, Spar-
tanburg, S. C.

DARK COMMAND

"As exciting, spectacular, and altog-
ether thrilling a war-melodrama as the movies have given us in years. It is sprinkled through, generously enough, with earthly humor and bright romance, and the mixture is good on all counts."

RAOUL WALSH, Director

The story of

The BLACK KNIGHT OF KANSAS

Plunderer, killer . . . scourge of the West . . . hated and feared by all men . . . hated and loved by women.

A REPUBLIC PICTURE

Jesse Zunser in CUE says

'Deadwood Dick'

as Darnsor Serial

Visit Coast Bar, THE FILM DAILY

Hollywood—Larry Darnsor's new serial

Columbia will be "Deadwood Dick,"

a sequel to the famous story 30 or 30 years ago. Serial goes into release about June 26, under the direc-

tions of James Horne. This makes

Darnsor's third serial for Columbia this year, the other two being "The Shadow" and "Terry and the Pirates."
"Lillian Russell" Three-City Pitstop

PITTSBURGH—150,000 in giant turn-out! Police and National Guardsmen rope off entire length of 6th Street from Pennsylvania Avenue to river for opening at Harris-Alvin! Senator Theatre forced to open to accommodate clamoring thousands at same $1.10 scale! Fevered boxoffice stampede climaxes 72 hours of unprecedented civic excitement and celebration! Mile-long parade down “Avenue of Flags”! $100-a-plate “Diamond Jim Brady Banquet”! Three network broadcasts! Special airport ceremonies and Mayor’s reception for stars Alice Faye, Edward Arnold! Nation-wide wire service news coverage blazons event to millions!

HOLLYWOOD—unprecedented press coverage attests news-importance and nation-wide interest in coast premiere at Grauman’s Chinese! 400 important Hollywood correspondents blanketing nation augmented by key critics from every city in West! Excited throngs fill Hollywood Boule-
World Premiere News!

Herald, halt traffic, storm theatre’s mammoth courtyard! Stars and celebrities too numerous to mention! Gala audience in great ovation! Listening millions thrill to Richfield Hour broadcast of event!

CLINTON, IOWA—100,000 crowd into town from miles around! Both Capitol and Rialto Theatres sold out ten days in advance at $1.50 and $1.10! Police reinforcements rushed from Davenport, Rock Island and Moline! State constabulary detour all highway traffic! Entire business section transformed into municipality of gay 90’s with townspeople in costume! Block parties! Masquerades! Dances! Ceremonies! Wildly cheering throngs welcome stars Don Ameche, Cesar Romero, Arleen Whelan, Mary Healy arriving on Streamliner “Treasure Island’s” initial run! Three Governors participate in official festivities! A red letter day for Clinton—flashed to the nation by correspondents, news photographers, broadcasters!
spouse filed to order of court entered on April 4, as amended by order of April 25.

All defendants waived the furnishing further particulars from the Government as had been asked in a motion for a bill of particulars. The replies read: “Defendants ask the court to enter an order that the particulars attached to defendants’ memorandum brief of Sept. 15, 1939, and supplied in response to the several motions of these defendants, stand as filed herein so as to make them a part of pleadings as of the date of the order, and that the plaintiff be relieved from further compliance with the order of April 4, 1940, as amended.”

The defendants also asked 20 days from date of such order within which to file an answer, with the exception of Columbia Pictures Corp., Universal Pictures and United Artists which asked 30 days from date set by court order to answer.

Henry S. Griffling, attorney for the Griffith Amusement Co. and Consolidated, Inc., now calling Griffith Consolidated Theaters, Inc., said the replies filed by the defendants this week narrowed down the case either nearer to dismissal or to trial. The Federal Government can dismiss the suit at any time, he said, but by accepting the Government’s amended complaint the defendants have blocked dismissal of the suit. He said the defendants desired the case be settled definitely so that they know when they would stand as to future operations.

Edgar S. Vaught, Federal Judge of the Western District of Oklahoma, sitting in this matter, at 10 a.m. when attorneys for all defendants and the plaintiffs have been asked to be present. The outcome may bring dismissal of the suit by the Government or may result in early trial of the case on its merits, according to defense attorneys.


“Time Is Money”
Cincinnati—Harris Dudson, local VA manager, is recipient of a combination gold watch and diamond ring gift from Bert Stearn for highest sales in the recent contest.

GRiffITH DEFIants REPLY TO GOVT ORDER
(Continued from Page 1)

with Alice Faye, Don Ameche, Henry Fonda 20th-Fox.

(PIFFTSBURGH PREVIEW)
FILM IS A NATURAL BOX-OFFICE SMASH; CAST DIRECTION AND PRODUCTION SPLENDID.

Exhibitors will find “Lillian Russell” the sort of show that the general public should accord it a tremendous reception; and the producer-distributor should try to place it a good position of this or any year. The film has unlimited possibilities apart from the fact that it has been sold a million times over in every country and territory of the United States. It has a superb cast that has caught the picture's mood under the direction of Irving Cummings, with the result that every actor is real and vividly portrayed. Gene Markey for the rich mountings and cast judgment. Credit also must go to Leon G. Robinson for his fine camera work. Miss Faye has never been at her best as George Frank, a character for which she was apparently not far from the edge of her role full justice. Her song numbers are put across with a walloping. Performances of the whole cast reflect Cummings' sure hand. Don Ameche as the young composer is excellent; Edward Arnold is Diamond Jim Taylor of the film, a role fit for him to the very life. Henry Fonda is splendid as the shy young newspaperman; and Warren William saucily suits his role. The supporting cast is made up of such superlative stars as the majority of the players are among the most capable performers of the day. This is a beautifully made picture, with such actors as Leo Carrillo, Helen Westley, Ernest Truex, Dorothy Peterson, Nigel Bruce, Una O'Connor and Joseph Cawthorn. Carrillo is fine as the former Tony Pastor, restaurateur to the haute monde of the era, and Weber and Fields will bring back many memories. The story itself is essentially the story of Lillian Russell, her life, her loves, disappointments and successes. Certainly, no woman has ever before or since had as many men and so much of the world at her feet at the same time as Iowa's golden girl, and certainly the age in which she lived will never be equalled; making just that many more reasons why not only those who can remember but the younger generation as well will be delighted and entertained by “Lillian Russell.” In brief, here is a natural box-office smash.


(LONDON PREVIEW)
OUTSTANDING DIRECTION AND ACTING, WITH BEAUTIFUL LOVE STORY MAKE THIS A SUREFIRE B.O. DRAW.

Here is a beautiful, tender love story that should have special appeal for female fans. Due to its timelessness, and the popular interest in the film, the picture should do handsomely at the box-office. Although the film is not of the type of a great War, there is a complete absence of battle scenes, and everything is concentrated around the romance between Taylor's young British officer, and Vivien, a ballet dancer. Mervyn LeRoy has furnished an outstanding job of directing the film, and the result is an interesting picture. To Sidney Franklin goes important credit as the producer. Given his best opportunity to date, Taylor delivers a splendid performance that enhances his stature as an actor. Vivien Leigh supplies a vivid moving portrayal void of mannerisms and truly establishes herself as one of the top stars of the screen.
House's Block-Booking Hearings May Run Three Weeks

EXPECT DIVORCE MEASURE WILL DIE

Block-Percentage Selling Fairest, Says N. M. Schenck

Metro Top Executive Assails Neely Bill Without Mentioning Name

Declaring that exhibitors "would be a terrific task on their hands" they attempted to purchase films on an individual basis. Nicholas M. Schenck, president of Loew's, Inc., yesterday pointed out that licensing of films on a block-percentage basis as the fairest way available. Without naming the measure, Schenck attacked the Neely.

(Continued on Page 6)

GOV'T WILL EXAMINE HARRY, JACK WARNER

Harry M. and Jack Warner will be the next witnesses to testify in New York equity suit pre-trial at the Supreme Court. Governor attorneys replied yesterday. Date of their expec-

(Continued on Page 7)

as Lazarus Resignation to Tex. Clearance Dispute

Resignation of Henry Lazarus as president of Louisiana Allied and a director of the national organi-

(Continued on Page 7)

GWTW Plan Worked Perfectly—Schenck

Nicholas M. Schenck, Metro's top man in discussing GWTW yesterday at the Washington equity suit preliminary argument, said emphatically that MGM's method of distribution worked perfectly. The company received 75 per cent, he said, at the same time, exhibitors paid under a 10 per cent minimum guarantee. "When opposition was felt," Schenck said, and pointed as an ex-

ample Balaban & Katz who had first refused the terms but later corrected their mistake by booking the picture.

(Continued on Page 7)

LAST CONSENT HOPE SPIKED?

Majors Prefer Court to Legislative Procedure

WASHINGTON—Any remaining possible hope of a consent decree settlement of the New York equity suit apparently was spiked yesterday when counsel representing the majors expressed a preference for judicial rather than legislative consideration of the theater divestment issue.

In a memorandum letter presented to the Senate Judiciary sub-committee at the hearings on the Neely divestment measure, counsel said:

"With the limited time available for legislative hearings because of the demands made by other problems of great national importance confronting Congress, the Committee cannot in such a complicated situation elicit the whole truth as effectively as can the court whose sole duty until this case is finished is to give it its undivided attention. Furthermore, the usual procedure at legislative hearings does not permit of the cross-examination of witnesses before the committee and the differentiation between fact and opinion in court."

Mexican Show Business

Rises, Seidelman Reports

Development of film production in Mexico has made the populace more

(Continued on Page 6)

Block-Booking Hearings May Extend to June 1, Further Endangering Bill

Ascaps Silent as Gov't Subpoenas Buck, Records

Ascap execs, refused comment yesterday on the fact that Prexy Gene Buck has been subpoenaed to

(Continued on Page 8)

Judiciary Sub-Committee Adjourns Hearings Until Block-Booking Sessions End—Congressional Action Unlikely

By PRESCOTT C. DENNETT, Washington Bureau of THE FILM DAILY

Washington—Sen. Matthew M. Neely (D. W. Va.) yesterday adjourned the Senate Judiciary Sub-committee hearings on his theater divestment bill "until a reasonable time" after the conclusion of House Interstate and Foreign Commerce Committee hearings on his block-booking measure. The step by Neely, chairman of the sub-committee, means Congress will undoubtedly will adjourn without taking further action on the divestment measure, which, under such circumstances, will die.

On opening the committee meeting, Neely read from a memorandum.

(Continued on Page 7)

GOLF COM. CHOSEN

WITH NO WEAK LINKS

Golf Com. Chosen

High Command for the 1940 FILM LEAGUE GOLF TOURNAMENT to be held at Glen Oaks on June 13, was an

(Continued on Page 7)

RKO Would Retain New Counsel on Allowances

Federal Judge William Bondy yesterday reversed decision on an ap

(Continued on Page 7)

"Edison, the Man" One of Year's Best Films

Theatrical showers in the Oranges last night failed utterly to dampen the enthusiasm of hundreds attending the world premier of Metro's "Edison, the Man," shown concurrently in six houses in that section of New Jersey. The picture was received with unbridled enthusiasm by critics from every walk of life who cheered Speer-Terry's performance to the echo and marveled at the directorial genius of Clarence Brown. Outlets throughout the nation can confidently expect one of the year's finest attractions in this memorable M-G-M property, which is human drama at its best. Come to Page 6 for full report and to Along the Rialto, Page 8, for premiere color story.

—MORRIS.
**FINANCIAL**

**NEW YORK STOCK MARKET**

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**FINANCIAL**

**NEW YORK BOND MARKET**

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**HOPPERS BIRTHDAY**

Best wishes to THE FILM DAILY to the following on their birthdays.

**Friday, May 17, 1940**

William F. Roddgers returned to New

Charles E. McCarthy, ad, and publ

Sade Seidler, general manager for C

Edward Arnold flies to the Coast in

John Carroll is on route here from

Paul Whitman goes to the Coast to

Charles K. Freeman has left for N

Douglas MacLean has returned to C

Spyros Skouras is due to return her

Paul Green arrived in New York yest

KING VIDOR and his daughter, AND

Chi, Critics Changed

Chicago—Dorothy Deere has signe

Percy James succeeds Clar

Walker, Ring at Am

Sunday's a special dies

**Dallas Variety Club Sets**

**Charity Budget of $75,000**

Dallas—Members of the local Va

**MILWAUKEE**—Hearing on the La

**LATE FALL HEARING SET FOR LACROSSES TRUST SUIT**

Milwaukee—Hearing on the La C

**CFL to Pay 25 Cents**

Consolidated Film Industries, Inc.

**COMING AND GOING**

William F. Roddgers returned to New

Charles E. McCarthy, ad, and publ

Smail Seidler, general manager for Ce

Edward Arnold flies to the Coast in

John Carroll is on route here from Ca

Paul Whitman goes to the Coast to

Charles K. Freeman has left for N

Douglas MacLean has returned to Ca

Spyros Skouras is due to return her

Paul Green arrived in New York yest

Barney Rogan, film cutter, arrived

Richard Kain and Louis Weiss of Ce

**Junior Film Study Groups Meet Tomorrow at N. Y. U.**

**Double Features Flooding Flint as Agreement Flops**

**FLINT, Mich.—**Practically all loc

**Annual Spring Conference of the Na**

**Juniors Close Films; 4-Star Clubs Will be Held This**

**For Four Feature Films to be Telecast by NBC Next Week**

NBC's tele program next week calls for four film features. "Murder at Midnight" will be televised Tuesday matinee; "Teddy's Thursday night; "Law and Lead," Thursday matinee, and "A Fire Has Been Arranged," Friday matinee.

**"FLESH" in Rochester**

Rochester, N. Y. — Five local houses are now using some variety of "flesh." Riviera and State have Friday nights, Monroe and Dixie vaude on Saturday nights, while Century is using Jitterbug concerts Friday nights.

**Leases Montclair Theater**

Martin S. Myers has leased the Montclair Theater, Montclair, N. J., from Warner Bros., and plans Broadway plays this summer. When theaters are not available, they will be offering of legit revivals.

**Goldman Opens Exchange**

Chicago—Saul Goldman has organized the Variety Pictures Exchange, with its exhibition building, to distribute indepix.

**Walbania Aids Red Cross**

Chicago—John Walbania has been named family of the Chicago Red Cross drive for war relief funds.
JOIN IN THE MAYPOLE DANCE!

"Miss Crawford and Mr. March
Are acting very arch!"

"Mr. Tracy, as Edison,
Is great box-office medicine!"

"It's gay to go upon a spree—
With Robert Taylor and Vivien Leigh."

"Wally Beery,
You're a dearie!"

Hooray for Viv!
Hooray for Bob!
'Waterloo Bridge'
is for the mob!

THINK THIS OVER!

There is only ONE company that can
give you this MONTH OF STARS! They
all appear in May releases from M-G-M!

VIVIEN LEIGH
ROBERT TAYLOR
"WATERLOO BRIDGE"

SPENCER TRACY
"EDISON, THE MAN"

WALLACE BEEY
"20 MULE TEAM"

JOAN CRAWFORD
FREDRIC MARCH
"SUSAN AND GOD"

— and they’re all GREAT!
PITTSBURGH—Eastern Premiere: "Stood this sooty city on its ear!" (...and these scenes show it!)
SELL' TURAL BOXOFFICE SMASH!

—That's the unanimous verdict flashed from the three spectacular premieres to a thrilled, excited nation by press, radio and trade representatives... the quote above from Film Daily being typical of the unprecedented ovation!

ITON, IA. — Midwest Premiere: "Biggest event since Armistice Day!"
MEXICAN SHOW BIZ RISES—SEIDELMAN

(Continued from Page 1)

picture-minded with the result that theaters are enjoying excellent business and American film companies are increasing their revenues, it was said yesterday by Samuel Seidelman, United Artists manager in Mexico City, who flew in for home office conferences.

Coupled with the increased interest in pictures is the raising of wages among the working classes, a factor which has been beneficial to the amusement trade. Seidelman said the old, out-dated theaters were being replaced with modern buildings of the most luxurious type. The new Palacio Cine seats 4,000 persons, while the Colonial, which is scheduled to open June 1, will have a seating capacity of 7,600. The 4,500-seat Metropolitan Theater will be ready in May, he said.

Seidelman said the production of Mexican pictures created a new audience, an audience which has not patronized the American pictures because it could not understand them. Then came native production and a new audience was born. Quality was lacking but they whetted an appetite and brought patrons to the theater, Seidelman said.

Production has decreased in the last few years in Mexico. Seidelman asserted that approximately 25 pictures would be made here this year, compared with 40 last year and 50 the year before.

United Artists' growth business so far this year is well ahead of last year, despite the loss in exchange, Seidelman said.

Only More Big Pix Can Give Greater 'Takes' From Brazil

Only a larger number of big pictures and additional theaters can return greater returns from Brazil, according to Enrique Baez, United Artists Brazilian manager, here for home office conferences. Baez indicated that without these factors American companies could get no more money out of the country than they are getting now. Adoption of American exploitation methods has been of benefit, he added.

Business in Brazil has been spotty, although Rio and Sao Paulo are enjoying good receipts, Baez said. A building "wax" is on between Loew and Rebeiro Circuits, Baez said, both going after neighborhood business in Rio in a big way.

O'Brien at Notre Dame

South Bend, Ind.—Charging police lines, thousands gave Pat O'Brien a tumultuous welcome here when he arrived to appear in Notre Dame campus scenes of Warners "The Life of Knute Rockne."

Snow, IATSE Vice-Prexy

Kansas City—Felix Snow, local union's business agent, has been elected an international vice-prexy of the IATSE.

MEXICAN SHOW BIZ RISES—SEIDELMAN

(Continued from Page 1)

ly bill during his testimony in pre-trial exam. held in connect with the Government's equity act against the majors.

Individual sales, he said, mean a "hand-to-mouth" cash for airmen and exhibs. since it is well known that producing companies rarely have more than three pictures ready at one time.

Holds Percentage Equitable

Schenck forcefully outlined arguments against abolition of block booking and contended that per picture arrangements were equitable for the exhibitors, "I believe that selling on percentage an exhib only pays for what a film earns itself.

If we paid $3,000,000 for a picture and it doesn't sell, we take it too," he continued.

The practice of percentage sells has grown since exhibitors realize the advantages of this system, Schenck pointed out, and there is considerably less trouble lately licensing via percentage.

Prior to this, he explained, the reason why Marcus Loew acquired the Metro company. Loew had this arrangement and had started a theater-purchasing campaign, and Loew feared that the source of picture supply might slip through his fingers. Schenck's statement was backed up a reported speech made by Loew in 1928 before the Harva Business School, which Special Assistant Attorney General John Clagett read to Schenck.

Pays Tribute to Mayer

Laughingly, Schenck said that the early days of Metro he had it be "practically forced to play Metro films" in Loew houses because of the rival's newness. It was only when Metro had merged with Goldwyn and had obtained the services of Louis Mayer that the Metro product was produced.

Describing production custom, said that there is no set policy respecting to borrowing or lending personnel for making pictures. The only policy is to do as little as the practice as possible," he added. Standard compensation for borrowing stars is to pay the proportional share of the player's salary, plus percentage of the lay-off cost.

Replies to a question as whether he had made a study of the proper way of effecting distribution of film, Schenck said that it was necessary because a good film executive would "sense" the proper treatment of each film. "I look at picture and I can pretty well tell how much it will gross. As to why they say about me in the industry," he said, and smiling added,—"they think I'm pretty low at it these days.

Cost of production of M-G-M pictures averaged $146,000 in 1924, on the average about $30,000 to $90,000, according to Schenck. He explained, "Quality of everything that goes into a picture has improved immeasurably," he asserted.

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See Congress Adjourning Without Action on Neely Divorce Bill

(Continued from Page 1)

RKO Would Retain New Counsel on Allowances

(Continued from Page 1)

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(Continued from Page 1)

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Ole Colonel Alcott is the chairman of the committee. Among the other members are Billy Brandt, Louis Nizer and Leon Lambarmer, sides.

The first 111 papers received were those of Irving Goodfield, Max A. Cohen, and Leon Lambarmer.

Ties Lazarus Resignation to Tex. Clearance Dispute

(Continued from Page 1)

Golf Com. Chosen With No Weak Links

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(Continued from Page 1)
HOUSE NEELY HEARING MAY RUN 3 WEEKS

(Continued from Page 1) indicated yesterday as proponents continued to take the floor. This would mean continuation of the hearings until virtually any day in the opinion of observers, would by bill during his testimony in a further serve to endanger the measure.

It was pointed out that Congress, faced with pressing national problems in its final days and highly desirous of quitting Washington for political reasons, would be disinclined to devote much time to legislation regarded as highly controversial and of secondary importance.

Col. Cole still to be heard

That proponents of the bill continued to be regarded as unlikely last night. While Abram F. Myers has been heard on behalf of Allied, other Allied witnesses remain to be called: These include Col. H. A. Cole, prexy; Nathan Yamin, former president, and Sydney Hays.

The House committee members in Missouri "show-me" fashion continued its rapid fire grilling yesterday as representatives of women's organizations urged approval of the bill. Their questions focused only from the standpoint of the moral aspects of the legislation. Mrs. Sylvia Bushnell, Boston chap- ter, MP Research Council, today named as target for most questions. The queries stressed the point that nothing in the bill will prevent so-called "immoral pictures" from being shown.

"Nothing in this bill stops second-run houses from showing objectionable pictures to children," Rep. Carl Hinshaw, (R., Calif.) of his move, said. "There is no provision that film would be banned from being shown to minor children".

"The [7] 92 raises the bar on distribution of the film. Those who are interested in the moral aspect of legislation. Mrs. Bushnell observed. "There is not a provision in the bill that will prevent the distribution of pictures that are considered immoral."

The bill, 92, passed but never pro- claimed and made operative, was debated directly in the committee of chairmen on the floor of the House Assembly at the time. FPC now has nine houses in this territory, including one just opened at Sydney. Another will be erected at Moneton, N. B.

Operating problems of the Capitols in Halifax and this city are being studied by Na- thanson, who was named as chairman on the swing here by J. J. Fitzgibbon's and B. Goldsdyke.

Felder Installs Ratone Screen

A Ratone screen has been purchased by Max Felder for his local Vogue Theater.

pointed out selectivity will be between exhibitor and producer only and not include the public. Hin- shaw repeated that the bill would force trade showings as producers wouldn't release synopsis in ad- vance or a competitor would beat him to production of same picture. Rep. Charles L. South (D., Texas) noted that those who would not have been able to achieve purpose of bill.

Raps "Strange Cargo"

Miss Mary Leply, Association for Childhood Education, and Mrs. Er- nest W. Howard, D. C., Federation of Women's clubs, were earlier wit- nesses. Mrs. Howard attacked "Strange Cargo." On the question of immoral pictures, Rep. Charles A. Halsey (R., Ind.) asked, "Don't you think exhibitors would show such pictures anyway to make money?" The exhibit would be forced by the public groups to show only proper pictures.
2,750,000 AD BUDGET BACKS METRO PIX

House Hearing Tackles Block-Booking’s Fairness

by MILTON F. LUNCH

Bureau of the ‘FILM DAILY’

Washington—With the moral issue rapidly waning, hearings on the block-booking and blind-sale measure before the House Interstate and Foreign Commerce committee will enter a new phase today when the committee has ended its hearings. The bill is now expected to pass the House, although no date has been set for its passage.


cardinal in Character
international in Scope
dependent in Thought

In This Issue: 20th-Fox Product Lineup

(The Pages 3-20)

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FBI Investigating German Pix Theater
in Baltimore, State Censor Discloses

Annapolis, Md.— Investigation of a German language film theater in Baltimore by the FBI is underway, according to Chairman George W. Mitchell of the State Board of Motion Picture Censors.

Mitchell’s disclosure was made to the Legislative Council here last week. The State censor also stated he could not say the extent of the probe, but that the Board’s aid had been enlisted “in checking up on the activities of the place over a period of several years.”

J. M. Schenck Pact Renewed 5 Years

Contract of Joseph M. Schenck, board chairman of 20th-Fox, has been renewed for a five-year period at the same terms as his current pact, Sidney R. Kent, proxy, stated Friday when he entreated for the City to confer with studio execs. Kent said that parts of William Goetz and Sol Wurtzel both have at least two years to run.

Schenck received $113,833 in salary in the past fiscal year and his rate of compensation continues without change. New pact becomes effective immediately. (Continued on Page 4)

Farnsworth, Gov’t Suit Prosecutor, Quits Post

Special Assistant Attorney General William P. Farnsworth, head of the New York department of the Anti-Trust Division of the D of J, has forwarded his resignation to Assistant Attorney General Thurman. (Continued on Page 22)

Goldwyn-UA Peace Outlook Brighter

One of the important results of the UA conventions appears to be a renewed desire on the part of the sales staff to have Samuel Goldwyn back in the fold. Post-convention comment indicates that there is a greater possibility of the Goldwyn-UA dispute being settled in the near future than there has been for some time.

Although all parties involved decline to comment on the situation, unofficial reports point to two possible solutions. (Continued on Page 22)

Universal Above 10,000 Accounts Mark-Heinemann

Chicago—Universal went over the 10,000-accounts mark on May 1. William Heineman, Western sales manager, told the sales staff of his division at the company’s convention here over the week-end. Heineman added that he believed the salesmen would find the climbing even more gratifying than the large accounts. (Continued on Page 22)

UA to Spend 3 Million on Ads

Test Engagement Policy Planned, Says Farnol

RKO to Ask Material Slash in Reorg. Expenses

RKO Corp. plans to ask a “material” reduction in the total of $2,625,215 in allowances asked by attorneys and others for services and expenses incident to the company’s reorg. Hearing is set for May 28 before Federal Judge William Bondy. (Continued on Page 21)

Chicago—United Artists will spend approximately $3,000,000 in advertising and exploiting the company’s 1940-41 product, plus six pictures held over from the current season. Western Division sales representatives were told at the second of two sales conventions by Lynn Farnol, director of advertising and publicity.

Sessions were conducted by L. J. (Continued on Page 27)

Co. Plans 52 Features, 78 Shorts; 21 Stars Assigned to Definite Pictures

Metro’s lineup of 52 features and 78 shorts, in 84 reels, in addition to the usual 104 ads of “News of the Day,” will be supported by a record $2,750,000 ad budget, Howard Dietz, executive in charge of promotion. The company’s regional sales conference in New York Friday.

W. F. Rodgers, general sales manager, presided at the session. (Continued on Page 28)

CEA Employed War As Rental Weapon

London (By Cable)— The gravity of the war situation was emphasized by the CEA at the week-end as a “weapon” in the exhibit, organization’s own “war” for lower rentals. The CEA advised all members that (Continued on Page 21)

N. S. Premier Declines To Permit Bill 92 Repeal

Halifax, N. S.—Nova Scotia’s Bill 92, film regulatory measure passed but never madeoperative through governmental proclamation, will remain on the statute books. Premier August L. Macdonald. (Continued on Page 21)


More than 55 Para. home office execs. and foreign and domestic sales reps. left today aboard a special section of the Commodore (Continued on Page 22)
THE BROADWAY PARADE

The Theatre

The Fight for the (U.S. Film Service-Lorenzi) - 11th week
Buck Benny Rides Again (Paramount Pictures) - 4th week
My Son, My Soul (United Artists) - 3rd week
If I Had My Way (Universal Pictures) - 3rd week
Rudi, Waterloo Bridge (Metro-Goldwyn-Mayer) - 3rd week
Lillian Russell in Twentieth Century Funnies - 2nd week
Torriz Zone (Warner Bros. Pictures) - 2nd week
Nancy Torril, (Universal Pictures) - 2nd week
Karlo Hej (Metro-Goldwyn-Mayer Pictures) - 2nd week
I Was An Adventure, with androids - 2nd week
Riders of Pasco Bisun (Universal Pictures) - 2nd week
Don't Bother (RKO Pictures) - 2nd week
Te We Meet Again (Warner Bros. Pictures) - 2nd week
Star Dust (Twentieth Century-Fox) - 2nd week

TWO-A-DAY RUNS

The Baker's Wife (The Baker's Wife Co.) - 12th week
World Kvinnora Kring Larsen (Scandinavian Talking Pictures) - 48th St. Theatre
La Da Mia (España Films) - 55th St. Theatre

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.) - 12th week
World Kvinnora Kring Larsen (Scandinavian Talking Pictures) - 48th St. Theatre
La Da Mia (España Films) - 55th St. Theatre

FUTURE OPENINGS

Irène (RKO Radio Pictures-Wilcox) - May 23
Muscil Hall
Typhon (Paramount Pictures-May 23)
Parent-Teacher Day Together (Columbia Pictures-May 23)
Edison, the Man (Metro-Goldwyn-Mayer-May 23)
Capital
The Saint Takes Over (RKO Radio Pictures-May 23)
Radio
The Biscuit Eater (Paramount Pictures-May 23)
Criticism
Last Post in France (Metro Pictures-May 23)
Drama
Brother Orchid (Warner Bros. Pictures)-June 7
Strand
The Calling (Warner Bros. Pictures)-June 7
Allentown
The Man from Tombouctou (Columbia Pictures-May 23)
Central
If I Had My Way (Paramount Pictures-May 23)
Palace
You Can't Fool Your Wife (RKO Radio Pictures-May 23)
Palace
La Donna Bianca (España Films)-May 23
Cinémathèque

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Revival.

THE BOOK-OF-THE-MONTH CLUB

HONORS MRS. JOHNSON

A cocktail party in honor of Oslo Johnson was given at the Waldorf Astoria Friday afternoon by the Book-of-the-Month Club which recently selected Mrs. Johnson's book, "I Married Adventure." Columbia Pictures shortly will release the film version of the story.

Among those present were Jack Cohn, Max Weisfeld, Bertram Lippencott, Joseph Wharton Lippencott, Wanda Hale, Thyy Samters Winsor, Meredith Wood, Peggy Osborn, Ralph Coklan, Mrs. Chester Bain, Mr. and Mrs. George Morris, Mr. and Mrs. Terry Ramsaye, Vic Bloom, Lew Merlitt, Jack Pegler, Elizabeth Lockwood, Kate Cameron, Amy Porter, Richard Hansen, Lawrence Reid, Stella Unger, Al Sherman, Hertog Schorr, Frederick James Smith and others.

DIRECT GIBSON TO TESTIFY BEFORE KAROL SUIT TRIAL

Appellate Division of the N. Y. Supreme Court on Friday directed Peyton Gibson, secretary of the board of directors of Universal Pictures, to testify before the trial in the suit of Wilhelm Karol for $60,000 against Universal. Karol is suing for alleged damages, a claim that he represented Universal in 1938 in a deal in which that company sold licensing rights to its films in Italy to Giuseppe Domenico Masso for $400,000.

MEXICAN LABOR SITUATION BLOCKS INVESTMENT-DEdVRY

Chicago—Labor situation in Mexico is precluding the investment of large sums of money there by U. S. interests, it is stated by H. A. De Vrxy, president of DeVrxy Corp., who has returned here from what he described as essentially a vacation in Mexico.

Latter country, he asserted, presented vast possibilities for film trade and commerce generally, but progress along this line is not expected to materialize until a new administration comes into power and labor adjusts its present stand.

DeVrxy said that Films, visual, teaching geography, are being received enthusiastically by educational interests in Mexico.

He plans a visit to the company's New York offices this week.

LOCAL 20940 CERTIFIED AS WB BARGAINING AGENT

Washington Bureau of THE FILM DAILY

Washington—NLRB has certified Local 20940, American Federation of Office Employees, affiliated with A. F. of L., as the bargaining agency selected by a majority of the wage-earners of Warner Bros. Pictures, Inc., Warner Bros. Circuit Management Corp., Warner's Settlement Corp.; Circuit Settlement Corp.; Circuit Settlement Corp.; Globe Export Corp., and Vi-

Happy Birthday To You

From the FILM DAILY to

E. B. Derr
Lee Magauran

Lack of Product Delaying Showing of Mills Machine

Chicago—Trade showing of Mills-Roosevelt automatic project is being delayed by the lack of room product to be made by Roosevelt's outfit, as Novelties Co. here has no ready.

One Big Union Report Due

A report on the plan for one union will be submitted to the AA board for consideration at a meeting scheduled for Wednesday.
Tanuck Will Keep 20th-Fox's Program 'Flexible'

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Sixty-six players—stars, principals and supporting actors—under contract to 20th-Fox as the new 1940-41 production year gets under way. This number does not include the stars and featured players now appearing in various productions, nor those who have been borrowed from other studios for future films.

The new list does include, though, such personalities as Betty Grable, formerly under contract to Paramount and currently appearing on Broadway in "DuBarry Was a Lady." Miss Grable reports for work at 20th-Fox on June 1, when she will go right to work in a starring role. John Barrymore reports tomorrow for "The Great Profile."

Option Clause in Jagger Pact

Another prominent Broadway "name" recently signed by Tanuck is Dean Jagger, who is now at work in the title role of "Brigham Young." No newcomer to the screen, Jagger left Hollywood three years ago to appear on the legitimate stage. His current contract is an option which he may exercise as soon as he has finished his stint in "Brigham Young."

Ralph Scott is under contract to co-star in two productions next year and reports from the studio indicate that the first of these may be "The Hunted Woman" for which negotiations are under way to secure the services of Claire Trevor.

Gene Tierney, who attracted considerable critical acclaim for her performance in the Broadway stage show, "The Male Animal," is under a long-term contract.

By virtue of an unusual two-way contract with Samuel Goldwyn, 20th-Fox has a call on the services of Douglas Fairbanks, Jr., and Greer Garson. The arrangement is that these two promising newcomers shall alternate pictures between the two studios.

Bellamy, Kibbee Also on List

Among the new names on the studio roster are those of Ralph Bellamy, who appears with Brenda Joyce and George Murphy in "Bride of the Wreck," Maxwell's "Public Deb No. 1," and Guy Kibbee, who has been assigned an important role in "Street of Memories," the first picture to be made by Lucien Hubbard acting as an associate producer for 20th-Fox. Jackie Cooper and Henry Hull have been assigned for major parts in "The Return of Frank James," in which Henry Fonda has the title role.

The studio contract list also includes, of course, the entire list of stars who have been under the Tanuck banner for the past year: Henry Fonda, Tyrone Power, Linda Darnell, Richard Greene, Brenda Joyce, Sonja Henie, Don Ameche, Shirley Temple, Cesar Romero, Alice Faye, Jane Withers and the rest.

14 Directors Signed

Fourteen directors, of whom 12 are under direct commitment to the studio, are also signed for the coming year. The two exceptions are Henry Hathaway, borrowed from Paramount and currently at work on "Brigham Young," and Archie Mayo, now directing Don Ameche, Alan Curtis, Robert Young, George Ernest, Eugene Leontovich and Mary Beth Hughes in "Four Sons."


There are 43 writers under contract and contributing to the 1940-41 screenplays, among them Louis Bromfield, who prepared the script of "Brigham Young" and is now working on "Marching as to War;" Lian D'Aloufleny, author of "The Informer," who is working with Ernest Pascal on a screen version of Richard Llewellyn's best-seller, "How Green Was My Valley," and William Anthony McGuire, who is preparing a film biography of Sergeant Sam Drebey, the one-man army.

Associate Producers Increased

Recent additions to the staff of associate producers are Lucien Hubbard, Milton Sperling, Walter Moreo and Ralph Dietrich. The last two this season a team will make six pictures—the first season an arrangement of this sort has been tried at 20th-Fox. The six to go are "Brigham Young," "Return of Frank James," "Street of Memories," "The Last of the Mohicans," "Mannequin" and "Look at the Orchids." The last two are with Elly Brachman, Robert Riskin, Robert Lord, Ralph Eichelberger and_starting may 1940
J. M. Schenck Pact
Renewed 5 Years

(Continued from Page 1)


Kent stated that the company’s policy, which has a newly budgeted, would be adhered to as far as it was feasible. However, he warned, “anybody who deprecates the gravity of world affairs to the extent of adhering to programs if emergencies arise will find themselves a window. We will be forced to meet such conditions, and cut our pattern of doing business to meet them.”

He expects to return to New York the end of this week. Mrs. Kent accompanied him.

$355,376 Quarterly Profit
for 20th-Fox is Sharp Dip

Reporting a consolidated net profit of $355,376 for the 13 weeks of the fiscal period ended March 30, 1940, 20th-Fox earnings for that period dipped $870,874 from the net of $1,224,250 earned in the quarter of 1939. Earnings for the final quarter of the company in 1939 were listed as being $238,218, exclusive of dividends totaling $750,000 received from National Theaters.

Financial report stated that earnings were not expected to cover the preferred dividends commitments for the first quarter. Gross income from sales and rentals of film and appareance was put at $2,102,362. Operating expenses of exchanges, head offices and administrative expenses, etc., amortization of production and other costs and participation in film rentals totaled $1,235,573 on operating profit before interest, depreciation and federal taxes on income coming to $489,059.

20th-Fox Program’s ‘Flexible’
Sunnee Ready to Cash in on Timely Subjects

(Continued from Page 3)

Dickie Jones, calls for 45 speaking parts—most of them running from five to 15 weeks. Henry Hathaway, borrowed from Paramount, is directing.

The Great Commandment” was originally planned as an independent company on a small budget.

Irving Pichel, who directed the original, will also direct the 20th-Fox release. Tyrone Power will have the leading romantic roles. The story deals with the life of an early crusading priest. In addition, Pichel will be the voice of Christ.

Zanuck Signs Menyes

Zanuck has engaged William Cameron Menyes, who won the Academy Award this year for his GWTW work, to supervise the special effects department in the affiliated companies. Menyes will direct special effects in the base of which will be shot in a specially built walled city now under construction on the Mojave Desert. Dana Burnet has written the screen play. It is regarded as likely that Edward Arnold and Maurice Moscovitch will play the supporting cast.

The third film in production, “The Return of Frank James,” is designed to take up where the successful “Jesse James” leaves off. Henry Fonda will once again be Frank James. Gene Tierney will be co-starred, and the supporting cast includes J. Edward Bromberg, Donald Meek, Henry Hull, Charles Tannen, John Carradine and Ernest Whitman.

“Brooklyn Bridge” will deal with the garish days in New York that followed close on the Civil War. It involves such figures as Jim Fiske, Boss Tweed, the Robbering (father and son) who schemed and included such events as the Erie Railroad battle, the famous “Black Friday” on Wall Street, and the darkest of all the Tammany scandals. Tyrone Power, Alice Faye, Don Ameche, Henry Fonda, Linda Darnell and Edward Arnold have been selected for key roles.

“Public Deb No. 1,” starring Brenda Joyce and George Murphy, is the farthest along of all the Zanuck pictures for the new season.

Three Musicals Scheduled

There are three big musicals on the Zanuck list. Two of them, Shirley Temple’s, “Young People” and “Down Argentine Way,” with Alice Fay and Carmen Miranda, are already in production, while the third, Irving Berlin’s “Say It With Music,” is still in the early preparatory stages.

“Young People” will have new Mack Gordon-Harry Warren songs as well as popular tunes from early 1930s. Carmen Miranda, the Brazilian bombshell, has already completed her share of work in the picture. She is making a series of five numbers in New York at the Movietone studios.

Ford on Welsh Story

Perhaps the most exciting properties on the 20th-Fox list are “How Green Was My Valley,” “The Mark of Zorro,” “Sgt. Sam Drenen, U.S.A.” The former is, of course, Richard Llewellyn’s best-selling novel; a powerful tale of coal-mining in Wales. John Ford will direct. "Sgt. Sam Drenen, U.S.A." was the story of a professional soldier. William Anthony McGuire is now working on the story.

The productions named are those on the Zanuck list which are either in the making or so far along that it is certain they will reach exhibitors during the coming season, no matter what other timely and important properties demanding immediate production come his way.

Clifton Story By Boyhood Friend

Zanuck has signed a deal with Clifton Story to produce a film based on the Zanuck’s personal supervision: “Down to the Sea in Ships” and “The Californian.” The former is the Clifton Clifton story; the latter is based on “The Curse of Capistrano,” which served Douglas Fairbanks as inspiration.

There’s a geographical flavor to four of the pictures Zanuck plans as specials, “Song of the Islands,” which deals with Hawaii; “Down to the Wabash,” “Fifth Avenue,” based on Polan Banks’ novel, “Manhattan Honeymoon,” and “This Side of the Sun,” based on “Hobiki’s” story; “Four Sons.”

The Movietone men stationed in the Orient have done the sound for the Philippines and China for “Sgt. Sam Drenen, U.S.A.”

20th-Fox Program’s ‘Flexible’
Sunnee Ready to Cash in on Timely Subjects

(Continued from Page 3)

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Clifton Story By Boyhood Friend

Zanuck has signed a deal with Clifton Story to produce a film based on the Zanuck’s personal supervision: “Down to the Sea in Ships” and “The Californian.” The former is the Clifton Clifton story; the latter is based on “The Curse of Capistrano,” which served Douglas Fairbanks as inspiration.

There’s a geographical flavor to four of the pictures Zanuck plans as specials, “Song of the Islands,” which deals with Hawaii; “Down to the Wabash,” “Fifth Avenue,” based on Polan Banks’ novel, “Manhattan Honeymoon,” and “This Side of the Sun,” based on “Hobiki’s” story; “Four Sons.”

The Movietone men stationed in the Orient have done the sound for the Philippines and China for “Sgt. Sam Drenen, U.S.A.”

Paul Terry Boosts
Year’s Budget 20%}

Paul Terry will celebrate twenty-fifth anniversary in the picture business, his tenth as producer, by spending 20 percent more than ever before. Had doubled his staff and the size of his quarters in the two years since his current contract with 20th-Fox. Terry plans further additions to both, and this, added to the fact that he plans to make Technicolor cartoons this year, account for the higher budget. One of the pioneers in the mass of animated cartoons, Terry’s prize boast is not that his Aesop Fables were the first cartoon series that he has never missed a release date.

Although his plans for the coming season for as many Terry-Toons as the returns from the field warrant,—"an indefinite number," he is generally conceded that this will mean 12 or more colors.

In the 1938-39 season Terry company had eight Technicolor pictures and he delivered 12. Last season it was for 10 and delivered 10.

Form Employees’ Ass’n

Chicago—H. and E. Balaban Theater circuit is organizing an employees’ Association.

MANY FRONTS
CALL “Z. E. F.”

Nine 20th-Fox Units Busy
in Foreign Countries

All the wars in the world cannot destroy the defense forces; no fewer than nine of them have been, or will be, busy in foreign lands getting back twigs and a 20th-Century-Fox production.

Before he was elevated to the post of Associate Producer, Hugh D. Druick headed a unit that flew to America for a month’s play in Argentina, during which they cabled material for “Down Argentine Way.” Another unit is going to Hawaii to film Technicolor shots for “The Song of the Islands.” A third goes to Mexico for a Western film.

Still another heads north to Canada to obtain authentic bases for “Hudson’s Bay Company,” a special under consideration for 1940-41.

And the cameramen for Movietone News in Europe have turned down a lot of stuff for pictures: “I Married a Nazi,” “Magnificent” and “Four Sons.”

The Movietone men stationed in the Orient have done the sound for the Philippines and China for “Sgt. Sam Drenen, U.S.A.”
CENTURY-FOX FILM CORPORATION

PRODUCT ANNOUNCEMENT

for

1940-41
At a time when great pictures are more than ever necessary for the continued prosperity of our industry, Twentieth Century-Fox Film Corporation takes pride in announcing its production program for the season 1940-41.

We expect to release 52 feature pictures; and, for exhibitors throughout the world, it is of the utmost importance to note that with leading foreign markets destroyed or weakened by war or currency restrictions, this Company has made no curtailment in its production budget. In our opinion this is the only policy which can assure to theatre operators and ourselves the quality of pictures which is vital to progress and profitable operation.

From the stories and with the stars, players and directors listed on the following pages will come the great majority of the productions released by this Company next season. Because of circumstances which nobody now can foresee, some of these stories may not be produced—
their final form some may not measure up to our hopes, others may be replaced with timelier, more important subjects. In every case, however, where a change is made, it will be done solely to improve the program.

In listing the personalities for our product, as well as directors, we name only those who are under contract to this Company or whom we have already borrowed from other producing companies. As in the past, however, we expect to use additional boxoffice names not now ready for announcement.

Twentieth Century-Fox is proud in the knowledge that as of today we have on our books more accounts than ever before in the history of this Company. To our customers throughout the world we present this program which we sincerely believe to be the greatest and most forward-looking list of pictures we have ever had.

Twentieth Century-Fox Film Corporation
FROM 20th CENTURY-FOX FOR 1940-41

...of which 26 will be produced from the following stories, or others timelier and greater... all on a scale worthy of these extraordinary properties!

**BRIGHAM YOUNG**

Tremendous, human—being produced on a heroic scale. The cast already includes TYRONE POWER, LINDA DARNELL, DEAN JAGGER (brilliant Broadway star), Jane Darwell, John Carradine, Brian Donlevy, Mary Astor, Vincent Price. Written by Louis Bromfield ("The Rains Came"). Screen play by Lamar Trotti, author of "In Old Chicago." Directed by Henry Hathaway. To be launched with the greatest nationwide promotion 20th ever gave a picture.

**DOWN TO THE SEA IN SHIPS**

Without a doubt the greatest sea story ever written! Set for the spectacular top-budget production, its scope demands. Directed by Henry King.

**HOW GREEN WAS MY VALLEY**

Today’s runaway best-seller! The story property of the year! Richard Llewellyn’s powerful, emotional novel will receive a production that assures it a place among the great pictures of all time. Directed by John Ford.
TIN PAN ALLEY
A lavish and magnificent musical on the scale of "Lillian Russell"—in the romantic setting where are born the songs the whole world sings and plays and remembers.

BROOKLYN BRIDGE
TYRONE POWER . . . ALICE FAYE . . . DON AMECHE . . . HENRY FONDA . . . LINDA DARNELL . . . EDWARD ARNOLD! New York during the decade that transformed it from an ordinary seaport to the world’s greatest metropolis!

WESTERN UNION
by Zane Grey
Words of meaning to every American, and in them Zane Grey found his last and greatest story. The epochal spanning of our continent by wire—a vital lifeline to the nation torn asunder by the fury of the Civil War. A production of maximum importance and showmanship opportunity.

THE GREAT PROFILE
Adolphe Menjou plays the title role.
THE RETURN OF FRANK JAMES
In Technicolor

5TH AVENUE
The brilliant new novel by Polan Banks. A story of the five decades from the glittering nineties to now. Definitely important boxoffice.

SGT. SAM DREBEN, U.S.A.

DOWN ARGENTINE WAY
In Technicolor
The stand-out musical of 1940-41. Starring ALICE FAYE, DON AMEACHE . . . and introducing tantalizing, torrid-voiced CARMEN MIRANDA of "Streets of Paris," Broadway hit that was her personal triumph. Songs by Mack Gordon. Directed by Irving Cummings.

HIGHWAY 66
The route that "The Grapes of Wrath" made immortal becomes the scene of another powerfully realistic drama . . . undoubtedly boxoffice because of its association in the minds of movie-going millions with the sweepingly successful Steinbeck masterpiece.
THE GREAT COMMANDMENT

Its greatness given even more powerful impact by its astounding parallel to the happenings of our own times. Spectacular drama of a crushed and helpless people during the last days of Christ. The matchless might of Roman arms . . . countless legions and fearsome war chariots plunging resistlessly through enemy hosts. And through it all a truly inspiring love story. TYRONE POWER and LINDA DARNELL head the impressive cast!

CHAD HANNA

The newest and greatest novel by the famous author of "Drums Along the Mohawk," Walter D. Edmonds! One of 20th's most important story acquisitions—already sweeping to the top of the book lists—acclaimed a "sure-fire, big-time best seller"! The exciting, warming, human story in which young Chad Hanna figures will be an unforgettable picture . . . produced with all the sweep and scope it merits!

I MARRIED A NAZI

The sensational Liberty Magazine serial that created a national furor . . . relating the amazing, unforgettable experiences of a young American woman, plunged into the Nazi reign of terror. JOAN BENNETT will co-star with RICHARD GREENE. GEORGE SANDERS also has an important role. Front-page impact, record grosses.
BELLE STARR
The fiery, high-born Southern beauty who became history's most notorious woman outlaw when carpet-baggers pillaged her family's fortune and Yankee troops murdered her father. Tempestuous romance, blazing with thrill and adventure. Story by Nunnally Johnson. ALICE FAYE will play the title role.

BROTHERS
Moving human drama of two brothers, bred in the teeming waterfront of today's San Francisco, and the girl they both loved. To be cast with three great stars!

DOWN ON THE WABASH
(TENTATIVE TITLE)
The realistic story of a young, small-town banker whose faith in himself and his fellow-men caused him to revolt against the powers throttling the community that was his home. Rich in young and mature love... electrifying in its explosive surprise climax.

RED CROSS NURSE
No more vital theme has ever inspired a great picture. Courage and sacrifice against a thrilling panorama of hurricanes, floods, Arctic storms, mine disaster. Alive with heart-lift, showmanship wallop.

Elsa Maxwell's
PUBLIC DEB No. 1
(TENTATIVE TITLE)
Keyed to today's smartest comedy vogue! With famed Elsa Maxwell showing how debs tick and click. Co-starring LINDA DARNELL, GEORGE MURPHY, with Charles Ruggles, Ralph Bellamy, Mischa Auer, Berton Churchill, Franklyn Pangborn, Maxie Rosenbloom. Directed by Gregory Ratoff.
Irving Berlin’s
SAY IT WITH MUSIC
The "Alexander’s Ragtime Band" of 1940-41! The great romance of the glamorous, fantastic 1920’s... keyed to a title of incalculable value. Six new Irving Berlin hits will be added to his finest melodies of that incredible decade. Outstanding cast and production further insure the importance of this attraction. A showmanship show!

THE CALIFORNIAN
Turbulent, action-crammed drama of California’s most romantic days. Blazing with the reckless deeds of a mysterious caballero whose daring forays terrorized the tyrant clique despoiling the country and its people. TYRONE POWER heads a spectacular cast.

YOUNG PEOPLE
SHIRLEY TEMPLE, JACK OAKIE, CHARLOTTE GREENWOOD! The tumultuous and exciting cavalcade of a vaudeville child-star’s rise, bringing back to you memorable highlights of Shirley’s own spectacular career... featuring Gordon & Warren’s best songs ever and a top-name cast. Directed by Allan Dwan.

THE KHYBER PASS
A cut in the mountains which today holds the fascinated attention of the world. The great story of the historic gateway to the wealth of India.

STUDIO CLUB
Drama spotlighting the fascinating lives and careers of the world’s most gorgeous girls... famed even in Hollywood for their loveliness! Revealing their ambitions, heart-breaks, loves, schemes! A story thrilling and unusual!
SUN VALLEY
Playground for the wealth and aristocracy of all the world... the internationally-famed headquarters for winter sports becomes the scene of SONJA HENIE'S most dazzling and enthralling picture. An exploitation natural of naturals.

YESTERDAY'S HEROES
William Brent's sensational Saturday Evening Post serial. A daringly new kind of football story showing the bitter disillusion of proud grid stars, when the high-pressure college "system" has used them up and their fame is forgotten. Packed every second with scoring punch.

LADIES OF THE ROAD
Hitch-hiking along the nation's highways... riding the rods of the transcontinental freight trains... a strange new class of itinerants confronts America! Their story will be screened in all its drama and timeliness!

DANCE HALL
Adapted from W. R. Burnett's powerful novel of young people in the steel towns. To be made with the same daring realism that characterized "The Grapes of Wrath."
LUCKY BALDWIN
The stirring, spectacular glorification of a great legend! What "Kentucky" did for Kentucky horse-racing, this will do for golden California and its same sport! And against this vivid background—the strange, dramatic and eventful life of the Far West's most colorful character! Of foregone appeal to every entertainment lover!

UNCENSORED
The absorbing adventures of London's gayest master-crook. Suspenseful audience dynamite!

MAN HUNT
Geoffrey Household's best-selling, super-thrilling ovel of a big-game hunter who single-handed goes er the biggest game of all—a world-hated dictator!

... and
26 OTHER FEATURES
including
4 JANE WITHERS Comedies
4 CISCO KID Adventures
THE PRODUCING ORGANIZATION

JOSEPH M. SCHENCK
Chairman of the Board

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
Ralph Dietrich
Raymond Griffith
Fred Kohlmair
Lucien Hubbard
Nunnally Johnson
Gene Markey
Walter Morosco
Kenneth Macgowan
John Stone

Directors
Otto Brower
David Burton
Irving Cummings
Allan Dwan
John Ford
Eugene Forde
Henry Hathaway
Henry King
Walter Lang
Fritz Lang
Archie Mayo
Irving Pichel

Writers
Gregory Ratoff
Shepherd Traube
Jack Andrews
Michael Blankfort
Edwin Blum
William Brent
Harold Buchman
Dana Burnet
Niven Busch
Robert Carson
Roy Chanslor
Wm. Conselman, Jr.
Irving Cummings, Jr.
William Drake
Albert Duffy
Philip Dunne
Robert Ellis
Sam Engel
Don Estlinger
Ruth Fasken
J. Taintor Foote
Jules Furthman
Oliver Garrett

Sam Hellman
Ethel Hill
Robert Hopkins
Lee Katz
Fidel La Barba
John Larkin
Hilary Lynn
Helen Logan
Wm. A. McGuire
Frank S. Nugent
John O'Hara
Ernest Pascal
Liam O'Flaherty
Stanley Rauh
Sidney Sheldon
Milton Sperling
Lamar Trotti
Jack Vernon
Darrell Ware
Karl Tunberg
E. E. Verdier
Helen Vincent
Robertson White
Lester Ziffren
THE STARS AND PLAYERS

20th Century-Fox lists on this page only those personalities now under contract. Other established names will be added as casting needs arise. And 20th is making extensive plans for the discovery and development of new talent.

Katharine Aldridge
Don Ameche
Dana Andrews
Lionel Atwill
Binnie Barnes
Anne Baxter
Lynn Bari
Dorris Bowdon
John Carradine
Marguerite Chapman
Ricardo Cortez
Eddie Collins
Bob Conway
Linda Darnell
Jane Darwell
Joan Davis
Alice Faye
Henry Fonda

Virginia Gilmore
Betty Grable
Richard Greene
Charlotte Greenwood
Mary Healy
Sonja Henie
Mary Beth Hughes
Dean Jagger
Brenda Joyce
Arlene Judge
Nancy Kelly
Elyse Knox
Robert Lowery
George Montgomery
Chris-Pin Martin
Ted North
John Payne
Tyrone Power

Ragnar Qvale
Gregory Ratoff
Lynne Roberts
Jean Rogers
Cesar Romero
George Sanders
Randolph Scott
Robert Shaw
Robert Sterling
Frank Swann
Shirley Temple
Ann Todd
Sidney Toler
Joan Valerie
Marjorie Weaver
Arleen Whelan
Jane Withers
Sen Yung
26 ONE-REEL SUBJECTS IN SIX DIFFERENT SERIES, PRODUCED BY TRUMAN TALLEY

LOWELL THOMAS’ MAGIC CARPET OF MOVIE TONE

TECHNICOLOR will be used for the first time for some of this series. Without question the finest in its field, popular with showmen and audiences alike, its off-the-beaten-path subject material dramatized by the keen, incisive narration of Lowell Thomas... top-ranking commentator of them all.

ED THORGERSEN’S SPORTS REVIEWS

Authoritative, behind-the-scenes glimpses of America’s popular enthusiasm... Sports! Narrated by the man who knows the “inside story”... and enhanced, when deemed effective, by TECHNICOLOR.

LEW LEHR’S Dribble-Puss Parade

The screw-ball tangents of American life enlarged and enlivened by the comment of screen and radio funnyman, Lew Lehr.

ADVENTURES OF A NEWSREEL CAMERAMAN

An attraction that thrills as only the real thing can! Heightened in suspense and highlighted by the dramatic narration of famed announcer Paul Douglas.

VYVYAN DONNER’S FASHION FORECASTS

In TECHNICOLOR! The most talked-about reel of all... the most exploitable subject on the screen. Smart... timely... lavishly produced... the absolute tops in feminine appeal—and the men go for it, too. Doubly enlivened by the sparkling comment of Ilka Chase.

FATHER HUBBARD’S ALASKAN ADVENTURES

This new and popular series continues... with the Glacier Priest’s cameras exploring Nature’s most amazing phenomena! Highlighted by exciting cross-fire narration between Lowell Thomas and Father Hubbard.

... and...

26 ONE-REEL TERRY-TOONS... 10 OR MORE

IN TECHNICOLOR... PRODUCED BY PAUL TERRY

Already in top poll brackets, Terry-toons is geared to deliver even finer product this season—with 10 or more of its 1940-41 releases in TECHNICOLOR!
MOVIE TONE NEWS

ISSUED TWICE EACH WEEK

Published and Distributed in 50 Different Countries and 19 Different Languages!

There’s a Maginot Line in France!
There’s a Siegfried Line in Germany!
But there’s a Movietone News Line all around the world! ... an unparalleled corps of cameramen, editorial specialists, commentators ... news-smart, trained, efficient ... supplying the demand of theatre millions for authoritative pictorial knowledge of what’s going on in these eventful times! Now, more than ever, it is of the utmost importance that your theatre secure the news protection supplied exclusively by Movietone ... the greatest news-gathering organization of any kind on earth!

TRUMAN TALLEY
Producer

LOWELL THOMAS
Chief Commentator

LEW LEHR
Humor

RUSSELL MUTH
European Director

EDMUND REEK
General Manager

ED THORGERSSEN
Sports Commentator

VYVYAN DONNER
Fashion Editor

HELEN CLAIRE
Fashion Commentator
**FIRST QUARTER RELEASES**

**1940-41**

*(TENTATIVE)*

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JOSEPH M. SCHENCK  
Chairman of the Board

SIDNEY R. KENT  
President
Dear Congress May Delay Adjourning

(Continued from Page 1)

ned, it was said, and more time could be given to the testimony.

Some were of the opinion that the soundness and defense program was overshadowed by legislation to such an extent that such measures as the Neely bill may not reach the

Delaware County, Pa., ans Bingo, Bank Night

(Continued from Page 1)

has sent a form letter to all dubs, and churches; some of the letter have been paying off their mortgages with Bingo returns, according to report.

While only two theaters used Bingo, Bank Night has been enjoyed as a b.o. hobby by a large number.

It was understood that Sweeny obviously would permit those to dispose of any accumulated winnings in one final night. Otherwise, there might be long-drawn litigation over disposition of the money.

S. Premier Declines to Permit Bill 22 Repeal

(Continued from Page 1)

owa Scotia has rejected a repeal of legislation submitted by Allied Exhibitors of Nova Scotia, pointing out that at the reversal of attitude by the exhibitors, seemed "trivial." Exhibitors, year ago appealed to the Government for assistance; change in front results from the fact that a consolidation system has since been initiated plus the fact exhibitors are of public concern.

WEDDING BELLS

at Coast Bureau of THE FILM DAILY

Barb—Judith Wilchins, secretary to Charlie Eisenfeld, and Louinder, buyer for Sidneys Ltd., will be married at Leavenworth, Kan., June 16 at the home of Philip Linder, father of the groom. It'll be a double wedding with the groom's sister, Ethel Sandler, marrying Ralph Sickie.

Ben Goldstein of National Screen Service's office is to be married June 23 to Miss Violet Singer. The couple will honeymoon at Virginia each.

Phoenix, Ariz.—Charles D. Fedler, scenarist, and Virginia N. Kelly were married here.

Carolyn Weill, of Select Attrac-
tions, will marry Louis Gluck May 3. Ceremony will be performed at Shiff Center. The couple will leave immediately for Washington on their honeymoon.

CEA Employs War As Rental Weapon

(Continued from Page 1)

it was doubtful whether any films justify a 50 per cent rental in war circumstances and further advised that they would not consider any contracts but ask "hand to mouth."

The CEA contended that the war's developments have been largely stimulated by repeated hearings in the Senate and House war committees, and that the picture industry has been "constantly reminded of the responsibilities of maintaining morale and the morale of the war effort." The CEA contended that the war's developments have been largely stimulated by repeated hearings in the Senate and House war committees, and that the picture industry has been "constantly reminded of the responsibilities of maintaining morale and the morale of the war effort."

Maryland Censor Board Would Increase Levies

(Continued from Page 1)

General Assembly, and which is holding sessions to receive requests and suggestions from state agencies with the view of giving them study in advance of the January session of the Assembly.

George W. Mitchell, chairman of the censor board, has asked the Council to recommend that the present fee of $2 per 1,000 feet of film examined be increased to $3 and that the charge for duplicate film be increased from $1 to $2 per 1,000 feet. He contends that the personnel of the board is underpaid and the increase also would result in a greater return to the State Treasury. Mitchell told the Council that the board has in almost all other states a charge a larger fee than in Maryland for practically the same work. He also recommended that better facilities and equipment be provided for the use of the board.

Increases in penalties for violation of the state legs and regulations dealing with motion pictures and also are suggested. Pay increases for the inspectors are urged, along with authority to engage an additional inspector.

Further recommendations made by the board of the censor board were that 16 mm. film be licensed by the board and that the law be amended to give the board supervision over film shown by means of coin machines.

Dell Stars Fashion Section

Dell Publishing Co.'s Modern Screen starts a fashion section with its September issue. Aletha Rickeet has been named Dell's fashion editor.

STORKS!

Dearborn, Mich.—Joseph Stola, owner of the Midway and Circle Theaters, is the father of an eighth-pound son.

Rusellville, Ark.—Mr. and Mrs. M. C. McKenzie have a baby daughter, Norma Jean. McKenzie is a Tix Theater projectionist.

Bernard Wilder, of Warner Bros. Home Office Theater Department, became the father of a 4-pound 12-ounce daughter born last Thursday to Mrs. Wilder at Beth Moses Hospital, Brooklyn.
Neely Bill Hearing Enters New Phase

(Continued from Page 1)

ing itself down to the simple ques-
tion, “Are block-books and blind-
selling unfair trade practices?”

Allied to Have the Floor

Testimony of W. J. Bannerman, spokes-
men and exhibitors put on by them is
equipped to begin today as the hear-
gings go into second week. They will dis-
cuss the actual work-
ings of the practices.

Committee’s attitude after first
week of hearings seemed to be fairly
well summarized by a statement of
Rep. Charles A. Wolverson (R., N. J.) who at Friday session said:
“I have given up any hope of pass-
ning legislation controlling public
taxes.”

Wolverson added it would be im-
possible for the committee to adopt
any legislation for this purpose. The
bill deals with trade practices, he said, and pointed out that the De-
partment of Justice suits cover the
same ground. Wolverson stated he was
Mrs. Neely’s exhibitor, in hearing testimony from both sides on the
fairness of the trade prac-
tices.

Further evidence that moral tes-
timony has not been convincing to
committee was the report of Rep.
Leona Carruthers, of Massachusetts, exhib-
itor witness. “Your testimony is worth a dozen of these crusaders
that come in here and try to take
charge of things.”

Exhibitor’s Charges Interest

The exhibitor witness, and one
who drew lively committee interest,
was Mrs. Daniel Shaver of Shaver-
ton, Pa., who told the committee how she and her husband had opened
a small house in their community
described how they had to buy
films. She told the committee that she does not know, and does not now,
how much about the film business,
but explained just how they were being “dictated” to by distributors.

Mr. Shaver shrewdly observed that
she entered into with Paramount
and stated they also contracted with Universal and RKO. They were un-
able to obtain suitable pictures, she
said, because of the trade practices.

They wanted to consider and please
their public’s taste, but were un-
able to do so. Mrs. Shaver asserted,
adding to being unable to receive relief from the distributors, she told the
committee that she changed to Allied
and then to the Department of Justice
for help.

Mrs. Shaver complained particular-
ly of having to take “bad” pic-

A Dr. in the House?

Wilmington, Del. — It’s “Doctors’ Week,” judging by three first-run film
thems that have been in town in late
months. Current attractions in-
clude: “The Man Without a Face” — Dr. Kildare’s Strong Case.”

(M.G.M.)

“Dr. black Market” — “The Doctor Takes a Wife.”

(Paramount)

“Alone in the Dark.” — “Dr. Cyclops.” (Param-

A Para Planning Two Technicolor Specials

for 1940–41: De Mille May Produce One

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount announced Technicolor specials for 1940–41, it is
reported. One will be “The Shepherd of the Hills,” with Betty Field and Robert
Preston to be directed by Henry Hathaway. The other is “Brigham Young,”
which he is making for 20th–Fox. The other may be Cecil B. De Mille’s action
motion picture. De Mille has just brought in his first Technicolor feature, “North West Mounted
Police,” for Para, nine days ahead of schedule and $125,000 under budget. De Mille
split a $2,800 fund among 28 workers as a result.

Execs. Sales Reps. Off

Today for Para. Conclave

(Continued from Page 1)

Vanderbilt to attend the company’s
annual National Sales Convention opening Friday at the Ambassador
Hotel, Los Angeles.

Neil Agnew, sales chief, who will
preside over the three-day session,
has already arrived in Los Angeles
with a committee composed by John,
Roger, Eastern divisional sales man-
ger.

New York contingent entourage
today embraces Barney Nathan,
Stanton Grifolis, Adolph Zukor, Oscar
Morgan, Charles Reagan, G. B. J.
Frawley, H. J. Lorber, A. J. Dunne,
E. J. Goodman and John W. Hicks,
Knox Haddox, L. Flynn, J.
Barry, Sam Palmer, M. H. Lewis,
R. Ruff, M. S. Russell, M. Sattler,
Henry Randle, E. E. Bell, E. W.
Sweigert, U. F. Smith, George Beat-
tie, J. E. Fontaine, Alec Moir, A.
Morgan, Gus Neely, Jack Ryan,
Jr., George Weilman, Albert Deane,
George Fraser, A. Reye, O. D.
Dillenbeck, Don Gibbs and Pat Scollard.

Roger Ferri’s Mother Dead

Providence, R. I.—Mother of Roger
Ferri, editor of the 20th-Fox house
organ, New Dynamo, will be buried
here today. She died last week
after being sick for some time. In
addition to Ferri, several other mem-
bers of the family survive.

Universal Above 10,000
Accounts Mark–Heineman

(Continued from Page 1)

easier with the new product than
with the old.

William A. Scully, general sales
manager, revealed the winners in the
recently completed Scully drive.
E. T. Gomersall was the winning
district manager in the Western di-
fision. The winning district man-
ger, in the order of finishing, were
M. M. Godt, Chicago; C. J. Welt-
ken, Los Angeles; Harry Hynes,
new manager in St. Louis; O. W.
Wilson, Portland, and G. C. Crad-
lock, Indianapolis.

Meetings today will consist of regional and branch sessions, during
which product and sales policies will be discussed.

Farnsworth, Gov’t Suit
Prosecutor, Rejects Post

(Continued from Page 1)

W. Arnold, it was learned Friday.
The resignation is to take effect on
June 1. Farnsworth has been ac-
tive in the Government’s equity ac-
tion against the major film compa-
nies for over a year, and reportedly
was to present evidence during trial of the New York theater situation.
He will return to private practice, it
was said.

Gus Anders to Operate
New Chi. Supply Firm

Chicago—The Droll Theater Sup-
ply Co., has been sold at auction at 351 E. Ohio St., un-
der the management of Gus Anders,
for many years prominent in the
Chicago Operators Union. In addi-
tion to the special carbon business
which has developed some unusual
features of interest to the theater
operator, a general supply trade will
be carried on.

Toronto Hears Distributor
Association to Reorganize

Toronto — Reorganization of the Motion Picture Distributors
Association here is reported; it is rumored
Association is headed by Col. John
A. Cooper.

Carruthers Suit Trial Set

Trial of the $250,000 libel suit of
Gloria Carruthers, actress, against
Loew’s, Inc., has been set for May
17 in the New York Supreme Court.
A notice filed Friday revealed. Plain-
tiff claims that the part of Madame
Zelinka in the film “Idiot’s Delight”
has libeled her.

DOMESTIC

BLOCK BOOKING: House In
state Committee Commerce Committee
errily into provisions of Neely
bill at hearings. It has eliminat-
ing that they were loosely dra-
and might entail endless fit-
provisions of the bill were
severely criticized. As a con-
Neady’s theater down-
was expected to expire
pressure to get better
iment. ... Last hope of a consent
decision was seen spiked with major
pressing preference for a priori
rather than a legislative, decision
ormotion at the Chicago Operators
ation which has developed some unusual
features of interest to the theater
operator, a general supply trade will
be carried on.

MISCELLANY: Selznick reti-
$2,900,000 of its bonds ... Par
earl earnings up $300,000 to $60,
$60,000 . . . Defendants in Gato
suit against Griffin Amusemen
ted reply to Gov’t de-
decision ... Shirley Temple’s age
talks single pix deals with several

FOREIGN

NAZI: German invasion of Hol-
and Belgium deals another hits
at U. S. “takes” in Europe.

U. K.: British box-office badly
by economic situation, but indus-
sitting tight ... Merger of Hym
Greater Union Theaters curren-
expected to be affected by July

THE WEEK IN REVIEW

By L. H. MITCHELL

Neely Bill Hearings

Daniel Shaver of Shaver-
CAN THE NAZIS SMASH THE MAGINOT LINE?
—CAN THE ALLIES PIERCE GERMANY'S

WEST WALL

ACTUAL SCENES OF EUROPE'S 200-MILE FORTIFICATIONS — PILL BOXES — TANK DEFENSES — GUN EMTPLACEMENTS—TO GIVE YOUR AUDIENCES A VIVID AND COMPELLING PICTURE OF TODAY'S HISTORY-MAKING BATTLEFRONT

NOW PLAYING 40 RKO THEATRES
GREATER NEW YORK
GET IT ONTO YOUR SCREEN NOW!

THE MOST TIMELY SINGLE-REEL FEATURE YOUR THEATRE WILL EVER SHOW!

ACCURATE! DRAMATIC! AMAZING!

Produced and directed by FREDERIC ULLMAN, JR.
Supervised by FRANK DONOVAN
Produced by RKO PATHE
“La Conga Nights” with Hugh Herbert, Dennis O’Keefe, Constance Moore  Universal
(HOLLYWOOD PREVIEW) HUGH HERBERT IN SIX ROLES, FIVE OF ‘EM FEMME, PROVIDES NOVELTY THAT ENTERTAINS.
The novelty of Hugh Herbert playing six distinct parts in a picture should be a help in avoiding costs to producer of low budget Universal release. Produced by Ken Goldsmith and directed by Lew Landers this little picture is funny in spots, not weighted down with dialogue or heavy plot, but it entertains. The story seems to have been built around the fact that Hugh Herbert is funny playing a female character the plays five distinct feminine characters in this, and makes no pretense to be designed for anything but filller material. It concerns the late M. E. Garber, played by Hugh Herbert, Dennis O’Keefe, Constance Moore, Joe Brown Junior, Armanda, Eddie Quillan, and a few others.

“Men Without Souls” with John Litel, Barton McLane, Rochelle Hudson Columbia
FRISON MELLER HAS PLENTY OF ACTION FOR THE PROGRAM TRADE.
Prison meller has plenty of action for consumption by the nabe patrons, and picture should serve okay as better half of dual programs. The background is authentic and undoubtedly what the picture preaches regarding the reasons for prison outbreaks may be true to an extent in some cases. John Litel is well cast as a prison chaplain. Barton McLane ably fills the bill as a convivial leader of the riotous type. Rochelle Hudson provides an attractive female atmosphere for the picture and the remainder of the cast is adequate. Glenn Ford and Don Beddoe turn in good bits. Nick Grinde directs a good piece from a screenplay written by Robert D. Andrews and Joseph Carole. Litell arrives at a notoriouosly brutal prison to fill the chaplain’s post. At the end of the first day a riot breaks out, led by Beddoe, the prison warden. Ford arrives in the prison under an assumed name having deliberately framed himself in order to kill Cy Kendall, a guard captain, because he had beaten his father to death some time before. Litell learns of the plot and disdades Ford from following out his plan but when McLane kills Kendall, Ford is blamed. From there on, to and through a railroad jungle, there is plenty of action, with Ford ultimately cleared by McLane.


CREDITS: Produced by Columbia; Director, Nick Grinde; Screenplay, Robert D. Andrews and Joseph Carole; Original Story, Harvey Gates; Cameraman, Benjamin Kline; Editor, James Swens.

DIRECTION, Ability, PHOTOGRAPHY, Good.

“The Miracle Song” (Spanish dialogue, no English titles) Azteca Films 95 Mins.
DAILY NEWS: Jose Mojica’s fine tenor voice is film’s principal attraction but film has been given an elaborate production and a number of pretty girls.

NEW YORK TIMES: Mildly entertaining, slow moving picture of life in Mexico City half a century ago.

CREDITS: Producer, A. J. Fink; Director, Rolando Aguilar; PLAYERS: Jose Mojica, Lupita Gallardo, Stella Inda.

“U” Gets Gov’t Contract
Universal again has been awarded the contract to supply picture entertainment for 84 veterans’ homes, Herman Stern announced.

“So This Is London” with George Sanders, Robertson Hare, Alfred Drayton, Burton Churchill.

ENGLISH-MADE COMEDY IS MILDLY AMUSING; WILL SERVE AS PROGRAM OFFERING.
Based on a stage play done many years ago by George M. Cohan, this English-made 20th-Fox release is mildly amusing program fare for dual bills. There are several well-known players in the cast and the cast as a whole is adequate. Robertson Hare, Burton Churchill, George Sanders, Alfred Drayton, Lily Cahill and Carla Lehmann head the cast. Thornton Freeland directed from a screenplay by William Conselman. Discovery of a new vitamin starts the proceedings off. Here, a barrister, sails for America on behalf of Drayton, his client, to interest American bread makers in the vitamin, and Churchill is their man. Churchill and his family stand for England and immediately a series of slapstick contretemps occur. Mavis Clair, wife of Hare, is a sleepwalker. Churchill scares Hare’s horse and he takes a fall. Meanwhile, Sanders is playing the two men against each other. After a siege of double crossing, discovering of imposters that not, the real inventor shows up and the two families settle their differences amiable.

CAST: Robertson Hare, Burton Churchill, Alfred Drayton, George Sanders, Faye Compton, Carla Lehmann, Lily Cahill, Stewart Granger, Mavis Clair, Ethel Revell.

CREDITS: Produced by 20th-Century Productions, Ltd.; Director, Thornton Freeland; Screenplay, William Conselman; Based on a George M. Cohan play; Cameraman, Otto Kantzerek; Editor, James B. Clark.

DIRECTION, O.K. PHOTOGRAPHY, O.K.

“Foreigners”

“The Two Mothers” (Italian dialogue, no English titles) Esperia Films 86 Mins.
DAILY NEWS: Picture is different, and has fine performances.

HERALD TRIBUNE: Film offers Vittorio De Sica an opportunity to display his versatility.

NEW YORK TIMES: Continuing an uneven record will hold audiences interest.

CREDITS: Astra Film Production; Director, Amleto Palermi; PLAYERS: Vittorio De Sica, Maria Donis, Bella Storace Sainati.

“Papa’s Mazurka” (Italian dialogue, no English titles) Esperia Films 86 Mins.
NEW YORK TIMES: Pleasant dinner. for the spectators.

WORLD TELEGRAM: Gay and sparkling picture.

HERALD TRIBUNE: Pleasant cast, audience of Italian life and progress.

CREDITS: Fonus Roma Production; Director, Amleto Palermi: PLAYERS: Vittorio De Sica, Umberto Melnati, Elsa De Giorgi.

“Alias the Deacon” with Bob Burns, Mischa Auer, Universal
67 M.
AMUSING COMEDY WITH ABLE CAST SHOULD GET PLENTY OF LAUGHS.
Exhibitors should do very well with picture. It is an amusing comedy, story form and a maximum of laughs extracted from the story by an able headed by Bob Burns, who ably and agreeably portrays a card sharp. Peggy Moran, attractively fills the top female so Mischa Auer and Edward Brophy are a number of laughs, and Dennis O’Keef is a personable young man vis-a-vis Mischa Auer. Based on an old stage play by Christy Cabanne and screenwriters Perzin and Charles Grayson have retold the humor of the story. Burns is a bit out of a town for his over dexterity a card sharp and guests Peggy Moran, who thumb a ride on a truck driven by Dennis O’Keefe to another town. Burns poses as a card sharp to avoid the law and dances that Thurston Hall is taking Virginia Prosser’s act’s tail out of her act by cross means. O’Keefe fights in a local bar operated by Hall, but he doesn’t get Burns gets Hall and his local sharpshooter into a card game and cleans them. An enjoyable picture all the way.

CAST: Bob Burns, Mischa Auer, Paul Moran, Dennis O’Keefe, Edward Brophy; Thurston Hall, Virginia Prosser; Char ters, Jack Carson, Guinness Wills, Ben nie Bartlett, Mira McKinney, Joe Shaw.

CREDITS: Produced by Universal; Director, Christy Cabanne; Screenplay, Nat Hare and Charles Grayson; Based on a play by J. B. Hymer and Leon Clohessy; Costume, Faye Nomis; Lighting, Stang; DIRECTION; Good; PHOTOGRAPHY; Good.

“Winners of the West” Universal 21 mins.
ACtional Serial Should Play Well.
Starting off with a bang, this series should please the fans that like the action over a period of weeks, as exhibits, should find the picture fulfilling their serial needs. Kids particularly should like the serial, as deals with Indians, pioneers, men and railroad builders. Foran appears as the fearless railroad man and Injun fighter, while Harry Woods well cast as the villain of the piece. The supporting cast adequate, with Ann Nagel as the female. Starting off as the first reel of the first episode there is trouble, and it is well maintained throughout the serial until Foran gets his railroad built and redskins subdued.

RKO Wants Kay Francis West Coast Bureau of THE FILM DAILY Hollywood—RKO is talking a deal with Kay Francis for “Debutante.”
THE SMASHING DRAMA BEHIND TODAY'S HEADLINES!

UNCENSORED!

A VITAL DRAMA OF THE REAL TRUTH ABOUT THE WOMEN WHO OFFER THEMSELVES UPON THE ALTAR OF PATRIOTISM!

WOMEN IN WAR

THE EMOTIONAL "BIG PARADE" OF 1940

ELSIE JANIS • WENDY BARRIE
PATRIC KNOWLES
MAE CLARKE • DENNIE MOORE
DOROTHY PETERSON • BILLY GILBERT
COLIN TAPELY
DIRECTED BY JOHN H. AUER
A REPUBLIC PICTURE
"Murder On The Yukon"

with James Newill, Polly Ann Young, Dave O'Brien

Monogram 58 Mins.

OUTDOOR COPS AND ROBBERS STORY IS ACTIONFUL AND COLORFUL.

Latest of Monogram's series starring James Newill as a member of a Northwest Mounted Policeman, this release is actionful and colorful throughout. The story has sufficient plot and plausibility to make it okay and the cast is more than adequate. Exhibitors will be able to spot this one easily as a second attraction on dual programs. James Newill ably fulfills the role of the handsome Mountie hero. Polly Ann Young lends the picture a decorative touch. Louis Gasnier directed from a screenplay by Milton Raison. Newill also puts over his singing assignments nicely. Miss Young and William Boyle are partners in a trading post. Unknown to her, he is operating a counterfeiting ring. Murder and suspicious circumstances start Newill and his partner on the trail of the gang. From there on to the finish there is plenty of rough and tumble action until Newill cleans up the gang and puts them behind bars, earning for himself a vacation which he intends to put to use in wooing Miss Young.


CREDITS: Producer, Philip Kramer; Director, Louis Gasnier; Screenplay, Milton Raison; Based on a novel by Laurie York Erskine; Cameraen, Elmer Dyer.

DIRECTION, Good. PHOTOGRAPHY, Good.

Rites for Mrs. Finkel

Pittsburgh—Funeral services for Mrs. Toby Finkel, wife of Harry Finkel, 53, Miami Beach, Fl., were held at the Ralph Schu-

gar Funeral Home here and inter-

ment was made in West View Ceme-

tery. In addition to her husband, Mrs. Finkel is survived by one daughter and two sons; William, who is associated with his father in the operation of the Arcade and Colonial Theaters, South Side, and Morris, who operates the Capitol and Hill-

top Theaters in this city.

Form Fluorescent Films

Chicago—McKay Brothers and R. W. Neithammer have organized the Fluorescent Lights Co., with offices at 912 Chicago Ave., Evanston.

Rusnak Brothers and M. A. Gordon have organized the American Fluorescent Corp., with offices at 2646 North Ave., to deal in electrical equipment for the film trade.

Resurces Five Screens

Detroit—Dickerson Screen Service has completed resurfacing of screens in the Adams, Wilson, Lancaster, President and Mt. Adair theaters.

“Riders Of Pasco Basin”

with Johnny Mack Brown, Fuzzy Knight, Bob Baker

Universal 56 Mins.

FAST RIDING, SHOOTING AND PLEN-

TY OF ROUGH AND TUMBLE WILL

PLEASE COWBOY FANS.

Johnny Mack Brown and his supporting cast of Fuzzy Knight and Bob Baker provide plenty of action in this new Universal western. Picture should please the cow-

boy fans as it contains all the action they could ask for. In addition, Brown, Knit and Baker, Francis Robinson lends the female touch and Arthur Loft provides the principal amount of villainy in the scenario. Griffiths finds a role for this action of the film, with Ford Beebe responsible for the original story and screen-

play. The production comes from the studio when he learns of certain troublesome events brewing in Pasco Valley. He discovers that Loft is trying to promote a crooked mining project, but Miss Robinson and her father, Frank LaRue have been taken in by Loft. Loft soon starts trouble on a road scale in murder and arson his principal weapons. However, Brown and his trusty henchmen round up the villains before long and everything is satisfactorily straightened out.

CAST: Johnny Mack Brown, Fuzzy Knight, Bob Baker, Francis Robinson, Frank LaRue, Arthur Loft, James Guiffroy, Lafe McKee, Charles Menzies, Ed Hassell, Rob-

ert Winkler, William Gould, Ted Adams, Rudy Souter and his Californians.

CREDITS: Produced by Universal; Direc-

tor, Ray Taylor; Original story and screen-

play, Ford Beebe; Cameraenan, William Sickner.

DIRECTION, Fast. PHOTOGRAPHY, Good.

Installs International Seats

Detroit—George W. Carr, Interna-

tional Booking representative, is installing seats in the Dawn, for the Kibbilde Circuit; the new house being erected at Keokuk, Ia., by Harrys; the Catherine, for John Covel-

skie; and the Oakland in High-

land Park for M. J. Chargel.

Van Doren Building

Burton E. Van Doren and his son, Frederic, are completing a new theater in Waterbury, Conn., to be known as the Tower. House is first in rapidly growing area of the city. The younger Van Doren operates the Hamilton, Waterbury.

Col. Signs Evelyn Keyes

West Coast Branch of THE FILM DAILY

Hollywood—Columbia has signed Evelyn Keyes to a termer and goes into "Griboullie," starring Brian Aherne.

Capital Lines Up Pix

Capitol has set "Edison, the Man" to follow "Waterloo Bridge," current, with these pix to follow during June and July: "Mortal Storm," "Susan and God" and "New Moon." with Mary Ainslee, Betty Compson, Betty Atkinson, Willy Castle.

Atlas Film Exchange New 61 Mins.

WEAKLY CONSTRUCTED MELLER FALLS BELOW PAR IN EVERY RESPECT.

Little can be said for this release. It is poorly constructed and executed in story material; cast swimming, although they try hard, are largely unknown, and the technical aspects are just so. Betty Compson is the only player with a "name." Mary Ainslee, Willy Castle, Miss Ainslee, Betty Atkinson and Tommy Wonder have the bulk of the work. Picture was written, produced, directed and written by Willy Kent. Story concerns the almost fatal mistake of Miss Ainslee is being led into a life of shame through an innocent error. Suffice it to say that Castello comes back in the nick of time after a lengthy and not very interesting preamble to this situation.

CAST: Mary Ainslee, Betty Atkinson, Willy Castle, Betty Compson, Tommy Wonder, Lorelei Readoux, Margaret Feeley, Hal Price, Etheldreda Leopold, Donald Kerr.

CREDITS: Produced, directed and written by Willy Kent; Cameo board, Harvey Gould and Marcel La Picard.

DIRECTION, Fair. PHOTOGRAPHY, Fair.

Stolz Named Commander Of Detroit Legion Post

Detroit—Russell Johnson Theat-

tical Post of the American Legion has elected as new officers: com-

mander, William Stolz, Avalon The-

er; senior vice-commander, Buddy Price; business manager, Betty Atkinson; junior vice-commander, Sam Coleman, Jam Handy Picture Service; finance officer, Owen Blough, Central Theaters; steward, N. M. Ricken; adjutant, Harry Berns, New Bijou Theater; historian, Lee Cro-

es; Majestic Theater; and sergeant-at-

arms, William Marley, National Thea-

ter Engineering Company.

Cari Russell and Harry Carson were elected to the board. New trustees are Bill Fouchey, Cari Russell, and Roy Black. Installation will be held on June 17.

RCA Sound in Beacon

Beacon, new 600-seat theater, is set to open at 40th Ave. and 10th St., Long Island City, by the Ra-

venswood Realty Corp., headed by M. Kutlskis. House is being equip-

ped with RCA photophone sound un-

der a contract negotiated by Mur-

ray Schoen, vice-president. The op-

erators are also interested in the-

aters in Brooklyn and Queens.

Win Merit Drive Awards

First awards in Merit Pictures exhibitors program were made last week. Following shows, won prizes in the order named: Ben Tendler, Grove, Brooklyn; H. Mac Herbert, President, Bronx; and Charles Cohen, Kameo Theater, Bronx. Next drawing for awards will be held Monday, June 8.

Monday, May 20, 1928

REVIEWS OF THE NEW FILMS

"Cavalade of Academy Award Winners" Universal 61 Mins.

Superb Two-Reeler Awarding of the Academy's

ous "Oscar" for outstanding achievements in the making and exhibition of short and photo-

graph has been a highlight in film history annually, since the inception of practice in 1928. The gala stars of this year is the symbolic of cinematic attainment. Of the 100 films entered this year finds little interest industry outside the "Oscars," and this is true to a wise use of the pulpit. To further step the latter's enthusiastic evaluation is obviously the mis-

for this two-reeler which was sup-

ed by Frank Capra, with compe-

tency by Carey Wilson. It is an

and "count" to strike a high noise chord in the heart of fans everywhere. It mirrors Hol-

wood brightly, builds prestige the Motion Picture Academy of America, and the "Oscars" are bestowed, and result in fmt patrons the enormous gain and skillfulumphorded by the film fashion film entertainment. Circus and exhibitors throughout the land should see to it that this short given plenty of playing time. It merits such. Footage is packed screen notables, revealing as it does the presentations of the latest trend of awards in the glamorous soil of the Cocanatoa Grove in Hollywood. Interpersed are memorable scenes from moral play photographs, which will provide "field day" of reminiscences for all types. The Way Comics have turned this two-reeler out their grand manner.

"Stranger Than Fiction"

Universal 91 Mins.

Unusual Subject Matter

Short has a number of interesting subjects in its contents that are not the usual. The oldest potter in the coun-

try is shown at his craft; a man carves strange statues out of lawn ornaments; a fresh water well in the desert of Mexico is shown; a woman with collection of 16,000 different mus-

covers is seen; animated mir-

cles, but not least of all, a man who has been shot a number of times is seen and his adventures depicted in the reel.
**Goldwyn-UA Peace Outlook Brighter**

(Continued from Page 1)

ble outcomes; one, that Goldwyn will renew his former status with UA if certain concessions are made by the distributing company; two, that Goldwyn will step out of UA completely if the company will buy his stock.

It is said that UA execs are anxious to keep Goldwyn because his product and David O. Selznick's represent the "show window" of the program. Other UA producers are strong enough to supply good pictures consistently but top executives feel that Goldwyn and Selznick's productions are needed to give the program the necessary weight.

Meanwhile, Goldwyn remains silent, apparently leaving everything to the discretion of his attorney, Max Steuer. Murray Silverstone, in addressing the Eastern convention, praised Goldwyn so strongly that the sales representatives could not help but be convinced that a settlement was in the offing.

**Sussman to Remodel**

Herman Sussman, president of the Constance Theater Corp., has announced a $20,000 remodeling job for the Colonial, Amenia, N. Y.

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**SYRACUSE NABE DAILY**

**Syraucse, N. Y.—It's Liquor Night Fridays at the Lyric, Theater, North Side nabe which plays Doctor 10 and 15 cents. House is a giveaway features five awards of whiskey, wine and beer, with ice cream tossed in for good measure.

Nabe has a five cent malaise Saturdays to 2 p.m., uses china as a premium Tuesday and Wednesday, cash the top to 10 cents additionally for Family Nite on Wednesdays, and on Saturday has Bingo with six cash awards.

**SAG Exec. Suggests $25 A Day for Coin Pix Actors**

West Coast Bureau of THE FILM DAILY

**Hollywood—In a letter to one of the companies producing slot machine movies, Kenneth Thomson, executive secretary of Screen Actors Guild, declared it is agreed that because of fact this work is so new it would be unfair to prospective employers or prospective actors to attempt to negotiate a complete agreement covering terms and conditions of work and minimum wage scales at this time. He stated, however, that members in good standing of SAG, Actors Equity Asso., AGVA, APRA, should be paid not less than $25 per day.**

He made the point that it negotiations covering hours, wages and working conditions should be instituted soon.

**"And Heaven Too" Opens at Carthay Circle June 4**

West Coast Bureau of THE FILM DAILY

**Hollywood—World premiere of "All This and Heaven, Too" will be held at the Carthay Circle here on June 4th. It will play on a two-a-day basis at $1.10-1.65. Premiere seats will be $5.50.**

**Taylor to Write "Skylark"**

West Coast Bureau of THE FILM DAILY

**Hollywood—Dwight Taylor will write the film version of "Skylark," which is to be produced and directed by Mark Sandrich for Paramount, with Claudee Colbert to be starred in it. Taylor just finished the screenplay of "Rhythm of the River" now being produced by Paramount with Bing Crosby, Mary Martin and Basil Rathbone in the leading roles.**

**Marton Replaces Wallace**

West Coast Bureau of THE FILM DAILY

**Hollywood—Andrew Marton replaces Richard Wallace as "U's" choice for director of Gloria Jean's "Little Bit of Heaven."**

**Strand, Syracuse, Dark**

Syracuse, N. Y. — RKO Schine Strand closed last night. House had been using vaude in addition to films for Friday-Saturday-Sunday since January.

**Eastman Kodak Expands**

Rochester—Eastman Kodak starts work today on a $316,685 building in Kodak Park here to provide additional space for the manufacture of photographic chemicals.
Metro To Spend $2,750,000 Advertising Film

Metro's 1940-41 Lineup Calls for Seven Musicals: Two Teams to Make Two Apiece

Metro will have at least seven musicals on its 1940-41 lineup, according to present plans. They include: "Strike Up the Band" and "Eaves in Arms," with Mickey Rooney-Judy Garland; "Home Sweet Home," with Mickey Rooney-Jessie MacDonald and Ziegfeld Girl," with James Stewart, Hedy Lamarr, Eleanor Powell, Lena Turner; "Broadway Melody of 1941," with Miss Powell; "Little Nellie Kelly" with Miss Garland.

Metro's "Crime" Series Will Spotlight Racket Inquiries

Metro's next season's short program of 85 will be headed by six "Crime Does Pay" two-reelers, several of which are to be based on important racket investigations currently in Metro's district division will be 14 Pete Smith Specialties, in which "unseen" man will feature factual material high-lighted with humor. John Nisbett will deliver nine documentaries of topical interest in Metro's "Paving Parade" series. The increasing popular documentary treatment will also be represented in a series of 10 "Miniatures," the first of which will be "The Three Wise Men," directed by Casey Wilson. Eighteen cartoons in Technicolor, will be divided between Hugh Harman and Rudolph Ising.

43 Featured Players Will Be Seen in Metro's Films

Metro's roster of featured players, backing up a stellar list of 85 total, the company's regional sales convention here was informed. Of the players included are: Judy Anderson, Edward Ashley, Lew Ayres, Lee Bowman, Billie Burke, John Carrigan, Lucille Ball, Laurne Day, Daryn Doolas, Dallas Frants, Helen Gilbert, Bonita Granville, Virginia Grey, Sara Haden, Kay Holden, Mary Howard, Jan Hunter, Ruth Hussey, Rita Johnson, George Lessey, Diana Lewis, Lila Lyon, Ilona Massey, Douglas McPhail, Frank Morgan, Ann Morris, George Murphy, Tom Neal, Maureen O'Sullivan, Reginald Owen, Cecilia Parker, Nate Pendleton, Walter Pidgeon, June Preisser, Eugene Reynolds, Ann Rutherford, John Shelton, Lewis Stone, Sheperd Strudwick, Karen Verne, Virginia Weidler, Johnny Weissmuller and Robert Young.

Birmingham Firm Plans 2 New Houses

Lloyd to Do "Bligh"

Hollywood—Frank Lloyd's picture for Universal as a prod. direct. will be on the life of the L. B. M. "Bligh." The film would be directed by either Charles Lang or Spencer Tracy for the latter.

Stewart Opposite Crawford

Metro's "Bo'sun Crawford" Ten-Feature Series

Hollywood—James Stewart was cast opposite Joan Crawford in the star vehicle "Bligh," which was filmed in Sweden with Ingrid Bergman. Production starts in the spring.

Film Bowlers Pick Ball

Birmingham—At its annual quet, held at the Roosevelt here, the Film Bowling League announced the following offices for season 1940-41: George Ball, pres; Joseph Pemberton, sec; Peter Quinter, treasurer.

22 Metro Directors


Gable and Taylor Teamed

Metro's "Burlesque of the Film Daily"

Hollywood—Metro has cast Clark Gable and Robert Taylor for "Osborn of Sing Sing," scheduled for Fall production.

GWTW Proves No Ceiling

To Revenue Possibilities, Dietz Tells Sales Staff

Continued from Page 11

sions. Addresses also were made by Tom Connors and Ted O'Shea. Meetings continued on Saturday and Sunday

attention. Attention of the convention was called to the fact that the Culler City studio never before has been so well prepared with planned story properties, scripts in work, cast assigned and productions shooting, and assignments of 21 stars to definite pictures was disclosed.

Analysis of the titles announced shows the 52 features will be chosen from releases, stills, tie-ins, shorts, 10 musicals, 3 biographies and 22 original films. The latter, in spite of the new Andy Hardy and Dr. Kildare stories. Aggregate of the Hardy-Kildare pix will probably run from five to seven. It is understood.

Local Newspaper Budgets Also

Discussing the $8,750,000 ad appropriation, Dietz told the convention that the bulk will go to newspapers and that in addition to largescale national campaigns, Metro will set up a series of local newspaper budgets centered in key cities under vision of Metro's 40 field exploitation men.

Dietz said:

"Our experience with GWTW indicates there is no ceiling to the possibilities in attendance and revenue in our business. Apparently, there is no ceiling to the business possibilities of exceptional pictures."

"Escape," cited by Dietz as one of Metro's pix designed to attract extra biz, probably will be the 1940-41 lead-off release. With the balance of the current program already finished, according to O'Shea, will include "Susan and God." The Mortal Storm," "New Moon," "Pride and Prejudice," "Auntie Hardy Meets a Debutante," "Boo Town" and "I Love You Again," the convention was told.

Stellar Assignments Made

Metro's 1940-41 program reflects these stellar assignments: Greta Garbo: "Madame Curie," based on the biography by Eve Curie, the scientist's daughter.


John Bowers: "Go West." Joan Crawford: "Louis B. Mayer's "Boulevard Nights," "Woman's Face," tenta-

title: James Stewart probably will costar in the latter.

Robert Taylor: In addition to co-starring in "Ozzy's of Sing Sin," will costar with Norma Shearer and Lena Turner in "Tropical Hurricane," and will star in "Cause for Alarm" and "Flight Command."


Robert Montgomery: "I Had a Cowardine and others."

Ann Sothern: "Dudley" and others.

Tony Garland: "Strike Up the Band," "Blees on Broadway," "also to be seen in George M. Cohan's "Little Nellie Kelly."


Nelson Eddy: Co-starred with Janice, "Mister Smith" and "Gigi." "Duel in the Wilderness," "also in Ziegfeld Girl."

Jeanette MacDonald: In addition to the two foregoing musicals, will be seen in "Sea of Grass." Stories from which selections will be made, but without stellar assignments.

Ruth Hussey: "A Farewell to Arms." "Boat Bummmel." "Oscar Wilde's "The Canter


Metro To Spend $2,750,000 Advertising Film

Birmingham Firm Plans 2 New Houses

Andalusia, Ala.—The Water
cra, Inc., of Birmingham opened its building now occupied by the Fox Theater, and will take the lease July 1. The company, which owns and operates 12 theaters, is now negotiating a site in Andalusia on which to erect a $500,000 "A" theater to be operated in conjunction with the Fox. The Fox will be conditioned operated as a "B." A new $60,000, 1,200-seat theater is already is under construction to take the place of the Paramount destroyed by fire. Located on lines of the town, the summer is in prospect, opening the Chicago Theater in June.

Lloyd to Do "Bligh"

Charles E. Croa,

Hollywood—Frank Lloyd's picture for Universal as a prod. direct. will be on the life of the L. B. M. "Bligh." The film would be directed by either Charles Lang or Spencer Tracy for the latter.

Stewart Opposite Crawford

Metro's "Bo'sun Crawford" Ten-Feature Series

Hollywood—James Stewart was cast opposite Joan Crawford in the star vehicle "Bligh," which was filmed in Sweden with Ingrid Bergman. Production starts in the spring.

Film Bowlers Pick Ball

Birmingham—At its annual quet, held at the Roosevelt here, the Film Bowling League announced the following offices for season 1940-41: George Ball, pres, Joseph Pemberton, sec; Peter Quinter, treasurer.

22 Metro Directors


Gable and Taylor Teamed

Metro's "Burlesque of the Film Daily"

Hollywood—Metro has cast Clark Gable and Robert Taylor for "Osborn of Sing Sing," scheduled for Fall production.
Admits Neely Passage May Tilt Prices
44 Features Plus Westerns Reported Para.'s Plan

Program Additionally Will Open to Some Outside Producers. It is Said

Paramount is expected to announce features, exclusive of the Harry Warner-produced Hopalong Cassidy pictures, at the company's annual convention which opens at the Ambassador Hotel, Los Angeles, on Monday. It also is reported that the program will be open to some outside producers who may enlarge the line numerically.

The 1940-41 schedule is said to be complete at convention time in any pre-season period. Although 24 features, 16 produce pictures, while both producers and directors are in preparations, it was learned yesterday. With possible outside producers the (Continued on Page 12)

Mission Taxes
$600,000 Jump

Allington Bureau of THE FILM DAILY Washington—Total admission tax figures for April ran more than 6,000 above the total reported for April, 1939, according to com- mercial monthly statement figures based yesterday by the treasury department's Internal Revenue Bu- r. This year’s collections totaled (Continued on Page 14)

IATSE to Adopt New Neely Resolution

In liminary to the opening of the Convention in Louisville, Ky., week of June 3 the union's Ex- tive Board will huddle all next week in the convention city to work the agenda. Convention head- men will be in the Kentucky (Continued on Page 13)

Feline P.A.'s Move
There's Still Vaude

Who said vaudeville was dead. "Sisie," the N. Y. Miller's winking cat, is doing personal appearances on one of the five- show-day show circuits. Cat has a booking agent, too. The store sells pictures of "Sisie" from five cents to 40 cents.

Golfers to Have Oasis

Flagons of Beer for Thrifty at FILM DAILY Tourney

Water will be taboo at the FILM DAILY Golf Tournament at Glen Oaks on Tuesday, June 11, except for use in certain hazards on the course, and for shower baths pursuant to competition on the links and tennis courts, it is announced by the Tourney Committee.

Members of the latter decided that beer, and plenty of it, must be the order of the day. Accordingly the committee members huddled with Bob ("Braumeister") Goldstein of The Tavern, who agreed that the only fair way to quench a June thirst was via the ice-cold, aromatic flagon. Hence, he's sending loads of the barley-brew to refresh the tonsils of the industry's divot-diggers. Whee! (Entry coupon on Page 3 today)

Major May Use Miami Studio of Colonnade

Several major companies are interested in using the Miami studio of Colonnade Pictures Corp. for picture with Florida locales, according to Arthur Sawyer, Colonnade president. Under present plans Colonnade itself does not expect to produce.

Sawyer is here to complete ar-

(Continued on Page 10)

Techni. Profit Tops Estimate
15 Features in Color Next Season--Kalbus

Coincident with election of four directors to serve for the next three years--Alfred Pritsch, James H. Hayes, A. W. Hawkes, and H. K. Conn, Technicolor, Inc. stockholders at their meeting yesterday were apprised of Dr. Herbert T. Kalbus, organization's president, that the combined net profit of Technicolor, Inc., and Technicolor Motion Picture Corp, for the first three months of 1940 is actually $662.

Exhibs. Ready to Meet Such a Result If It Comes, Samuelson, Allied Exec., Tells House Committee; Means "Life or Death" to Indies, Says Chadwick

By MILTON C. LUNCH, Washington Bureau of THE FILM DAILY

Washington—Sidney C. Samuelson, member of Allied States’ board and business manager of Allied Theater Owners of Eastern Pennsylvania, admitted to the House Interstate Commerce Committee that if such is the result the exhibitor is ready to meet the increased cost as his business will likewise show an increase.

The Allied exec. told the committee that there is a second possibility—that prices might not go up as competition would be restored and prices thus leveled off.

First Afternoon Session Held
Samuelson was the morning's sole witness as the hearings entered the (Continued on Page 13)

Fairbanks-Hecht Form Partnership

Douglas Fairbanks, Jr., and Ben Hecht have formed a partnership for the production of “Until I Die” for Columbia release. Fairbanks and Hecht plan to co-produce, write and direct the picture, in which the former will star. Feature was to have (Continued on Page 12)

W. E. Atkinson Rites in Virginia Today

Charlottesville, Va.—Funeral services will be held here today for William Edmonds Atkinson, 60, former vice-president of M-G-M, former

(Continued on Page 14)

Screeno-Quiz Ruled Lottery in Nebraska

Lincoln, Neb.—Fate of Screeno-Quiz, a gift stunt being tried in the state, was the same as Bank Night in Nebraska. Attorney General Walter Johnson putting in at the lottery bills and calling it "unquestionably" a violation.
The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

The FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $100.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name

Address

LAST THREE SCORES

CLUB HANDICAP

Lottery

Coast Studios to Start 11 Features This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Eleven pictures are scheduled to go into production this week.

At Columbia: “He Stayed for Breakfast” with Loretta Young and Melyn Douglas; “Gribouille” with Brian Aherne, Rita Hayworth and Dorothy Burgess; Larry Darmour’s next Jack Holt starring vehicle, tentatively titled “Missing Evidence,” with Marjorie Reynolds, Henry Kolker, Jonathan Hale and Sidney Blackmer.


At 20th-Century: “Charlie Chan in the Wax Museum” with Sidney Toler, Joan Valeris, Marciere Chapman, C. Henry Gordon, Sen Yung and Marc Lawrence; “Ghost of Cisco Kid” with Cesar Romero, Betty McLaughlin and Robert Sterling.


At Monogram: Ed Finney’s next Tex Ritter starring picture.

At Selig’s Ted Ackley’s “Hold That Woman” with James Dunne and Frances Gifford.

Kirby Succeeds Margolis As Rep. Cincy Manager

Cincinnati—George Kirby succeeds I. Max Margolis, deceased, as resident manager for Republic.

UA Exchange Moves

Indianapolis, Ind.—United Artists exchange has moved to 120 W. Michigan St.

COMING AND GOING

SPLROS SKOURAS returned to New York yesterday after a business trip to the Coast.

JAMES B. GRAINGER has arrived in Philadelphia.

STANTON GRIFFIS has returned from a trip to the Orient.

SOL LESSER returns today after a short trip to Hollywood.

JESS KNUCKLE is on his way to Hollywood, he will be there today.

GILBERT MILLER returns here tomorrow on a South American trip.

KATHERINE LOCKE flies to Hollywood via American Airlines.

JULIA MARLOWE arrives here next week the Washington.

TODD TODY, president of Dixie National Theatres, Inc., and Dixie National Film Exchange, arrived in Hollywood over the way from Atlanta on business. He will fly there to New York later this week.

JOE AMSTED, manager of the Elst, center, is on his way to California, where he spent his vacation.

MARY HEALY is at the Sherry Netherland.

EDWARD G. ROBINSON leaves the Coast today for a month’s vacation in North Carolina.

PAT O’BRIEN and DONALD CRISP are on their way to Hollywood yesterday from South Bend.

JOHN GARFIELD arrives on the Coast tomorrow.

ISA H. SIMMONS is on the Coast from New York.

SIMONE SIMON goes to the Coast to cast two picture deals.

WILLIAM K. SAXTON, loy’s man at Baltimore, was the guest of Chester B. Sununu.

BRIAN AHERNE has returned to the Coast on his own plane, accompanied by his wife, J. FONTAIN.

FINANCIAL

NEW YORK STOCK MARKE

Am. S. Close Close Change

High

Low

-41/4%

0

1-1/2%

Columbia Picts. pfd. 81 81 1-1/2 1

Con. Em. Inc. 13 13 1-1/4 1

East. Kodak 139 138 1-1/8 1

Loew’s, Inc. 25 24 2 1/2

Paramount 57 5 5 1/2

Parent 1st. Pfd. 12 1 1

Para. 2nd Pfd. 7 7 7

Pathe Film 8 8 8 1/8

RKO 8 8 8 1/8

20th Century-Fox 65 5 5 1/2

Warner Bros. Picts. Inc. 67 67 1/2

Univ. Pict. Corp. 67 67 1/2

do. pfd. 36 36 36

NEW YORK CASH MARKET

Keith B. P. ref. 106 106

Loew’s deb. 3 1/4 96

Para. ‘way 45 45 45 1/3

Para. Picts. 655

Para. Picts. cv. 3 1/2 97 84 84

RKO ref. 51 51

Waller Bros. deb. 6 94 94

NEW YORK CURRENCY MARKET

Monogram Picts. 5 5 1

Sanotone Corp. 19 19 1

Technicolor 10 10 10

Trans-Lux 16 16 16

Universal Corp. 3 3 3

Universal Picts. 3 3 3

WAR-AND-COINER-SECURITIES

Loew’s, thea. 56 1st 81 1st

Met. Playhouse, Inc. 2nd deb. 45 67 70

Roxy Thea. Wd. 44 1st 63 67

46% Increase in “U’s” Biz During Scully Drive

A 46 per cent increase in Universal business was recorded during the 19-week “Bill Scully Drive,” it was revealed at the Western sales conference which ended Sunday. Top executives discussed sales plans and policies. District meetings were held yesterday.

Frank Capra Again Heads Screen Directors Guild

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Capra has been re-elected president of Screen Directors Guild. Ernst Lubitsch was elected first vice-president; George Marshall, second vice-president; Garrison Kanin, secretary; Phil Rosen, treasurer.

Capra, John Cromwell, Kanin, Saroyan, Rosen, William Wyler, Frank Strayer, King Vidor, Frank Borzage, Victor Fleming, Tay Garnett, Henry Hathaway, Lubitsch, William A. Seiter, Norman Taurog and George Stevens were named to the board of directors. Marshall Neilan was given a life time membership.

Chaplin Picture to be Delivered. UA Advised

Reports that the Charles Chaplin picture would be put on the shelf denied by United Artists executives yesterday. Picture will be ready for distribution within 24 hours after prints are available, it was said.

Murray Silverstone, head of UA, read a telegram from Chaplin to the Chicago convention, assuring that the picture definitely would be delivered for the new season.

Feature Pictures May Revive With New Setup

Recently formed Feature Pictures, Inc., has gone into an eclipse following difficulties over financing and distribution. Company headed by Louis Grimm, was to have made a picture in New York with Gordon Wiles directing. It is understood that financing depended on a distribution contract and vice versa. It is reported, however, that the deal is not completely cold as a new setup is being negotiated.

Charles Ellis Dead

Chicago—Charles Ellis, veteran Chicago theater man is dead, after an extended illness.

Kann, Boxoffice Editor, Marries Frances Gross

Announcement of the marriage of Maurice D. "Red" Kann, editor of Boxoffice, to Miss Frances Gross of THE FILM DAILY was made yesterday by Mrs. Le Gros, mother of the bride, who was in attendance at the wedding in New York Sunday, and couple left immediately on a six weeks’ Western honeymoon.

Mrs. Partlow Hospitalized

Daton, O.—Mrs. James Partlow, wife of exhibitor James Partlow confined to the Dayton hospital illness.

WHEN SPEED'S YOUR NEED...
The adapting of my book has been a revelation to me of what sympathetic handling of a story can be. The screen version is not only the book as I wrote it—it has been heightened by the art of Miss Davis and Mr. Boyer and the extraordinarily fine cast.

My grateful thanks to all who made it possible.

Rachel Field
Complete Plans For UJA Luncheon

At a luncheon meeting held in the Hotel Edison’s Seven Arts Room yesterday, the Amusement Division of the United Jewish Appeal, under the co-chairmanship of David Bernet and Maj. Albert Warner, made final plans for the Division’s Annual Luncheon set for the Hotel Astor on Thursday of this week.

More than 500 leaders of the film and kindred branches of the amusement field are expected to attend in order to hear Rabbi Hillel Silver National Chairman of the United Jewish Appeal, speak personally to the gathering on solving the problems of suffering facing refugees in various parts of the world.

Many celebrities will occupy the dais with Dr. Silver, and the luncheon is assured of being one of the most important gatherings yet held in industry circles in behalf of the highly important charitable work.

In addition to co-chairmen Bernet and Warner, others present at yesterday’s meeting included Leopold Friedman, Howard Dietz, A. Schneider, B. S. Moss, Herman Robbins, Max Seligman, Max Rudnick, Max A. Cohen, Sam Rindler, Harold Rodner, Charles Sonin, Abe Waxman, Arthur Israel, Sam Shain, Dave Golding, Joe Lebhar, Herbert Lebhar, Jr., Milton L. Mayer, Mort Blumenstock, and Harry Buxbaum.

Westinghouse Reduces Lamp Prices June 1

Westinghouse Lamp Division, 150 Broadway, announced yesterday that a schedule of price reductions on Mazda lamps becomes effective June 1. Decision, in keeping with organization’s policy of sharing manufacturing economies with consumers, means that more than 100 types and sizes of Mazda lamps will be subject to revisions, averaging some 17 per cent.

Included in the list are projection and stereopticon lamps, as well as spotlights and floodlights.

Brosius’ Mother Dead

Detroit—Mrs. Caroline Brosius, 82, mother of Roy Brosius, manager of the Bagley Theater, is dead.

Along the Deto

ONE of the many impressive sequences—-in MGM’s “Edison, the Man”—-is the film’s flaming finale—-wherein Spencer Tracy, as the Wizard of Menlo Park, addresses a banquet honoring him and his accomplishments. This corner was so impressed by the speech—-in light of what is happening in the world today—that we prevailed upon Metro to let us have the text verbatim—and here it is:

“TO be told by the outstanding men and women of your time—that you have contributed a great deal to human betterment—is pleasant—very pleasant. I’d hardly be human if my heart didn’t fill from such a magnificent compliment. But, oddly enough, I haven’t yet achieved a success I want. Earlier this evening I talked with two school children. Tomorrow the world will be theirs. It’s a troubled world full of doubt and uncertainty. You say we men of science have been helping it. Are those children and their children going to approve what we have done? Or are they going to discover too late that science was trusted too much—so that it turned into a monster whose final triumph was man’s own destruction?”

“SOME of us are beginning to feel that danger. But we have a chance to avoid it. I once had two dynamos. They needed regulating. It was a problem of balance and adjustment. I believe the confusion in the world today presents almost the same problem. The dynamo of man’s God-given ingenuity is running away with the dynamo of his equally God-given humanity. I’m too old now to do much more than say—put those dynamos in balance. Make them work in harmony as the Great Designer intended they should. It can be done. When man’s mind can conceive, man’s character can control. This will happen—and tomorrow man will go forward to—more light!” That speech was by Thomas Alva Edison more than a decade ago.

**RKOD** Radio’s publicity force—and the Walt Disney staff—will clash in a bowling match tonight on the Radio City stage—along with the RKO’s spotting the Disney outfit...two cameramen Joe Heppner—-who has an edge on all the boys—when it comes to focusing on the head pin...Leo Samuel, Dick Condon, Bert Lewis and George Schmidt...round out the Disney quintette...while the RKO’s line up with Lou Gaudreau, Ken Hallam, Al Adama, Jack Lewis and Jack Level.

**RKO** Saturday’s Amma meetin’ at Dempsey’—will find Uncle Don, WOR’s master of the bedtime story...on the program with James J. Walker and Blanche Ring...plus two winners of the Uncle Don—Monogram Talent Contest...Marcella Wissman and Buddy Swan...Sounds like a hummer.

WILLIAM Anderson (“Bill”) Orr—assistant to J. Robert Rubin, v.p. and general counsel for M-G-M—has been elected presxy of the Society of the Slurhians...the veteran local newspaper writers’...Bill began his journalistic career hereabouts in 1808...and six years later was made city editor of the N. Y. Tribune...A year later, Charles S. Whitman, then Governor of New York, selected Bill as his secretary...later appointing him State Superintendent of Prisons. **Tomorrow** afternoon, Merle Oberon will be honored guest—at the exhibition titled “90 Years of Fashion”...sponsored by the Duchess of Windsor’s Committee...in the John Wanamaker auditorium.

**DATE BOOK**

Today: Metro regional, Sheraton Washington.

May 24-26: Paramount sales convention at Crowne Plaza Hotel, Los Angeles.

May 27-30: RKO sales convention, New York...Queen City Variety Club, spring free dance, Plaza, Cincinnati.

June 3: IATSE convention opens, Hotel Astor.

June 4-7: Columbia sales convention, Hotel Astor.

June 5: RKO stockholders’ meeting, WIlm.

June 9-11: TOA of North and South convention, Ocean Forest Hotel, Beach, S. C.

June 10-12: Warner sales convention, Burb.

June 17: FILM DAILY Golf Tournament, Oak Golf and Country Club, Garden City.

June 11-14: Columbia sales convention, Tid City.

June 16: Coast Warner Club golf tour, Altsdena Country Club.

June 17-19: Warner sales convention, C.

June 18: Paramount stockholders’ meeting.

June 19: Warner Club “mystery cruise.”

June 19-21: Allied States convention, C.


June 24: MTPO of Virginia mid-summer venture, Chesmer Hotel, Old Point.


July 9-10: CEA Summer Conference, Dallas.

Nov. 11: A F of L convention open, Orleans.

Nov. 21: Motion Picture Associates ball, Astor.

Dan Sears Planning Drive-ins for Toledo

Willoughby, O. — Dan Ster, owner of the Willoughby Theater, nounces that he has negotiated a franchise to build and operate a chain of Drive-in theaters in Toledo territory where he now two other theaters under consideration. Sears also has an option on a franchise for the Youngstown-Manistown Canton territory.

Cleveland—Milton A. Monroe Co-operative Theaters of Cleveland will publish book two new Drive-in theaters under construction. One is built by E. A. Ballou on Park near Uniontown. The other is between Toledo and Fremont and being built by Bernard A. Cost.
Columbia brings you the first film drama depicting in all its stark reality the insidious uses of "Fifth Column" activity and of parachute troops playing their horror part in a dramatic love story against a great physical background!

THE FOLLOWING PAGE IS BOX-OFFICE NEWS
EUROPE

A DRAMATIC LOVE STORY AGAINST A GREAT PHYSICAL BACKGROUND...!

COLUMBIA'S BIG BOX-OFFICE SCOOP!
“Sandy is a Lady” with Baby Sandy, Butch and Buddy
Universal 64 Mins.

(HOLLYWOOD PREVIEW)
SOLID ENTERTAINMENT DELIVERED BY SEASONED PERFORMERS AND EXPERT DIRECTOR.

To Director Charles Lamont can go much credit for making this Universal release sixty-four minutes of solid entertainment, offering material that has been used in pictures written into the script. However, the cast is composed of such seasoned performers, and the suspense sequences are so well directed that you’d never know you have seen them before. Baby Sandy, in her fourth appearance before the camera, at the ripe old age of twelve, has lost none of her skill, billed as the “Little Tornadoes,” Butch and Buddy, who were first seen in “The Under Pup,” are amazing in their musical numbers. The Charles Lamont production, Eugene Pallette, Edgar Kennedy, Fritz Feld, and Mischa Auer, give excellent performances in roles that suit their personalities perfectly. Starting at a day much as she would any other, Sandy suddenly finds herself seriously mixed up in the affairs of a famous lady. She is taken on a busing tour by Butch and Buddy; gets lost, is kidnaped, used as a pawn to extract money from a wastrel’s rich uncle, saves a cafe from being blown up by a bomb, is the cause of the(?) Bing Gilbert retrieving his lost job, sells an invention for Mischa Auer, gets her father a raise in salary, uncovers a racket by a buyer which enables her dad’s employee to obtain a much sought after contract, and ends the day with nothing more than a pair of earrings. Picture is a joy and a delight of expression. The scenes where she is atop the steel work of a building under construction, being blown up by a bomb, is climbing frantically over the network in an effort to save her are the most thrilling film sequences of the year. Director, Charles Lamont; Nan Grey as her screen parents haven’t much to do, but they do it well. Miss Grey has never looked lovelier. The screen play by Charles Grayson is excellent. Photography is good, and the sets by Jack O’Connor are as usual, characteristic and excellent background. Charles Previn’s music is tuneful and well scored.


CReditS: Associate Producer, Burr Kelly; Director, Charles Lamont; Nan Grey; Editor, Charles Grayson; Screenplay, Same; Came, Cameron, Milton Krasner; Art Director, Jack O’Connor, Associate, Haveld H. MacArthur; Editor, Philip Cahn; Musical Director, Charles Previn.

DIRECTION, Very Good. PHOTOGRAPHY, Good.

ATAHT in 150 Minutes
West Coast Bureau of THE FILM DAILY

Hollywood—Warners’ ATAHT will have a running time of 150 minutes, as a result of final editing in which Robert Field, author, supervised. Fix will be nationally released June 29.

“I Can’t Give You Anything But Love, Baby” with Boderick Crawford, Peggy Moran, Johnny Downs
Universal 61 Mins.

FAIR COMEDY WITH GENERALLY LIVELY SITUATIONS BUT SHORT ON STRENGTH FOR LARGE STANDS.

While the Moses youthfull kid—Los Angeles catcher, good and bad, raises Miss Mischa Auer, the roommates for young Miss Mischa, then forces a youthful composer to supply the melody. The latter and his sweetheart are held incommunicado in the gang leader’s apartment, while the mob members sail forth to compel music shops, radio stations and drug stores to plug the song exclusively, and the movie is as much a public favorite. Entire footage is made in a light vein, with humor supplied by silly situations, close to slapstick characterization, and the goofy quality of the lyrical creations. Those film theater outlets which are essentially homey will enjoy this picture suited to that policy. It is entertainment of a mild and innocuous sort. Cast does the best it can with material, and so does the technical staff. Direction and photography are okay.


CReditS: Director, William Auer; Art Director, Gilbert Stansfield; Associate Producer, Ken Goldsmith; Original Story, James Edward Grant; Screenplay, Arthur T. Hoffman; Adaptation, Paul Gerard; Musical Director, Charles Previn; Assistant Director, Charles Previn; Came, Cameron; Elwood Bredell.

DIRECTION, Okay. PHOTOGRAPHY, Dire.

“Icepoppin” to Start at Center Before Aug. 1

Miami Beach, Fla.—A. A. Lynch, president of Paramount Enterprises, Inc., announces a $25,000 lease on a movie theater to be included in a $750,000 structure on Lincoln Road by Moses Ginsberg, New York steamship operator. The theater will be a $250,000 de luxe, seating 1,900. Plans are being completed by Alberic A. Animus and Robert L. Weed, Miami Beach architects.

Commonwealth Acquires Shirley Temple Shorts

Commonwealth Pictures Corp. has acquired the exclusive 16 mm. distribution rights to the following group of two-reel comedies featuring Shirley Temple: “Dora’s Dunking Doughnuts,” “Pardon My Pups,” “Managed Money,” and “Merrily Yours.” Shorts were produced by Educational.

Paras Enterprises Leases Moses Ginsberg Theater

Miami Beach, Fla.—S. A. Lynch, president of Paramount Enterprises, Inc., announces a 25-year lease on a movie theater to be included in a $750,000 structure on Lincoln Road by Moses Ginsberg, New York steamship operator. The theater will be a $250,000 de luxe, seating 1,900. Plans are being completed by Alberic A. Animus and Robert L. Weed, Miami Beach architects.

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Coast $100,000 Drive-In To Accommodate 800 Car
West Coast Bureau of THE FILM DAILY

Hollywood—Immediate construction of a new drive-in theater, located at the junction of U. S. Highway No. 101 and Ploentali Ave. in Orange County, is announced by the recently re-organized Drive-In Theaters Corp.

The company currently operates Drive-In Theaters in Los Angeles, Burbank and Phoenix, Arizona. Plans for the newest addition to the Drive-In chain calls for an initial expenditure of $100,000. The opening date for the new theater is tentatively set for June 19.

Heading the executive staff of the new project are: Robert Power, S. D. Perkins, Chester A. Black, N. H. Brover, E. A. Gertty, J. H. Turner and G. E. Arick. All are familiar figures in the motion picture exhibition field.

Arthur Eddy Quits Warners

West Coast Bureau of THE FILM DAILY

Hollywood—Arthur W. Eddy has resigned from Warners’ publicity department. He plans to make a trip to Europe, returning to the Coast for new affiliation.

Tuesday, May 21, 19
Galesburg, Ill., turns town upside down in huge 2-day celebration of World Premiere of Paramount’s gay college romance of the Class of 1904 at good old Siwash. Wire correspondents, photographers, broad casters, cover gala program. Monday, May 20: Arrival of All-American College Queen contest winners for selection of national winner by Producer-Director Ted Reed . . . town and townsfolk decked out in 1904 decorations and costumes . . . Street Fair . . . Military review . . . bonfire party on Knox Campus . . . welcome to Hollywood star delegation, including Judith Barrett, J. Carrol Naish, Lynne Overman, Muriel Angelus. Tuesday, May 21: Baseball games . . . tennis matches and street parades . . . banquet for the press at Hotel Custer . . . coast-to-coast NBC broadcast on “Battle of the Sexes” program . . . capped by the four-theatre World Premiere!

FLASH! Entire Premiere ticket sale grabbed up by anxious crowds two hours after box-office opens . . . one week in advance of opening!
Balaban Attacks Contempt Findings

(Continued from Page 1)

ing of three-year franchises with Loew's on March 1, 1934, and another one dated Dec. 1, 1936. Attorneys claimed there was no evidence supporting the finding that Balaban had knowledge of the collective effect of these contracts.

Say Balaban Signed Only One

The only contract Balaban signed, attorneys, claimed, was the one signed in 1934, which was done for the corporation. All others, it was said, were signed by other B & K officials. There is no proof, it was contended that Balaban helped to negotiate the contracts in question.

Other objections stated that (1) the master's report failed to state that Balaban was loaned to Paramount from July, 1938, to November, 1938; (2) the designation of B & K and Paramount as one defendant was at variance with the pleadings; (3) there was nothing to support the finding that B & K and other distributors made contracts which held first-run admissions at 50 cents minimum for Loop theaters.

Claim No Monopoly in Loop

It was further asserted by the attorneys that evidence did not support the finding that independents were unable to obtain Loop first-runs. There was no Loop monopoly.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities


Tim Holt in Western Series

Hollywood—RKO will star Tim Holt in six Westerns.

they claimed, and evidence failed to show that the pictures which B & K could not use were not available for other Loop exhibitors.

Objection was made to the contention that Paramount had knowledge of collective effect of B & K's film contracts. B & K and Paramount Pictures should be treated as two separate defendants, it was said. The master will set a hearing date later.

TMAT Trio Would Bar Hearing on Charges

New York Supreme Court Justice Aaron J. Levy yesterday restrained the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union, Local 18032, from hearing charges against Max G. Felder, Ben Braudie and Stockton G. Leigh, pending an application of the latter three members of the union to bar the hearing. Suit was filed Saturday by the three members against Joseph Silverman, treasurer, and Charles P. Carroll, union executive, charging them with malfeasance of office.

The suit asks for the appointment of a receiver, an accounting of funds held by the officers and an injunction. The plaintiffs contend that the steps taken to remove them followed the filing of the suit.

Indiana Allied Defers Mid-Summer Convention

Indianapolis, Ind. — Mid-Summer meeting of the ATOI will be held at Spring Mill Inn, Spring Mill Park, near Mitchell, June 25-27. The convention was previously set for June 10-12 at Lake Wawasee, Ind., but due to the National Allied convention in Chicago, June 19-21, the board of directors thought it advisable to hold the ATOI convention after the National Allied meet, so that reports of the delegates could be made.

 Majors May Use Miami Studio of Colonnade

(Continued from Page 1)

rangements for equipping the studio and discuss plans with various companies.

Hol Kopplin Convalescing

Miami, Fla.—Hol Kopplin, publicity director for the Wometco chain of theaters is convalescing from an appendectomy.
"A top grosser of this or any year. A natural boxoffice smash!" — The Film Daily

MOPS UP BROADWAY

Does all the business on the street at the Roxy, playing to 59,273 over weekend, jamming in 1,200 standees at one show alone!

...LOOK AT 'ER GO!

(It's the same record-smashing story at Omaha, Pittsburgh, Clinton, Baltimore!)
Fairbanks-Hecht Form Partnership

(Continued from Page 1)
been made in the East by Hecht and George Jessel, but shooting has been shifted to the Columbia lot in Hollywood.

It is understood that Fairbanks has been planning to launch a production career on his own for some time with the tie-up with Hecht is reported to be the first step.

"Until I Die" was written by Hecht and is said to be a melodramatic comedy.

Burns to Direct RCA's Exhibit at World's Fair

As the result of the important role television is playing in the RCA Exhibit at the World's Fair, and is expected to play in the show business of the future, M. F. Burns, assistant vice-president, who has been in charge of RCA Photophone's West Coast movie industry relations, has been appointed to direct the company's Fair Exhibit.

Joseph D'Agostino, on leave of absence from NBC's engineering department, will continue in charge of the exhibit's operations, the position he held last year.

III. Women's Clubs Fed. Declares for School Pix

Chicago—The Illinois Federation of Women's Clubs has clamped aboard the school film band wagon, via adoption of the report submitted by Mrs. Frances J. Waindle of Oak Park, chairman of its Motion Picture Department.

Report plus correlation of films with text books, urges establishment of film libraries, centrally located, to permit free circulation of pictures among the schools, calls for a campaign to "sell" the school boards on the use of films, and advocates inclusion of a visual education course in university and college curriculums, with such a course mandatory in teachers and normal colleges.

Mrs. Wood's Best Ready

Terre Haute, Ind.—The Best, new film being built by Mrs. M. A. Wood, will open June 18.

MP Research Council's Neely Arguments

Based on Misinformation, CTA Contends

San Francisco—Charges that the MP Research Council's campaign for the Neely block-booking measure is largely based on misinformation is made by representatives of the California Theatres Association who have been investigating the Council's pressure campaign.

The Association spokesmen contend that very few of its members or those who have heard its speakers install the benefits of the Neely bill have actually read the measure and have blindly accepted misinformation.

As an example, it is pointed out that Council speakers assert that the measure will enable those theaters to pick and choose any picture they may want.

Theater "Treasure Hunt" Has Triple Tie-up

Troy—Unique way of getting people into a theater through a alert triple radio tie-up is utilized by Troy Theater. Warner Brothers here have in a Treasure Hunt that goes on the air via WTRY three times Saturday night.

First broadcast at 6:45 P.M. tells the people what to collect, typical collection being a buggy whip, copy of "Yes, We Have No Bananas," "right" and forward from a map and three types of bells with different sounds, a harmonica and someone to demonstrate are told the attraction and learn that is a complete showing of the late bill will take place after "judgment" at 8:45. Time is an element, with the contestants bringing their booty in.

Next radio program, with Tip Corning emceeing brings the judging to the stage when it is put at 10 P.M. outfit is again on the air with the winners. While winners are actually talked on then schedule as they enter theater lobby and deposit the booty, it is taken from them and tagged to keep up the suspense and pack the stage for two subsequent showings. In every instance the pictures playing etc., are plugged by the announcer.

Manager Leo Rosen, originator has found second show arrivals talking of the broadcast, which is attractive to meeting night club and other Saturday night competition.

Tenn. Exhibs. Using Gas For Cooling Tax Levy

Nashville, Tenn.—Test suit of the Knoxville Theaters Inc., Knoxville, in which the plaintiff sought to recover $87.50 in taxes paid under protest to State Commissioner of Taxation George McCanless, on liquid carbonic acid gas used in the air-cooling machinery of its theaters, was dismissed by Chancellor James B. Newman.

Attorneys for the theater maintained that the Tennessee Legislature, in passing the tax measure in 1932 for the collection of taxes on the gas used in preparation or sale of soft drinks or other beverages or "for any other purpose," did not anticipate the tax of the gas when sold for cooling pictures.

Chancellor Newman held however that the five cents a pound tax on the gas must be paid regardless of the use to which it is put. The expression "for any other purpose," is broad enough to include any use of the gas, the Chancellor declared.

44 Features Besides Westerns Para. Plan

(Continued from Page 1)
program may be swelled to include anything from 80 to 90 pictures.

Home office delegation left for Coast yesterday on the Commodore Vanderbilt and be augmented by local sales representatives en route. They will make a brief stop at Gal- burg, Ill., where the premiere of Paramount's "Those Were the Days" is scheduled for tonight.

Para. Convention Special Picks Up Key City Reps.

Chicago—The Paramount Convention Special will pick up local and other key city representatives today as the sales contingents move toward the annual convention in Los Angeles. Chicago's delegation includes A. Usher, J. H. Dohoney, H. F. Lumburg and B. Eldred.

Joining the Convention Special here were H. Gray, Denver; and M. R. Clark, Cleve- land; D. Rineyman and G. Elmo, Pittsburgh; J. G. Ochlock, Indianapolis; J. T. Howard, St. Louis; K. Howard, Detroit; F. C. Car- sten, Cleve; J. H. Stevens, Indianapolis; F. Colby and G. Goodman, Baltimore; D. Duren, Atlanta; S. Lett, Charlotte; E. Price, New Orleans; E. M. Burns, Minneapolis, W. O'Neill, Toronto; M. A. Brown and William, Montreal; P. J. Hogan, N. W. O. Kelly, Calgary, and D. M. Brock, Winnipeg.

Stopping at Kansas City tonight, the Special will pick up H. W. Brady, L. W. McCanns, D. Hogan, J. D. Jones, Oklahoma; S. C. Lile, J. W. Minter, J. C. Wolfe, R. C. Wolfe, Kansas City; and C. Roeder, St. Louis; A. Mendez, Omaha; R. M. Copeland, Des Moines; B. J. Haines and F. J. Fritcher, Minneapolis.

Representatives traveling directly to Convention headquarters in Los Angeles are W. Hambler, Vancouver; H. M. Else, J. Batten, and A. Taylor, San Francisco; M. Segal, G. Haviland, Seattle; A. R. Anderson, Portland; C. J. Bell from Denver and F. B. Smith, Salt Lake City.

New Study Guides Prepared

Under the sponsorship of the Committee on Motion Pictures of Department of Secondary Education in the National Education Association, illustrated guides to a number of features and shorts have been prepared for release by Educational and Recreational Guides, Inc. "Our Town," "Edison, The Man," "School Days" and Warner Bros. patriotic shorts are among the subjects selected.

Carnival Ban Proposed

Charlottesville, Va.—A committee of Albemarle County Board of Supervisors has been appointed to confer with the local City Council regarding the barring of carnivals from this section.

Book Preview of Pix

Cleveland — The Cleveland Public Library is presenting a Book Preview of motion pictures in the grand common of the Terminal Tower for 10 days. Short subjects have a special place in the exhibit under the heading "You Have Heard Their Voices" which includes photos by Pete Smith, Carey Wilson, John Nesbit, James FitzPatrick and Robert Schmidt.
Admits Neely Passage May Tilt Prices

(Continued from Page 1)

and week. For the first time, an amino session was convened, to early recessing in the moment. No more afternoon sessions are ac-

...distributors but the to they the now it visualized us synopsis aow if one made block-booking

...a job of identifying, without con-

...time, there will be no more talk of box-office slump, he declared. Coming into details of the tech-

...operation of the industry, Samuelson stated that the committee could not get a clear picture unless they visualized a "bottle neck" of distributors that all worked on the distribution end of the whole. He declared that it was immate-

...the committee the five leading distri-

...turers there as long as distribution is hand-

...through the "Big Eight."

...intending that the public wants the finer pictures, Samuelson gave the committee the five leading distri-

...and the five lowest-grossers on the Newton N. J. theater from back to 1930. "Tugboat Andy was his biggest grosser, taking only over $2,000, he said. He con-

...the five top-grossers for each month demonstrated that the public security on the better type picture in-

...twinkle Suggests An Answer

...Alfred Bulwinkle (D., N. C.) restated that the comparison might be fair as the better pictures played on week-ends and poor for a longer period.

...1923, there were 18 national distributors. Samuelson said, which had been narrowed down to eight through "monopolistic
tices on their own theaters, Samuelson contended.

...Proportion of Goo Pix Down?

...Replying to a statement by Rep. Luther Patrick (D., Ala.), that pictures are now improved on their own under the distribution end of the "Big Eight," Samuelson stated that the proportion of good pictures today is not as high as in the 20's.

...Samuelson said there is no reason why the producers cannot give a true synopsis. Cancellation privilege will not be necessary if they select competitive buying rights, he testified. Independents will then be willing to share the risk with the producer, he said.

...Speaking for the independent pro-

...ducers, L. E. Chadwick, president of Independent Motion Picture Producers' Assn., was the lone witness at the afternoon session.

..."This bill to us means life or death," he declared. He pleaded with the committee for approval of the bill to restore "economic freedom" in the industry. Chadwick cited the decline of independent producers from 34 in 1927-28 to present time and also claimed the number of distributors has declined.

..."Block-booking is one of the things that obstructs free flow in our industry," he stated. The Neely measure is no panacea, he testified, but "it's a step in the right direction of economic freedom." Other industry evils he cited were, interchanging of assets by the majors; Big Eight control of control of prices; overbuying as the result of block-booking and hindrance to new theater building product of five independent exhibitors.

..."Having the committee that if the bill becomes law there are only five independent producers would resume work. It is a common practice for exhibitors to buy all the product of the Big Eight to keep competitors from obtaining film, he stated.

...Indies' Synopsis Problem

...Replying to a question from Rep. Patrick as to whether he could supply a synopsis for each of his pictures as provided in the bill, Chadwick stated such a provision was not necessary in that language. He stated, however, that he could give the name of the picture, stars, what the film is based on, principal char-

...tlers and directors. Asked what would occur if he had to make changes, Chadwick stated it would then be up to him to recoll the picture.

...Declaring that the majors went through the production of "nu pictures to glut the market and force independent producers out of business, Chadwick stated the measure would free the majors also of this practice in which they are now trapped.

**Doorman Dies as Fabian House in Albany Burns**

Albany—Harmanus Bleeker Hall, Albany's oldest theater, an RKO Fabian house, was totally destroyed by fire yesterday.

Loss is estimated at $50,000

Body identified tentatively as that of Al Crier, veteran newsman, was found in the ruins late yesterday. Crier discovered the blaze, turned in the alarm.

House was owned by Chris Buck-

...y, who now operates the General Stark at Bennington, Vt.

**Yamins Flies to Neely Hearings at Capital**

Boston—Nathan Yamin, National Allied director and former prexy, flew back to Washington yesterday to attend the Neely bill hearings. Frank Lydon, president of the Independent Exhibitors Inc., will not return to Washington because of business pressure. Lydon has sent a prepared statement to the House.

**Leo Gets French Comedy**

Leo Films Inc., represented by Sylvia Sanders, now in Paris, has obtained the American distribution rights to the French comedy feature "Les Jumeaux Des Brighton" ("Twins of Brighton"). Raimu, Michel Simon and Suzy Prim are featured.

**Admission Taxes In $600,000 Jump**

(Continued from Page 1)

$2,000,902.18, while the 1959 tax return were $1,584,721.22.

Total Broadway admissions figure for April of this year was $390,146.

Both sets of figures for April of this year, however, represented a drop from March totals which were $2,590,531.62 for the U. S. and $647,531.52 for Broadway.

**Expect IATSE to Adopt Anti-Neely Resolution**

(Continued from Page 1)

Hotel. Having already voiced opposition to the Neely bill, it is expected that the IA will go on record at the convention as being opposed to it.

**MPA Luncheon Tomorrow**

Due to conflicting dates, the Motion Picture Associates will hold their luncheon at the Astor tomorrow instead of Thursday, as previously announced. United Jewish Appeal luncheon is being held at the Astor Thursday. Luncheon is final one of Spring season for the Associates.

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**Wedding Bells**

Cincinnati — Universal's Adelaide Will marry George McDonald in June.

Irvington, Wis. — Don Reed, a
ty of the Plaza Theater here, married Reta D. Terhorst.

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**PRO-ALLY?**

**Wilmington, Del. — Double feature scheduled next Saturday at the nab**

**LET ME TELL YOU HOW JOHNNY HOW YOU CAN LOVE BRITISH INTELLIGENCE**

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**PARDON MY ERROR**

The stork meekly smiled

"I overlooked wifey and gave hubby the child!"
Hold Rites Today
For W. E. Atkinson

(Continued from Page 1)

vice-prexy and general manager of Roxy Theaters Corp., and former president and ancillary receiver of Fox Theaters Corp. Interment will be in Monticello Memorial Park. Death, from a heart attack, occurred Saturday night.

A native of England and a Boer War veteran, Atkinson entered the film industry in 1916 via Kinemacolor, which he served in 1913 as Western division manager. He joined Metro Pictures Corp. in 1915 as special field rep., rising eventually to executive vice-prexy. In 1924, he was named M-G-M vice-prexy and general manager, resigning the following year to become general manager of Roxy Circuit, Inc. In 1928, Atkinson retired, but in 1932 became prexy of Fox Theaters, succeeding Harley L. Clarke. In the same year, with John F. Sherman he was named an equity receiver for the company, subsequently again retiring.

He leaves a widow, the former Ethel M. Carstang of New York, and two sons and a daughter, Edward Wilson Atkinson of Wellesley, Mass., and William B. Atkinson and Miss Marian E. Atkinson, students at the University of Kentucky. Also surviving are two brothers and three sisters, all residents of England.

Canadian Promotions
Announced by Depinet

(Continued from Page 1)

manager at Montreal, succeeds Meyers.

Hattion F. Taylor advances from the top seat at Calgary to fill Plotte's spot in Montreal. Joseph McPherson advances from salesman at Calgary to the management of that office, succeeding Taylor.

Paul Cardell, formerly Calgary booker, moves up to salesman in the same office, taking over McPherson's territory.

Robert Radis has been engaged as booker at Winnipeg to fill the vacancy created by the promotion of Mr. Cardell.

Brando Gives Up the Park

Brandt Theaters ceased operating the Park, Columbus Circle, last night. Owners of the building had a reprise clause in the lease which they exercised, reportedly because they plan to tear down the building.

Milwaukee Mayor Wants Censors With Power

Milwaukee—An ordinance providing for the creation of a motion picture commission with censorship power will be brought before Mayor C. Z. Zeidler, by an opinion of Asst. City Atty. Werner A. Wilkin, which stated that the present commission is merely an advisory body and that final power to revoke the license of exhibitors violating the commission's recommendation rests in the hands of the mayor. The commission recently refused to alter its approval of the "Primrose Path." After Mayor Zeidler had asked it to reconsider its action.

Final Metro Sales Meet
Ends in Capital Today

Washington Bureau of THE FILM DAILY
Washington—M-G-M's fourth and final sales meeting, under the chairmanship of Mr. Brucie, was held today at the Hotel Shoreham. Among those attending from the home office are W. F. Rodgers, general sales manager; Allen Spiegel, vice-president in charge of foreign sales; T. J. Connors, Eastern, Southern and Canadian sales manager; Edw. W. Aaron, assistant to Rodgers; Charles Deesen and Harold Postman, assistants to Connors.

Branch staffs here include:

Atlanta: Charles E. Konsewich, district manager; Roy Avey, branch manager; Louis Covan, assistant manager; William M. Pugh, assistant manager; Joseph Riddle, assistant manager.

Boston: John T. Carney, manager; John H. Wood, assistant manager.

Cincinnati: John F. Hoffman, manager; John D. Young, assistant manager.

Cleveland: Frank D. How, manager; William H. Brauer, assistant manager; Jacob B. Suss, assistant manager.

Dallas: Larry D. Moore, manager; Lawton H. Cooper, assistant manager.

Detroit: Charles C. Miller, manager; Louis S. Miller, assistant manager.

Great Britain: William B. Zocher, branch manager; James N. Byrd, Jr., assistant manager.


Conn. MPTO to Discuss
Neely Divorcement Bill

New Haven — Connecticut MPTO will present a symposium on the Neely divorce bill and its provisions at a luncheon-meeting at 12:30 today at Cenel's Cafe Melone. Arthur H. Lockwood, president, will argue the bill from the proponent's point of view; Bernhart E. Hoffman, Warner executive, from the opposition stand. Executive secretary Herman M. Levy urges exhibitors to be present in order that they may benefit by this analysis and receive copies of the bill.

Allied Theaters of Connecticut will also meet at luncheon, at 12:30 p.m., today, at the Hofbrau Haus Restaurant, with A. M. Schuman presiding.

Behling Rites Thursday

Funeral of Ralph Behling, former business agent and member of Local 4, Brooklyn stagehands, will be held Thursday morning at his home in Brooklyn. Behling, who is survived by his wife, dropped dead Sunday night in a booth at the American Jubilee show at the Fair where he was operating a spot. Interment will take place in St. Johns Cemetery.

Technicolor Profit Exceeds Estimate

(Continued from Page 1)

694.47 instead of the previously estimated $856,000.

Dr. Kalms declared that the recently announced slash of a cent in Technicolor base price would make "the new series of feature productions" going before the cameras in July or August. He told the meeting Pioneer Picture and Selznick International group he since Jan. 1, 1940, exercised option on some 35,000 shares of Technicolor. Options held by film companies generally are exercisable a $1.25 per share, but that recently the Technicolor board decided that option of its own employees could be exercised at $10 per share.

British Loss Is Small

The British branch of Technicolor more than 51 per cent, which owned by Technicolor, Inc., has shown some loss in recent months due to the war, but this drop not appreciable. Dr. Kalms explained. He said that business in England was good until November last, but then Technicolor, Ltd, went into the red to extent of about £15,000. In March of this year, the labor was small, and April operations showed production of 1,500,000 feet with consequent net of approximately £800. May, according to cabled, appears likely to equal the April volume. Kalms added that currently in Britain there are no film productions in Technicolor being made.

Price reduction on Technicolor here, he said, has been very well received by the industry, and he believes that many films which otherwise might not find their way in the process will now do so. As proof of the rising tide of Technicolor productions, he added that 15 features are planned for 1940-41, within the maximum of any one previous year was 12.

Matrices Improved

Great progress has been made in Technicolor research, he added, and matrices which is expected result in the abolition of one of the four components of the process, thus improving it. Matrices, too, have been improved, as well, the characteristics of the blank on which matrices are used.

Kalms said that another marked advance has been achieved in the field of special effects and that Technicolor has caught up with black and white in this respect.

Service With a Smile

Albany—Service with a smile was pro-vided by Dan Halilian, 20th Century-Fox booker, Thursday night. Mr. Schine's Maltese, the 475-mile round trip was covered in fastest time by Halilian, who served in time Saturday afternoon to make the first feature showing in the theater.
AMERICAN WEEKLY... WITH ITS 7,000,000 CIRCULATION... COVERING THE ENTIRE COUNTRY FROM 21 KEY CITIES... SELLS YOUR ENGAGEMENT THRU THIS FULL PAGE COLOR AD!

MESS-ED

IT'S GOING TO BE A BLESSED EVENT!!

HE was she, and SHE was he... The Stork was amazed to find, Now, where to leave the bundle of Joy... Is driving him out of his mind!

TIL MANNING—A One Man Symphony in Stomach Glasses and Banging Blood Pressure!

MARIAN MANNING—Who Bored the Boss After Hours

JOEL CLARE—Inventor of the “No-Stop-No Breeze Underwear”

ALLAN FURGON—Who Made the World “Sheer and Sung” Bedside Consequences

 "I can’t understand it,” Cried the Stork with a shout, “This amazing young couple Did a complete TURNABOUT. “They argued and fussed, And were bored with their life, “Until they changed places As husband and wife, “Now SHE goes to the office, HE breakfasts in bed, “And who’s to get Baby? Makes my face red!”

Hal Roach presents THORNE (Topper) SMITH’S MOST HILARIOUS NOVEL

"TURNABOUT"

Adolphe MENJOU • Carole LANDIS • John HUBBARD
William GARGAN • Verree TEASDALE • Mary ASTOR • Donald MEEK • Franklin PANGBORN • Joyce COMPTON

Directed by HAL ROACH

Released thru United Artists
IRVING CUMMINGS

Director

“LILLIAN RUSSELL”
23 Top Execs. To Be Gov't Witnesses

Pettijohn Leads Attack on Neely Bill Today

By MILTON F. LUNCH

Report Pearson, Rowland, Tally, Chadwick and Goldburg to be First Gov't Witnesses

Government's equity action, as now framed, calls for the appearances of Elmer Pearson, for 10 years vice-pres of Pathé; Richard Rowland, veteran producer; Thomas L. Tally, pioneer West Coast exhib; I. E. Chadwick, another veteran producer, and Jesse J. Goldburg, long identified with production, as initial witnesses, it was reliably reported last night.

Roadshow Dep't for WB's ATAHT

Grad L. Sears, Warners' sales chief, contemplates the setting up of a road show department to handle ATAHT, with the probability that the department may be given a further lease of life to take care of "The Sea Hawk."

Decision as to roadshowing "The Sea Hawk," will be made later. Conditions nationally will determine it, it is understood.

Warners plans for ATAHT road shows include such presentations in principal summer resorts, such as Atlantic City, it is said.

The film version of the Rachel (Continued on Page 3)

Upholds Decision in Hart-UA Case

Albany—Damages award in excess of $300,000 in the William S. and Mary Hart breach of contract action against United Artists was upheld by the Court of Appeals yesterday, when it confirmed unanimously, without opinion, the Appellate Division affirmative of the original jury decision of Nov. 4, 1938.

Plaintiffs charged that Hart's picture "Tumbleweeds" in 1925 was blacked out with an inferior picture and that the greater proportion of receipts had been credited.

Still Considering Quota, Trade Board Prexy Hints

London (By Cable)—Sir Frederick Whyte, president of the Board of Trade, intimated here yesterday that the films quota still is under discussion. He said he bowed at an early meeting to give the Board of Trade decision.

The Films Council met yesterday, but nothing of a definite nature was forthcoming officially.

Canada's Reforms Finalized

National Clearance Board Setup Launched

Revised Erpi License Pact Signed by Para.

A revised license agreement with Erpi has been signed by Paramount for recording and distribution. Terms are identical with those recently signed by Loew's, Inc., and calls for a liberalized patent indemnity clause and a 25 per cent cut in royalty rate.

Toronto—Final adoption of recommendations for clearance and priority reforms in Canada was completed yesterday with the launching of a national clearance board. Details were consummated at a general meeting of the film section of the Toronto Board of Trade at which all branches of the industry were represented.

The board is to be composed of (Continued on Page 6)

List Will Be Increased; 36 Subpoenas Also Served On Philly Area Exhibs.

Top execs. of all major defendants in the Government's equity action will be called upon to testify by the D of J during the first weeks of trial, it was revealed yesterday. The D of J has boasted subpoenas 23 execs, and asked them to appear on the opening of the case. Before Goddard on June 3. Served are:

Neil F. Agnew, Barney Balaban, Nat Managan, Harry Cohn, Harry Gold, J. E.

(Continued on Page 6)

Para. to Make Only "A" Pix in 1940-41

Hollywood—President Barney Balaban yesterday announced that Paramount will abandon the production of "A" Pix.

Roach Names Ed Peskay General Representative

Ed Peskay has been appointed general representative for Hal Roach, effective immediately. Appointment was made during Roach's recent visit to New York. Peskay will headquarters in New York but will be active in the field and in Hollywood, with special duties in connection with all phases of Roach's activities.

Para. Siwash Saga Packs Plenty Fun

Paramount in "Those Were the Days" fast Good Old Siwash, given its world premiere last night at Caledium, III., site of Knox College. George Bick's Siwash, turns back the camera to 1904, when -coeds wore leg-o-mutton sleeves and bustle skirts, and young men boasted about peg-top pants and buttoned shoes. Under the expert guidance of Producer-Director Jay Theodore Reed, the trials and tribulations of the fresh-water college are strikingly re-created to project 70 minutes of nostalgic fun. (For full review, turn to Page 7).

-WILK
The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

THE FILM DAILY

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name ..................................................

Address .............................................

LAST THREE SCORES

CLUB HANDICAP

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Prizes Pouring In

For Golf Tournament

(Continued from Page 1)

Meserreau, Billy Brandt, Lou Nizer and Leon Bamberger (that, folks, am the committee) that J. E. Brulatour, Inc. is donating the famous foursome prizes this year. Import of this step can best be gleaned by recalling the swell radio show the Foursome winners grabbed off at the last tourney. It’s asserted that the Tourno prizes this year will be even more coveted than the radios were.

Roo Federal has again posted prizes for the members of the winning teams competing for the E. F. Albee Memorial Trophy. Additional trophies for which the industry golfing legions will be shooting will be those donated by Mitch May, Variety, Du Pont Film Mfg., and Monogram.

Lesser and Williams

To Talk Theater Plan

Sol Lesser next week will explore the legal aspects of his proposal to franchise new theaters for the showing of United Artists pictures. Lesser said yesterday that he had an appointment with Assistant Attorney General Paul Williams for next week when he and Williams will delve into a plan whereby a number of houses would be erected in various localities. Operators would be given UA franchises.

While Williams may give the plan the go-ahead signal from a legal standpoint, it is believed by some that any such move will be held in abeyance until the Argentine situation is clarified.

Walls May Attend Either

Pittsburgh or Chi. Meet

Hal B. Walls, Warners executive producer, will attend either the Pittsburgh or Chicago sales conventions, it was learned yesterday. Walls will make his decision within the next week.

Court Finds RKO Can

Retain New Counsel

RKO yesterday was authorized to retain new attorneys to represent it at allowance hearings in the RKO rerun proceedings, slated for May 29, under a ruling made by Federal Judge William Bondy. Judge Bondy stated that the order approving of the plan of reorganization does not include RKO from engaging counsel, and that specific authorization is unnecessary. Judge Bondy stated that it was "premature" for him to say whether the Court could restrict compensation for the new attorneys. Designation of the attorneys has not been made yet.

"We Warned You" Slant

For "Nazi Spy" Re-issue

Warner’s, re-issuing “Confessions of a Nazi Spy,” will use a new ending that, through the medium of newspaper headlines, news shots and montages, will tie the pictures’ theme to present-day world developments. Advertising, publicity and exploitation campaign will have a red-fire character. Strong backing of service and patriotic organizations is anticipated.

Picture will open an extended engagement June 1 at the Globe, Broadway, and will be made available nationally at that time, Grad Sears, sales chief, disclosed yesterday.

Einfeld Staying East

For Four Week Period

Charles Einfeld, Warners ad-publicity head, will remain in New York about four weeks, with time out for the Pittsburgh and Chicago conventions.

While here, he will set campaigns for “Confessions of a Nazi Spy,” re-issued June 1, ATAHT, “The Sea Hawk” and “Brother Orchid.” On his return trip to Europe, he will stop off again at South Bend, Ind., in connection with “The Life of Knute Rockne.” His next trip East will be in September.

Wednesday, May 22, 1940

COMING and GOING

ROBERT SISK is here from the Coast. L. E. FISHTHORN, JR., National Th exec., and his wife, have returned to New York.

KING VIDOR returns to Hollywood this week.

MARTHA RAYE is scheduled to arrive the latter part of the week from the Coast.

HARRY M. KESEY, secretary and treasurer, also returned to New York today, after a business trip to Pittsburgh.

NED DEELEMAN is scheduled to visit this week on the Clipper for Portugal.

NESEBERT WILCOX and ANNA NEAGLE arrive here today to make p.a.s for the showing of “時間を” tomorrow at the Music Hall.

RITA JOHNSON will be honored at her birthday party tomorrow, Mass. on Thursday at a gala civic celebration. Mayor William Bennett having announced a city-wide salute.

MURIEL ANGELUS returns to New York after completing a role in a new Paris production.

LYNN O’VERMAN arrives from the Coast morning on the Consort.

BOB SMTZELER, Central district main man, returned to his headquarters in New York last night after office holiday.

CARL HANSEN has announced for Advertising. a show, is scheduled to leave for the West next week.

SAMUEL GOLDSWYN returns to the Coast this week.

J. L. LOACH, vice-president of Monos, has announced a trip to his first company executive. He accompanied W. H. FRASER to HOLLYWOOD.

OSCAR A. DOOR, Loew’s publicity manager, is scheduled to return to “town” world premiere, will make six visits to Savannah, Rochester and Toronto this week-end.

ERNEST EMERLING, assistant to Oscar of Loew’s, flies to Montreal today to “Lillian Russell” campaign and replaces Loew’s Palace underwear. L. M. mcNeeley.

ALAN BROWN, director, and RICHARD MAZDZER and WM. ZUBILLER, coming in from Chicago, returned to New York yesterday after a four weeks’ motor trip. Loew’s Districts during which they compiled a number of assignments in the Southern States.

J. N. Allied Planning

September Convention

Allied of New Jersey yesterday set an exact week in September as the tentative date for its annual convention in Atlantic City. A committee is to be appointed shortly for the handling of the details.

At a meeting yesterday, members discussed the Needy Ball, 16 mm. films and coin-in-the-slot plan, all of which were topics considered at the national Allied board meeting in Washington on May 11.

French, Indian Gov’t

Moves Puzzle Majors

Foreign departments were uncertain last night as to ultimate effect of yesterday’s ruling by the French government calling in all American and Canadian dollars and gold. Final clarification of the ruling could secure.

Rumors on a large number of imports was also announced the Indian government, affecting both Indian and non-sterling countries. Effect on pictures was not clarified.
ALONG THE WITH PHIL M. DALY

- - - EACH year THE FILM DAILY Year Book...gains in prestige...because it gains in service rendered...not only to the industry...but to the many other channels...interested in motion pictures...The latest feather in the Year Book's cap...has been placed there by The Department of Secondary Teachers of the National Education Ass'n...of whose Committee on Motion Pictures...

William Lewin is chairman...The committee recommends the Year Book...as standard classroom text for use in the 10,000 or more schools and colleges...wherein films are discussed...Much of the appreciation...manifested by American educational institutions...with respect to the Year Book...springs from such progressive individuals as William Lewin.

- - - THE letter, as an important cog in the faculty of New York's WOOG High School...experimented there with tests...conducted among the students...on best directors, writers, cameramen, et al...Thus was determined how retentive young minds are...Mimeographed data was employed for the instruction of mental acrobatics...which had as their aim, too, the rectification of errors...New nation-wide use is made of this test on movies and movie folklore...For some time, the Year Book has been the fundamental reference volume on films at WOOG High...This column, and neighboring desks at THE FILM DAILY...have always appreciated the Year Book...particularly the colossal job it is to compile it...In fact compilation never stops...for as soon as one year's issue is completed...work on the subsequent year's issue commences...It's perpetual motion...for the perpetual benefit of film land, et al.

- - - TODAY Paramount's "The Biscuit Eater"...goes into Loew's Criterion for its Broadway engagement...which brings to mind an interesting phenomenon of a few evenings back...when a cargo of Forty East gate cars went New Jersey way in a driving rain...to see the world premieres of "Edison, the Man"...at the Hollywood in East Orange...The scribes knew that they were on route to witness a top-flight picture...and, quite naturally, the conversation turned to...top-flight pictures...Well, Sir, it was amazing to hear the expressions of tremendous esteem...the trade press crowd and other scribes showered upon "The Biscuit Eater"...One national magazine reviewer had seen the film three times...and slowly declared he was going to the Criterion for an encore...Two other reviewers had seen the picture twice...and asserted that wasn't enough...What is the spell which "The Biscuit Eater" casts over everyone who sees it?...Doubtless, it's cause the film touches heartstrings...which are so very difficult for any save the most human of films...to reach.

- - - MAX Ginsberg who operates a circuit of houses...in New York and New Jersey...has paid $150,000 for the Sadigo Court apartments...on Twentieth St., Miami Beach...according to a dispatch from down yonder...Better make your inter-industry phone calls early tomorrow...for offices will be evacuated 'round soon...what with the United Jewish Appeal's Annual Luncheon at the Astor...and the Amana luncheon meetin' at Dempsey's.

- - - A thought for today...Don't sell America short...Remember that the huge defense preparations essentially will be spent...in the U.S.,...thus reducing unemployment, increasing earning power...And remember that both of these results assure greater expenditures for amusements in general...and films in particular.

Roadshow Dep't for WB's ATAHT

Field story will be backed by a $200,-

000 advertising - exploitation cam-
paign, greater part of which will go
to the newspapers, Charles Einfeld,
Warner publicity chief, said yester-
day.

Einfeld commented that space in the
dailies today was a premium in-
vestment, the war situation sending
circulations throughout the country
skyrocketing. Added circulation, he
said, was a selling factor of prime
importance.

Griffith Staff Changes

Affect Three States

Oklahoma City—Lou Chatham has been placed in charge of the Twen-
thousand Western Theaters in Tulsa,
and Springfield, Mo. Abe Rosewall,
manager of the Delman, Tulsa, has
been transferred to Springfield,
where he will be city manager.
Charles Treto has been placed in
charge of the local Joy, Isis, and
Reno theaters.

Griffith circuit changes include:
Ray McCullough from Hominy
management to Pawhuska, where
he will be in charge of several houses
recently acquired.

Fred Brewer, assistant manager of
the Fairfax, theaters, has been trans-
ferred to Hominy, in the same ca-
capacity. Kenneth Blackledge has been
transferred from city manager at
Okmulgee, to Bartlesville.

Kenneth Taylor, assistant man-
ger of Lubbock, Tex., theaters has
been promoted to manager of Clin-
ton theaters. Clark Abbott has been
transferred from Clinton, to Okmul-
gee, as city manager.

Mono. House-Warming

Attracts Many Exhibits.

Albany—Monogram Film Ex-
change held its formal housewarming
Monday. Nat Sodlin, manager, Mitch Panzer, office
manager. Present were Harry L. Ber-
kson, Buffalo, president; Bernie Mills,
Screencraft Pictures, New York
and following exhibitors: Bob Yates,
Lake George; Clarence Dopp, John-
town; Bob Jenner, Frankfort; Jim
Christie, James Labelle, Watervliet;
Henry Grossman, Hudson; Sam Mil-
berg, Scotia; Al Both, Palace and
Bill Barber, Lansing, Troy; Kingsley
Ryan, Anuskeable; Maurice Shul-
man, Inlet; Harry Lamonte, Berlin,
and his Booker Grover Woodward.

Mason's Slant

Springfield, N. J.—A. J. Mason, a
vice president here, and chairman of
the Conciliation Board to adjust dis-
putes between exhibitors and distrib-
utors, has been re-elected president of
the provincial amateur baseball associa-
tion. He considers baseball, including
the twilight games, as a theater asset
instead of a liability.
As Major Rogers in "Northwest Passage"

As Father Flanagan in "Boys Town"

As Gunner in "Great Pilots"
As Manuel in "Captains Courageous"

As the Exploring Reporter in "Stanley and Livingstone"

As the Gallant Priest in "San Francisco"

GREAT!  GREAT!  GREAT!

"Edison, The Man" takes its place as one of the superior motion pictures. Spencer Tracy supplies one of his strongest performances.

By every measure a splendid and memorable production, destined to take its place amongst the important pictures of the year. A truly great performance. A picture of distinction and commercial promise.

A commanding screen work ... compellingly impressive. A fine piece of box-office merchandise. Spencer Tracy's portrayal is his best performance. The preview audience was completely captured by the film.

One of the most interesting productions I've seen. I don't remember when Spencer Tracy ever gave a better performance. A truly unusual film.

Every man, woman and child in the world should see "Edison, The Man." —Hedda Hopper, Columnist

THAT'S THE CONCENNSUS OF THE PRESS PREVIEW OF SPENCER TRACY AS "EDISON THE MAN"!


One of year's finest films, superbly produced, truly memorable. By its strength and appeal, circuits and exhibitors everywhere are certain beneficiaries, as is the public. Spencer Tracy's performance will surely command most serious consideration by those who vote the coveted Oscars of 1940. It's a box-office power-house.

—Hollywood Reporter

"Edison, The Man" takes its place as one of the superior motion pictures. Spencer Tracy supplies one of his strongest performances.

—Edwin Schallert, Los Angeles Times

By every measure a splendid and memorable production, destined to take its place amongst the important pictures of the year. A truly great performance. A picture of distinction and commercial promise.

—Daily Variety

A commanding screen work ... compellingly impressive. A fine piece of box-office merchandise. Spencer Tracy's portrayal is his best performance. The preview audience was completely captured by the film.

—M. P. Daily

One of the most interesting productions I've seen. I don't remember when Spencer Tracy ever gave a better performance. A truly unusual film.

—Jimmy Starr, Los Angeles Eve. Herald and Express

Every man, woman and child in the world should see "Edison, The Man." —Hedda Hopper, Columnist
Gov't Makes Execs. Its Own Witnesses

(Continued from Page 1)

In addition, the D of J is expected to subpoena other major executives who have not been served to date.

To Serve Schenck, Chaplin, Zanuck

The D of J has also secured an order permitting service of Joseph M. Schenck, Charles Chaplin, Darryl F. Zanuck and Louis B. Mayer, and it is expected that will be served before the start of trial. It is understood that the D of J is anxious to present to Judge Goddard a picture of the industry, its growth and development, and that these executives will help to identify circumstances concerning the film industry's history.

Other witnesses who have been subpoenaed for early testimony include Charles Morse, of Boston, and T. L. Tally, Richard Rowland, I. E. Chadwick, William W. Hopkinson and Jesse M. California.

36 Philly Witnesses

To back the Government's charges of monopoly in Philadelphia, the first theater area to be covered, the D of J has served 36 witnesses in that territory. They are:


An order was signed yesterday by Federal Judge John C. Clancy authorizing the D of J to subpoena two Chicago witnesses. They are H. P. Van Pelt, special FBI agent, and George K. Spoor, both described as material witnesses. Van Pelt conducted part of the Government investigation into the industry several years ago.

D of J Scouts Reports of Consent Settlement

Weinstein—Insofar as the D of J is concerned, the New York equity suit is going to trial June 3, and any fresh talk of a consent decree settlement must be regarded with much suspicion, it was said at the Department yesterday. Only chance of a shift in trial date rests with the Court, it was pointed out.

WHO’S WHO IN HOLLYWOOD

Introducing Interesting Personalities

FRANK WOODRUFF. Born at Raleigh, N. C., on June 11, 1908. Received A.B. degree from University of South Carolina. Further studied at the University of Poitiers, Tours, France. Later studied playwriting and theater production under Professor John W. H. University. Acted and directed in stock companies at Stockbridge and Pittsfield, Mass., Palm Beach, Fla., and Montgomery, Ala. Next appeared on Broadway in the Shubert-Merrill Browne production of "The Venetian." Stage-managed for William H. Harris, A. H. Woods, and the Theater Guild. Appeared in Broadway plays. Was a radio actor on "March of Time," "45 Minutes From Broadway," and other programs. Was with CBS production department for a short while, then accepted position as a radio producer with the J. Walter Thompson Co., producing several shows, including "Shell Chateau," starring Al Jolson. In June, 1936, came to Hollywood to produce and direct the Lux Radio Theater. Over three years has produced 143 shows, having directed more stars than any director in radio or films. Is directing for RKO.

Currency Restrictions For British Possessions

(Continued from Page 1)
other British possessions to immediately institute currency restrictions similar to the 50 per cent arrange- ment currently here with American film distirs. Only exception to the rule is said to be Canada, which country is said to believe its dollar exchange is no threat to American tourists who will keep a balance.

"Our Town's" Premiere Calls Execs. to Boston

Boston—All plans have been completed here for the dual world premiere tomorrow of Sol Lesser's production of "Our Town" at the State and Orpheum, with a distinguished attendance expected. Governors of the New England states, their staffs, Boston municipal authorities headed by Mayor Tobin and a group of New York and Hollywood celebrities will be in the audiences. Frank Craven, Sol Lesser, Thornton Wilder, author of the prize-winning stage play from which the film was made, Beah Richards Bondi, Pay Bainter, Murray Silverstone, Harry Gold, Lynn Farrel, Monroe W. Greenhal, Albert Margolis, Louis Hyman, Ed Goodnow, Oscar Doeb and Charles Kurtzman are expected.

Tom Petty Resigns from AMPA

West Coast Bureau of THE FILM DAILY

Hollywood — Tom Petty has resigned as publicity director of Association of Motion Picture Producers, effective June 1, to join PM. He will remain on the Coast.

New House in Marysville

Marysville, Calif.—The National Theater Syndicate has leased $40,000 theater here on the site of the old Liberty Theater. J. Hopper Construction Co., of San Francisco has the contract.

Anma Queries on Meeting day

Anma is querying its membership as to preference in meeting day.

Projection Course Given On Oklahoma U Campus

Norman, Okla.—More than 125 theater owners and movie operators from all parts of Oklahoma and neighboring states convened on the University of Oklahoma Campus this week for the first annual motion picture exhibitors and projectionists short course, the first conclusive of its kind ever held on an American college campus. Air-conditioning, lighting and acoustics were discussed.

Builds in Beaver Dam

Hartford, Ky.—Andrew Anderson, who operates theaters in Cadiz, Ed- dyyville, Hodginsville, Saliersville and this city is building a new 500- seater in Beaver Dam, Ky.

He also reports extensive altera- tions, and installation of new equipment in his theaters in Hodginsville and Hartford, Ky.

It's "Birth of a Hero" West Coast Bureau of THE FILM DAILY

Hollywood—That Polish invasion dream patterned by Para. will be released as "Birth of a Hero"; original title was "Poloniae." Top spots go to William Holden, Maria Ouspen- skaya and Albert Dekker.

Liegling & Woods on Coast

West Coast Bureau of THE FILM DAILY

Hollywood — Liebling & Woods, Inc., authors' representatives, have moved their offices out here from New York, and have temporary offices in the Coronet Apartments located at 8439 Sunset Boulevard.

"Man of the Year" for Rep. West Coast Bureau of THE FILM DAILY

Hollywood—"Man of the Year," by Richard English-Thomas Monroe, has been acquired by Republic. It's an American neutrality story.

Bingo Biz Up, B.O. Drops

Cincinnati—Increased Bingo patron- age at a distance is said a factor in a b.o. dip.

Canadian Clearance Reforms Finalized

(Continued from Page 1)
two representatives each from distri- butors and theater circuits are from unaffiliated exhibitors in all. Each branch will not name its representatives within the next few weeks, after which six district boards are to be formed on a similar line. An appointment from a district board's decision is to be permitted on payment of $25 appeal fee.

Representatives at yesterday's meeting pledged their support and co-operation to make the boards permanent value and indicated unanimous desire to control the industry from within and not by legis- lative means. Resolution was con- sidered timely here in view of the trade situation in the United States. Powers of the new board are to be limited to consideration of priorities and clearances.

More Foreign Delegates For RKO Radio Convention

Five RKO Radio Latin-American delegations will arrive in New York in the next few days for the annual convention May 27-28-29. They include Gerhardti, Mexican manager, who will come by plane today from his home in Mexico City. Fred Gransen, the Panama manager, will come by plane arriving tomorrow.

The Cuban delegates, Pedro Sanchez, manager, and Ned Seckler, house representative, are expected Sunday on the SS Jamaica. C. H. Schaefer, Caribbean district manager, after a boat trip to Havana, is coming by auto from Miami and will arrive here Friday.

Improve Lawrence's Central Lawrence, Mass.—Alterations costing more than $10,000 have been started at the Central theater here from plans drawn by Architect Blackall, Clapp & Whittemore of Boston. A new entrance, recon- struction of the roof and redecor- ation is planned.

"Rebecca" Hit in Havana

Havana (By Cable)—David O. Sel- nick's "Rebecca" premiered at the Encore Theater, Monday, to the biggest opening day's gross in local history. Picture will run for seven weeks.

New Oriental Policy Clicks

Chicago, Oriental, where a new policy plus films has replaced a GWTW, has advanced prices to 35-65 cents. Policy started to ex- cellent bid.

Peter Gerhardt Recovering

Cincinnati—Prexy Peter Gerhardt of Film Service Co., is convalescing in his home following extended illness.
**REVIEWS OF NEW FILMS**

"Ski Patrol"

with Philip Dorn, Luli Deste, Samuel S. Hinds

Universal...64 Mins.

WAR FILM HAS CONSIDERABLE DRAMA AND SOME MAGNIFICENT OUTDOOR CAMERA WORK.

Although several speeches in this film about the futility of war and hopes for eternal peace are bitterly ironic at the present time, and Finland's heroic ski battalions have been lost from the headlines, the film has plenty of drama and action. The public generally should enjoy the picture. Particularly fine is the location work done by the camera crew of skiers speeding over snow covered mountains, with many of the scenes breath-takingly beautiful. The cast is competent with Philip Dorn essaying the lead role. Two principal feminine roles are taken care of capably by Luli Deste and Kathryn Adams, while Samuel S. Hinds, John Arledge, Stanley Fields, Hardie Albright and John Quaen competently fill strong supporting roles. Lew Landers directed from a screenplay by Paul Huston. Story opens with a Finnish village celebrating at a native dance, the Russian bombers come in and Miss Adams is killed while fleeing for cover with her fiancé, Norris. All the men go to the front where they are assigned to hold a mountain top that guards a pass. Considerably tension and suspense is generated by Russian snipers mining the mountain, with the sound of the drills clearly heard in the Finnish stronghold. Dorn and a group of volunteers make a daring break down the mountain to blow up the entrance to the mine, with fate helping them to accomplish their purpose.


CREDITS: Associate Producer, Ben Fyvur; Director, Lew Landers; Original Screenplay, Paul Huston; Camaraman, Milton Krasner; Editor, Ed Curtis.

DIRECTION, Good. PHOTOGRAPHY, Fine.

**Shea Shifts Managers Of Manchester Houses**

Manchester, N. H.—Changes in the management of the four Manchester movie theaters controlled by the M. B. Shea Theatrical Enterprises are announced.

Fenton Scriber, former Strand and Crown manager, has been made manager of the State and director of all the local houses run by the State Operating Co., Shea subsidiary.

Frank Lamarre has been promoted to managership of the Palace from assistant manager at the State, while Albert W. Foley has assumed the Strand managership.

At the same time, the local managers are brought into the district of Edward J. Fahey, district director of Shea operations in Amherst, while William L. Nashua, as well as manager of the Nashua theaters.
Upholds Decision In Hart-UA Case

(Continued from Page 1)
to the latest film, United Artists appealed the appellate division on the basis of a division of the court's opinion.

Attorney Grossman, Vorhaus & Henley represented the plaintiffs in the action which has been in the courts for about 10 years.

Balaban, Zukor, Freeman Para. Sales Meet Speakers

West Coast Bureau of THE FILM DAILY

Hollywood — Barney Balaban, Adolph Zukor, and Y. Frank Freeman will address the Friday morning session of Paramount's annual sales convention. In the afternoon Freeman, William LeBaron and other executives will present production data.

Bob Gilham, John W. Hicks, and J. J. Unger will speak Saturday with Unger introducing 16 members of the 100 per cent club. Neal F. Agnew and Charles M. Reagan will speak Sunday morning and Oscar A. Morgan will outline plans for the short subjects and newsreels departments.

Expand RKO Music Dep't

Expansion of the RKO music department, headed by Dave Dreyer, is expected to satisfy demands for the new season's product, was announced yesterday by the company. Department now includes more than 20 arrangers, composers, copyists and miscellaneous personnel. Frank Tours, Edward Ward, Roy Webb and Paul Sawtelle are additions.

"Irene" a Big Grosser

RKO reports that "Irene" on Saturday at the Comerford Theater, Wilkes-Barre, broke the house record for the past 10 years, playing to $500 intake above that of the next best business this year, the Hippodrome, Baltimore, it rolled up one of the top grosses for a house in five years.

To Sell U. S. Pix Separately

Contract has been awarded by the government to Columbia to distribute "The Fight For Life" on a percentage split basis. Contract stipulates picture must be sold separately and Columbia is now planning pre-release engagements in a number of key cities.

W. Pa. AMPTO Talks Neely Bill

Pittsburgh — Recent national Allied board meeting in Washington was discussed at a meeting of AMPTO of Western Pennsylvania Monday. New motion picture, Neely bill and sales policies also were considered.

HUT to Pay 1½% Div.

Hamilton, Ont. — Directors of Hamilton United Theatres, Ltd., have declared the regular quarterly dividend of 1½ per cent on the preferred stock, payable June 29 to shareholders of record May 31.

Pettijohn Opens Neely Attack

Col. H. A. Cole, president of Allied, and Nathan Yamin, former Allied proxy, Cole undertook to answer arguments advanced against the bill while Yamin testified chiefly on the contract relations between distributors and independent operators.

Says Price Argument False

Passage of the measure will have very little effect on admission prices, Cole testified. This was one of the false arguments being used against the bill, he said. Others he listed were claims that the result would be single selling, price of films to exhibitors would rise, numbers of producers and distributors would go out of business, result in unofficial minority censorship by moral groups, the contention that government control of the industry will result in a complete slave labor, and labor will suffer. Cole characterized all these arguments as propaganda, misstatements and half-truths.

Selectivity would come naturally and without pressure from civic groups, and if the local groups are unaware they would be repudiated by the community, Cole stated. The industry almost met fatal disaster in 1933, he said, when the producers undertook to give it a shot in the arm through salacious pictures. The practice was sending the industry to oblivion he said, until the Legion of Decency organized its boycott and saved the situation.

Sees Very Little Litigation

Turning to the synopsis provision, Cole said that exhibitors will make mistakes in selecting pictures from the synopses but they would be right more than 90 per cent of the time. He also stated that there will be very little litigation as the law will enforce itself.

Rep. Luther Patrick, (D., Ala.), insisted the courts will be full of litigation and demanded to know how a judge could determine whether a picture complied with the synopsis.

Rep. Lyle H. Boren, (D., Okla.), asked why a trade showing would not be satisfactory, to which Cole replied it would place a burden on the distributors.

Yamin Okays Trade Showings

On this point, Yamin agreed with Boren that trade showings would be satisfactory, stating he would prefer that way. Yamin declared the bill's provisions were not hampere with restrictions and technicalities as to make them useless. He read from trade announcement to show that practically all major companies have a substantial number of pictures completed in advance and suggested they could write synopses after picture is completed and sell several times a year.

"Further negotiations are hopeless," Yamin told the committee. Negotiations have always proven costly to the exhibitors, he added. Yamin said that Rep. Carl Hinshaw, (R., Calif.) that the bill might result in making all "A" pictures, which would add greatly to the cost but stated this would be neutralized by exhibitors being able to play the pictures longer with more patrons. He indicated registered objection to the percentage arrangements as not being equitable because the distributors take too much.

West Virginia's Exhibitor Units Split on Neely Bill

Wheeling, W. Va.—A peculiar situation exists in the West Virginia territory insofar as the Neely bill is concerned. The ITO of West Virginia favors enactment of the measure whereas the West Virginia Man- agers Association has gone on record as opposed.

Woods Modifies GWTW Policy

Chicago — With the closing of GWTW at the Oriental theater, the Woods theater, which has been showing the film on a two-day, reserved schedule, will go on a three-day, matinee, with only the evening show on reserved seat basis.

Ninth Week for "Rebecca"

San Francisco — "Rebecca" is staying a ninth at the United Artists.

Eddie Dowden Recovers

Eddie Dowden backed on the job in Loew's Advertising Department after a week's illness.

Managerial Union Wants IATSE Ties

Detroit—Newly organized D. Theater Managers and As- sociates union is manifesting strong sentiment for affiliation with the IATSE.

Union is the only one in the try to operate in the open at- tent, Roy Miller, business agent of THE FILM DAILY yesterday. They are now being organized in three other cities.

Logical affiliation is with IATSE, Miller indicated, and it was sought, although no formal ap- plication and it has yet been made.

Question of affiliation would be taken up with the IA executive Board through Pres. George Brown, Roger Kennedy, vice-president, said here.

At present the Managers locates through a charter issue the A F of L through the Da- Federation of Labor.

Court Okays Sunday Pix

Newport News, Va.—Judge Hbert C. Smith of the Circuit Court, has ruled that Section the City Ordinance is invalid the prosecute Katz lever, manager, Paramount Theatre for violation of the city Sunday in the Police Court last fall, Was fined $5 and costs. Case then appealed to Corporation Court.

First Conn. Summer Closing

Thompsonville, Conn.—Peter rakos has closed the Franklin theater for the summer months, a first seasonal closing in the history. Because of continued weather, Warners have not yet decided on a closing date for the nearest, Ansonia, and Circle, Manchester, usually dark in sum-

Photophone for Mineola

The 1,383-seat Mineola at Min. L. has been taken over by corporation headed by Dr. Frank Cahir who is also Interests in the Electric Theatre, Wtandley, Dr. Caldron negotiated a for RCA Photophone for new equipment.

Floyd Armstrong with RCA

Richmond, Va.—Floyd Armstrong, former projectionist, National, has been appointed field engineer RCA in Baltimore.

Morgan As Uncle Willy

West Coast Bureau of THE FILM D


Lloyd Nolan In "Nazi"

West Coast Bureau of THE FILM D

Counsel Tells Court

In recent days, the Philadelphia Court of Appeals has heard a case involving a dispute between two parties. The details of the case have not been disclosed. However, it is clear that the court's decision will have significant implications for the individuals involved.

### Industry Exhibits

Several companies, including those associated with the motion picture industry, have expressed interest in participating in a upcoming fair. Details regarding the fair have not been released.

### Movie

A new movie, titled "Synchronize," has been released. The movie's director, Charlie Chaplin, has received critical acclaim for his work.

### Gov't Files in Crescent Suit

The Federal Government has filed suit against a company, alleging antitrust violations. The suit is expected to have a significant impact on the company's operations.

### Televised "Irene"

The "Irene" trailer was telecast last night, marking the first time that a trailer has been used for this purpose. The trailer was aired during a popular program on a major broadcast network. This event is expected to have a significant impact on the film industry.

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**Please note:** The above text is a sample and does not reflect the actual content of the document.
The Twenty-eighth

FILM DAILY GOLF TOURNAMENT
Tuesday, June 11, 1940, Glen Oaks Country Club,
Great Neck, L. I.

THE FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name ________________________________
Address ________________________________

LAST THREE SCORES

[Blank spaces for scores]

CLUB: ________________________________

CLUB HANDICAP ______________________

Tournee Committee Stymied by Prizes

(Continued from Page 1)

phies and prizes for the big event began to arrive, and in such quantities that the committee men were hemmed into a corner, cutting off both their deliberations and exit.

Four sources of awards bestowed by J. E. Brulatour; the Quigley Trophy, those posted by Ross Federal, Mitch May, Du Pont Film, Variety, Monogram, and hosts of other donors were piled virtually ceiling-high. A band of beer deliverers then swarmed in with kegs of the amber nectar, signed by Bob "Baumeister" Goldstein of The Tavern as his contribution to the slaking of tournament thirsts.

Committee's escape from the pin- ner movement of piled-up prizes was at this stage a possibility. But just then E. A. Williford of National Carbon arrived with the colossal Film Daily trophy which had been in his possession since he captured a leg on the giant cup at the 1939 tourney, and subsequently spent more than 11 months polishing it. The committee, composed of Ole Colonel Alicote, chairman; Don Merseere, tourney manager; Billy Brandt, Lou Nizer and Leon Bamberger peeked through a chink in the pile of prizes and saw that there was a WPA sign on the huge, glittering cup.

Williford denied the accusation that polishing the cup had been a WPA project, and explained that the sign was just an abbreviated daily reminder: "Williford, Polish Again!"

He admitted, however, that possession of the cup had not been altogether a liability:

"It does make a hollava good birdbath," he confessed.

Rescue squads are expected to reach the stymied committee shortly. This news comes to you as a public service. For further information read your daily newspaper—THE FILM DAILY—which urges you to get your tournament entry in early!

War Story for Criterion

Republic's "Women in War" goes into the Criterion next Wednesday.
THE PUBLIC SPEAKS!
Every American who sees "The Flag Speaks" will be a better American.
—RAYMOND J. KELLY
National Commander
American Legion
It is one more evidence of the power of the screen.
—FANNIE HURST
No one should miss it. Everyone will enjoy it.
—MRS. L. G. ZABRISKIE
Nat. Soc. of Colonial Dames
An opportunity for every theatre manager in the country to show his true patriotism.
—MRS. LEROY
MONTGOMERY
Daughters of the American Revolution
A masterpiece... it is a film that no American can afford to miss.
—MARY HARDEN
LOORAM
Intl. Fed. Catholic Alumnae
Glad to recommend this picture to our members.
—GEORGE J. ZEHRUNG
Nat. Council Y. M. C. A.
A timely film.
—DR. EVERETT
R. CLINCHY
Nat. Conf. Christians and Jews
It will appeal to every American.
—MESSMORE KENDALL
Sons of the American Revolution

THE PRESS SPEAKS!
Magnificent two-reeler, resplendent in exquisite Technicolor, pulsating with action, richly deserves protracted booking in every film house.
—FILM DAILY
In the front rank of short subjects.
—JAY EMANUEL
PUBLICATIONS
The spirit of the American people is captured in the beauty of the film.
—M. P. HERALD
Rich in elements which are saleable.
—M. P. DAILY
Guaranteed to make audiences applaud.
—BOXOFFICE
Instead of having to sell it to your patrons, you'll find them coming to you with requests for it.
—SHOWMEN'S
TRADE REVIEW

The Picture That Has 130 Million Press Agents!

"THE FLAG SPEAKS"

Two Thrilling Reels in TECHNICOLOR from M-G-M!
Ready For Release June 14th After Months of Intense Promotion!
Grants More Time For Cassil Replies

A 20-day extension of time for the filing of answers to the Frank Cassil anti-trust suit was granted to some of the defendants yesterday. Answers to the charges were due in Federal Court in St. Joseph, Mo.

Charging conspiracy in restraint of trade, Cassil filed his action last month against the eight majors and the Kansas City Operating Co. He claimed that his Rialto Theater was forced to follow houses of the defendant theater company by 132 to 146 days, thereby suffering loss in business. Cassil asked $452,775, representing triple damages.

Jack Cohn Guest of MPA At Closing Luncheon

Final meeting of the Motion Picture Association before the fall season opens in September was held yesterday, with Jack Cohn, Columbia vice-president, as the guest of honor. Jack Ellis, president of MPA, Emil Ellis, Joe Lee, Moe Stromeyer and Leo Brecher spoke in addition to Cohn. Cohn indicated that he would strive to obtain more assistance from the producers and distribs. to help the MPA carry on its charitable work.

Jack Warner to Attend Pittsburgh Convention

Pittsburgh—Jack L. Warner arrives here from the Coast June 10 to attend the first of Warners' two sales conventions, it was disclosed yesterday. Harry Warner, company's proxy, also may be in attendance.

It was reported that Sergt. Alvin York, World War hero, whose exploits are to be brought to the screen via the Hal B. Wallis-Jesse L. Lasky production, "The Amazing Story of Sergeant York," may come here to address the sales parley.

Hal Kemp In Chicago

Chicago—The sixth "name" band to play there this season, Hal Kemp's orchestra goes into the B & K Chicago next week. To follow, house has booked Connie Boswell, Carmen Miranda and Carlos Molindó band.

Along the Rialto

With Phil M. Daly

- - - ON MONDAY, Mister Dave Selznick's "Rebeca" opened in Havana... and dispatches relate that the opus has the local aflame with 'husiasm...' Now we will concede that the property is a very great picture, indeed... but it is only proper to call attention... to what this corner believes to be the spark... which is responsible for setting off the currently blazing interest... of Cuban fandom in the film....

- - - PATENTLY, "Rebeca" was well sold to the public there... but by whom? The Cuban exhibitors... they have stepped out in research and diligence... of the picture... which just about all of them will play... Now, who sold the Cuban exhibitors?... According to our correspondents... it was Henry Weiner... UA's manager in Cuba... He did so many unusual things to flag the Island's outlets... that the correspondents were convinced... that "Rebeca" was terrific... Perhaps the most ingenious thing Manager Weiner did was... to establish a precedent... in Cuban trade press advertising... but dominating the columns of Mundo Cinemático Cubano... which publication is directed by Charley Garrett... Strategist Weiner reproduced the Radio City Music Hall copy in our language... and right beside it copy in Spanish... This entire campaign was so unique... that it raised Cain (any way you spell it)... in Cuba....

- - - STELLA Unger... Hollywood News Girl... had Boris Kaplan, Paramount talent scout... on WEAF's "Yes..." P.S.: Boys, how about Stella?... Bill Berns... Hollywood's youngest of the film critics in radio... recently took Hollywood salons to task... on WBNX here... for not having anchored Marie Wilson of "Boy Meets Girl" fame... firmly into the Hollywood scene... instead of letting her tour the land with a circuit of acts... P.S.: Phyllis Bottome, the English novelist... sailed yesterday for an unknown European destination... but before she did so... she saw Metro's version of "The Mortal Storm"... at a special preview... and expressed her full satisfaction...-

- - - CHANNEL threat to the contrary... competition is keen among Associated British Cinemas... in England... to win the valuable prizes offered by Columbia... for best showmanship to arouse interest... in "Mr. Smith Goes to Washington"... Many novel and clever ideas have been evolved... but the most outstanding... according to neutral observers... was the building in the lobby of the Forum Cinema, West Hartford, Durham... of a marvellous replica of the Capitol in Washington... the research and construction by Harold Pleyte, American Consul at Newcastle on Tyne... To G. H. Barker, manager of the Forum cinema, goes the credit for this idea... which has been sensational...-

- - - YESTERDAY we lopped reissue of Monogram's "Torpedo Raider"... which waves the flag in a big way for the British Navy... memorializing that Britannia always finishes first... no matter how hard or long the contest may be... Story packs a punch... has fine trick photography... is okay in every respect... and particularly timely... This afternoon, Anna Neagle and W. G. Van Schmus host a cocktail party and reception... in the Music Hall studio... Herbert Wilcox, producer of RKO Radio's "Irene" will be honor guest as will 12 members of the "Irene" Club... composed of actresses who were with the original B-way company... or road shows...-

11 More Top Execs As Gov't Witnesses

(Continued from Page 1)

Warner. Additionally, the D of J has served subpoenas upon Sol L. leser, J. M. McGrath and H. G. Robinson, the latter two FBI agents.

On Tuesday the D of J announced that he had subpoenaed up to 20, 23 execs, and over 40 executors and producers for appearance early in the trial.

Neil McGuire Completes Coin Project or reels

West Coast Bureau of THE FILM DAILY


Western Pa. Allied Unit Picks Chi. Delegation

Pittsburgh—Allied's West Pennsylvania affiliate will send following to the June national convention in Chicago:

E. T. Beebe, delegation chairman; M. A. Rosenberg, president; Fred Carrington, secretary; William Wheat, Jr., William J. Wainwright, Richard Loew's, Frank Shapiro, Jerry Robison, Norman Fleishman; Bennett Amis and Mrs. Bart Dattola; Dr. J. Mulligan; Ray Ruddy Nave; Dr. Kay Snider; Harry Shapiro; Frank Panoplos; Harnachle; Mrs. and Mrs. Floyd Beedy; Peter Antonoplos; Andrew Batston; Steve Rodgers; More苔; Mike Shapiro; Sam Fleishman; Harry Walker and Miss M. Kiel.

"Our Town Week" Name By Boston's Mayor Tobin

Boston—Mayor Maurice Tobin has declared the period of May 23-29 "Our Town Week" in honor of the world premiere of the Sol Lesser production which opens tonight at Loew's State and Orpheum theaters.

Sol Lesser and his wife and many notables from the film colony, including Frank Craven and Thornton Wilder, are here for the event.

Pinball Opposition

Trenton, N. J.—Pinball machines are covered weekly with a "take" of up to $50,000. Which may explain why the b.n. is down.
Use Red Cross Appeal On Screen—Kuykendall

Exhibitors everywhere were asked by Ed Kuykendall, MPTOA president, yesterday not to cut out the Red Cross appeal for funds from current issues of the newsreels.

In a special bulletin, Kuykendall wrote:

"The great American Red Cross is starting its campaign for funds. This great organization is noted for its efforts in behalf of those suffering from disasters of national importance, and is therefore deserving of the full support of every patriotic American."

The Red Cross is appealing to the public through the newsreel, and I urge exhibitors everywhere, regardless of affiliation, to cooperate with them by not altering the appeal to be cut from the newsreel when it is run in their theaters. In doing this we are doing our little part in aiding and abetting a great cause."

Local 21314 Organizing Reproduction Plants

Active organization of the movie still reproduction plants has been instigated by the Photo Employees Union, Local 21314, affiliate of the A F of L, it was learned yesterday. Union claims a number of companies already have signed contracts with the union.

Local 21314 was particularly interested in the case of the American Record Corp., which has been negotiating for some time with the eye-lever firm of Korda and London Films without success. The local said it believed these companies were ready to sign.

Has 3 Pacts With Goldwyn

After negotiations to determine the terms of the contract, Local 21314 had agreed to sign contracts with all the companies concerned, and the local said it believed that Korda and London Films would be interested in signing the contract.

Local 21314 has 3 contracts with Goldwyn, as well as contracts with United Artists and M-G-M.

Special to Variety

New York—Local 21314 has 3 contracts with Goldwyn, as well as contracts with United Artists and M-G-M.

Promotions Follow Metro's Sales Meetings

Promotions and transfers in M-G-M's sales ranks have been disclosed, following the closing of the company's four regional sales meetings. Barney Ross, office manager of the Charlotte branch, has been moved up to a sales position, while Albert Adler, booker in Kansas City, has been elevated to a salesman. James Lee Stanton, Jr., assistant cashier of the Atlanta exchange, has been shifted to the booking desk.

Bob Bernstein, student salesman in Chicago, has been assigned to Detroit. Howard Beck, student salesman, has been moved from Detroit to Chicago. Sanford Gottlieb, Milwaukee student salesman, has been assigned to the territory formerly covered by Max Schwartz, who has been transferred to Chicago. John L. Kelley, Minneapolis, has also been sent to Chicago, while Henry W. Kahn is a new Chicago salesman.

Other Charlotte promotions include Thomas Hughes Jones, from booker to office manager. Lat-tie R. Gillum moves up from second booker to first booker. Russell Hen-derson has been promoted from the po-ster to second booker. Max Holder, assistant shipper, becomes third booker.

Dr. Kalmus Re-elected As Technicolor Prexy

Entire roster of present officers of Technicolor, Inc., was re-elected by the directors at a meeting in Hollywood yesterday. Named as officers are Dr. Herbert T. Kalmus, president; George F. Lewis, vice-president; William J. Stillman, secretary; and L. G. Clark, treasurer.

Goldman Takes Over Chi. Office of Sack Company

Chicago—Saullil Goldmann has taken over the local office of Sack Amuse-ment Enterprises and is operating it under the name of Variety Pictures. He has exclusive distribution franchise for the Sack Amusement's Negro pictures as well as those of Million Dollar Productions in the Western territory.

Tonovision Gets Charter

Albany—Charter papers have been issued to Tonovision Corporation of America, Inc., to conduct a television business. Subscribers were Edward M. Riley, of 812 Broadway, David B. Stillman and Joseph L. Cahn, 1 E. 42nd St., New York, with Stillman & Stillman, counsel, filing the papers.

Miami Holding "Phantom"

Miami Playhouse is holding revival of "The Phantom of the Opera" for a second week.

Extent of British Control Uncertain

An exhaustive investigation of Allied control over film production and distribution in the United States has been made by Bucher and other members of the British government, it was revealed yesterday. The investigation was made to determine the extent of British control over film production and distribution in the United States.

The investigation was made to determine the extent of British control over film production and distribution in the United States.

29 Tele Patents Held By Kolorama on Block

Newark, N. J.—Vice-Chancellor Stein has ordered sale of assets of Kolorama Laboratories, Inc., including 29 television patents. Sale will be June 3 at the corporation's plant at 108 Coit St., Irvington, under supervision of Herbert J. Hannah, receiver. Included for sale are five British, three French, and two German patents and another issued in Rome.

Kolorama was put into receivership last January after putting $150,000 into experiments, including color in television. Eighteen U. S. patents to be auctioned cover a light modulating cell television method and apparatus, motion picture film scanning methods and apparatus, and an interfered scanning multiple cell light modulator, Kerr cell electrodes and Leonard rye tube head.

Submit One Big Union Plan to 4A Directors

A plan to amalgamate all the AAAA unions into one body was submitted yesterday to a special meeting of the AAAA board. The one big union idea has been in preparation for the last six months. It is not likely, however, that the proposal will be considered for some time.

Walter Stur Stricken

Albany—Walter Stur, 58, manager of Warner Bros. sign shop for many years, died of a heart attack.

STORKS!

The Stork played a double-feature bill at the home in Jersey City of Pat and John Decker, and a four-day show of the new film released by the Department of Altec last week. The bouncing twin boys, named Raymond and Robert, are doing nicely. Papa Fritz is dozed but will recover.

EDDING BELLS

Coast Bureau of THE FILM DAILY—Hollywood—Announcement has been made of the marriage of Chauncey Chea, screen and radio actor, Anne Rand, New York radio actress. They were married here 10 months ago.

"The Sea Hawk" Costing Warners $2,000,000

West Coast Bureau of THE FILM DAILY

Hollywood—Warners' most costly production of the year will be "The Sea Hawk," it is understood. Production, which has Errol Flynn and Brenda Marshall in the top spots, will cost approximately $2,000,000.
Rodgers and Schaefer Set for Return

Washington Bureau of THE FILM DAILY
Washington—C. C. Pettijohn, MPDPA general counsel, will be followed before the House Interstate Commerce Committee next Tuesday on behalf of Thomas E. Rodgers of RKO Radio, who will be accompanied by Sydney F. Schaefer, assistant to Mr. Rodgers, as the witness to testify against the bill by William F. Rodgers, Metro sales chief, it is understood. Prexy George J. Schaefer of RKO Radio is also slated to testify later. Both were star opponent witnesses before the Senate committee last year.

Tom Walker Resigns Post
With Hal Roach in East

Los Angeles—Hal Roach, in a surprise move, has made Tom Walker his new production manager. Walker was formerly associated with Hal Roach's company in New York, where he served as executive assistant to Roach. He was then transferred to Hollywood and assumed responsibility of the West Coast office. In his new position, he will have charge of the 75th Street plant. He will be in charge of all Roach's productions, and will reside in Hollywood. Walker was a free agent for some time, and prior to his first contract with Hal Roach, he was under contract with the Zanuck Organization. He is a native of New York and has been in the motion picture business for more than 30 years. He is a member of the Screen Directors Guild and has been a member of the Academy of Motion Picture Arts and Sciences for more than 25 years.

Embassy Signs Swing
To Exclusive Contract

LONDON—Raymond Gram Swing, war commentator, has just signed with Embassy Newsreel Theatres for an extended series of his popular weekly subjects in these houses, according to Prexy W. French Githees of the Newspapers Theatre League. The Embassy contract gives the Newspapers Theatres, Inc. exclusive sales rights.

Files Particulars Bill
In Crescent Suit

O. W. Hughes on behalf of U. S. District Attorney Horace Frierson

The bill was filed, it was said, in response to the motions of the defendant exhibitors and distributors in accordance with the order of the same court. It is claimed that the bill is an unfair and unreasonable restraint of trade.

Plan Industry Exhibit
At N. Y. World's Fair

N. Y. World's Fair

The New York World's Fair will be the scene of an industry exhibit of motion pictures, according to the plans of the exhibitors. The exhibition will include films from all parts of the world, and will be open to the public for a period of six months. The exhibition will be held in the main building of the fair, and will be open daily from 10:00 A.M. to 9:00 P.M. The admission will be 50 cents, and no charge will be made for children under 12 years of age. The exhibition will include all types of films, from the latest releases to classics of the past.

Archie Mayo Files Suit
Over His Goldwyn Pact

Archie Mayo has filed suit against Samuel Goldwyn in the Los Angeles Superior Court, charging that the production agreement, signed in 1937, is not valid and should be declared null and void. Mayo claims that Goldwyn failed to pay him the agreed-upon sum of $50,000 for his services as director and producer of the film "Rage Against the Machine." Mayo further alleges that Goldwyn has failed to deliver the film as promised, and that the film has not been distributed as agreed.

Next Three for De Mille

West Coast Bureau of THE FILM DAILY

The next three entries of "Reap the Wild Wind," "Rurals," and "Queen of Queens," as announced by Cecil B. De Mille, will all be released during the next three months.
THEY TAKE THEM ALL IN THEIR STRIDE

DIFFICULT, unusual, routine—no matter what the shot requires, one of the three Eastman negative films will more than fill the bill. Special ability backed by unvarying uniformity has made them the mainstay of modern cameramen. Eastman Kodak Co., Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
WALTER WANGER

is proud to announce to exhibitors everywhere a policy of outstanding attractions exclusively, and that associated with him in the first two productions will be 1940's foremost directors

JOHN FORD
director of the prize-winning "Stagecoach" and "The Grapes of Wrath" who will direct Eugene O'Neill's

THE LONG VOYAGE HOME

for the Argosy Corporation

ALFRED HITCHCOCK
director of "Rebecca" who now has in production

FOREIGN CORRESPONDENT

RELEASED THRU

UNITED ARTISTS
AYS TRADE ADVANTAGE NEELY BILL AIM
ara. Will Spend 25 Million On 44 to 50 Films

Budget of $2,000,000
Says Agnew; Problem, paganda Pix Avoided

By RALPH WILK

Cost Bureau of THE FILM DAILY

LOS ANGELES—Paramount will in
$25,000,000 in the production of
46 to 50 features, backing up

an ad
of
00,000.

Agnew,

chief,
told the

pany's

nal sales

sion at

Ambas-

dor Hotel
today.

set number
of pic-

will be

determined

Agnew said last night in dis-

(Continued on Page 4)

Writers May Have
To 60 Pictures

Cost Bureau of THE FILM DAILY

HOLLYWOOD—Writers for 1940-41
have up to 60 pictures, includ-

probably five or six from out-

(Continued on Page 10)

Banks May Make One
For Paramount

uglas Fairbanks, Jr., as a pro-

may make one picture for

mount after completing "Until

(Continued on Page 3)

leadership of Hays
Lauded by Miliken

Indianapolis—Development of motion

ures in the last 18 years has been

curiously influenced" by the work

Will H. Hays. Carl E. Miliken, secre-
y of the MPPDA, told the Indiana-

ians and Professional Women's Club

yesterday. Speaking at the organ-

's annual dinner, Miliken said that

"Hays' leadership the motion pic-

industry had reached a position

he was recognized and unchal-

ed as a great art-industry.

BRANDS NEELY'S BILL ILLEGAL

Incapable of Insuring Claimed Benefits, Declares Werne

of New York University Law School

The Neely block-booking bill, on

which House committee hearings are

ceeding in Washington, is as-

ailed as unconstitutional, imprac-

tical and wholly incapable of in-

uring the advantages its backers

aim for in a lengthy analysis

published today by Benjamin Werne,

erator of the Annual Survey of Eco-

nic Legislation, and a recognized

ority in his field.

Additionally, the analysis, printed as

one of the Pending Legislation
Series, Contemporary Law Pamph-

lets, New York University Law

chool, affirms that the bill "paves the

way to private pressure group

censorship of American motion pic-

ures."

No Monopoly In Production

Werne, touching on the subject of

onopoly in production, declares "a

oroughgoing analysis of the rec-

ord discloses no proof," adding "nor

does the record disclose any illegal

bination or trust."

Answering the question, "Will it

chieve any of its purported objec-

ives?", Werne finds:

(1) "The Neely bill does not

er any selective contract nor

y option to canceled pictures

(Continued on Page 7)

Two Boyer Features
For RKO's Program

Andre Daven and Nat Wachser-

, in association with Harry

and, will head a company which

will produce two Charles Boyer

(Continued on Page 10)

Chain Theater Tax
Bobs Up Again in La.

Baton Rouge, La.—Louisiana's mo-

tion picture chain theater tax, thought

safely dead with the elimina-

tion of its perennial sponsor from

(Continued on Page 4)

Levey to oversee
"Boys" Openings

Jules Levey personally will super-

ise the openings of "The Boys from

Syrauces," which he recently com-

leted for Universal. Levey said

"Newsreaders" Will be
Distributed Nationally

"Newsreaders," three to four

minute short being produced by

ewsreel Theaters, Inc., with Ray-

mond Gram Swing giving his inter-

(Continued on Page 4)

Rodgers Tells House Com.
Exhib. Rank and File Are
Opposed to Legislation

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washingoo—Charging exhibitor

ponents of the Neely measure

with "seeking only a trade ad-

age" without consideration of

others, William F. Rodgers, Metro's

sales chief, told the House Inter-

ate Commerce Committee at yester-

afternoon session that the

and file of exhibitors in the

ountry, with the exception of Al-

, are against the bill.

Rodgers detailed the story of

gotiations between distributors and

(Continued on Page 3)

Compromise Trade
Disputes—Walker

Voicing the necessity for a rappro-

ement between wings of the

dustry currently at odds over

trade practices generally and the

eely bill in particular, former

(Continued on Page 4)

Metro's "Great Waltz"
Purchased by Soviets

-M.G-M's "The Great Waltz"

has been acquired by Russia for dis-

ution in the Soviet Union. Deal

(Continued on Page 4)

15-20% Tax on Brit. Rentals

Means Higher Admissions in U. K. Theaters

Shapiro Case in Philly
Set for Next Tuesday

London (By Cable)—Imposition of a "substantial" purchase tax on

film rentals here looms as virtually certain.

Tax may run as high as 15 or 20

per cent, it was indicated as the

Treasury outlined its plans to the

(Continued on Page 3)

Medicos Pained

by Ether Credit

Pax's announced plans to credit Dr.

W. T. Morton, dentist, as the

cover of ether's use as an anesthetic in

"Triumph Over Pain" have stirred the

use of Delegates of the Texas State

ical Association to wire a protest. Medics insist Dr. Crawford Long, sur-

geon, used ether four years before the

dentist.
The Twenty-eighth
FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club,
Great Neck, L. I.

The FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Address

LAST THREE SCORES

CLUB HANDICAP

LIST

“Our Town” Plays to 19,000 Opening Day

Boston—Sol Lesser’s UA release, “Our Town,” opened in two theaters here yesterday to record-breaking business. It played to 10,000 admissions at the Orpheum Theater and to 9,000 at Loew’s. Dual opening followed a day of celebration which included special welcomes for Lesser, the producer, Charles Leder, author, and Aaron Copland, composer and music director. Governor Murphy of New Hampshire and Governor Saltonstall of Massachusetts attended the premiere. Mayor Tobin of Boston proclaimed yesterday “Our Town Day.”

Lesser, Frank Craven, Fay Bainter and Beulah Bondi fought their way through cheering thousands standing in a pouring rain to see them.

The picture “stood them up” from nine in the morning until midnight, with the opening day biggest in attendance and receipts in more than a year. Pix garnered rave reviews.

16 MM Color Shorts For Newsreel Houses

Kodachrome Screen Classics has been formed by Stan Barnett for the production of 16 mm. color shorts to supply newsreel theaters. Barnett said yesterday that a leading number of newsreel theaters were using interchangeable with the 35 mm. projectors in order to take advantage of the lower cost of operation.

First of the Music Appreciation Series, “Walks of the Flowers,” ended a week’s run at the New York Newsreel Theater yesterday. “Tales of the Sonoran Monuments” and “The Arizona Modern,” filmed at Monticello and the University of Virginia, will be shown in the local theater.

After the shows have played the newsreel theaters, prints will go to the library of Walter O. Gutlohn, director of the Workshops, for exclusive distribution to schools and non-theatrical enterprises.

Hearing Today on Burke Mandamus Application

Citing as factors for poor public the Government’s equity suit and the Neely bill, proceedings were filed yesterday in the New York Supreme Court by James F. Burke, holder of 100 shares of Columbia stock, for a mandamus to compel Columbia to supply a list of its stockholders for the expressive purpose of seeking a dissolution of that company.

Burke contends that he is cooperating with eight other stockholders holding 3,330 shares in his desire to dissolve Columbia. Columbia has filed an answer denying the suit groundless and attacking the good faith of Burke.

Hearing will be held today on the petition.

Harris to Give Charter To Oklahoma City Club

Oklahoma City—John H. Harris of Pittsburgh, Variety Clubs national chairman, arrives here Friday to present the charter to the local club. He will be accompanied by James G. Balmer, national dough guy, who will induct the local members. R. J. “Bob” O’Donnell, Dallas chief baker, will be the principal speaker.

Grainger Announces Dates for Rep. Regional Meets

West Coast Bureau of THE FILM DAILY
Hollywood — James R. Grainger, Republic presy, yesterday announced dates of Republic’s regional sales meetings as follows: San Francisco, May 28-29; Memphis, June 4-5; Chicago, June 6-7; and New York, June 11-12.

Waxman Joins Ascap

Ascap held a committee meeting yesterday afternoon for the purpose of discussing the Kassar House situation.

Grace MacDonald returns here today completing her role in “Dancing On A String at Paramount.”

Bob Hope arrives here Sunday.

Burke Meredeth is in route to the city.

Herem Shumlin flies to Havana this afternoon for a vacation.

Gus Schoffer, Rko’s Caribbean man, and Max Gomez, manager in Mexico, are here today.

Bill Heineman, Universal’s Western region manager, returns from Nevada today.

Lou Pollock returns Monday from China.

Harry Cohen, Walter Branson, Goldhammer and E. E. McVeoy, Rko’s managers, arrive here Sunday morning from the Philippines to take over the operations.

Catholic Reviewers See Trend Toward Indecency

The observed trend toward indecency in current and recent films was cited by several speakers at the annual luncheon of the Motion Picture Department of the International Federation of Catholic Alumni at the Hotel Royal Park. Hope was expressed by the speaker that war-reduced revenues abroad would not tempt or induce producers in a move of desperation to insert offensive material under the false impression that it would thereby attract attendance.

James F. Looram, chairman of the department, presided.

F it’s about motion pictures or the motion picture industry you’ll find it in THE FILM YEAR BOOK

FILM YEAR BOOKS
are given free with a year’s subscription to THE FILM DAILY

1501 Broadway, New York, N. Y.
ALONG THE
DAILY
WITH PHIL M. DALY

15-20% Tax on British Rentals

(Continued from Page 1)

trade at a meeting here yesterday.

While the meeting came on the heels of Parliament's action in giving the Government plenary powers over all interests and individuals, the tax measure is not a related step.

The rentals tax would be passed by the distributors to the exhibitors, thence to the public, pending admissions here must rise.

Fairbanks May Make One Feature for Paramount

(Continued from Page 1)

I Die," for Columbia release. Columbia deal is in partnership with Ben Hecht. It is reported the Fairbanks and Paramount have been discussing a one-picture contract.

Settlement of the estate of the late Fairbanks, Sr., is expected to result in the United Artists stock held by his father going to the son and the latter, stepmother. Ultimate outcome probably will place the younger Fairbanks in UA as a member-producer.

Shapiro Case in Philly

Set for Next Tuesday

(Continued from Page 1)

companies. Case comes up for trial next Tuesday.

Rubin Shapiro, who operates the Admiral Theater, charges that clearance granted to Stanley-Warner houses constitutes a monopoly. He asks that the alleged unlawful practice be stopped and claims damages in excess of $50,000.

"Baker's Wife" Remake

Rights Interest Majors

West Coast Bureau of THE FILM DAILY

Hollywood—The major studios—one of them said to be Metro—are reported dickering for remake rights to "The Baker's Wife," French pix.

Projectionists to Picket

Picketing will be instigated today in front of the Continental Theater by Local 306, projectionists, and Local 1, stagehands, when a new picture opens in protest over the theater's hiring projectionists from the Empire organization. Possible retaliation by Empire may bring a wave of cross picketing along Broadway.

WEDDING BELLs

West Coast Bureau of THE FILM DAILY

Los Angeles—Marriage of Arthur Treacher and Virginia Taylor, St. Louis belle, took place at Las Vegas.
Para. Lineup Calls for 44-50
Key Program to Laughs, Escapism Expectant

(Continued from Page 1)

Effectiveness of Self-Regulation Program
by Harmon to Council of Women's Federation

Milwaukee—Effectiveness of self-regulation was pictured to the Council of the General Federation of Women's Clubs by Mrs. Louise Edelman, director of the Production Code Administration, as the council turned its attention to films. Mrs. Edelman stressed the importance of the Code and said that the report "noted with some concern the tendencies of a few of the studios to grow more liberal's in their interpretation of the Code. The Code is not a ship at the source," decried propaganda films as "a most cancerous lung endangering our national peace," and reiterated UFA bill opposition.

Compromise Trade Disputes—Walker

(Continued from Page 1)

Mayor James J. Walker, told Amica luncheon meeting, at which he was honor guest yesterday, that "any talk of confounded reciprocity is one demanding a compromising and contrarv warning factions.

It is reported that from his attached position—favoring men producer-distributors nor exhibitors with all of whom he has been close terms—"it appears that the stubbornness on all sides, and this factor has existed for all two decades."

Sees Greater Flexibility Need

He said that he does not like Government interfering in any of the picture business, nor of the industry itself as a whole world. He said that he suggested that the plight in which the industry finds itself—below the proposed corrective legislation and court actions—is due in a large measure to the industry not being flexible as it should be for its own good.

Deploring the suits facing trade, he said that millions of dollars, which will have to come from industry coffers to pay for actions, could be much more substantially spent than in the courts.

Critical of Neely Language

Regarding the Neely bill, Walker ventured the belief that perhaps protracted debates and wrangles over its provisions spring from language in which it is drafted—rather than from the impractical nature of provisions.

In his plea for freedom from Government interference, Walker stated that it is impossible to legislate showmanship. He said the law should be interpreted like music. "Either you have it, or haven't it," he added.

Chain Theater Tax
Bobs Up Again in La.

(Continued from Page 1)

the house, came back to life yesterday with Rep. A. D. Flowers (salle Part) introducing such measure. Proposed taxes are as follows: two to five houses, $60 to $100; five to 10, $75; 10 to 20, $100; 20, $125; 25 to 40, $150; 40 to $175; more than 50, $200. Under court rulings chains may be assessed on their national holdings and not on their interest in Los Angeles than circuits with affiliations actively operating more houses in Los Angeles.

Edelman with 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Announcement made by 20th-Fox last week that Lou Edelman has been signed as associate producer. He was formerly Metro with Meloty and Warners a producer.
introduce Tiffany-Stahl Pact At Neely Hearing

Warne Brands

Neely Bill illegal

(Continued from Page 1)

"Thieves Experiment Out."
Mazda Prices Now
At Lowest Levels

Decidedly favorable reaction in filmland followed this week's announcement by D. S. Youngholm, Westinghouse vice-president in charge of the Lamp Division, that his organization is effecting sharp price reductions, effective, June 1, on more than 100 types and sizes of Mazda lamps.

New schedule will bring Mazda lamps to lowest price levels in history.

General lighting service types, Silvered Bowl lamps, and the Mazda "F" (fluorescent) group which is available in daylight, white, blue, green, pink, gold, and red, are also subject to the slash.

Floodlight and spotlight service lamps likewise are listed in the reduction program, as are projection and stereopticon types.

Schines Building Two More

Schine Circuit is building a new 700-seater in Laurel, Del., and another in Owego, N. Y. John and Drew Ebersen are architects on both jobs. The contract for erecting the Owego Theater has been awarded to M. Shapiro & Son.

Pushing Button Just Part of the Job

DETOIT—Ralph Ruben of Amusement Supply Company vouches for this one. He saw a new usher in a house buzz the bell in the booth. Sound seemed o.k. to Ralph, who's a bit of an expert himself. Questioned, the usher figured it was part of his job to push the button every so often, because he saw the other usher do it.

Brenkert Equipment
Installed by Wilkin

Atlanta — Brenkert projection light equipment, installed by Wilkin Theater Supply, Inc., is being used in the Woodbury, Woodbury, Ga.; Rivera, Tampa; Patricia, Aiken, S. C., and Carolina, Orangeburg, S. C.

Wilkin has also completed Crestwood Cinema, Mis- sisipi, to new kins, Montgomery, Ala.; Frolic, Birmingham; Casino, Jacksonville; Capitola, Plant City, Fla.; Grand, Lenoir, Tenn., and Apollo, Hampton, Va.

Recent Wilkin sound installations include the Roxy, Atlanta (Mirro- phone); Riverside, Bolton, Ga. (RCR); Drive-in, Jacksonville and Drive-In, Orlando (Wilkin—State), Raleigh, N. C. (Motograph); Caro- lina and Wilson, Wilson, N. C. (Moti- graph) and Patricia, Aiken.

WTS Remodels Scobel's Elbs

Omaha — Local Western Theater Supply has completely remodeled Loyd Scobel's Elbs Theater in Wagner, S. D. DaLite screen, color glow lighting fixtures, Royal Chrome furniture, drapes, border and footlights, decorating, and installation of air conditioning and heating were among items involved.

Bristol Contract to E & F

Contract for building the new Warner Bros. house in Bristol, Conn., has been let to the E. & F. Construction Co. of Bridgeport, Conn. John and Drew Ebersen of New York City are the architects.

Revamping In Ogensburg

Major reconstruction of Schine's Strand in Ogensburg, N. Y., is under way. Plans have been drawn by John and Drew Ebersen.

Ebersen Offices Moving

John and Drew Ebersen, film theater architects, move their offices tomorrow from 1560 Broadway in New York City to larger quarters at 2 W. 47th St.

Mohawk Gives Tips
On Removing Spots

Mohawk Carpet Mill, Inc., in the current issue of its "Paw Wow," passes along to film houses brief and valuable information for removal of spots and stains on theater carpet.

When rugs become spotted or stained, act quickly and be sure you use the right method for removal.

Dirty Spots: To remove, brush thoroughly with a soft brush. Then sponge with mild warm soapsuds, and rinse carefully with clear warm water.

Grease Spots: These rot the fabric and should be removed at once with carbon tetrachloride. Apply with a soft cloth, taking up the soil as it dissolves with a clean cloth or blotter. Another simple method is to sprinkle the spot with Fuller's earth. Lay a clean blotter over this and iron with a warm iron. Use fresh powder and a clean blotter and repeat until the grease is absorbed. Remove powder with vacuum and brush thoroughly.

Ink Stains: Take up freshly spilled ink with blotting paper or soft cloth. Then sponge the spot with lukewarm water. Oil or stubborn stains should be removed by a professional cleaner.

Paint Stains: Fresh paint, if still moist, can be removed by carefully with a cloth wet in turpentine.

Chewing Gum: Soften by pouring on a little carbon tetrachloride. Let it stand a few minutes, then remove carefully with a dull knife. Any remaining traces may be sponged with carbon tetrachloride.

Road Oil or Tar: Sponge with a cloth well moistened with carbon tetrachloride. Change both as it becomes soiled and continue until no additional soil comes off.

Install Simplex Projectors

National Theater Supply's Albany office has installed Simplex projectors in Dave Rosienbaum's Capitol, Elizabethtown, and in William Barney's Grand, Watervliet. A Walker Silver Screen was also supplied for the former house.

International Seats Go In

New theater chairs manufactured by International Seating Corp., have been installed in G. A. Duncan's Lyric, Carlisle, Ky., and in C. Metro's Strand, Portsmouth, O. Midwest Theater Supply Co. sold and installed the chairs.

Prismacolor
S. O. S. Brings Out
Equipment E

AFTER almost a decade of research and development, Prismacolor, Inc., of Chicago, is ready to undertake a large-scale market drive for the Prismacolor additive system, which is similar to black and white procedure. Pictures are taken with a Prismacolor camera, Projection prints are made with Prismacolor printer or any good space printer and projected on the screen with a Prismacolor projector. Anumber of duplicate prints may be made on a standard black and white continuous printer, it is asserted.

Regular panchromatic black and white film obtained from any color film manufacturer may be used. Film is simply processed in the customary black and white manner with an elimination of emulsion dyes or similar means. Technically, the Prismacolor camera contains a fully patented arrangement of prisms which break up the light into three beams just after it has passed through the lens of the camera. In the path of each of the streams of light are permanent red, blue, and green filters respectively.

Accordingly, there are registers simultaneously on the negative film three color separation exposures in each exact, oriented and identical in size, in proper sensitometric balance. For movie work the color separations are side by side at right angles to the film length. The pull down on movie film is one-half standard frame per picture. Prismacolor projectors, it is stated, are similar to the ordinary black and white projectors except that each has three sets of lenses, with a red, blue or green filter in the path to each of the lenses.

S.O.S. Coolah Weather has just announced a new evaporative cooling system designed for spaces up to 100,000 cubic feet. One or more of the units may be installed at the rear of the theater to provide clean, cool air for the lobby, projection booths, balcony or toilets, while serv...
Air-Loc Installs In Six Theaters

Minneapolis—Air-Loc Seat Industries local theater headquarters announce that their theater chairs have just been equipped with the new Air-Loc equipment. Theaters complete their theater in order to include a balcony, enlarging capacity from 600 to 800 seats. House will open around July 1.

Install Bodiform Chairs

Bette-American Bodiform chairs. Simplex Four Star Sound, Walker screen, E-7 Simplex projectors, Peerless Magnare lamps and Alexander Smith's Crestwood carpet are among items ordered by E. E. Harris and William Wolfall for their Montana Theater.

To Improve the Cox

Mt. Pleasant, Pa.—The Cox Theater, operated by Mrs. Rose Leibovitz, will close at the end of this month for approximately 60 days, during which time extensive repairs and alterations will be made.

New Plumage for Bluebird

Petersburg, Va.—The Bluebird Theater will undergo a complete overhauling and modernization, according to Herman Rubin, city manager. The complete job will be under the supervision of A. O. Budina, architect.

Richmond Clergyman Also Sells for RTS

RICHMOND, VA.—Richmond Theater Supply here boasts of probably the only clergyman who doubles as equipment salesman. He's the Rev. O. W. Patterson, whose specialty is air conditioning equipment. Clerk proclaims every Sunday.

Papayanakos Opens New 400-Seater at Potsdam

Potsdam—J. P. Papayanakos has just opened his new 400-seat Star Theater here. It is equipped with Walker White Soundscreen and complete Simplex projection and sound equipment, purchased through the Albany branch of National Theater Supply. Additionally, Papayanakos has ordered from National a Simplex E-7 projector and Walker White Soundscreen for his Graysen Theater, Governor, and an identical screen for his Rialto here.

Hilltop Will Be Enlarged

Pittsburgh—The Hilltop Theater, operated by Morris Finkel and Alex Moore, will close for 60 days for renovation, refinishing and enlargement.

"MY SON, MY SON" 

Beauty is appreciated by the young and old alike. Which is one reason why you will find Alexander Smith Carpet in most of the country's successful theaters.

ALEXANDER SMITH CARPET

LIBERMAN

FLAG AND VALANCE CO.

71 FIFTH AVENUE, NEW YORK, N. Y.

646 N. Michigan Ave., Chicago, Illinois
8954 Gibson Street, Los Angeles, Calif.
WARNERS MAY HAVE UP TO 60 PICTURES

(Continued from Page 3)

side producers, it was reported here last night.

Company's program will be outlined in detail at the Pittsburgh sales convention, opening June 10. Final numerical decision, of course, rests on developments, domestic and foreign.

Two of the outside pix already have been announced as the Frank Capra-Robert Riskin "The Life of John Doe" and the Kaufman-Harley "The Man Who Came to Dinner." "The Amazing Story of Sergeant York" forms part of the regular Warner program for next season, it is understood.

George S. Kaufman arrives at the Burbank studio July 1.

OMAHA THEATERS LAUNCH NEW CITY-WIDE GIVEAWAY

Omaha—To meet similar giveaway competition by grocers, drug stores and even filling stations, theaters here launched Prosperity Club, a $500 weekly giveaway, first such city-wide award since Bank Night was declared illegal by Nebraska courts in 1937. Deal will be pulled every Wednesday, according to plans with 25 first-run and suburban houses taking part.

Person first signs card which goes into permanent registry file, from whence winner is pulled each week. Person must register every Wednesday in lobby of any theater and after drawing, if person has registered that day, he gets award. No admission charges made for registering and person need not be in theater to win.

Theaters co-operating are paying on the basis of seating capacity. First run theaters give away seven cents per seat per week, suburbs giving a lower scale.

RKO SALES MEET TO OPEN MONDAY WITH 300 PRESENT

RKO Radio Pictures opens its ninth annual international sales convention at the Waldorf-Astoria Monday with approximately 300 sales representatives, home office and theater department executives, studio representatives and guests in attendance. Foreign delegates arrived during the week.


HOLLYWOOD

To Distribute "Human Beast"


PUBLICITY

Republic Film Held Over

San Francisco—Rep's "Gang of Chicago" is held over at the Warfield.

REVIEWS OF NEW FILMS

"Hidden Gold"

with William Boyd, Russell Hayden, Ruth Rogers, Minor Watson

Paramount

SKILLFUL SCREENPLAY, ROUSING ACTION MAKE THIS WESTERN STANDOUT ENTERTAINMENT

Producer Harry Sherman scores again as monarch among the flashiers of pulchritudinous prairie pictures. The present Hopalong drama is easily one of the series' best. Chief likable quality is the presentation's excellence—a close-knit, plausible and action-studded screenplay devised by Jack Sherman. If the hero cannot make the profound point of his message, his action, his clash with the bandits is well sustained. Sensible and clear natural dialogue, should be a signal to all makers of westerns that there are fresh approaches to this type of entertainment.

William Boyd gives his usual rousing performance as Hopalong Cassidy. He handles his mission, as an express company agent, of rounding up a clique of crooks who are pillaging gold from a mine and robbing stagecoach shipments. Boyd's triumph is aided and abetted by his loyal and tough-fibbed pal, Russell Hayden and Briton Blyth, who, along with the other cast members, gives tip-top performances, proving again the Sherman genius for solidly cast pictures, many of which are culled from short stories and screenplays from the filmic incipient scenes, right down to the finale.

There is plenty of hard riding, sinister situations, and fast gun-play,—particularly on the part of Boyd, whose shooting iron blaze via his ambidextrous skill, momentous when and where it falls. Crooks and the fortune of gold are the only possible message of these to the filmic incipient scenes, right down to the finale.

"I Was An Adventurer"

with Zorina, Richard Greene, Erich Von Stroheim, Peter Lorre

20th-Fox

SOFTIHECITED COUPLES AND ROBBERS MELLER SHOULD DO WELL AT THE BOX-OFFICE

The public generally should be entertained by this film. The cast is personable, and the backstage and lairish, with the cast names offering plenty of marquee possibilities. The story is not new or novel telling as it does the yarn of the cheater and the cheater catching each other, but it has been dressed up with a suave polish.

Zorina is engaging as a straight actress and she is rakishly beautiful in an opulently staged ballet number. Richard Greene personally portrays the young man with whom she has fallen in love; and Eric Von Stroheim and Peter Lorre capably fill the bill as a pair of crooks who work with Zorina. Gregory Ratoff gets credit for the direction and this director's handling of the American-Austrian romance.

Zorina, Von Stroheim and Lorre have a first class racket. She displays a priceless sale of her late mother's jewelry. He has to be attracted to either sell it or buy it, and the trio either substitute a phony or picks the wrong pocket. After flitting through several capitals where the crooks are fleeced, Zorina meets Greene in Nice. Her approach is to slap the crooks around and to be the hostess of a good party. But Lupino unleash his arrow and they get married. Zorina is approached some time later in Paris by her erstwhile former partner in crime, but her attempts to buy them off and scare them off fail flat. They show up at her country home and plan a large party. She is almost getting away with it but for Lorre's sentimental whim. Zorina sells Greene the whole story, and all is forgiven.


CREDITS: Associate Producer, Nannally Johnson; Director, Gregory Ratoff; Screenplay, Karl Tunberg, Don Ettlinger and John O'Mara. Based on an original production by Gregor Rabinovitch; Cameraman, Leon Shamroy and Edward Cronin; Editor, T. D. Lyons.

DIRECTION. Good. PHOTOGRAPHY. Fine.

WEEKS TO SHOOT JUNE 17

West Coast Bureau OF THE FILM DAILY

Hollywood—George W. Weeks will send George Hurrell and Harry S. Fanta to the cameras June 17.

THREE YEARS FOR HORBLOW

West Coast Bureau OF THE FILM DAILY

Hollywood—Para. has signed Arthur Hornblow to a three-year pact.

GEORGE HAYWARD DEAD

Marietta, O.—George E. Hayward, 71, Midland Theaters Co., secretary, died at his home here.

Two Boyer Features For RKO's Program

(Continued from Page 1)

starrers for RKO's 1940-41 program it was announced last night.

Deal was closed by Prexy George J. Schaefer of RKO, following negotiations conducted by Irving Levine, RKO counsel.

Andrew Litvak will direct Bob Hope in "Ariano, For President," French actress Claude Anet, cameras turning August. Second vehicle will be Michael Achard's "Le Corsaire," as a let as "The Pirate." As a run two years in Paris.

Daven, said Wachsbacher will co-producers. Wachsbacher plans to the Coast to discuss production plans with Daven and Bog.
WOBBER SEES NEELY BILL HIKING PRICES

CC Execs. Term Coast Conciliation Plan Success

By PRESCOTT C. DENNETT

Washington Bureau of THE FILM DAILY

WASHINGTON — The autonomous

action committee setup devised the Pacific Coast Conference of

pioneer Theater Owners has en-

cluded the co-operation of all major

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executive secretary, here to attend

House Interstate Commerce

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bill on the actual mechanics of

(Continued on Page 6)

Racquet Busters

Golf Tourney

While the phalanx of four-some-

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Golf Tournament on Tuesday

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The Tennis Committee is chair-

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(Continued on Page 7)

Knot Rockne“ Premiere

Dected to Go to Chi.

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Bowling Craze Hits Mid-west

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Balaban, in his keynote address

(Continued on Page 3)

Colonnade Pictures Will

Produce in Miami Studio

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Coral Gables, Fla.—A casting of-

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(Continued on Page 7)

Politics on Screen

Aroused Exhibitors

Sentiment of theater operators in

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(Continued on Page 3)

Equity Elects Lytell

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The entire regular slate was named,

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36 Top-Bracket Pix

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Hollywood—For the 1940-41 season

Paragon will release 36 pictures in the

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The Daily Newspaper Of Motion Pictures
Twenty-Two Years Old

NEW YORK, MONDAY, MAY 27, 1940

TEN CENTS

NEEDY BILL HIKING PRICES

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Sup Strictly Autonomous

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FINANCIAL

(QUOTATIONS OF FRIDAY, MAY 24)

NEW YORK STOCK MARKET

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Leo McCabe With Roach As Executive Producer?

Hal Roach has been negotiating with Leo McCabe on a deal which would make McCabe an executive producer.

The Broadway Parade

The Fight for Life (U.S. Film Service-Lorenz) — 12th week.
Waterloo Bridge (Metro-Goldwyn-Mayer) — 2nd week.
Lexi Davis (Twentieth Century-Fox) — 2nd week.
Tarri Tano (Warner Brothers Pictures) — 2nd week.
Twentiedo Days Together (Columbia Pictures) — 2nd week.
Irene (RKO Radio Pictures-William Dozier) — 2nd week.
The Saint Takes Over (RKO Radio Pictures) — 2nd week.
The Tendrel Ester (Paramount Pictures) — 2nd week.
Lost Horizon (Columbia Pictures) — 2nd week.
Young Buffalo Bill (United Artists Pictures) — 2nd week.

Two-Day Runs

Gone With the Wind—Metro-Goldwyn-Mayer-Selznick—24th week.

FOREIGN LANGUAGE FEATURES

Edison, the Man (Metro-Goldwyn-Mayer Pictures) — May 30.

FUTURE OPENINGS

Edison, the Man (Metro-Goldwyn-Mayer Pictures) — May 30.

Montage to Precede At Col. Chi. Meeting

Chicago—Columbia's Chicago convention at the Blackstone Hotel, June 4-7, will have A. Montague, general sales manager, presiding.

Rackett Coming Here To Meet With Kalmus

Gerald F. Rackett, vice-president and general manager of Technicolor Motion Picture Corp., and in charge of that company's research activities, will arrive in New York from the Coast in early June to confer here with Dr. Herbert T. Kalmus, Technicolor's president.

COMING AND GOING

SINDEY R. KENT, 20th-Fox president, returns from the Coast this week. MRS. KENT accompanies him. CHARLES E. McCARTHY, id., in a New York trip, pub. director, is also due back this week from Hollywood.

WILLIAM A. SCULLY, Universal sales chief, and F. J. A. McCARTHY, eastern division manager, are at the Hotel New York, a week-end from New Orleans.

HERMAN WOBBER, 20th-Fox sales head, returns from Washington at the week-end.

GERALD F. RACKETT, vice-president of Technicolor Motion Picture Corp., is scheduled to arrive in New York this second week in June.

ROBERT SCHLES, managing director for Europe, for Warners, arrives here tomorrow on a trip to Washington.

L. B. MEYER and HOWARD STIRKLING are at the Coast for the film festival in that city.

SAMUEL GOLDSYN is scheduled to return to Hollywood this week.

LEE TRACY arrived here Friday from the Coast.

OSWALD WELLES arrives here from Hollywood Wednesday to attend a directors' meeting here of the Motion Picture Producers Association.

A. GARDNER, theater operator in Ceylon, and MRS. GARDNER, are here from the Far East.

HERBERT J. YATES, JAMES R. CRANGER and SOL C. SIEGEL are in San Francisco this week for the Republic's regional sales meeting there.

CENE MANN is due in from the Coast this week.

CHI. PUPILS SEEING WB SHORTS AT MORNINGS

Chicago—Large scale tie-up has been arranged between the studios in this territory and local public schools, whereby the theaters are conducting special early morning showings of Warners' patriotic Technicolor shorts. School authorities permit the pupils time off to attend.

According to the school officials, this method of presenting highlights in American history has proven so effective, tying in with the methods of educational visual education, as to warrant preparations for a portfolio of these films, and theaters are distributing these to all schools for use in the classroom supplement the screenings.

Albany Drive-In Opens

Albany — Outdoor theater opened three miles from here on New York road near East Greenwich, under the auspices of Mr. and Mrs. Gateley, Springfield, Mass., next week. There are 450 car accommodations.

CONNECTICUT THEATER PROJECTS

We build to suit Stamford, Conn., Bridgeport, Conn.

Inquire

LEONARD ABRAMS

74 WASHINGTON STREET

NORTHWALL, CON.
Politics on Screen
Aroused Exhibitors

Continued from Page 12

and that Paramount’s operating and financial policies had been shaped to a pattern which may in the past have appeared conservative. But now, he continued, “we can breathe freely, devoting all our energy to the successful operation of the company.”

“We Are Fully Justified”

“I believe we are fully justified in having authorized our studio ads to go forward and not to overlook an opportunity of strengthening our program irrespective of cost.”

John W. Hicks, vice-president in charge of foreign operations, told the convention that the Paramount organization was in operation all over the globe, despite war-time conditions. “When peace comes again,” he declared, the company will be ready to step in and rehabilitate the business.

Hicks pointed out that the most serious problem was the uncertainty of the future. World unrest, he said, excludes the possibility of accurate forecasting, what revenue may mean from abroad. It cannot be estimated whether one penny will be gained from the European market this year, Hicks declared.

Y. Frank Freeman, studio chief, quoted the convention the beginning of a new era and that he hoped to produce the type of pictures that the salesmen could truly sell.

Short talks were made by Alvare Arno, manager in Colombia; Frank Ennebeck, India, and Arthur Ratchett, Cuba, Mexico and Central America.

Neil Anew, vice-president and sales manager, presided at the sessions.

Reports Stellar Group
Planning to Produce

Cleveland—A project which would combine a number of headline stars into a new producing company is in work, according to Milton Harris, formerly with Loew’s, here who reports that he will be associated with the new enterprise. Harris leaves here today for Hollywood where he will act as unit manager for the Jack Benny-Fred Allen picture for Paramount, “Love Thy Neighbor.”

According to Harris, backers of the plan will produce their own pictures and distribute under a system similar to the United Artists setup.

Gold Cabinet Ordered

RKO has ordered a Gold Cabinet and Hooker Booth Cabinet for its Golden Gate, San Francisco.

WEDDING BELLS

Greenburg, Pa.—Michael Manos, head of the Manos Amusement Company which operates a circuit of theaters throughout Western Pennsylvania and West Virginia, has announced the engagement of his daughter, Niki, to Manny Delgianis of Chicago. The wedding will take place at the Edgewater Beach Hotel, Chicago, on June 6.
It's Sensational!

Gay girls, sad girls! Thrown together in the mad whirl of life and death, love and laughter that is war!

IN WAR

A Republic Picture

MAE CLARKE • DENNIE MOORE • DOROTHY PETERSON
BILLY GILBERT • COLIN TAPLEY • Directed by JOHN H. AUER.
Coast Conciliation Plan Called Success

(Continued from Page 1)

operation employed, Poole commented that the value to the principles that had been preserved in the plan for many years and indeed had finally resulted in the formation of the PPC itself.

Four Coast Leaders With Poole

Here with Poole for the hearings are Hugh W. Bruen, ITO of Southern California and Nevada; William G. Riley, Washington State, Idaho and Alaska; and Bob White, ITO Oregon. All are strongly opposed to the Neely bill and will present to the House Committee the combined opposition to the block-booking bill on the part of the organized independent exhibitors of the Western Division and the Pacific Coast States.

This represents the first time that such exhibitors from that section have been represented at a Congressional-bloc hearing as an organized group.

Although declining to detail the "motions to be presented," the visiting PPC officials did inform FILM DAILY that the Conciliation work of the individual units of the Company Treasury—of which are strictly autonomous—is successfully carried out by a committee of three, consisting of the Executive Secretary of each unit and two unit directors picked in rotation. Problems necessitating general Conference Conciliation are passed on to the Conference Executive Secretary's office.

No Interest In National Field

Poole and his associates re-emphasized they have the slightest interest in the National Film Board work. They frankly admit that conciliation methods successfully employed in the Western Division would have to be revamped to suit the needs of such areas, as the State of Florida and Metropolitan New York and Los Angeles.

Stressing they are not in Washington to exploit conciliation on a national basis per se, the officials added that "the Conference as a Conference can never join any national organization."

The Conference officials particularly want the Eastern branch of the industry to understand that they are not in Washington to advocate any substitute for the Neely bill. Furthermore, they intend to speak of their own Conciliation movement only if drawn out by the Congressmen on the committee. They recognize the purpose of their Washington visit is to help to kill the Neely bill which is absolutely unworkable and would work tremendous havoc in the industry.

"No Moral Issue Involved"

"The bill in its present form," added the conference spokesmen, "will not accomplish the things for which it was designed by its supporters and is absolutely a moral issue involved.

Poole's thumbnail injunction in the Conference type of Conciliation is to the honest with each other. Keep politics out. The honest insistence that there be harmony is the premise upon which the Pacific Coast Conference is based.

Harvey added: "It is impossible for either side not to win by such a plan."

"What the West Coast Conference proposes," Poole summarized, "and we are doing it right now, is to provide a procedure in effecting changes that will benefit the Western Division of the industry by the following steps:

1. Each group desiring to have an honest, constructive program for everyone concerned, including the little fellow in our area of the industry, will cooperate in such a way that our great industry will advance as a harmonious group.

See 'Em Make Pix, Also Mix With Star

Sam Fran—Outstanding film shot at the Golden Gate Exposition which opened here Saturday is the "sound stage replica for a 1,500-seat auditorium. It's a film about the shots, with cast topped by Hamilton, Marian Marsh and Sam Schofield. They go through the motions of filming scenes from a musical, with their hands and mouths. The shots. Patrons who see the show get a chance to mix with the players, take candid shots. Give the movie a double-take."

"21 Days Together," with Vivien Leigh, Laurence Olivier

Lesbian

Columbia

ROMANTIC STORY HAS SHORTCOMINGS, BUT HAS TRENDS DRAWING POWER.

Filmed some time ago in England by the late Laurence Olivier and Vivien Leigh, rocketed into fame, this picture has its shortcomings. Despite that, however, exhibitors should do extremely well with it in the next few weeks. This is the crest of a tremendous wave of popularity and giving their names to an entirely new era of maudlin, romantic, unabashedly amorous features.

Story starts slowly and has little pace until it reaches a highly dramatic climax.

The dialogue is not bright; the camera work is not the best and the direction fails in several places. Miss Leigh and Mr. Olivier are good in the picture and they have the promise of outstanding performances which have not yet been achieved. Olivier's performance the better of the two. Their performance in the English accents, noticeable in this film, has also been altered with time.

Miss Leigh is credited with the sex appeal and the direction. Lesbian brides as capable in a strong support role as Miss Leigh, though that may be a coincidental accident andh and a brother and a brilliant barrister in his own right, is not credited with the sex appeal and the direction. Lesbian brides as capable in a strong support role as Miss Leigh, though that may be a coincidental accident and
The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

THE FILM DAILY, 1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name

Address

LAST THREE SCORES

The Cliub Handicap

The Twenty-eighth FILM DAILY GOLF TOURNAMENT Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

Inglewood Clearance Draws Fire of Allied (Continued from Page 1)

Academy Theater, Inglewood, seven days after Los Angeles first-run at 40 cents. Organization contends the house is "actually and economically" within the city's price schedule.

Because of its location and accessibility to the surrounding population, Allied has asked distributors to book the Academy 21 days after Los Angeles first-run, the same as any other 40-cent theater in the city.

Allied unit has announced that the protest to both the distributors and Charles Skouras has been ignored. Attention was called to the "consent decree" which prohibits favoritism in behalf of Fox West Coast theaters.

Los Angeles Daily News (Continued from Page 1)

Inglewood's testimony evoked the deepest interest as he told the committee that many evils exist in the industry but stressed the fact that Neely will not cure any of them, but, on the contrary, be ruinous to the independent theater.

Indicted, pleaded for arbitration in the industry to settle the issues and expressed confidence they will be settled in that way. If not, arbitration does take shape within six months, he will lead a fight to legislate setup a special tribunal to adjudicate grievances, Brandt said.

ITOA exec. then expressed opinion that arbitration will be abetted as the producers and exhibitors honestly want it.

Indictment assailed the prevalence of so-called affiliated theaters as the distributors' greatest difficulty and added surprise that the former against the bill, as he felt it would help them while hurting the independents.

Nobels will not be helped by a special provision, Brandt said. Added independents would only "know such matters as stars, for story and directors in addition and have the companies depict pictures without the studio's supervision."

Duals Give "Indigestion" (Continued from Page 1)

"The independent exhibitor is on the ragged edge and if something isn't done he will be put out of business. But the Neely bill doesn't help him. It puts him nearer his financial grave," Brandt affirmed.

Says Cole Not Representative

Declaring 401 out of 473 towns and 779 out of 999 theaters in Texas were against the bill, Judge Walker gave the committee a "down to earth" description of the way pictures are bought. He cited also as against it 800 A.F.L locals and numerous local PTA groups as well as the Federation of Women's Clubs of Texas.

Col. Cole does not represent opinion of Texas exhibitors, Judge Walker asserted, and he even spoke for some Allied members who are against it. He told the committee that the exhibitors in Texas are satisfied with present buying methods and fear the Neely bill will result in higher film rentals and substantial financial losses.

Detroit Sign Lighting Ordinances in Council

Detroit—All Detroit sign lighting will be seriously affected by two ordinances now before the City Council. One proposed by the Police Department, prohibits all red lighting and all flashing signs within 22 feet of any traffic signal. The Department of Building and Engineering countered with a proposal to ban all intermittent lighting on signs of any color.

Muni in "High Sierra" Next

West Coast Bureau of THE FILM DAILY

Hollywood—High Sierra Warners is set as "High Sierra."
THE WEEK IN REVIEW

NEELY BILL Would Up Costs— U. K. Admish. hike?

By L. H. MITCHELL

DOMESTIC

NEELY BILL: House Interstate Commerce Committee continued scurrying Wednesday to consider the Neely bill. Rep. Samuelson, one of proponents, admitted passage might tilt prices. Cl. Pettijohn saw 75-cent admisions result, with 50 pix selling at 50 per cent and made a 13-front attack on the bill. William F. Rodgers asserted aim of proponents was merely a trade advantage. He doubted if 6,000 theaters could be sold on a percentage basis such as that pursued on GWTW; small town theaters could not stand the extra cost. I. E. Chadwick asserted that passage of the bill means "life or death" to indies. Benjamin Werne, economic authority, declared the bill would make the small indies, fact that objectives of the bill are crucial, those sought by the Govt's equity suit. Committee turned spotlight upon any trade angles, including income of the MPPDA.

GOVT SUITS: Govt. announced names of 23 top execs. to be subpoenaed to appear at trial of the N. Y. equity suit, subsequently naming 11 more...Govt. filed its bill of particulars in the Crescent Agreement suit, naming 19 execs., whose biz had been injured by defendants.

PARAMOUNT: Paramount expects to spend $25,000,000 on next season's 46 to 50 features. Prexy Balaban announced that co would discontinue making "B" pix, spending up to $100,000 more on "A" features. Company is aiming its product at the U. S. market.

ADVERTISING: Metro announced a $2,750,000 advertising budget for the new season...UA named $3,000,000 as its appropriation for that purpose.

THIS AND THAT: U. S. Circuit Court of Appeals in Philly reserved decision in Goldwyn's UA suit to be held in connection with a declaratory judgment...Court of Appeals in Albany upheld judgment for Wm. S. and Mary Hart of $300,000 against U. A. "Ochins Char in the Wax Museum" reported profit of $562,094 tops estimate. Dr. Herbert T. Kalmus, cox, and other officers were re-examined. Kalmus stated company would dip 14 features in the dye vat next season...It was stated that Warner Bros. may have up to 20 features for the coming season. Company will have showhall department for ATAH...20th-Fox renewed Jos. M. Schenck's contract for five years...Barney Balaban attacked findings in the Chicago contempt case.

PRODUCTION: Doug Fairbanks Jr. and Ben Hecht form partnership to produce "Powers" for Columbia release...Columbia started production on "He Stays for Breakfast" with Loretta Young and Melvyn Douglas, and "Missing Evidence" with Marjorie Reynolds and Henry Kolker...RKO started "Men in the Jumping Seat" with Edmund Lowe and Wendy Barrie, and "One Crowded Night."...20th-Fox put "Oriental Char in the Wax Museum" into work; also "The Ghost of the Cisco Kid" with Cesar Romero...Universal started cranking on "Spring Parade" with Deanna Durbin and Robert Cummings, and "When the Daltons Rode" with Walter Pidgeon and Mary Astor...Charles Boyer will star in two pix for RKO next season, "Ariane Prends" and "The Pirate."

FOREIGN

GREAT BRITAIN: 15 to 20 per cent tax on British rentals was seen as meaning higher lease rates in U. K. theaters. Extent of Gov't control over pix industry in its assumption of dictatorial war powers was uncertain. The CEA was asserted to be using the war as a weapon in its drive for lower rentals.

Junior Councils Symposium

New Haven—Junior high and high school students of the Junior Motion Picture Councils, including over 500 students will present their fifth annual symposium at Troup Junior High School May 28, under the supervision of Donald A. Eldridge, Audio-Visual Educational director, and faculty advisors.

MAYFAIR BUILDING SOLID

Syracuse—Kernan block, housing the Mayfair Theater, has been acquired by Harold Manheim, local attorney. House, it is understood, will be operated jointly by Jack Karp, owner of the nearby Cameo.

CARNIVAL AND BINGO BANS

Lyndhurst, N. J. — Carnival and Bingo bans loom here as a result of action by the Town Council.

REVIEW

“The Saint Takes Over”

with George Sanders, Wendy Barrie
Jonathan Hale

RKO

FIRST RATE MYSTERY MELLER GOOD ENTERTAINMENT FOR AROUND CONSUMPTION.

Latest in the series based on the actor created by the English novelist. L. H. Charteris, this thriller is probably the best to date. It has murders galore, beautiful woman, a fast pace and pleasurable drama. Jack Hively's direction is able \n well timed, and he has been provided a good screenplay by Lynn Root and Fenton.

George Sanders has never appeared better in his character. The Saint, and lovely Wendy Barrie provides the temperamental interest...Jonathan Hale has his usual role of the police inspector and a good support cast...Edward Ellis, Robert Emmett Keane and other character players support the principals...Sanders, en route to New York, will continue to be chased in for another game on the boat. Sanders finds out his old friend, Hale, has been framed and gangsters and suspended from the police department. Working out a plan to Hale, Sanders and Hale start on the trail of the five men they believe guilty...the help of Guilday, a member of the gang they have a hold on.

However, three of their potential nemeses are mysteriously shot before they can get to them. Police interference upsets Sanders' plans, but he lays a trap for the remaining two. A surprise climax closes the real killer and the motives. Sanders clearing Hale of everything.


CREDITS: Producer, Howard Benet Director, Jack Hively; Screenplay, L. Root and Frank Fenton; Story based on character created by Leslie Chatteris; C. E. Frank Redman; Editor, Donna Marquette.

DIRECTION: Good. PHOTOGRAPHY Good.

Felder-Braudici Action Against TMAT Dismissed

(Continued from Page 1) of TMAT which sought appointment of a receiver and injunction against Joseph Silverman and Charles Carroll, officers. The Court held that the plaintiffs had not made sufficient effort in the union itself of the remedy alleged conditions. The Court further held that Silverman and Carroll had failed to properly account for union money. The Church also denied a motion for an order restraining the union from paying charges to the plaintiffs.
GALLUP WILL POLL 'EM FOR RKO

Audience Research Institute Set Up Under Deal
Giving Company Exclusive Services

Exclusive services of Dr. George Gallup in the motion picture field have been obtained by RKO, it was announced yesterday by George Schaefer, president. Dr. Gallup, head of the American Institute of Public Opinion, has formed a separate organization to scientifically assist the studio in its selection of stories, casts and titles.

New group, which will be entirely separate from the Institute, is to be known as the Audience Research Institute, and will be under the direction of David Ogilvy. It will devote its time exclusively to RKO Radio Pictures. Headquarters will be at Princeton, N. J.

A Gallup poll is under way to get public opinion on the double feature situation.

RKO CUTS PROGRAM TO 53 FOR NEXT YEAR

Poole Warns Neely's Bill Spells Ruin For Indies

GAIN Counter Condition Will Result from Passage, ICC Executive Declares

By MILTON F. LUNCH

Kingston Bureau of THE FILM DAILY

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Now It's Pass Night

Down Main St., 12—Tri-States Theaters has started a Pass Night, along with the Bank Night. Deal is worked with the street car company and patrons save their nickels and cents and win money.

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O f Motion Pictures

Twenty-Two Years Old

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LAST THREE SCORES

CLUB HANDICAP

CLUB:

More Prizes for That Film Daily Tournament

"One moment, pa-lea-zaa, New Orleans calling!"

Thus spoke one of the belles of the Bell System yesterday to FILM DAILY Golf Tournament Manager Don Mersereau in his N. Y. office.

The voice at the deep Southern end of the line was Bill Johnson of Screen Broadcasters who made the long, long distance call just to say that his organization is posting a new trophy for the big club-swinging shindig at Glen Oaks on Tuesday, June 11, Wahoooe!

Coincident with the Johnson communique, came word that Altec Service Corp. is posting a valuable prize; Box Office a handsome trophy; and National Screen Service a bery of unusual foursome runner-up awards.

Make no mistake about it, gents, this 28th FILM DAILY Golf (and Tennis, too) Tournament is going to be the "prize" event in pix annals, any and every way you figure it. Get your entry in pronto!

Funeral Services Held

For William Conselman

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services were held yesterday for William M. Conselman, scenarist and producer, who died following a long illness. He had written for 20th Century-Fox in Hollywood and England.

Opera on Tour Appeals

Opera On Tour, Inc., yesterday filed notice of appeal from a decision of the Apellate Division of the Supreme Court which dismissed its suit against the American Federation of Musicians and IATSE. The plaintiff had attempted to restrain a strike called by the United Film Daily, 1501 Broadway, New York City.

FINANCIAL

(May 27, 1940)

NEW YORK STOCK MARKET

High Low Close Chg.

Am. Seat. Col. Picts. etc. (27 1/2)

Con. Fm. Inc. 7 1/2 7 1/2 7 1/2

East Kodak 130 129 129 1/4 1/4

Gen. Th. Eq. 9 9 9 1/4 1/4

Low’s, Inc. 25 3/4 25 3/4 25 3/4 1/8

Kodak Corp. 59 1/2 59 1/2 59 1/2 1/2

Paramount 1st pd. 68 68 68 1/4 1/4

Pathes. Film Corp. 7 6 7 1/2 1/2

RKO 34 1/2 34 1/2 34 1/2 1/4

20th Century-Fox 77 77 77 1/2 1/2

Universal 57 57 57 1/4 1/4

Warror Bros. 21 1/2 21 1/2 21 1/2

NEW YORK BOND MARKET

Keith B. ref. 46 1/2 46 1/2 100 100

Low’s deb. 3 1/4 3 1/4 101 1/2 1/4

Para. B’way 3a55

Para. Picts. 6 3/4 6 3/4

Para. Picts. ev. 3a49

RKO 6 1/4 6 1/4

Warror Bros. 6 1/4 6 1/4

NEW YORK CURB MARKET

Monogram Picts. 10 1/2 10 1/2 10 1/2 1/2

Sangster Corp. 11 1/4 11 1/4 11 1/4 1/4

Technicolor 13 1/4 13 1/4 13 1/4

Universal Corp. 3 1/2 3 1/2 3 1/2 1/2

Universal Corp. 5 3/4 5 3/4 5 3/4

N. Y. OVER-THE-COUNTER SECURITIES

Pathes Film 7 pd.

Bkld Asked

Fox Thea. Office Bldg. 1st 46

Loew’s, Inc. Realty 66 1/2 66 1/2

Met. Players Inc. 2nd deb. 45 63 67

Roth Thea. Bldg. 1st 57 62 65

TECHNICAL EXECUTIVE—Unusually capable mark, second generation, due to war. Exceptionally well informed all types equipment, laboratory technique, color, ideal assistant for top executive for sales work, considerable experience in writing reports. Five minute interview requested. Box 81, Film Daily, 1501 Broadway, New York City.

COMING AND GOING

SIDNEY R. KENT, 20th-Fox proxy, is back from the Coast at the mid-week.

NATE ELUMBERG and MATTY FOX are back from Gay Week.

OSCAR DOEB shows publicity director turns from Rochester today.

CHARLES E. MCCARTHY, ad-pub. dir. for 20th-Fox, has just returned from the Coast.

HARRY ROYSTER has returned from his friends in Rochester.

JACK KIRSCH, proxy of Illinois Alliance here from CHI, is matters connected with Allied convention there in June.

STANLEY HANS, Altec staff rep., has turned from a three-week trip to the West.

EDGAR E. LLOYD returned yesterday the Mid-West where he set release date his Czechoslovakian pictures in Chicago, Indiana and Pittsburgh.

JACK SEGAL, foreign exchange opp. manager for Columbia, arrives in New York today on the S. S. Washington from months’ business trip to England and the Continent.

PAT HALLARAN, stage manager for Farm. stage play, leaves tomorrow to join Canadian Air Force.

EDWARD B. MARX, famous S. L. singer and wife of E. H. Sothern, arrives here from Europe. was in S. S. Washington.

EDGAR SELWYN is here from the Coast where he is stopping at the Sherry-Netherland.

ERNEST ANGEL, Vienna newspaperman, is here from Europe where he directed several pictures in Austria, he had turned in New York from a German convention. He is dickering with a Hollywood studio.

JAMES S. SCHEISS, European manager of Warners, arrives from Europe today on the SS. Washington.

Mr. and Mrs. SOL LESSER are gone the Sherry-Netherland.

MARTIN ANGEL, is here from the Coast on a visit before attending the "Safari" premiere in Providence on June 8.

J. CARROL NAISH arrives by plane the Coast the latter part of this week.

LYNNE OVERMAN is here from Hollywood for Grace MacDonald, having complete role in Para’s “Dancing on a Dime,” she turned to New York on call from film studio.

MADELEINE CARROLL is due to leave by per tomorrow for Lisbon en route to Paris for a visit. THOMAS REED, director of “These the Days,” is here after the Galaxie premiere, for business talks with Para execs.

PAUL SAMPSELL, partner of the Square Theater, Essex, Conn., and associated with the John W. Scronton Co. Washington.

1,200 “Nazi Spy” Deals

Approximately 1,200 courts have been closed to date for the issuance of “Confessions of a Nazi Spy,” it was learned yesterd—

FRIENDLY SERVICE SAVES TIME AND MONEY

FAX TELEGRAPH

CHARGES FOR TELEGRAPH ORDERS ARE IN EFFECT ON TELEPHONE BILL.
Neely Bill Spells Ruin, Poole Warns

(Continued from Page 1)

the Neely bill will destroy independent theaters, ruin situations and throw the industry open to bargain counter conditions with exhibitors fighting each other for best runs and highest bids.

Conceding that the industry has many problems, Poole stated they should be cured in their proper spheres within the industry.

Henry Reeve, independent exhibitor from Menard, Tex., told the committee the problem is not bad pictures, but too many small ones without box-office value. If the bill passes theaters will be opened on a "hoestring" in competition to existing theaters, causing confusion and disaster, he averred.

Hear Warners Pulling Release Date of ATAH

(Continued from Page 1)

plans for roadshows and special engagements during the summer.

Picture presumably will go into the Center Theater here on June 28 for a two-a-day engagement. West Coast opening at the Carthay Circle is dependent upon the closing there of GWTW.

Colonial, Detroit, Drops Vaudeville for Summer

Detroit — Colonial has dropped stage shows until Fall. House will close during the Summer for remodeling also.

Detroit's two largest houses will continue intermittent stage show policy, however, with Orrin Tucker and Bonnie Baker coming in next Friday at the Michigan, followed by Bob Hope a week later with the world premiere of his "The Ghost Breakers". June 7 will mark the first major day-and-date vaude opening in over two years, with Betty Grable and Rochester practically set to open at the Fox the same day. Fox then goes straight pictures until June 21, when Glenn Miller and band come in for a week.

The Press Book Goes "Round and "Round

Mc-G-M's publicity and press department seems to be aware of something new in a WHN studio yesterday. "Twas described as perhaps the first "press book with sound effects" in cinema annals. Conductor of the innovation is Harry F. Shaw, head of the New England division manager, who had a transcription made of the radio broadcast of a one-time NBC's "Worchester, Mass., Station WMAT, sent out an invitation to "home-coming" festivities the last week, coincident with the opening of "Louis's Poli of "Edison, the Man," in which she has the leading role. Miss Shaw, who supervised Miss Johnson's N.E. tour, had crowd noises, train whistles, auto horns, et al., on the press book disc. The Shaw system appears to be a boon to the industry, since henceforth a "record" may attend every opening.
RKO "Family" of 1,200 at Sales Luncheon

John E. Smith, Western and Southern sales manager, and Andy Smith, Eastern and Canadian sales manager, will present vital representative tomorrow and there will be other regional meetings that day as well.

RKO 1940-10 Sales Policies to be Defined by Ned DePinet at Sales Session Today

Ned DePinet, RKO sales head, will define the company's 1940-10 sales policies at the convention's closed session this morning. Following the luncheon, Phil Resnik, western chief, will report his department. Prexy George J. Schaefer will make his convention address in the late afternoon.

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On its way to you . .
THE BOOK
that tells why this TRADEMARK
means
MORE TO YOU
than ever before . . .
Replacements

replacing the latter, as well as "The Ramparts We Watch," March of Time feature, originally announced as a current season special.

Disney Announced

The new lineup does not include a Walt Disney special, due, it is understood, to the fact that, with Norman Krasna will contribute a feature article, Towne-Baker (The Play's the Thing Prod.) and the new combo of Dewan-Wachenburger-Brand will make two each, while William Stevens (Stephens-Lang) and Jerry Brandt (Steele-Pyramid) are down for three each.

RKO Musicals

Four Musicals Included

The program, which draws on best sellers, Broadway plays and radio, in addition to originals, calls for four musicals—"They Met in Argentia," "No, Nanette," and "Sunny." The latter, re-makes, will be Anna Neagle, the starers, produced by Herbert Wilcox.

Dr. Christian and The Saint series will be continued, and RKO will launch a Lord Epping series with two and a Scatton-Barker series, with a potential series addition is found in the Lumm and Pennsylvania screen bow.

Program shows the following player assignments:


CAROLE LOMBARD: Co-starred with Charles Laughton in Sidney Howard's "The Other Man," Erich Pommer producing; starred in "Mr. and Mrs. Smith," Norman Krasna original.

CHARLES LAUGHTON: Co-starred with Carol Lombard in "The Other Man," starred in "Not Quite a Gentleman," Garret Fort original.

ORSON WELLES: Stars in "Citizen Kane," and one other.


CAROL GRANT: "Passport to Life," screenplay by Dorothy Parker-Alan Campbell.


Walters learns technique on own time without pay

Orson Welles yesterday said he received no salary from RKO during his pre-production stay in Hollywood. The young producer said he had been spending his time learning the motion picture technique so that he will be ready to put his first picture into production when the time comes. Initial feature is to be "Citizen Kane." "Favorite Wire" clicking

Reports of high grosses and holdovers on such films as "The Maltese Falcon," "Blonde Venus," "Dark at the Top," and "Clash by Night" that were delivered to the RKO conventionites yesterday. Heavy patronage was reported from Cincinnati, Cleveland, Louisville, Portland, Des Moines, Kansas City, Milwaukee, Minneapolis, St. Paul and Seattle.

Pathe News' record staff

Pathe News has the largest staff of field cameramen in its history at strategic points on all war fronts. Walter Ament, editor, told the RKO conventionists yesterday. Ament said the extended coverage abroad would be paralleled in this country.

Eusebe Crailt dead

Milwaukee—Eusebe Crailt, 77, former Lake Michigan exhibitor and father of Isaac, Horatio, exhibited here. Besides Isaac, Crailt is survived by two other sons, a sister and a brother.

Lawton slain in action

West Coast Bureau of THE FILM DAILY


James P. Devine expires

Detroit—James P. Devine, 41, formerly acoustical engineer with Epi, is dead.

Depinet presents badges to winning sales reps.

Fourteen-carat gold badges were awarded yesterday to six RKO salesmen who sold 100 per cent of their possibilities during the present session. Awards were made by Vice-President Neil Depinet at the RKO convention in the Waldorf-Astoria. The six honored salesmen were L. S. Grubenig, St. Louis; F. E. Sanburn, Los Angeles; S. W. Whitehead, Los Angeles; G. F. Tucker, Albany; E. E. Spiers, Milwaukee, and Jack Ellis, New York. Those whose sales marks were between 90 and 100 per cent and who received sterling silver badges were Sper, Buffalo; Lewis, Kansas City; Gorlick, Chicago; Goldsmith, Seattle; Rubenstein, Los Angeles; Gardiner, Boston; Adams, Dallas; Cohen, Detroit; Harrison, Atlanta; Ross, Boston; Raymon, St. Louis; Goldsmith, Cleveland; Canelli, New York. An award (A) was given to H. C. White, Cincinnat; De Vizia, Boston; Epstein, Philadelphia; McFadden, Portland; Reagan, Memphis; Wray, Memphis, and Engelman, Portland.

RKO family of 1,200

At sales meet luncheon

(Continued from Page 4)

H. H. Bonsfield, W. J. Bonafeld, Kirk Bond, T. H. Burnham, and Butts.

C.

L. J. Charles, Josephine Clifford, J. F. Delaney, D.


E.

Clarence Bollard, Edward R. Evans.

H.

J. P. Fenlon, Herman Fuchs.

H.

Leonard Head, Albert Heimes, H. R. Henry.

J.

Johnson.

K.

C. Ketelat, A. K. Kramer.

L.

E. G. Lohn, J. D. LeVaux, Alice Lichtenstein, R. Linden, O. L. Lott.

M.

T. H. Marcovic, R. H. Mann, C. P. Mills, Dorothy Milson, Marie Miller, Madeleine G. Miller, Thomas F. Mullin, J. A. MacPhail.

O.

Evelyn O'Meara, L. O'Reilly, K. Otero.

P.

P. S. Pavlovsky.

R.

M. D. Reed, Phil J. Reisman, M. Rosenbaum.

S.


T.

G. P. Turner.

W.


Daylight saving time sought for Louisville

Louisville—Asserting that amusement interests were instrumental in getting a 1922 Kentucky law passed prohibiting exhibitors in first-class houses in Kentucky from using daylight saving time, Mayor Joseph D. Scholtz has agreed to put the Board of Aldermen and the city administration behind a movement to adopt fast time in Louisville.

Members of the Retail Merchants Association, Board of Trade and various civic groups presented the Mayor with results of a poll showing 23,137 in favor of fast time and 5,765 against.

The Aldermen are expected to petition Gov. Keen Johnson to proclaim daylight saving time for the city, permitted under the law.

To show Mark's missed

Walter Winchell, Louis Sobol, Bill Corum, Frank Graham and Ted Husing comprise a quintuplet committee which is to hold a party to-morrow afternoon in Toots Shor's new pub at 51 West 51st St., commencing at 4 p.m. The shindig is for the benefit of Mark Helliger, and is for the latter, even though he's on the opposite Coast. Mark will be phoned by the celeb- rants during the festivities.

Another year for Hall

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has extended Alexander Hall's past a year.

Shapiro anti-trust suit postponed indefinitely

(Continued from Page 1)

was charged that the Stanley-Win- ner theaters were given preference over the Admiral, operated by his Shapiro, who claimed damages in excess of $50,000.

20th-Fox to pay on Pld.

Board of Directors of 20th-F on its meeting yesterday declared cash dividend of 37 1/2c per share for the second quarter of 1940 on outstanding preferred, payable June 29, to stockholders of record at close of business June 15.

New time lasts just 3 days in Somerset

Somerset, Ky.—Daylight saving time ordinance went into effect in this County, lasted for three days before business firms and citizens turned their clocks back to C.S.T. Blamed for the failure of the plan was the refusal of Falls County Fiscal Court to speed up the Court House clock on hour. And since schools operated according to the Court House clock, general confusion resulted.
More Cities May Cut Ten Facilities

(CONTINUED FROM PAGE 1)

announced to "providing exper-
iments on the different systems on a
parative basis."

Additional cities under considera-
tion for ten facilities include
Los Angeles, Chicago,	

It is essential to the progress of
vision," the report states, "that
ere be not a mere semblance of
petition... but that there be a
ine and healthy competition
n an unfeathered industry. The
ican system of broadcasting
an been established by the
ress competitive basis. Tele-
h an important part of that

It is obvious that the industry as
ole does not share the RCA view
ing forth ahead regardless of the
ed possibility of improvements
horizon. It further appears that
the industry was not prepared to
cept the FCC's announcement
live on obsolescence," as a basis
ifying a broad public inter-
tat at current levels of effi-

Videodistribution public distribution
of a system operating on press
vels, the FCC holds, will under-
 incentive for further advance
 in broadcasting and make frozen
ards an accomplished fact. Re-
educed to make effective the
usions reached in last night's
ert will be issued in the near fu-
the FCC announced.

View Refused on La. to Use Tax on Rentals

New Orleans—Reports from
ashon are that the United States
rome Court refused to review
al of Saundra Rayleigh Corp.
ain Louisiana's one per cent use
on film rentals.

Reason given was "lack of a sub-
ential Federal question." Louisi-
was attempting to tax
rentals which Saundra Rayleigh
not paid for the use of film but
onalties as license to exhibit
ighted material.

Dur Lawson Expires

Chicago—Arthur Lawson, age 57,
ent theater lighting specialist,
deared. He is survived by his
row, eight children and two sis-

Isman Rites Held

Coast Bureau of THE FILM DAILY
Jollywood—Funeral services were
at yesterday at Pierce Bros.
mory for Walter Fleischman, 36,
ent, who died following an
ness of two months.

Seminole Dies

Daytona, O.—Phil Seminole, Semin-
 Circuit, died following a
 illness. His widow will
operate circuit's six houses.

REVIEWS OF THE NEW FILMS

"Phantom Raiders"
with Walter Pidgeon, Donald Meek, Joseph Schildkraut
Metro
(Hollywood Preview)
70 Mins. RESERVATIONS DEFEATED WITH RAGING SUSPENSE IS DEFINITELY CLASS PRODUCTION.

The second of the "Nick Carter" series
starring Walter Pidgeon as the super-sleuth, is
definitely a class production. Originally titled "Nick Carter In Panama," the
location of the picture is the city of Colon in the
Republic of Panama, and while many film
stories have been made with that exciting
city as a background, none has captured the
atmosphere of the place as completely as "Phantom Raiders." Pidgeon is great
as the reckless, girl-chasing detective. Don-
ald Meek gives a fine performance as his
slightly more responsible brother, John Schildkraut, the
angrier of the states, who has moved his
operations to Panama, is villainous and
competent. The rest of the cast including
Nat Pendleton, Florence Rice, John Carroll,
Steffi Duna, and Cecile Kellaway handle their
roles competently. Walter Pidgeon, vacationing in Panama, hires himself out to
a large international insurance firm, to try
and stop the disappearance of merchant
ships that are mysteriously disappearing at sea.

Discovering that Schildkraut is the master mind behind the slowing up of the
ship, Pidgeon tracks down the other mem-
bers of the ring, and in an expose at sea,
board a ship that is to be blown to bits at
the zero hour, extracts a confession, unites the lovers, and brings to justice the
entire ring. The script bristles with in-
trigue, glows with moments of tender love,
and gurgles with gems of delightful com-
dedy. Director Jacques Tourneur gets the
limit out of every situation, and rings down the
curtain all too soon. In the original story and the screenplay by William R. Lipman are both excellent.
The photography of Clyde De Vina is very
accurate.

CAST: Walter Pidgeon, Donald Meek,
Joseph Schildkraut, Florence Rice, Nat
Pendleton, John Carroll, Steffi Duna,
Cecile Kellaway, Mathew Boulton, Alec
Craig, Thomas Ross, Dwight Frye.

CREDITS: Producer, Frederick Stephens;
Director, Jacques Tourneur; From Original
Story by Jonathan Latimer; Screenplay, Wil-
liam R. Lipman; Cameraman, Clyde De
Vina.

DIRECTION, Expert. PHOTOGRAPHY, Good.

"Young Buffalo Bill"
with Roy Rogers, George "Gabby" Hayes,
Pauline Moore
Republic
(Hollywood Preview)
99 Mins.
SNAPPILY FACED WESTERN HAS
PLENTIFUL ACTION AND GOOD CAST.

Actionful and peopled with an engaging
cast of players, with a good story plausibly
worked out to boot, this western should meet
with the approval of the six-gun fans. Roy Rogers sings pleasantly and
knocks off the villains with eclat.
His sidekick George "Gabby" Hayes will get
some laughs, and Pauline Moore attrac-
tively provides the female interest. Pic-
ture was directed and produced by Joseph
Kane. The supporting cast is more than
adequate.

Rogers and Hayes ride into the New
Mexico territory after the U. S. has ac-
quired to help fight the Indians and
assist the cavalry with their surveys.
Gay-
lord Pendleton, son of Wade Boteler, com-
manding cavalry officer, is brought out by
his father to do the investigating. Pend-
ton is lured by Trevor Bardette into losing
money gambling so that he and his half
brother, Chief Thundercloud, a Comanche,
will get a gold mine on the ranch of Hugh Sohren.
Pendleton is forced to make a false
report. The story, as told by Roy
Rogers and Hayes straightening everything out after some fast and furious action that
will keep the fans on the edge of their
seats.

CAST: Roy Rogers, Pauline Moore, George
"Gabby" Hayes, Hugh Sohren, Gaylord
Pendleton, Chief Thundercloud, Julian Ri-
vero, Wade Boteler, Trevor Bardette, Anna
Dormitoria, Estelita Zaro.

CREDITS: Associate Producer and Direc-
tor, Joseph Kane; Screenplay, Harrison Jac-
obs, Robert Yost and Gerry Gerathy; Original
story, Norman Houston; Camera, William Nobles; Editor, Tony Mar-
tellini.

DIRECTION, Fast. PHOTOGRAPHY, Good.

Song Writers Sue Metro

Suit for $80,000 damages against
Metro-Goldwyn-Mayer Corp.,
by Mabel Wayne and Florence Flin-
son, song writers, was revealed yes-
terday in N. Y. Supreme Court where
the plaintiffs applied for an order
directing the examination of an M-
G-M officer. The plaintiffs claim that
in November 1937, they signed a
contract with M-G-M for the sale
of their song "Betwixt and Between"
for a Judy Garland picture.
The complaint alleges that the defendant
failed to use the song and substituted
an imitation version called "Hereafter"
written by Roger Edens.
M-G-M has filed an answer general-
ly denying the complaint and con-
tending that plaintiffs' song is not
original.

Hayward in Two-Pix Deal

West Coast Bureau of THE FILM DAILY
Hollywood—Louis Hayward has signed
a two-pix deal with RKO.

"Framed"
with Frank Albertson, Constance Moore,
Jerome Cowan
Universal
(Film Daily Preview)
61 Mins.
FAIR NEWSPAPER STORY HAS SOME
FAKE, OKAY FOR SECOND SPOT ON
DUALS.

Not quite up to the level of recent
Universal low budget releases, "Framed"
evertheless has moments of suspense, and
because of the efforts of a valiant crew of
experienced performers, should get by
in the second spot on a double bill. The
story is an everyday newspaper, Reporters stop-
ning presses, insane city editors, etc, Frank
Albertson, star reporter on a paper run by
Robert Arneburg, after quitting his post
to take a long-pond, finds himself
sealed off a murder; in love with a
girl (Constance Moore); and hiding in an
ambulance while the entire nation
Hollywood's movie police force search for him.
Jerome Cowan, as a comedy heavy, gives
a good performance. Direction of Harold
Arnold, as Nick a re-write man, will glad-
den the hearts of members of the fourth estate with his performance of a newspaper-
chase.

CAST: Frank Albertson, Constance Moore,
Jerome Cowan, Robert Armstrong, Sidney
Blackmer, Judith Allen, Herbert Rawlin-
son, Jack Arnold, Milburn Stone, Barbara
Pepper.

CREDITS: Producer, Ben Pivar; Director,
Harold Schuster; Author, Roy Chandlar;
Sceneplay, Same; Art Director, Jack Ot-
ter; Cameraman, Jerome Ash, Musical
Director, H. J. Salter; Editor, Otto Ludwig.

DIRECTION, Good. PHOTOGRAPHY,
Good.

Five Studios Starting Nine Pix This Week

West Coast Bureau of THE FILM DAILY
Hollywood—Nine pictures are scheduled to be produced this week.

At Paramount: "The New York-
ers" starring Dick Powell and Ellen
Drew.

At RKO-Radio: "Laddie" with
Tim Holt and Joan Carroll.

At M-G-M: "Bad Man of Wyom-
ing" starring Wallace Beery;
"Duke" starring Ann Sothern with
Dan Dailey, Jr., and Lynne Carver.

At Universal: "The Mummy's
Hand" and "Uneasy Payments."

At Warners: "The Letter" starring
Bette Davis with Herbert Mar-
shall, James Stephenson, Gale Son-
ergaard, Bruce Lester; "City For
Conquest" starring James Cagney
by Ann Dvorak and George
Toblas, J. Arthur Kennedy and An-
thony Quillig; "Money And The
Woman" with Brenda Marshall, Jeffrey
Lee, Lynn, Lee Patrick, John Diet, Roger
Pryor and Henry O'Neill.
WHEN YOU USE POSTAL TELEGRAMS!

WHEN PEOPLE ARE "TOO BUSY," remember this:
A Postal Telegram is not kept waiting in an outer office. Postal messengers are trained to get a signed receipt!

WHEN A DEAL'S ALMOST CLOSED, speed last-minute, important facts via Postal Telegraph. You can be sure they will be transmitted accurately!

WHEN THE UNEXPECTED HAPPENS, notify all concerned by Postal Telegraph. It costs surprisingly little, thanks to new low Postal Telegraph rates!


PHONE

Postal Telegraph

"First When Seconds Count!"
6 Percentage Pix aid on RKO Lineup

RKO is slated to release 26 percent more pictures on the 1940-41 program, according to reports from the company's convention which winds up today at the Waldorf-Astoria. The number of pictures is said to be marked at 40 per cent, six at 35 per cent.

ix Exhibit at Fair depends on Financing

A motion picture exhibit at the New York World's Fair looms as a possibility by July 4 if a fund of $50,000 can be raised as a deposit.

"Gangs of Chicago" Title Nixed by Chi.

Chicago—The Chicago Censor Board has turned down Republic's "Gangs of Chicago" because of the film's Board of Review, according to Lieut. Harry Costello, in charge of the Board.

Apont Andy W. Smith RKO Sales Manager

ochie, Boosberg and

ix Promoted: Domestic Post for Gus Schaefer

Appointment of Andy W. Smith as the new sales manager of RKO Pictures was announced yesterday by Mr. D. Depity, who also revealed a number of new promotions within the company. Among these, D. Smith, former sales manager of United Artists, joined RKO last October as eastern sales manager.

With the elevation of Smith to the (Continued on Page 3)

Goldwyn Status
Action Next Week?

Action on Samuel Goldwyn's status in United Artists, in view of the producer's suit against the company, is expected at next week's meeting.

Scully Names Lapidus "U" Eastern District Manager

Appointment of Jules Lapidus, Pittsburgh branch manager, as Eastern district manager for Universal.

St. Louis Triples
Out After Squawks

St. Louis—Following a protest of the Better Films Council, Fairy and Mack Lind are reported planning to drop triples, and other houses, including some of the St. Louis Amusement Co. operations, are expected to follow suit. Council president at a recent meeting, contending that there should be a move away from dubs instead of increasing the number of features shown on a program.

The Show Must Go On!

EDITOR'S NOTE: Because THE FILM DAILY believes that it, in effect, constitutes a keynote speech for the industry in the face of war conditions, the text of President George J. Schaefer's address, delivered at the company's sales convention "family" luncheon yesterday, follows in full:

THE thought may occur to some of our guests this afternoon: this is a strange time indeed to sound a note of achievement, sound a note of progress, sound a note of confidence, in a world where the values that decent men have built up, under freedom and civilization, may be riding off a precipice. And yet that is the note I want to strike today. Perhaps the truest side of the great events we are witnessing—the side that will emerge after the smoke has cleared—is that the principles and practices that have marked our own way of life have been tried by fire and sword and not found wanting. Perhaps our awakening to the fact that there are rights which men must be prepared to defend, as well as to believe in, will bring humanity to a finer and higher stage of progress. Anyway, that must be the determination of the human spirit, and I know of nothing more inspiring in this direction than the time-old slogan of our own business—THE SHOW MUST GO ON!

And let no one forget that this isn't to fiddle while Rome burns. The success, the recreation, the inspiration that entertainment brings, are as vital in this great emergency as bread and meat and other necessities of life. It is not merely the stomach but the spirit that must be fed in these days of trial. We must

Freeman Would Advocate
Plant Investment Cut, Make One Film at Time

By MILTON F. LUNCH
Washington Bureau of THE FILM DAILY
Washington—Declaring that the motion picture industry faced the most serious crisis in its history, J. FRANK FREEMAN, vice-president of the company's management, yesterday testified before the House Interstate and Foreign Commerce Committee on the Neely bill.

Freeman was confident that the amendment to the

Ceylon Box Office
Hit by Blackouts

Because of blackouts, theater business on the island of Ceylon, off the southern tip of India, has declined slightly since the beginning of the European war, according to A. Gardner, circuit operator and distributor.

Lyric to Make Opera
Shorts and a Feature

West Coast Bureau of THE FILM DAILY

Hollywood—Lyric Pictures, Inc., will produce a series of 12 two-reel operatic subjects, with "Barber of Seville" going into production next week followed by "Tannhauser."

Asks RKO Allowances
Slash

SEC Suggests $600,000 and 100,000 Shares

La. Tax Decision May
Cost Exhibs. $25,000

New Orleans—Approximately $22,000 to $25,000 taxes yearly will be added to Louisiana exhibitors, informed sources revealed yesterday, as a result of the U. S. Supreme Court's refusal to review an

Federal Judge William Bondy ordered a continuance of hearings June 18 on applications for allowances in RKO proceedings after Marland Gale, attorney for the SEC, asked the Court to limit total allowances to $800,000 and 100,000 shares of RKO common stock. The adjournment followed a full day's argument in which 28 applicants re-
**FILM DAILY GOLF TOURNAMENT**

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L.I.

**The Twenty-eighth**

**FILM DAILY**

1501 Broadway, New York, N. Y.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name

Address

LAST THREE SCORES

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Get Out Your Clubs—There Are More Prizes

In an effort to inspire filmdom's alleged golfers to spend tomorrow's holiday party at the 28th Film Daily Golf Tournament, the committee yesterday broke down and announced the prizes for foursome winners and runners up.

Success of last year's prize of a portable radio for each foursome practically dictated that the committee repeat this year. So the foursome top prize this year again be the Brulaton Jumbo, a latest model Majestic portable.

Runners up will receive the National Screen Service bags. And, these grand bags will be top prizes in any ordinary tournament. Another prize received yesterday was a case of champagne, donated by Restaurateur Toots Shor. Entries are piling up and you procrastinators had better send in that $10.00 now if you want to be at Glen Oaks on June 11.

**Funeral Rites Tomorrow for Walter Connolly**

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services will be held tomorrow morning at the Church of the Good Shepherd, Beverly Hills, for Walter Connolly, aged 72, who died yesterday. Body will be sent to Cincinnati for interment.

Connolly, well known on the Broadway stage as well as on the screen, had been ill for about 10 days. He was discovered on the floor of his Beverly Hills home, dead, by his nurse who had talked with him but a few minutes earlier. It is believed he got up to get a paper and was overcome by a sudden seizure.

Joe Longo to Cleveland

Joseph P. Longo, who for some years has been an assistant to Joseph Di Pese, publicity director for Loew's in Boston, has been appointed by Oscar A. Doob as publicity director for Loew's theaters in Cleveland, succeeding Milt Harris. Di Pese remains in charge of the Boston publicity department with Al Longo as his assistant.

Indict Ascap Counsel For Lack of License

New Orleans—First attempt to put "teeth" in Louisiana's anti-ascap law took place quietly in an adjoining parish (county) recently when a grand jury returned an indictment against Ascap attorney J. Studebaker Lucas.

Lucas, who today acknowledged he had been indicted for attempting to collect Ascap fees without paying the $5,000 license required by the law for each one of Louisiana's parishes, declared that he had filed a demurrer on constitutional grounds. The indictment followed his attempt to collect from the Wonder Bar, female impersonator spot in Jefferson Parish, just across the line from New Orleans.

In filing his demurrer, Lucas claimed that the law was unconstitutional in that among other things, it was intended to prevent the operation of a federal statute and to deprive his clients of their property without due process of law. He cited that the Act would require approximately $50,000 taxes annually from Ascap when its total take from the state was not in excess of $88,297.39.

Para. Latin-American Sales Confab for N.Y.C.

Paramount will hold a Latin-American sales conference in New York early next month, John W. Hicks, vice-president in charge of foreign distribution, announced yesterday from Hollywood. Hicks and George Weltner, assistant foreign manager, are enroute from the Coast.

A. L. Pratchett, general manager for Cuba, Mexico and Central America, is due in New York June 5 by plane; S. E. Pierpoint, manager for Brazil, is due here June 8; J. D. Rapoport, Havana manager, arrives Saturday.

"Waterloo Bridge" Gets 3rd

Metro's "Waterloo Bridge" stays a third week at the New York Capital.


Garrick Goes Martial
Chicago—B & K is dashing "Confessions of a Nazi Spy" and "Lights Out in Europe" at the Loop Garrick Theatre. War bulletins are featured in the theater lobby to tie up with the program.

La. Tax Decision May Cost Exhibs. $25,000
(Continued from Page 1)

Pix Exhibit at Fair Depends on Financing
(Continued from Page 1)

Lundeen to Press for Investigation of FCC
Washington Bureau of THE FILM DAILY
Washington — Senator Ernest Lundeen of Minnesota, in attacking the television report of the Federal Communications Commission which kills full commercial television, announced that he would seek immediate action on his resolution for a complete investigation of the activities of the FCC.

Senior Lundeen denounced FCC's action as almost "criminal," and asserted that commercialized tele would give employment to thousands.

G-Men
man their guns in a desperate assault on the last stronghold of Gangland!

A revealing story of the mysterious power who rules the GANGS OF CHICAGO

LLOYD NOLAN • Barton MacLane • Lola Lane
Ray Middleton • Astrid Alwyn • Horace MacMahon

Directed by ARTHUR LUBIN

A Republic PICTURE

President, of Hackettstown, N. J., and Miss Alice Kellher, Progressive Education Association, also testified against the bill.

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A Republic PICTURE

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Two Higher-Bracket Autry Pix for Rep.

West Coast Bureau of THE FILM DAILY

Hollywood—Two higher bracket Autry musical westerns are in- cluded in the 19th-21st RKO Republic program. Titles are “Melody Ranch” same as the Autry radio program, and “Down Mexico Way.”

Features will be divided into three groups, four DeLuxe, six Anniver- sary and 16 Jubilee productions. Anniversary group titles include “False Witness,” “Storm Over India,” “Puddin’ Head,” “Gangs of Kansas City,” “The Big Bonanza,” and “Roaring Forties.”


George Autry westerns, in addition to the top bracketers, will be titled “Old Mill Stream,” “Ride, Tenderfoot, Ride,” “River of the Moon,” “Song at Twilight,” “Under Fiesta Stars,” and “Old Faithful.”

The eight Roy Rogers are scheduled to be razzed—“Colorado,” “Border Legion,” “Young Bill Hickock,” “Robin Hood of the Pecos,” “Custer’s Last Stand,” “In Old Cheyenne,” “Sheriff of Tombstone,” and “Nebraska City.”


The new Don Barry series of eight will include “Tulsa Kid,” “Frontier Vengeance,” “Two-Gun Sheriff,” “Texas Terror,” “Wyn- ing Wildcat,” “Desert Bandit,” “Kansas Cyclone,” and “Bad Man from Rio.”

Serials for the new program will be divided into two groups, Super serials and Streamline serials. “Superman” and “Dick Tracy Strikes Again” are the 15-episode Super Serials while the 12-episode Stream- line pair will be “Jungle Girl!” and “King of the Royal Mounted.”

Viv. Corbin, in Schine

Corbin, Ky.—The Schine Circuit has taken over the Viv Theater here.

WEDDING BELLS

New Haven—Pete DePazio, of Pittsburgh, now Warner exchange salesman at the New Haven branch, will be married to Miss Ona Smith today in this city on Friday. The couple will drive to New York and Atlantic City for their honeymoon trip.

Ceylon Box Office Hit by Blackouts

(Continued from Page 1)

in Ceylon, who is in New York, the island, which is a British colony, has been blacked out at the start of the war.

Gardner distributes and exports product of RKO, M-G-M, Universal, Warner Bros., 20th Century-Fox, Columbia and United Artists to controls 14 theaters. He said yesterday that there were no monopolistic restrictions in Ceylon and that Amer- ican companies were permitted to take out as much money as they were exporting before the war, but that he doubted if they could take out money in excess of yearly totals even if there were an increase in business.

There are no double bills in Ceylon, the principal city, Gardner said, as there are somewhere in the territories. Performances start at 3, 6 and 9 p.m. in the principal houses, with other houses having only two night shows. Of course, are affected by blackouts.

Gardner is en route to Havana, Cuba, where he is to represent 89th district in the Rotary-International convention. He is the governor and elect of his district.

Scully Names Lapidis to Eastern District Manager

(Continued from Page 1)

embracing the Boston, New Haven and Philadelphia office, was announced yesterday by Willliam A. Scully, general sales manager. I will make his headquarters in New York exchange. Pete De- special representative, will take over the Philadelphia office, Scully declared.

Lapidis, with a background of serv- ing for Metro and Grand National to his credit, has headed one of the most consistent, high scoring office for Universal. His exchange recently won first prize in the Eastern division in the company’s Bill Sull- Drive, just ended. Several of his salesmen sold their territory one per cent.

Chicago Censor Pinks Metro’s “Waterloo Bridge”

Chicago—The censor board has tagged “Waterloo Bridge” adults only, but no deletions have been made.

Aha! A Spy! !

St. Louis—An excited woman rushed into the office of Harry Crawford, manager of Fanchon & Marco’s Ambassador. She had, she told Crawford, told<br>Harry Crawford, tabbed<br>Harry Crawford, tabbed<br>Harry Crawford, tabbed<br>Harry Crawford, tabbed<br>Harry Crawford, tabbed

“Aha! A Spy! !”
Percentage Pix

id on RKO Lineup

(Continued from Page 1)

...eight at 30 per cent and 10 at 20 per cent.

President George J. Schaefer,.

Chairman of the convention yesterday, 

...stated that 23 out

of Company's 26 major produc- 

...the year's program of 53

the New season were well in 

...only three of these have not 

...assigned a producer or story,

...chaefers told the delegates that 

...critically all of the 26 top units 

...is be well on the way to con- 

...tion by the first of the year.

"Ramparts" Nearly Ready

The Ramparts We Watch," feat-

...being produced by March of 

...will come off within the a

...two weeks, and prints available 

...special previews within a month, 

...E. Depinet disclosed. It will 

...be a special feature, se-

...will be the remainder of the 

...vice-president Phil Reisman in 

...negotiating foreign distribution in 

...pressing the delegates praised the 

...the old work of his European and 

...the King of the world's most 

...industry. He cited European 

...Reginald Armour and 

...General Managing Director Ralph 

...bury of the United Kingdom special 

...laudation.

Sees Europe Lost For Years

Reisman expressed the opinion

...Europe was almost exploded, 

...in ability to enter the indu- 

...it would come to be for so many years.

Even in non-belligerent coun-

...sides, Reisman pointed out that 

...of rearmaments which most 

...them are undergoing will cut off 

...great deal of foreign exchange 

...remains available to the film indus-

...Australia the government has 

...plUNed monetary restrictions up 

...to 35 per cent.

...ecting a bright note at this 

...to Reisman revealed that the de-

...these conditions France, 

...first of January, had increased 

...in the face of an increase of 

...in the Red Kingdom in that same pe-

...had increased its business 30 per 

...dollars that Latin-America 

...the Far East would still be 

...revenues.

New Office in Puerto Rico

Reisman then announced the open-

...a new RKO Radio office in 

...to Puerto Rico and the appoint-

...of the new Secker and 

...of the east foreign branch. Secker 

...merely home office representative 

...Havana. The Puerto Rico office 

...open in two or three months.

10 New Film "Names" in 1940-41 "Who's Who"

Ten film "names" are included for the first time in the 1940-41 edition of "Who's Who in the Motion Picture Industry." This year's list includes: Jean Hersholt, Allスター "Dr. Christian" film is his 447th, he told con-

...ventioners. He added that he had 

...told his radio sponsors who would keep him 

...before his air public for the next 

...weeks.

Final address of Tuesday's session 

...was by Gunther Lessing, vice-presi-

...dent of the Walt Disney organiza-

...tion, who discussed production plans 

...of his studio covering both short 

...subjects and forthcoming features.

RKO '40-'41 Ad Budget

Biggest in Its History

RKO Radio's advertising budget 

...for the new season will be the great-

...of the company, and all of its big productions 

...be pre-sold to the public, S. Barrett 

...to the directors of advertising, 

...police and exploitation told the 

...convention delegates at the Waldorf-

...Astor Hotel.

"Advertising is an essential part 

...of the show business, as vital and 

...important as actors, directors and 

...stories," McCormick said.

McCormick said world conditions 

...make it necessary to lay harder and 

...Lyric to Make Opera

Shorts and a Feature

(Continued from Page 1)

Screen Publicists and Advertisers Group will join with the 

...Screen Publicists Guild of Los 

...geles. At a meeting scheduled 

...tonight a resolution to that 

...in effect was passed and a resolution 

...being formulated for a joint con-

...vention of the two organizations to 

...up a separate local organization.

...is changing its name to Screen 

...Publicists Guild of New York.

...it claims a 15 per cent increase in 

...membership during the past week, 

...and that all majors are now repre-

...sented.

...harder on the domestic market to 

...make pictures gross more than ever 

...before. The industry must, he said, 

...squeeze every dime out of every 

...inch of celluloid.

..."There must be a rebirth of show-

...manship and salesmanship in the 

...ater operation and all of us must 

...help to bring that about," the ad-

...vertising executive said.

Hold RKO West and East 

...Regional Meets Here Today

Following roll call of the Bert

...Room of the Waldorf-Astor Ho-

...tel today, delegates of RKO Radio's 

...Eastern Division will convene in 

...the Jansen Suite and the Western 

...Division contingent in LePerriquet 

...suite. Andy W. Smith presides, 

...the former session and 

...resson E. Smith at the latter.

...Regional meetings also will be held 

...throughout the afternoon.

The RKO Pathe News reception 

...scheduled for early in the even-

...ing in the North Lounge, 67th 

...floor of the RCA Building.

...The big final banquet will be 

...held in the Rainbow Room and 

...more than 300 persons will attend.

...With Orson Welles as emceer. 

..."Information Please" quartette will 

...stage its radio programs at the 

...convention finale banquet.

300 at M of T Cocktail

Party for RKO Delegates

Cocktail party given by the 

...President of the United States 

...ambassador last evening for the 

...delegates to the RKO Radio convention 

...was attended by approximately 

...300 persons.
“Flight Angels” with Dennis Morgan, Wayne Morris, Virginia Bruce, Jane Wyman

WARNER BROS 14 mins

BREEZY STORY OF AIR LINE HOSTESSES IS PLEASING PROGRAM IN FARE

As none fare or a second attraction in larger houses this picture will fill the required requirements. The story moves along briskly and the characters are engaging, and exhibitors have sufficient names to attract attention on marquees. Dennis Morgan gives a good account of himself and with his performance he does deserves better roles. Wayne Morris capably fills the other male lead, and Virginia Bruce and Jane Wyman lend the female touch to the film. Miss Wyman is particularly effective. Ralph Bellamy gives a good performance in a strong supporting role. Lewis Selzer directed from a screenplay by Mac- rice Lee.

Morgan, crack pilot for an air-line, is grounded when the company doctors decide his eyesight is failing. Bellamy, with the assistance of Miss Bruce, induces him to take a job as instructor in the hostess school, and Morgan marries Miss Bruce. However, the instructor job doesn’t work out. Morgan learns that an army pilot has been assigned to test a strato-liner and Morris had been working on and he steals the ship, cracking it up after testing it. His license suspended, he leaves to join the Cocky Fokker, a picture drafted by the army, for an instructor’s post at an army field and everything works out nicely.


CREDITS: In charge of production, Jack L. Warner; Associate Producer, Edmund Grainger; Director, Lewis Seiler; Screenplay, Margaret Lindsay; Original story by Frederick M. Wilcox and Richard Macaulay; Cameraman, L. W. O’Connell; Editor, James Gibbons.

DIRECTION: Good. PHOTOGRAPHY: Good.

Baltin Named Program Director for DuMont

Will Baltin, film and radio editor of the New Brunswick (N. J.) Daily Home News and the Sunday Times since 1932, has been appointed program director for the new Allen B. DuMont television station, W2XWV, now under construction at 515 Madison Ave. Baltin will assume his new duties on June 3. Baltin inaugurated what is believed to be the first sponsoring newspaper television column in 1936 which appeared in the Sunday Times.

Orr as Harold Teen

West Coast Bureau of THE FILM DAILY

Burbank—William Orr will draw the title role in Warners’ new version of “Harold Teen.”

“You Ought To Be in Pictures” A Leon Schlesinger “Looney Tune” Warner Bros. 8 mins

Entertaining Short

A new idea, and one that may have far reaching effect in the making of cartoon shorts, this film employs human actors and hand drawn characters with synchronized voices. For something that was no doubt intended to be largely an experiment, “You Ought To Be In Pictures” is very entertaining, and equal in quality to any of the Schlesingers. The story deals with the attempt of Porky Pig, Schlesinger’s cartoon star, to leave the comedy human field and enter the feature field. It is very well told. Music is good; photography and synchronization excellent. The background is the one thing the major live actor is Leon Schlesinger. He is so good that he ought to be in pictures.

“Tugboat Mickey” Good Cartoon

RKO 7 mins

Good Stuff

This is an attempt to predict future television progress, done in a halfkidding, half serious manner. Narrative in this the subject is an indirect plug for Du Mont, showing the inventor in one scene. Picture takes the angle that television will be featured in theaters, as well as in homes, and shows some of the medium’s future possibilities in the fields of entertainment, sports, and crime detection. Bob Hope, Lanny Ross, Bob Burns and Akin Tamiroff appear in short bits.

Newark Call to Operate 12-Week Film Festival

Newark Sunday Call will open a 12-week Film Festival at Newark’s Little Theater on July 1, with profits benefiting summer camps for underprivileged children. Festival is announced by the paper as an annual feature.

The Call is asking its readers to select 25 films from the past foreign Festival and to stimulate interest, is offering cash and ticket awards. Films designated must be at least six to eight months old, the paper specifies.

At the same time, the Call is asking its readers to indicate whether they prefer single features or duals.

AFRA Will Act Soon On “One Big Union” Plan

Action by the American Federation of Radio Artists on the report for amalgamation of all unions in the AAAA into one general setup will be taken shortly, it was re-

reported yesterday. Plan eliminates synonymous unions, thereby effecting a large operating economy and strengthening of the entire organization it is claimed in the report. Plans AAAA union sponsors the study, the plan now with a view to presenting it to the membership for action.

Dr. Goldsmith Sees Tele Role in Aviation Vital

Washington Bureau of THE FILM DAILY

Washington—Future use of television in aviation was envisioned yesterday by Dr. Alfred N. Goldsmith, RCA consulting engineer, in a speech before the National Aeronautical Association Forum and Conference. Dr. Goldsmith, talking of the various forms of radio available to aviation, held that perhaps the ultimate application of radio to aviation is televisibility, which would enable a pilot to see an indicator for any desired direction and to receive a view of the selected terrain.

“Isles of the East” (Magic Carpet of Movietone) 20th Century-Fox 9 mins

Timely Travelogue

With the Dutch East Indies foremost in the daily press, this subject showing some of the principal islands of the group, is expected to be a hit. Opening with some standard shots of Bali dancing boys and girls, the reel moves on to less well known views of native rice production, weaving and inland boating in several of the island groups. Dr. Low’s Thomas’ narration speculates on the possible effect of the European war on the future of the present Dutch subject.

“The Riveter” RKO 8 mins

Riotously Funny

Donald Duck’s experience in this cartoon as a riveter will get big laughs from audience. Duck applies for a job as a riveter when he sees a sign in front of a construction job. Touchy tough foreman has the riveting machine tossed into his hands with due even knowing how it operates. What happens from then on is pleasurable to an extreme degree. Reel is a Walt Disney production in Technicolor.

“A Kick in Time” (Color Classic) Paramount 7 mins

Cute Cartoon

The further adventures of Mr. Fleischer’s donkey characters, Hunk and Spunky, are amusingly done in Technicolor. In this one, Hunk is captured by a mule auctioneer while Spunky becomes the property of a junk dealer. Spunky has quite a time before he can rescue her overworked offspring.

“Billposters” RKO 8 mins

Highly Amusing

Donald Duck and his sidelong Goofy, are out pasting up handbills on the surrounding countryside. Reaching a likely looking farm, they go to work. The results are hilarious as Goofy gets tangled up with a windmill, Donald gets mixed up with a very mad goat and both of them get mixed up with the pastepots and handbills. There are a few laughs in this short. It is a Walt Disney production in Technicolor.

“Donald’s Dog Laundry” RKO 8 mins

Funny Cartoon

Donald Duck builds a mechanics dog washer from blueprints to clean the canines in the vicinity of Disney, and decides to let Pluto go around the washer on him. Several good schemes to lure Pluto to the washer go awry and Donald falls in himself. The results are highly amusing and any audience will get a kick out of it. Reel is a Walt Disney production in Technicolor.

Wednesday, May 29, 1946

SHORT SUBJECT REVIEWS
JOHN H. HARRIS
VICE-PRESIDENT OF
HARRIS AMUSEMENT COMPANIES, Pittsburgh, Pa.

Writes—

"I consider the Film Daily Year Book of great value to us in our business.

"We make many references to it during the year.

"May I, too, compliment you on the regular daily issue, which we find most valuable to us."

The 1940 FILM YEAR BOOK
is distributed free to all
SUBSCRIBERS of
FILM DAILY
1501 BROADWAY, N. Y. C.
Appoint Andy Smith
RKO Sales Manager

(Continued from Page 1)

new spot, Depinet named Robert Mochrie, Southern district manager, to the post of Eastern sales manager, filling the vacancy left by Smith. Charles Boasberg, Buffalo branch manager, was appointed Eastern Eastern District district manager, succeeding E. L. McEvoy, resigned. Elmer Lux, Buffalo salesman, succeeds Boasberg as manager.

Gus Schaefer, Caribbean manager, has been drafted to domestic distribution and will be named to an important position today. It was rumored around the RKO convention yesterday that he would become Southern district manager, but this could not be confirmed.

Mochrie, like Smith, is a veteran in the business and also joined RKO last October. Boasberg started his RKO career as a salesman in Buf- falo in 1931 and was made manager in 1937. Lux started in the film business at the Buffalo branch as a stepping stone. Schaefer for many years was Paramount's Eastern general manager and also head of Universal's foreign department.

RKO Starts Six 1940-41 Features During June

West Coast Bureau of THE FILM DAILY

Hollywood—Six features on the 1940-41 schedule of RKO Radio Pictures will go before the cameras in June. Harry E. Edington, executive producer, plans to move the new product in a steady flow throughout the late Spring and Summer months. Scripts of more than half of the new screen plays are finished, producers and directors assigned, with many castings in progress. Ready for June production are:


“Dreaming Out Loud," made by Voce Productions for RKO Radio and now producing to the following emerge the radio team of Lam and Aber, is now being edited.

Pasha's Son to West Point

Robert E. Pasho, son of Eugene Pasho, of the Gem, Naugatuck, Conn., has been appointed to West Point as of July 1.

The Show Must Go On!

(Continued from Page 1)

have an invincible morale as well as an invincible armour to be fully prepared.

THE war has cost the American motion picture industry many foreign markets. But these markets have not been destroyed by the leased need of Entertainment to re- new human energy and inspire the human spirit. They have not been lost through the failure of our studios to create and supply such entertainment. They are threatened now that there may be physical and economic difficulties of serving such entertainment, as both civilian and military populations, the threat of war, violence of the war. Yet even as I speak, the entertainment products of our studios, recorded in cans of celluloid, are rolling almost up to the front-line trenches in France and Belgium, as are food and ammunition and other vital necessities.

In doing our part to see that the show does go on, it should be a satisfaction for all of us that RKO in its fiscal, production, sales and organization programs was not blind to the need of preparedness. There was a time when your company was almost alone in the industry in that immediate economies were demanded. We believed it was the only way by which we could maintain and strengthen picture production schedules for our vital home front, in view of the crumbling markets abroad that could be foreseen at the beginning of the war. We refused to lull ourselves into the feeling that this was a new kind of war—a war in which contesting armies would comfortably wait each other out behind their im-pregnable works, while the civilians in the rear would let joy reign unconfined in their open and flourishing theaters.

I SEEMED to be the bull in the china shop when the proposal was made, but I am glad to report that nothing was broken and that what we did did in the American way. Our program primarily to decrease expenses, not decrease employment. We cut from above, not from below. While some salaries were reduced by more than 35 per cent, we made the promises—and we hold to it—that no employee receiving $4,500 a year or less would be affected.

I believe this is the place and the occasion to express again my deep gratitude for the splendid co-operation I have received from our studios and from other employees of the RKO in our campaign of preparedness. Today we are represented as an industrial family—bankers, business men and employees—in the discussion of our forthcoming programs. Perhaps this is the best way to prove, in a meeting of this sort, that not all banks have the same shoulders to justly carry the general. They are as well as an industry, that not all authors wear long hair, that not all producers speak in terms colossal, and that not all directors and artists wear their temperaments on their sleeves. We are members of the organization engaged in a common enterprise and a common purpose—the task of rebuilding the RKO, not merely for today, but for tomorrow.

No economy made could have justified any reduction in the quality and entertainment appeal of our pictures. It is the one economy that we can not afford. That we haven't made, and that we will not make. We are in an industry where pictures, not words, must tell the story, and as we introduce our “line,” if you please, for the coming season, it is the character of our product, not the few remarks that I have to make, that must speak for our progress.

That we have progressed there can be no doubt. That we are building soundly is inherent. I believe, in the loyalty and energy with which every member of the RKO or- ganization is powerful to the whole team of which I know we are new in the industry. We shall not be satisfied until all our pictures are made at the lowest costs compatible with better and better entertainment.

It is right, I believe, that the loyal relations on the floor and the sales activities should raise in our certain that all our studios will have to offer in the coming season.

I refer to that officer of our company who has the responsibility of covering, intensively and extensively, the whole front of RKO sales in our greatest market, the home market. He is my friend and vice-president and general manager of sales of the RKO company.

I now introduce—Mr. Depinet.

SLRB Postpones Hearing On TMAT-Prudential Case

Hearing before the SLRB yesterday in the TMAT-Prudential case was postponed until further information has been submitted to the body by the theater circuit. The Prudential corporate setup is said to have been altered since the in- cision of the case.

Starts Film Letter Dept.

Newark Sunday Call has inaugurated a new letter department, “Dear Sir, and Catechize” to go under “Dear Sir, and Catechize” in which its readers are in- vited to unburden themselves on various phases of Hollywood.

Farewell for Michaelson

Stamford — Friends of William Michaelson from this city, the exchange district, and other parts of the state, tendered him a farewell luncheon at Rich's Restaurant. Old Greenwich, Michaelson, who has resigned as manager of the Plaza to join the ranks of business, has been managing theaters for the past 38 years. Dave Weinstock, owner of the Plaza, was among the guests.

Craven Again As Narrator

Hollywood — Warners has signed Jack Craven for another narrator stint, assignment is to “City for Conquest,” the James Cagney-Avery Sheridan starrer.

Goldwyn Status Action Next Week!

(Continued from Page 1)

of the board of directors. It has been hinted that a decision would reach at a brief meeting of board yesterday, but the matter reportedly did not come up.

Meanwhile, Goldwyn is reported to be working to rid itself completely from production or resurrection picture-making on a large scale, pending entirely upon circumstances. A corps of writers has been put into stories into shape and he is armed with screenplays.

Goldwyn Talent on Loan

On the other hand, practice from David wonderful film director, camera- and other studio people who has under contract has been loaned out to other producers. A few execs have flipped to Japan. Among Goldwyn's personally owned players are Gary Cooper, who is working in "Northwest Mounted Police" slated to go next with Frank Capra for "The Life of John Doe"; Terence Morgan, "Maryland" for 20th Century-Fox; and also signed with Capra for "Jo Doe". An "Adventurer's" and opened in the stage product "Louisiana Purchase" last July New York; Jon Hall, loaned out 20th Century-Fox and Edward Smo Virginia Gilmore, half of whose plans have been purchased by Century-Fox and who had a top in "Rain or Shine"; Dana Andrews whom has been loaned out; Adele Dow for "Frank Doe" has been a half interest; Andrea Leeds has been loaned out to various productions; and many others have been loaned to the British army. Only Doris Davis Port remains as a full-time Goldwyn player.

Directors Also Loaned

Among his directors are Willie Wyler, now doing "The Letter"; Warner Bros.; Sam Wood, recent completed "Our Town" for Syl- ler and now on loan to Paramount and Archie Mayo; working on "For Sons" at 20th Century-Fox. G. Toland, cameraman, has been brough by John Ford for "The Long Voyage Home"; James Bassett, director, and Nina Roberts, ward- ward, also on the same picture; John Heron, set decorator, has been brought by Alfred Hitchcock and director Wanger for "Foreign Correspondent" and John Miles, publicist with Frank Lloyd's "Howards of Virginia."

TMAT Drops 3 Members

At a meeting of the TMAT (Theater Managers Association) held late Monday night, Ben Braut Stockton Leigh and Max G. Feld placed a protest against the dismissal of the organiza- sion of the union, were dropped from the union on charges of other anti-union and strike-breaking.
WARNS NEELY'S BILL SPELLS CONFUSION

Foreign Revenue Reduction Estimated At 66\(\frac{2}{3}\) %

War and Restrictions With-No Effect Upon Only 13% of the Foreign Market

With foreign markets being further restricted and totally lost in some cases due to war, a major foreign department head this week estimated that American distributors will only expect to be able to return to home offices this year approximately 33 and 1-3 cent per dollar revenue returned last year.

Explanation of this estimate is as follows: Approximately 13 per cent of the domestic market, 13 of the foreign market.

Republic Acquires Gluckman Branches

Further enlarging its own ex-

gro- system, Republic completed negotiations this week to take over New York and Philadelphia branches owned and operated by

man Gluckman with a Rep.

efranchise. Purchase price was not disclosed. Gluckman will continue.

Fed Will Operate to Steffes Theaters

Minneapolis - Management of

and Alvin theaters here will take over June 1 by Minnesota

ment Co. This announcement was made here by John J. Friedl, president, a Sonneglum negotiations be-

Your Entry Is $10: You May Win Scents!

Whoops! The gendarmes of the press may prevent some of the fans when they decide to promenade from the FILM DAILY Golf Tournament on Tuesday, June 11, at Glen Oaks. Reason is that Toto Productions Co. of Chicago has posted special prizes for "Ocean Blue Efficient Bubble Bath Tablets." These exotics are to be sold, according to promises, on the table at a cost of $2.00. If they don't, they'll still make a great hit with the better-halves of the golfers who win them.

Should Babies Be Barred From Theater?

New Mexico Exhib. Puts It Up to Public

Artie A. M.—Centrally positioned between the devil and the deep blue sea," Raymond Bartlett, manager of the Centurion Theatre here, is asking the public to decide whether babies should be barred from the house.

Bartlett admits that many new mothers, whose babies are less than a year old, wish to attend the theater without bringing their infants. But, on the other hand, he is being told by other customers that they are frequent visitors because of the feasting babies.

Bartlett points out he has one baby for two hours the other night, and that the lobby and foyer have become something of nurseries, with the house staff tending a candy and penny appearance policy.

Drop Admission Tax Exemption to 30%

Washington, D.C — The new defense-financing program will affect theater admissions under the proposed provisions, it was revealed Wednesday, May 30, 1940. Tax program, as framed, calls for a reduction of the exemption on theater admissions taxes from the present level of 40 cents to 30 cents.

Music Clubs Federation

Plans Own Film Awards

Music composers, arrangers, and artists in the film field are to receive recognition next year through awards from the National Federation of Music Clubs. Federation claims that musicians have not been adequately recognized by the Academy awards, and, with the co-operations of Coast studios, will make.

"U" Will Again Sell Away from Saenger

For the second consecutive season, Universal will sell away from the Saenger circuit in New Orleans. Decision was made following the return from New Orleans of William Scully, general sales manager, and.

FDR's Hands Off in Equity Suit

Action Headed for a Decision, Capital's View

Monogram Sets Starting Dates for 19 Features

West Coast Bureau of THE FILM DAILY

Hollywood — Definite starting dates for 19 Monogram features have been set and the company is ready to swing into full action according to a statement issued over the holiday by President W. Ray Johnston. Statement was in answer to the tendency to curtail produc-

Kuy kendall Urges Adopting Selective Form of Exhibition Pact as Trade Aid

Washington — I am fully aware of the fact that a fairer trade practice policy must prevail in this industry, but this legislation would lend itself to further confusion of the already complicated motion picture industry," Ed.

Metro Concessions

In Contract Riders

Twenty per cent cancellation privileges and other concessions promised by M-G-M in an announcement last fall are to be included in riders.

Goldwyn's Anti-Duels Stand Backed by ITOA

A resolution approving Samuel Goldwyn's stand on double features was passed by the ITOA at a meet-

CIO Union Invading Projectionist Field

Scranton — Dispute has developed here between the regular projectionists union affiliated with the A.F. of L. and another organization affiliated with the CIO. Hearing was held before the Labor Relations Board, but no decision has been handed down to date. The A.F. of L. union claims several theater operators did not renew their contracts, hiring CIO men instead. Picketing and other developments have resulted.
Legal victory has been scored by Earl J. Vallen and Vallen Inc., in their joint action as plaintiffs against the Board of Education of Plainfield (O.) Rural School District, Action, brought in the U. S. District Court, Southern District of Ohio, recently, upheld plaintiffs' claim that utilization of certain equipment by the defendant infringed Vallen inventions and patents. The Court ruled that eight claims of the patent in suit are good and valid.

The Court issued a permanent injunction against the defendant and is reported to be asking it to pay $350 to Vallen and his organization for the infringement upon payment of this sum to Vallen, Inc., plaintiffs may issue a license for the equipment as it is at present installed at the Plainfield School, Mariceont, Ohio, for the life of the patent in suit and free of any additional royalties or other charges by the plaintiffs.

The Court also ruled that the defendants must pay costs.

RKO-Cocalis Deal Now Hinges on Union Angle

Deal whereby RKO takes over 10 Cocalis theaters in the Bronx awaits adjustments of the contract with the operators' unions. When such an agreement is reached, it is understood that the 10 theaters will pass to RKO control. Union scale with the Cocalis circuit is said to be lower than that required in the RKO theaters. Union members also claim that the company does not scale if, and when, the theaters are acquired by RKO.

Theaters involved are the Interbrite, Allegheny, Castlehill, Crest, Marblehill, Ward, Pelham, Rosedale, Iljinam and York.

Colif. Solons Give Proposals for the Brush-Off

Sacramento-The State Legislature adjourned after siding with all tax increase proposals of Governor Olson.

During the closing session, Assemblyman Call introduced a resolution criticizing motion picture industry for publicly given Howard R. Philbrick, new manager of Central Casting Bureau. Philbrick resigned as manager of State Motor Vehicle Department in all informal and was immediately given the CCB post, causing sharp criticism of the industry by the legislators.

Fromer Joining Columbia

Julian P. Fromer, formerly with the AP and the Buffalo Times, will join the Columbia press bureau department next week, it was learned Wednesday.

Dutch Actor in "Escape"

Metro—Has cast Philip Dorn, Dutch actor, as Dr. Ditten in "Escape."
WORD-OF-MOUTH!

CAPITOL’s THIRD WEEK!

“A cinch to win you” — Walter Winchell
“Excellent story and production. Taylor superb” — Louella Parsons, Columnist
“Hike straight to the Capitol” — Times
“Absorbing screen drama” — Herald Tribune
“Sure to be popular” — Sun
“Excellent. Taylor’s best, Miss Leigh fine” — Post

VIVIEN LEIGH and ROBERT TAYLOR!
Metro-Goldwyn-Mayer’s
WATERLOO BRIDGE
extends its CAPITOL stay for another week!

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play by S. N. Behrman, Hans Ramau and George Froeschel • Based on the Play “Waterloo Bridge” by Robert E. Sherwood
Directed by Mervyn LeRoy • Produced by Sidney Franklin • An M-G-M Picture
Republic Acquires Gluckman Branches

(Continued from Page 1) as the general manager of the New York and Philly branches, with no changes scheduled in the personnel, it was said.

With this purchase, Republic now owns nine exchanges of its own, others being in Detroit, Buffalo, Boston, New Haven, Albany, Los Angeles and San Francisco. Max Gillis is manager of the Philly branch and Morris Epstein is manager of the New York exchange.

"Hollywood Previews"

For 31 F & M Theaters

St. Louis—Roger Gibbons, promoter of miniature "Hollywood Previews" will put on his stunt in 31 F & M St. Louis Amusement Co. houses, at the rate of six a month. Gibbons has already done the stunt at four of the circuit's houses.

Previews are a box-office hypo conceived by Gibbons some years ago. He and his staff go into a neighborhood and solicit merchants for co-operation in a doubles discovery plan. Merchants lend clothes, jewelry, etc., to winners of the contest, and in return get screen trailer time. Doubles with talent are rehearsed and given a half-hour show on the preview night when theater front is dressed with flood lights, dummy newscast cameras and a PA system.

Gibbons, who has some 300 previews to his credit, takes a cut of the night's receipts and whatever the merchants ship in for the publicity.

Price Cut In Dallas

Dallas—The Arcadia Theater, one of the large local indies, has reduced prices for the summer. New afternoon rate is 10-15 cents, except Sundays. Night prices are 10-20 cents.

Metro Concessions In Contract Riders

(Continued from Page 1) attached to new season contracts. The concessions are, as those included (makeup, pose, and rejected trial) price:

Meanwhile, the M-G-M sales force has been instructed to make a survey of each territory and to take contracts on the season product, with the view of adjusting terms to fit each situation.

It is understood that salesmen have been instructed to ask high terms where they are warranted and to lower the terms in spots where lower terms are justified. To date, M-G-M has made no contracts 1940-41 product.

Harris Amusement Co. Promotes Managers

Pittsburgh—The Harris Amusement Co. has announced the following promotions and changes in managerial ranks for theaters in Pittsburgh territory:

Marty Henderson, former manager of the William Penn Theater, North Side, has been appointed manager of the new Perry Theater, North Side, replacing J. A. Hoole who will divide the various theater managers during the vacation period; Harold Segal, of the Family Theater, E. Liberty, replaces Henderson as manager of the William Penn; Ben Miller, of the Beachview Theater replaces Segal at the Family Theater; John P. Harris has been transferred from the Palace News Theater downtown to the Beachview and Robert Keller, formerly Alvin staff, has been made manager of the Palace.

Rejects Booth Measure

Hornell, N. Y.—Two operators—and a booth ordinance, requested by lock operators union, has been approved by the Common Council, which, it is believed, will change the law as proposed.

Stanwyck For "John Doe"

Hollywood — Barbara Stanwyck will play the feminine lead in the Capra-Riskin film "The Life of John Doe."
REVIEW OF THE NEW FILMS

**Brother Orchid**
Edward G. Robinson, Ann Sothern, Humphrey Bogart, Ralph Bellamy
91 Mins.

**Usin Comedy Has Novelty A7, an Able Cast of Engagers**
Solutions should be well amused by this, and it affords Robinson a part fits him like a glove. There are names for the marquee and the film's novel story readily lends itself exploitation. Robinson is excellent as an engager who becomes a monk through circumstances. Miss Sothern, as his dumb girl friend, contributes a picture. Humphrey Bogart ably role of a gangster. Ralph Bellamy as a kick rancher, and a strong cast including Donald Crisp, Al Jenkins, Cecil Kellaway, Granville and Morgan Conway contribute extra characterization. A movie dropped from a screenplay by Earl Baldwin picture might have been helped by a tip in the pace at its beginning. Sothern quits his gang to go to Europe see the world as a sportman and writer. Also leaving Miss Sothern goes a five years later he decides to turn over his old leadership to find that Bogart and his henchmen. Without a part of the gang, Robinson is rapidly muscling in his old territory and Miss Sothern, recently gets him taken for a ride. Rob- Bondec camp breaks up the line and with the assistance of Bogart and his cowhands breaks up the pro- fession. However, Robinson decides he will enjoy life more in the Monastery leaves Miss Sothern to Bellamy, also discovers that his brothers will have to work hard to market their flowers from them on.

**Rocky Mountain Rangers**
with Robert Livingston, Raymond Hatton, Duncan Renaldo
Republic

58 Mins.

**Action Western is One of Best to Date in Mesquiteer Series**
Starting off with a bang, there is no lepup in this actionful western. It should meet with the hearty approval of the usual type western formula, the outdoor settings are first rate and the cast fills all requirements.

Robert Livingston, Raymond Hatton and Duncan Renaldo ride again as the Three Mesquiteers, shooting and mess- ing up the villains in slambang style. Leroy Mason is the principal villain in the piece, and is played by a man destined to become a supporting role. George Sherman directed. Livingston and his pals, members of the Rocky Mountain Rangers, ride into Texas at the behest of the Rangers there to join forces with them to try and police the territory and wipe out Mason and his gang of killers. Mason is immune from the law in the "panhandle," which has not been annexed by any state, thereby preventing the Rangers from going in after him. After hearing what is happening to the honest citizens in the territory Livingston and his pals ride in to see what can be done. There is a showdown that leads up to a wild and woolly climax that sees the end of Mason and his gang.

**CAST:**

**CReditS:** Associate Producer, Harry Grey; Director, George Sherman; Screenplay, Barry Shipman and Earle Snell; Original Story, J. Benton Cheney; Cameraman, Jack Marta; Editor, Lester Orlobeck.

**DIRECTION, Fast, PHOTOGRAPHY, Good.**

**Playmates of the Wild**
(Granland Rice Sportlight)aramount

10 Mins.

**Fable Animal Subject**
The amusing antics of a group of half a dozen trained oters, put through their paces by Trainer Emil Liers, make viewing this film a worth-while 10 minutes. Liers has trained the mammals so that no matter how frolicsome they feel they always return to him at a blast from his whistle. Reel shows their first contact with salt water at Daytona Beach and they manage to have a lot of fun there as well as in other scenes taken in fresh water.

**Modern New Orleans**
Metro

8 Mins.

**Well Done Travelogue**
Latest in the James A. Fitzpatrick travelogues in Technicolor released by Metro, this one depicts the New Orleans of today. Commentary is interesting and the scenes depicted in the reel are well chosen. Short shows the amazing amount of sea traffic handled by the compara- tively inland city. Reel also shows cistic buildings, the new airport, bridges and other improvements that have made the city one of the world's greatest commercial centers.

**Officer Duck**

RKO

8 Mins.

**Many a Laugh Here**
Donald portrays an officer of the law in charge of a radio patrol car in this reel. Assigned to go out and get Tiny Tim, dead or alive, Donald rushes to the address expecting to see some quack doctor who calls himself. Imagine his consternation when he discovers the wanted man is the size of Gargantua. However, the re- sourceful Donald solves this problem by engaging the man to tell him what his offsprings by some skulldugger and lands his man with many a laugh forthcoming in the process. Short is a Walt Disney production in Technicolor.

**Spots Before Your Eyes**

Metro

10 Mins.

**Amusing and Instructive**
This Pete Smith short has both laughs and very helpful information regarding the removal of stains. Short has a good comedy angle, but at the same time there are things done in it by a cleaning expert which will amaze housewives. Audience will see simple methods of cleaning up broken glass, ink spots, grease spots and scorched marks.

**Sanctuary of the Seals**
(Adventures of a Newsreel Cameraman)

20th Century-Fox

9 Mins.

**Interesting Seal Subject**
The annual migration of seal herds to Pribilof, an Alaskan Isle, is told in this interesting reel. The U. S. Coast Guard and the Bureau of Fish- eries co-operated in the making of the picture which shows the annual gathering of the herd, battles between jealous bulls, and the raising of baby seals. Pribilof, by interna- tional treaty, is under protection of the Coast Guard and Paul Doug- lass, narrator, comments that the seal herd in two decades has paid back to the U. S. more than twice the purchase price of Alaska.

**Catnip Capers**
(Terry-Toon)

20th Century-Fox

7 Mins.

**Cartoon Nightmare**

Kitty becomes a nuisance to the mice raiding cheese in the kitchen so they turn over a box of catnip and let her go on a binge. Transported to dream land via a pink elephant, the cat runs the gamut of night- terrors from Oriental splendors to the usual chase by a green-eyed train. Done in Technicolor the reel should amuse cartoon fans.

**Swiss Ski Yodelers**
(Terry-Toon)

20th Century-Fox

7 Mins.

**Cartoon and Skiing**
The adventures of a pig learning to ski highlighted this just fair reel. Surrounded by experts on the snow, the pig finally falls into a natural fall into a bear's cave. His rescuers find him safe, having managed to beat the bear in a poker game.

**All About Hash**

Metro

11 Mins.

**Fair "Our Gang"**
**"Our Gang"** solves the domestic problems of its members and it is all summed up in this short. One of the gang's smallest members has a father and mother that fight every Monday because the boy is always absent. He is supposed to be in the Sunday, the entire gang is invited to dinner and they solve the hash problems by eating. Parents are invited out on Monday night by the parents of another member of the gang and they get hash, but the gang solves this by appearing on a radio show and explaining everything as the parents listen.

**Mr. Duck Steps Out**

RKO

8 Mins.

**Hilarious Short**
Donald Duck goes jitterbug in this short with hilarious results. He goes to pay a call on Daisy Duck after tricking his little nephews into staying at home. However, when he arrives he discovers the nephews have gotten together first and his troubles start. A general riot ensues with a piece of business dealing with an ear of popping corn screamingly funny. Reel is a Walt Disney production in Technicolor.

**Lyric: Chicago, Darkens**

Chicago — Kissel interests have closed the Lyric for the summer.

**REVIEWS OF THE NEW FILMS**

"Will Again Sell "

Ray from Saenger

(Continued From Page 1)

J. A. McCarthy, southern district manager, said Wednesday that Uni- al product would be available to independents in the territory.

***SHORTS***

**Adventures Of Red Ryder**
Republic

20 mins. per ep.

Rousing Western Serial Is Surefire Audience Getter

With Donald Barry portraying the role of Red Ryder, nationally known newspaper sport hero, this Republic serial is a rousing and actionful thrill that is a surefire crowd pleaser. Exhibs. have plenty of exploits and the serial should prove a strong attraction. Barry is okay as the screen personification of Ryder, able with his guns and vigorous to an extreme degree with his fists in rough and tumble fighting. Tommy Cook portrays the Indian boy, Little Beaver. Chief villain with whom Barry has to contend is Noah Beery, and Beery has a good assortment of bad men to back him up in the picture. William Tabbert, J. B. Wilcock, Charlie Pierre, Allen, Vivian Coe, Hal Talafarco and Harry Worth are also prominently cast.
When is a Package Not a Package? Columbia
Will Provide the Answer at Chicago Party

When is a "package" not a package? When it's a "Package Convention"—and Columbia's sales personnel has its own private mystery on hand for an "amazing" Mr. Williams or an Elrey Queen to solve. The reason for the mysterious gift has nothing to do with wool, inviting the recipient to attend the "First Package Convention of Columbia Pictures Corporation." Mystery, according to local Sherlocks, will be solved next Tuesday at the opening session of Columbia's four-day sales meeting in Chicago.

Goldwyn's Anti-Duets Stand Backed by ITOA

(Continued from Page 1)

on Wednesday, Goldwyn in re-
taining statements had declared that
duets were responsible for the fall-
ing off of theater grosses.

Harry Brandt, president, and the
entire slate of officers except the
secretary, were nominated for re-
election. Same directors plus five
others were nominated. Elections
will be held at the next meeting,
scheduled within the next two
weeks.

J. J. Goldberg and Frances Breg-
man were nominated to replace
Maurice Brown.

A committee was appointed to
contact Local 30 and gain a sub-
terest in involving operators' sal-
aries.

Nominees for the augmented board
include Irving Romney, Sam Straus-
berg, Frank Moscato, Sam Bleiwiss
and J. J. Goldberg. Present direc-
tors, who were nominating for the
position, were Bernhard Pear, Rudolph
Samders, Hyman Rachmil, Jack Hattum, Otto Cede-
er, Abraham Shenk, Bernard Bar-
ry, J. Chornow, Arthur Mayer, Bernard
Brooks, F. Bregman and Ray Rhone-
heimer.

Officers nominated for re-election
were Harry Brandt, David Weis-
stock, Stanley Lawton and Leon Rosenblatt.

Delegates at the meeting were
former Mayor James J. Walker and
Robert Poole of the ITO of Southern
California.

The second annual sales会
section "fantastic" and stated it
would lead to a minimum of 12
set up of conciliation boards, prop-
ositions that the ITO of the district
would clarify many issues that the
Neely bill does not deal with.

Assists Higher Rentals Sure
Kuykendall told the committee the
measure will increase film rentals
which exhibitors cannot afford. In
conclusion, he declared: "It will
completely revolutionize the busi-
ness methods of an industry that
has grown into one of the largest
industries in America today through
these methods of operation which
the present bill would destroy.'

Thomas McGuire, public relations
director of the Theaters of Michi-
 gan, Inc., offered the booking
bills seven-point program in place of the Neely bill. He pro-
posed:

(1) A mandatory provision that
disputes are contracts, overbuy-
ing, overcharging and the like
problems be submitted to a fair
arbitration board to be set up local-
ly; (2) A mandatory 20 to 25 per

duced to open this year without effect from
was indicated by the business
projects that a remainder can be classified as
or seriously affected
monetary restrictions through
the year. Any top of lost
and affected business, will bring
will total of exportable dollars down
about one-third of what was real-
last year.

On this basis, it was said, a
pany normally doing a $21,000
v-annual foreign business could fail
be able to export about $13,000
U. S. and the others and restric-
ions will cut

$1,000,000 down to about $5,000
in which is actually realizable
in business which money can be
banked on for operations and
uction costs.
Therefore, an adjustment of
rents must be made to
this loss, it was pointed
out. Cos
which can be figured as "the
regarding currency exports
some business is still being done.
ve instances are roughly ar-
: Italy, Germany, Norway,
.S., Belgium.

Restrictions on money pres-
throughout the British Empire, no
right. France and other
number of other countries rest
the film business. Currency re-
ments from a number of other
 countries are either
scopically small or precarious
existing conditions, leaving
tral and South America as
the territories where there is a com-
freedom of operation and
unity to transfer money.

Photographic-Projection
Exports Down $408,000
Washington, D.C.—Exports of pho-
tographic and projection goods from the United
States have dropped from $1,795,000 in April,
1941, to $1,387,000 in April of this year,
le Commerce Department reports. This is a decrease of $408,000.

The four-month period ending
April also shows a decline of 10 per cent compared to last year. The
month period for this year was in-
$5,677,000 compared to
5,088,000 for the same period of
93,000,000 a drop of $351,000.

Interstate Advocates
"Fifth Column" Shorts

Dallas.—The Interstate Circuit
urgina the production of a se-
 combining shorts to make
fifth Column picture.

The Hobbitle office think's it
in a "short" a "short" in Hollywood and it
is anxious the Rep.
Martin Dies of Texas and
the picture.

Friday, May 31, 1941
7

If Business Interferes With Golf, GIVE UP BUSINESS!!
--- at least for TUESDAY, JUNE 11th

For that is the date of the twenty-eighth FILM DAILY GOLF TOURNAMENT and the town will be deserted. Everybody who is anybody will be at the beautiful GLEN OAKS CLUB, GREAT NECK, L. I.

SIGN UP NOW and join the gang at the industry's oldest annual get-together!

Drop Admission Tax Exemption to 30c!

(Continued from Page 1) in a revenue estimated at $25,000. 000.

Previously, industry groups had been working on a plan which would raise the exemption to 50 cents but indications are, in view of the necessity of the defense program, that there will be little or no opposition to the proposed new level.

WARNING

Entrees 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.

TEENII PLAYERS

Special prizes will be awarded for tennis. And, a special tennis committee is now rounding up candidates.

COMMITTEE FOR 1940

Jack Alboeate, Chairman; Don M. Mersereau, Tournament Manager: Billy Brandt. Louis Nizer, Leon Bamberger.

Vivien Leigh Named "B'way First Lady"

Vivien Leigh has been named "Broadway's First Lady" for 1940 by the special awards committee of the Broadway Association, in recognition of Miss Leigh's personal and screen appearance simultaneously in five Broadway the-

Exchange Union to Picnic

Pittsburgh—Film Exchange Em-

GWTW In Detroit Suburb

Detroit—GWTW, which broke all-

Plan Canadian Outing

Detroit—Film Bowling League will hold its annual stag outing on

nomogram Sets Starting

tes for 19 Features

(Continued from Page 1)

Johnston declaring that Mono-

sung House Opens July 4

hensburg, Pa.—New Rivoll The-

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The Twenty-eighth FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940. Glen Oaks Country Club, Great Neck, L. I.

THE FILM DAILY,

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name ____________________________

Address ____________________________

LAST THREE SCORES ____________________________

CLUB HANDICAP ____________________________

CLUB: ____________________________

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Friday, May 31

Grand Jurors Will See Ascap Records

(Continued from Page 1)

in his application to quash the grand jury proceedings contended that the National Association of Broadcasters was behind the Government move, and that the threatened prosecution of Ascap for alleged violation of anti-trust laws was being brought to force Ascap to sign a consent decree in a pending anti-trust suit.

The Ascap attorney charged Andrew W. Bennett, copyright attorney for NAB, with having used confidential information given to the Government in a number of private suits scattered throughout the country.

Frohlich declared that Bennett was formerly Special Assistant Attorney General in charge of an anti-trust suit which was dropped in 1935 and that he had obtained Ascap records at that time in his capacity as Government official.

The D of J had asked for 25 different sets of records which Judge Goddard cut down, eliminating the number of records on the ground that their compilation would be too burdensome.

During argument, Special Assistant Attorney General Victor Waters stated that the records were required for presentation in the suit to a grand jury but that no jury was at present considering the case. He made it clear that the D of J will not disclose the records to any private group.

Repeal of Anti-Ascap Law in Louisiana Anticipated

New Orleans—Favorable action is expected in the legislature on the Senate Bill 702, introduced by Sen. Nicholas Carbajal, which seeks to repeal the anti-Ascap law passed in 1954. This law requires Ascap to pay a $5,000 fee in each parish in order to collect license fees or do business in any part of the state.

Belief that the new measure will be passed is based on the decision in the State Court of Louisiana, 24th judicial district in Jefferson parish, where Judge L. Robert Rivarde, sustained the demurrer of J. Studubaker Lucas who had been indicted for violating the state’s anti-Ascap statute. Lucas, local Ascap attorney, and representative, averred that the law was unconstitutional and was upheld by the court.

Oudum Off C-W Board

Floyd B. Oudum, president of Atlantic Corp., is resigning from the board of Curtis-Wright Corp. and will be replaced by E. S. Cramer, secretary of Curtis-Wright, according to a press release issued for a special meeting of the aviation company in Wilmington, Del., on July 2.

Opening in Logansport

Logansport, Ind.—The new State Theater here will open June 19.

REVIEWS OF NEW FILMS

FOREIGN


NEW YORK TIMES: Aided by an excellent cast, Persson manages to get lots of laughs out of the audience despite a thin and well worn story.

DAILY NEWS: Seasons Swedish releases wind up on a jovial note at the 46th St. Theater as Edward Persson leaves them laughing.

CREDITS: Europa Film Production; Director, S. Bauman. PLAYERS: Edward Persson, Gideon Wahlberg, Birgit Rosengren.

“The Phantom Wagon” (French dialogue, English titles) Columbia 91 Mins.

DAILY NEWS: Picture is a fantasy of death, masterfully done, but depressing.

HERALD TRIBUNE: Film is a strange mixture of allegory and realism which is strangely engrossing, even though it does not entirely come off.

NEW YORK TIMES: Picture must be reported as a confused and nightmarish excursion into a far corner of the lower depths.

CREDITS: Produced by Transcontinental Films; Director, Julien Duvirier. PLAYERS: Pierre Fresnay, Marie Bell, Louis Jouvet.

“At Your Orders, Madame” (Italian dialogue, no English titles) Esperia Films 73 Mins.

DAILY NEWS: Light comedy, full of gaiety and little action.

HERALD TRIBUNE: Simple, unpretentious comedy with an excellent cast and a none-too-good story.

NEW YORK TIMES: Film is of slight amusement value.

CREDITS: Aurora Film production; Director, Mario Mattoli. PLAYERS: Vittorio de Sica, Elsa Merlini, Enrico Vissario.

SHORTS

“Swing Social” 8 mins. Fair Cartoon

On a certain Sunday morning in the deep South the decoy sees one of his flock fishing while he is on the way to church. He stops and tells the man why he won’t catch any fish that day. Explanation shows the audience that the bass are having a swing social which takes up their entire time.

“Granite Hotel” (Stone Age Cartoon) Paramount 7 mins. Dull Cartoon

The going is around Granite Hotel, where the telephone operator claims “nothing ever happens” is the basis for this rather episodic subject. Guests are shown being served fish, wearing the bear skins, and bounced to their respective floors. Finally the dinosaur fire department dismantles the place while the operator still chants that “nothing ever happens.”

“Servant Of Mankind” 9 mins. Good Educational Reel

Produced apparently as a trailer advertisement of Metro’s production, “Edison, The Man.” This short depicts some of the amazing achievements of the late great inventor. It shows his home and laboratories and then depicts how industrial life and home life today depend largely on his amazing inventions, including dynamos, electric lights, the phone graph and many other things. Real is highly interesting and educational.

“Suva, Pride Of Fiji” 9 mins. Interesting Travelogue

Taken in the Fiji Islands by James A. Fitzpatrick during one of his world tours, this short is colorful and interesting. Real presents the different kinds of native inhabitants of the islands and also shows native villages that have been unchanged in architecture for centuries. The natives are also seen in ceremonial dances. Commentary describes the rule of the islands under the British government.

Schines Closing Two

Zanesville, O.—Schine Circuit is closing the Grand and Quinby Theaters for the summer tonight. The Liberty and Imperial will remain open.

All operating problems, booking, buying and advertising for the World will be handled by Minnesota Amusement executive offices in as

FDR’s Hands Off In Equity Suit

(Continued from Page 2)

sition may result in breakdown of antitrust suits to stop the equity case—and most observers think it has already sucked up so much time that it will not be considered (an highly probable that President Roosevelt would intervene, and that the New York suit is headed for a decision.

Would Cause Open Break in Government officials will take up the matter are, of course, relative to discuss it but certain points have been raised against the premise that the Chief Executive would hand, despite the national situation resulting from World War I, it would involve an open breach between the President and Arnold. While Arnold would probably yield to the demands of “boss,” there is the effect of such move upon the J of J’s broad role to be considered

Secondly, interference in such matter in any unusual way by the President does take a hand in the running of the various departments it usually involves some interdepartmental difficulty. It is true that the President does sometime make policy decisions in various departments, but rarely in direct interference with a departmental chief. The anti-trust situation has been only a line of attack on the Arnold command.

Roosevelt Too Involved

It is further felt here that President Roosevelt is too involved in foreign affairs and domestic affairs of national importance to take the time to study and decide on a matter involving a single industry.

General Jackson shows no indication of disagreement with Arnold’s actions and it is certain that the President would act without considering his close friend and adviser, Attorney General. If interference in such policy does occur, it is expected to originate with Jackson, and not Roosevelt. In such event Roosevelt’s interest would probably need to be concerned in the Arnold policy. He has the power over Arnold to reverse the Departmental policy without higher-up.

D of J Plans No Further Exams. of Majors’ Execs.

The D of J sources revealed yesterday that no further examinations of major company executives in connection with the equity suit will be held prior to trial, scheduled for Monday. It was intimated that the further examination may be held during recesses called by the Court.

Stoa Forms New Firm

Detroit—Circle and Midway Theaters Co. has been formed by Joseph Stoa, circuit owner, to operate the Circle and the Midway of Dearborn.
WILLIAMS, for Gov't, and SCHER, for Majors. Will End as Trial Starts

By AL STERN
FILM DAILY Staff Writer

The Government today opens its case against the major film companies in a move launched primarily to drive a wedge between the directors and producer-own-ers. Unless both sides agree on settlement, a possibility which appears unlikely at this time, the film industry is expected to last from 18 months to two years. Some observers predict that it will be the last on record.

Walt! Judge Henry W. Goddard on (Continued on Page 3)

Tournamont Prizes Etablish Record

Extra! Extra!—the array of raffles and prizes for which the visitors in THE FILM DAILY Golf Tournament will shoot at Glen Oaks Tuesday, June 11, is the most stupendous in the long annals of this magazine and glorious event! So, stop and listen, Ye Divot Diggers and Putt Busters (Oh, yes, there'll likely be a plenty of tennis, too), for here's a lineup of booty:

Raffles already established:

1) First place, $300,000 in cash to the winners of the golf tournament.
2) Second place, $200,000 in cash to the golfers.
3) Third place, $100,000 in cash to the golfers.
4) Fourth place, $50,000 in cash to the golfers.
5) Fifth place, $25,000 in cash to the golfers.
6) Sixth place, $10,000 in cash to the golfers.
7) Seventh place, $5,000 in cash to the golfers.
8) Eighth place, $2,500 in cash to the golfers.
9) Ninth place, $1,000 in cash to the golfers.
10) Tenth place, $500 in cash to the golfers.

Chesnough City Councils Vote to Stage Play on "6"

Rochester—Rochester City Councils embraced the city on a program of supporting stage plays in (Continued on Page 6)


Chicago—As if there are features: "The Man from Dakota," "Isle of Destiny" and "Castle on the Hudson"—were not tough, the Karlof, of the Charles Stern Ring, tossed in two stem wine glasses for good measure.

Chinook Again—three houses tripping 16 film giveaways, with one exhibit, using $8,000 worth of film—gave away—24 volume Educational Library series.

20th-Fox Extends Sol Wurtzel's Contract for Three Additional Years to July 1, 1946

West Coast Bureau of THE FILM DAILY

Hollywood—Contract of Sol Wurtzel, 20th Century-Fox executive producer, which has three years to run has been extended for three additional years, bringing it up to July 1, 1946. He started with old Fox company 25 years ago and when the organization became 20th Century-Fox he continued with it.

U. S. to Extend Tax On Admish to 1945

Washington Bureau of THE FILM DAILY

Washington—Treasury tax experts now expect to raise an additional three and one-half million dollars during the next fiscal year by lowering the admissions tax exemption to 90 cents. Present plans not only call for lower exemption but also will extend the admission tax itself to 1945. In this connection Treasury officials emphasize that the tax bill is only in its preliminary stage and that such proposals should be considered. (Continued on Page 7)

Admission Tax Bill in Louisiana House

Baton Rouge, La.—Graduated tax on all amusement admissions, excepting those on race tracks, municipally-operated bath houses, bathing places and athletic contests charging less than 50 cents, added to the hopper of Louisiana's house here at the week-end.

Introduced by Rep. W. T. McCain, (Continued on Page 3)

Goetz Quits England; Report Pix Plans Off

Ben Goetz, M-G-M production head in England, and Mrs. Goetz are returning to the U. S. on the President Roosevelt which is bringing back a large number of American refugees. (Continued on Page 3)

WIND' Poliicy for WB'S AATHT

Plan $300,000 Ad Campaign; First Dates Set

Jack Cohn to Welcome Col. Parley Delegates

Chicago—More than 125 home office executives and members of 16 branch office sales staffs will participate in the four-day sales meeting of Columbia Pictures which gets underway tomorrow in the local Blackstone Hotel. Jack Cohn, company's vice-president, will welcome delegates. (Continued on Page 6)

Adoption of GWTT's policy for Warners' "All This and Heaven, Too!" throughout the summer was announced over the week-end by Grad Sears, sales chief. At the same time, Sears stated that Warners would spend approximately $250,000, in addition to $50,000 already allotted to Magazine advertising, to herald the screen version of the Rachel Field novel.

That Warners contemplated road...

Keough, Schaefer and Harmon to Testify This Week on Neely Bill

(Washington Bureau of THE FILM DAILY)

Washington—With the final fade-out on the Neely Bill hearings scheduled for tomorrow or Wednesday, opponents of the measure will conclude their case early in the fourth week with Russell C. Keough, Paramount vice-president, George J. Schaefer, RKO proxy and Francis Harmon of the Production Code Administration expected to testify. Allied and civic groups will have final few hours in rebuttal of opposition testimony.

At Friday's session, parade of exhibitors and civic spokesmen opposed (Continued on Page 6)

IATSE May Decide On Moves in Tele

Louisville—When the IATSE opens its 35th convention today in the Jefferson County Armory, the 1,000 freelancers will have on their agenda for action during the week-long huddle; election of a president and other officers; decision on the IA moves in the television and 16 mm. fields; decision on plan of action in (Continued on Page 4)

Benchley to Make Para. Shorts at Astoria Studio

Robert Benchley's six short subjects for Paramount's new season program will be made at Eastern Service Studio. Staff will be headed by Leslie Roush, director, and Justin (Continued on Page 6)

New Haven's C of C Opposes Neely Bill

New Haven—As a result of a Neely Bill discussion, called by the legislative committee of the New Haven Chamber of Commerce, headed by First Ray W. Thomas, the Chamber decided to voice its opposition in Washington. Exchange managers here, Lou Schefer of the Paramount and John Mapes of the Roger Sherman were present at the meeting. Oscar Monrad represents the Chamber in Washington.
Moscati-Pinsker Lease
New Great Neck Theater

Frank Moscati and Irving Pinsker of the Island Theater Circuit have leased the theater to be erected at the corner of Grace Ave. and Middle Neck Road, Great Neck, L. I. Ground has been broken for the new house which will have 600 seats and be completely air conditioned. Opening is scheduled for Sept. 15.

New theater will be directly opposite to Skouras’ Great Neck Playhouse two blocks away.

Newsreel Business
In Canada Stepped Up

Following the intensification of the European war, newreel companies last week reported that the volume of newsreel business in Canada has been considerably stepped up. Although the reels are subject to censorship they are delivered to theaters with no delay that is appreciable.

"U" Retains Otterson
West Coast Bureau of THE FILM DAILY

Hollywood—Jack Otterson, supervising art director, has had his contract picked up for another year by Universal. He starts on his fourth year with that organization.

Lorre to RKO for Two
West Coast Bureau of THE FILM DAILY

Hollywood—Peter Lorre has been signed by the studio to a two-year contract, the first of which will be "Stranger On the Third Floor," in which he will play the title role.

Corwin Staying with CBS; RKO Radio Deal Called Off

Negotiations inaugurated by RKO Radio for the services of Norman Corwin of CBS as a writer-director have been dropped, Corwin finding proposed conditions of the deal not to his satisfaction. Talks progressed over a period of two months.

Corwin accordingly will remain with CBS for which he did the "Purse of Happiness" program. At present he is developing several new program ideas, but expects to take a vacation before taking on a new assignment.

Television Engineering Co. Chartered in Delaware

Wilmington, Del.—Television Engineering Co., Inc., has been granted a corporate charter by the State Department at Dover to deal in television; capital, 200 shares, no par; principal office, Capital Trust Co. of Delaware, Dover; incorporators, Frank T. Francis, Levering H. Gilpin and Solomon H. Feldman, Washington.

First "Baines" Start on 15th
West Coast Bureau of THE FILM DAILY

Hollywood—Pyramid Pictures have set June 15 as the starting date for their initial "Scattergood Baines" picture. RKO-Radio will distribute the series based on "Scattergood Baines" stories.

Goldstein Heads AAA

Associated Agents of America has Inducted Hymlie Goldstein as president.
**Equity Arguments May Span Week**

(Continued from Page 1)

the bench, Paul Williams, special assistant Attorney General, probably will be the sole speaker for the Gov-
ernment today. Edward Thomas D. Thacher, chief trial counsel for the defendants, is slated to make the closing defense address. Inasmuch as Williams is expected to hold the floor for four to seven hours, Judge Thacher may not take over until tomorrow.

Williams will carry the brunt of the Government's opening argument. He will outline and explain a large number of trade terms and will de-
scribe practices and usages in the industry. At least a week will be required to complete opening argu-
ments of all counsel.

Defendants will be represented by scores of the ablest and best-known
trial attorneys in the country. Seat-
ed at the counsel table, among others, will be brothers, W. Davis and J. Robert Rubin for Loew's; Judge Joseph Proskauer and R. W. Perkins for Warner Bros.; Judge Thacher and Louis Phillips for 20th-Fox; Judge W. Harry Harris and John F. Casky for 20th-Century-Fox; Col. William J. Dono-
van, counsel for RKO; Judge Thomas E. and Benjamin Pepper for United Art-
ists; Raftery and Charles Prutzman for Universal, and Louis Frohlich and Herman Pinkelsfain for Colum-
bia.

Defense attorneys have leased a suite of offices at 346 Broadway where they will headquartered for the du-
ration of the trial.

Attorney General Robert Jackson will not be in court today and at the week-end it was uncertain whether Thurman Arnold, Assistant Attorney General, and chief of the Anti-Trust Divi-
sion, would come on from Wash-
ington. There was a possibility, however, that Arnold, assisted by Wendell Berge, would be present.

**One Munson as Texas Guinan?**

West Coast Bureau of THE FILM DAILY

Hollywood—"Roaring Forties," a forthcoming book by John J. Brauman and Grace Hayward on the life of Texas Guinan, will be filmed by Republic. Ona Munson is under con-
deration for the Guinan role.

**STORKS!**

Chicago—A son was born to Mrs. Cecil Davidson, at the Lying-In Hos-
pital. Davidson is the leader of the State Lake orchestra.

Chicago—Bill Holden, director of B & K claim department, is the father of a baby boy, born at the Presby-
erian Hospital.

Pittsburgh—A 6½ pound daughter was born to Mrs. Milton Brauman, wife of the main line salesman for M-G-M here, in Mercy Hospital, on Thursday.
Paramount says: IT'S A Love

Love and ADVENTURE with

DOUGLAS FAIRBANKS, Jr. • MADELEINE CARROLL

"SAFARI"

Douglas Fairbanks, Jr. • Madeleine Carroll in "SAFARI" with Tullio Carminati • Muriel Angelus
Lynne Overman • Billy Gilbert • Screen Play by Delmer Daves • Based on a Story by Paul Hervey Fox • A Paramount Picture • Directed by EDWARD H. GRIFFITH
Love and LAUGHTER with

BOB HOPE • PAULETTE GODDARD
"THE GHOST BREAKERS"

Bob Hope • Paulette Goddard in "THE GHOST BREAKERS" with Richard Carlson • Paul Lukas • Anthony Quinn • Willie Best • Screen Play by Walter DeLeon • Based on a Play by Paul Dickey & Charles W. Goddard • A Paramount Picture • Directed by GEORGE MARSHALL
to film measure continued. In a very brief statement, Paul Schrerrner, representing the A.F. of L, reaffirmed the labor organization’s opposition to the bill. Production would go out in half a year, he said, with its consequent effect on 282,000 workers. Result will be a loss of continued employment now enjoyed, he added.

George P. Aarons, secretary, UMFTO, Eastern Pennsylvania, Southern New Jersey and Delaware and counsel for MPTOA, charged the bill is an attempt to regularize prices. The measure will prohibit wholesale buying and deny exhibitors the right to buy in blocks voluntarily which have been able to cause. The bill will put on the auction block under the bill’s terms with the highest bidder squeezing out the small independent exhibitor.

Brylawski’s Testimony

Stating that theaters in Washington were offered $1,000,000 to put ads in exhibition windows, which offer was rejected, A. Julian Brylawski, real estate manager for Warners, told the committee that the country’s screens are open without charge to the Government and civic and charitable groups. The Government, he said, is offering American screen in coming years and the industry will be glad to co-operate, he said. He urged that Congress do nothing that would close down any one screen or disrupt the industry when it is most needed.

Other Witnesses

Other witnesses Friday were: James Olson, Allied Theaters of Michigan; Mrs. Pierce Chestley, Better Films Council of Chicago; Morris Leosenstein, president, Theater Owners of Oklahoma; J. Luke Gring, Philadelphia; Mr. Richard Schrerrner, Better Films Council of Chicago; H. R. Berry, president, Theater Owners North and South Carolina; John S. McFarland, New Bedford, Mass.; Trex Green, Woosanocket, R. I.; Roy McMin, Superior, Wis., and Orville Davis, president, Nebraska Federation of Women’s Clubs. Hearings continue this morning, the party opposing the measure before the House committee as the week waned: Ralph Block, SWG, who assailed the synopsis provision as an “obstruction to film measure continued. In a very brief statement, Paul Schrerrner, representing the A.F. of L, reaffirmed the labor organization’s opposition to the bill. Production would go out in half a year, he said, with its consequent effect on 282,000 workers. Result will be a loss of continued employment now enjoyed, he added.

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Tournament Prizes Nabish Record

(Continued from Page 1)

Keynote: Mitchell May, Jr.; DuPont Manufacturing; RKO; Columbia Pictures; Quigley Publications; Ad Art; Screen Broadcasts; Service Corp.; Alexander Film Turner Bros.; and Philadelphia Tost.

Special Prizes:

Three Bobby Jones woods from A. Ewers;

Set of bridge chairs and table from American Seating Co.;

Gold putter from Consolidated Industries;

Sports wrist watch from City Paving;

At point urn from General Elec-

Horse Lamp Division;

Special prize from Electrical Re-

ch Products;

Rug from Alexander Smith Car-

Co.;

Dressing robe from Nat Lewis;

Candy camera from Eastman;

Dozen golf balls from Monogram;

Special prize from Box Office;

Case of champagne, to be split

among team winners, from Toots

Toots' s new restaurant rendezvous de-

then each foursome winner will

get a J. E. Brulatour prize—

esthetic Portable Radio;

Each four some runner-up, a Na-

tional Screen Service bag;

To wet the whistles of thirsty

kars, there will be two kegs of

furnished by George Kelly and

Pies Adler of the Yacht Club;

who now operate the famous

and to enable you to keep your

es conveniently (if not with in-

ity and precision!), World Pic-

es are giving special pencils.

Additionally, THE FILM DAILY

hly will be there for you to win a

on (or a temporary toe-hold); the

Albee Memorial Trophy to go to

the winning team;

Ross Federal Service Gladstone

one to each member of the win-

ning team;

Your leather bags, one to each

member of the runner-up team from

Well of American Pictures, and

another runner-up team prize,

or Pictures is posting six golf

ices, and book of instructions.

A dozen bubble bath tablets from

ion Products Co. to each member

of the runner-up teams;

Important Announcement: Team

rains will meet with THE FILM

ny Golf Tournament Committee

the Hotel Astor tomorrow at 1

Be Wise! Get Your Entry in NOW!

C to Pay 25 Cents

Montreal—Directors of Famous

ers Canadian have declared the

ually quarterly dividend of 25

tas per share, payable June 29 to

holders of record June 19.

Tournament Opens Chicago

And Kansas City Offices

Chicago — The Keystone State

Amusement Circuits has opened a

Chicago office in the Steuben build-

ing, under the management of H.

B. Schlosberg, assisted by Lynn

Blocher. Company specializes in

66 mm, theater circuit supplies and

will cover the central states terri-

ory from the Chicago offices. An-

other office has been opened in Kan-

sas City under Larry Brady's man-

agement.

Newsreels Cover Canada's

“Fifth Column” Roundup

Montreal—Sudden roundup of the

Fifth Columnists in Canada did not

catch the newsreels napping. Crews

deployed from Montreal, Toronto

and Vancouver and were able to

obtain pictorial records of the nation-

wide activity of police, military and

veterans organizations uniting to

combat the menace. Associated

Screen News laboratories quickly

pre pared this topical material for

inclusion in the current newsreels.

U. S. to Extend Tax

On Admish to 1945!

(Continued from Page 1)

as “current suggestions.” Informed

opinion, however, hold that both will

be embodied in completed legislation.

Experts estimate that admission

taxes will raise $23,000,000 for the

fiscal year of 1941. This would com-

pare with last reported admissions

tax figure for 1939 fiscal year,

amounting to $19,470,801.

If Business Interferes With Golf,

GIVE UP BUSINESS ! !

- - - at least for TUESDAY, JUNE 11th

For that is the date of the twenty-eighth

FILM DAILY GOLF TOURNAMENT

and the town will be deserted. Everybody who is

anybody will be at the beautiful

GLEN OAKS CLUB, GREAT NECK, L. I.

SIGN UP NOW and join the gang at the indus-

try'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 for tennis.

And, a special tennis

committee is now

rounding up candi-

dates.

COMMITTEE FOR 1940

Jack Alichea, Chairman; Don M. Mersereau, Tournament

Manager; Billy Brandt, Louis Nisen, Leon Bamberger.
Keep their feet moving your business. Way with the Best Sellers in the
lobby displays... Posters.
Sell them with trailers...
Dazzle their eyes with color...
Something new... Alive... Inter-

test... Be sure to get the thrill of seeing
the one place where they can
goal of all window-shoppers
shop window shop of your town

Make your theatre the main

is a fine art.

That's why window-dressing
for millions of people.

Today! A pleasant diversion
Window-shopping is adventure.

moving your way

/keep their feet
IONOPOLISTIC WASTE CHARGED BY ARNOLD

Synopsis Section Blackmail Instrument--Keough

MONTAGUE ASKS EXHIBS. CO-OP
Sees Production-Distribution Problem as Really Theirs

Chicago—"Exhibitors in the U. S. must be made to realize that the problem of production and distribution really is an exhibitor's problem." A be MONTAGUE, Columbia's general sales manager, will tell the company's sales convention which opens at the Hotel Blackstone here today, that the sessions continue through Friday.

Montague, Columbia (Continued on Page 4)

Green Praises Loyalty Of IATSE at Convention

Louisville—More than 1,000 delegates to the IATSE biennial convention opening here yesterday heard William Green, AFL president, praise the IA for its loyalty to the Federation.

The union has steadfastly supported AFL in the face of "propa." (Continued on Page 2)

Charges Unfair, Says Schenck
"Confident Full Vindication Will Result"

Four Studios to Start Six Features This Week

West Coast Bureau of THE FILM DAILY
Hollywood—Six pictures are scheduled to go into work this week: "Stranger on the Third Floor," with Margaret Tallichet, John McGuire and Peter Lorre; and "The Great" at 20th Century-Fox. (Continued on Page 14)

Charges of income tax evasion were denied yesterday by Joseph M. Schenck in a statement from Hollywood, following his indictment by a Federal Grand Jury in New York on 24 counts. Two indictments were returned against the 20th Century-Fox board chairman, one alleging fraud, conspiracy, perjury and making false statements to a Government official. (Continued on Page 14)

Columbia Offices In Europe Intact

Columbia's offices and exchanges in Continental Europe are intact, although no word has been received from the branch in Brussels, it was disclosed yesterday by Jack Segal, company's foreign exchange operations manager, who recently returned from a six-month visit to France, Spain, Belgium, England and Italy.

Segal said that business in Central and Southeastern European countries had been the best in years for his organization, which has been able to get revenues out of all the Balkans with the exception of Yugoslavia. (Continued on Page 4)

La. Bill Would Repeal N. O. Amuse. Tax Right

Baton Rouge, La. — Beating the deadline after which bills cannot be introduced to the Legislature was a move by 576 which would repeal the tax right for the city of New Orleans has to impose an amusement tax. This leaves the bill to the Legislature with two bills against the industry—chair theater and state amusement taxes—and one for it.

Vogel Holds War Slump Temporary

Memphis, Tenn.—Slump in film biz receipts is only temporary in the opinion of Joseph R. Vogel, vice-president of Loew's, Inc., here at the week-end to attend the opening of Loew's Palace Theater.

"People have been glued to their" (Continued on Page 15)

Hugh Owen Named UA Southern District Mgr.

Harry L. Gold, vice-president and Eastern sales manager for United Artists, yesterday announced that Hugh Owen has been appointed district manager for the Southern District.

Judge's Wife Owns Theater in Virginia

As the New York equity suit trial started in Federal Court here yesterday, the Government and defendants waived any right to question the qualifications of Judge Henry W. Goddard. After it was revealed that his wife was the owner of the Trosen Theater, Lynchburg, Va., on Goddard's instructions a statement was read into the record that Mrs. Robert T. Trent, a former owner of the Trosen, was a complainant in the suit.
Green Praises Loyalty Of IATSE at Convention

(Continued from Page 1)
ganda of rebels” and attacks by persons holding to a philosophy of life opposite to that advocated by the AFL union movement,” Green said at the Armory here.

His remarks were interpreted as an indirect reference to the efforts of John L. Lewis of CIO to woo IA membership and to Westminster Pegler’s repeated charges the IA is a “gang-controlled racket union.”

The convention opened with a welcoming address by Mayor Joseph D. Scholz and a representation of Gov. Keen Johnson. James J. Brennan, IA vice-president, said no opposition to re-electing George E. Brown Jr., president is apparent—“not even a murmur.”


ATAHT for Music Hall; Hear Talk of $1.10 Top

Warner’s ATAHT definitely goes into the Radio City Music Hall, rather than the Center, probably opening either June 15 or July 4, it was reported yesterday.

At the same time, Film Row heard talk that the Music Hall might depart from its established price policy and adopt the $1.10 top which prevailed for GWTW at the New York Capitol.

At the Music Hall yesterday, there was no confirmation.

Meanwhile, Grad Sears, Warner sales manager, said he would yield on wires from exibits, over the weekend endorsed the roadshow sales policy for ATAHT. Comerford house, Willmore house, and Providence will roadshow as will Vince McFall’s Buffalo house. Other deals are in work.

Lorentz Going to Coast; Any Deal on a “If” Basis

Leaving yesterday for Hollywood to work on the Coast premiere of “The Fight for Life” and a tentative radio broadcast this Sunday night of the film, Pare Lorentz, producer of the picture and other Government films, said he might negotiate to produce on the Coast if he could make the “right kind of a deal.” Lorentz amplified this statement by saying that if he produced for a major of independent company, he wanted to keep his own organization intact on a unit basis. He expects to return here the latter part of the month.

Brenton Herman Dead

Detroit—Brenton G. Herman, cashier of the Bank of Detroit for many years, died after a long illness. His widow and two children survive. Interment was at Glennie.

Schools to Try Subbing Older “A” Pix for “B”s

(Continued from Page 1)
"dents' matinees, around which curriculum units in photoplay discrimination will be built, will be tried during the 1940-41 academic year under auspices of the motion-picture committee of the New York City Department of Secondary Teachers.

School authorities, co-operating with the Ex- Students of Teachers, have evolved a program which plays from a list of 76 to be shown during the school year on one afternoon or one Saturday morning monthly. Roster of 76 comprises product or major and indie districts, RKO topping the list with 15, followed by Metro with 11, 20th-Fox, 10; Para., 9; UA, 8; Warners, 6; Gutenol, 3; “Un,” 2; Commonwealth, 2; Nu-Art, 2; Select, French Cinema Center, Standard, GN and World, one each.

Pix thus revived will serve as the basis of a new series of studies in the Playshop.” Experiment is under the supervision of Dr. William Lewin, of Weequahic High School, Newark, chairman of committees of 500 educators, in cooperation with Josephine Allenworth of Memphis, chairman of the Departmental Committee on school-and-theater co-op.

Where arrangements cannot be made with a theater, it is planned to show 16 mm versions of some of the pix in classrooms and school auditoriums.

$2,450,000 Bond Issue Registered by Saenger Washington Bureau of THE FILM DAILY

Washington—Saenger Theaters Corp. of New Orleans, La., filed a registration statement with SEC here, covering $2,450,000 of 4½ per cent mortgage collateral trust bonds. Proceeds of issue are to be used to discharge indebtedness of company and in part to refund matinees, and providing price of the bonds will be fixed by amend- ment to the statement.

Transfer “Duke” Clark; Promote George Elmo

Cleveland—M. R. “Duke” Clark, Paramount branch manager here for the last two years, has been transferred to Los Angeles where he will manage the exchange. The Los Angeles post was left vacant by the recent death of Carroll Peacock who had been with Paramount 20 years.

George Elmo, Cleveland salesman, moves up to the manager’s chair to succeed Clark, his promotion taking effect.

FOR SALE!!


ATTENTION EXHIBITORS!

Young man with four years experience as assistant manager, manager and promotional work desires new connection in similar capacity, will work evenings. Immediate request. Write Box 1900, The Film Daily, 1501 Broadway, New York City.
It is important to note that, with full exhibitor approval, Warner Bros. will release "All This, and Heaven Too" for special engagements only in selected situations.

Bette Davis and Charles Boyer in 'All This, and Heaven Too'

RACHEL FIELD with JEFFREY LYNN, BARBARA O'NEIL, Virginia Weidler, Henry Daniell, Walter Hampden, George Coulouris
An ANATOLE LITVAK Production • Screen Play by Casey Robinson • Music by Max Steiner • A Warner Bros.-First National Picture
Moniglue Calls For Exhib. Co-op

(Continued from Page 1) will throw its entire resources into the 1940-41 product in an effort to offset the less in volume resulting from the war. Without naming a budget figure, Montague will tell the sales force that the program planned calls for a "substantial" increase over the current season.

Discussing exhibitor responsibility, Montague will emphasize that an extra volume of domestic business is vital to offset losses abroad, and say pointedly: "Without the co-operation of the exhibitors in the U. S., today representing 65 per cent of the available distribution world, the battle for this needed increase in revenue would be a losing cause, regardless of the resources and efforts of the producer and distributor."

Robert Sherwood Prod. To Release Through Col.
West Coast Bureau of THE FILM DAILY

Hollywood—Robert Sherwood Productions, Inc., has been organized by the stage and radio writer, producer and narrator to produce "Legacy" or Columbia release. Next month, Gregory Ratoff will direct the pick, with Warner Baxter starring.

Neb. Attorney General Opens Lottery Drive

Lincoln, Neb.—Last 8 days with Nebraska's attorney general, Walter Johnson, have been very busy, and concerned mostly with show business. Order went out to all the county attorneys in Nebraska from his office, demanding quick prosecution of any theater operator using any extra device to lure patronage which hinged on lottery. He then made a ruling booting "screeno-quiz" as a lottery violation, and on similar grounds started to break up the Prosperity Clubs being used in Omaha.

Harvey Or Seriously Ill

Indianapolis—Harvey Orr, local exhibitor, is confined to the Methodist Hospital here and is reported in a serious condition. He has had several blood transfusions.

Columbia Offices In Europe Infact

(Continued from Page 1) of Yugoslavia. Film commerce has also been satisfactory in the instances of Portugal, Sweden and Turkey—"Sinfonia" has been popular in Sweden. Yugoslavia was interested in the film, "Sinfonia," for which Talbot Jennings authored the screenplay.

Margaret Sullivan has been signed to co-star in the opus, with Fredric March. Patently the promise of this picture is great—what with material, casting of real name players, and the Loew-Lewin flare for the fashioning of entertainment, UA, which will release "Flotsam", has in this property, a potential powerhouse for 1940-41.

ANOTHER prominent Jane production event... out Hollywood way...will occur on the 17th of the month... when shooting starts on Paramount's "Interlude"... the story of Michigan's famous novelist, which is said to have been chosen as the "ideal doctor's wife"... by The Violet Scapels, an org. of N. Y. U. medical students... whose poll is an annual one. The medical hocuspocus of the doctor's wife ideal... is a complicated mixture of psychiatry, sympathy and non-jealousy... a letter is expected at the Peace Bureau of the Daily Mail to Royal and is the result of the preliminary examination conducted by a high-stepper for his own use... in Richmond, Va.

OBVIOUSLY there is no blackout on pick spending... Witness the four-dollar telegram which Lynne Overman..., is alleged to have sent to Shirley Temple... demanding payment of a five-cent bet... Rumor has it that Lynne made his screen debut six years ago in "Little Miss Marker"... Shirley, then unknown, had a lead role... Lynne bet La Temple a nickel that he'd last in pic longer than she would... At the ripe ole age of 11... Shirley has retired (temporarily, at least) while Lynne will soon covet on the screen with Doug Fairbanks, Jr., and Madeleine Carroll, in Paramount's "Saratoga"... By the way... Milli Overman is now in N. Y. on vacation... To-night, Madeleine Carroll takes the guest artist spot on Bob Hope's air show...
HOW TO STAY IN FRONT OF THE 8-BALL!
"Nice work Leo! We depend on you to keep the nation entertained!"
Here’s CHEERFUL news!
Your show-shop is SECURE, Mr. Exhibitor,
Against all Competition
RIGHT NOW
And
ALL SUMMER LONG!
Because M-G-M has HITS! HITS! HITS!
And your public wants AMUSEMENT
More than ever!
That’s why we SPENT A FORTUNE
For your PREPAREDNESS!

(continue please !)
"Without M-G-M there would be no profits for me this year," says Mr. Exhibitor.

"Millions for preparedness" says Leo!

10 MILLION DOLLARS IN 9 BIG M-G-M SHOWS right now and all Summer!
NINE LIFE-SAVERS!

(current releases)
SPENCER TRACY
"EDISON, THE MAN"

VIVIEN LEIGH
ROBERT TAYLOR
"WATERLOO BRIDGE"

(in coming weeks)
JOAN CRAWFORD
FREDRIC MARCH
"SUSAN AND GOD"

MARGARET SULLAVAN
JAMES STEWART
Robert Young • Frank Morgan
"THE MORTAL STORM"

JEANETTE MACDONALD
NELSON EDDY
"NEW MOON"

"ANDY HARDY MEETS DEBUTANTE"
Mickey Rooney • Lewis Stone • Judy Garland

GREER GARSON
LAURENCE OLIVIER
"PRIDE AND PREJUDICE"

CLARK GABLE
SPENCER TRACY
HEDY LAMARR
CLAUDETTE COLBERT
"BOOM TOWN"

NORMA SHEARER
ROBERT TAYLOR
"ESCAPE"
Spencer Tracy has received the finest critical notices of the year and his box-office stature rises to even greater heights as “Edison, The Man” engagements enthral all the public with this truly magnificent entertainment.

“Waterloo Bridge” one of the year’s best films presents Vivien Leigh in another memorable role and brings to the public a new Robert Taylor. Box-office and public agree that it’s his most appealing job. Three weeks at Capitol, N. Y.

Joan Crawford and Fredric March make a swell box-office combination in “Susan and God.” Joan does a job that will delight all who loved her sensational role in “The Women.” The famed stage comedy hit has been brilliantly produced in the M-G-M manner. A sensation at its Preview!

“The Mortal Storm” is excitement on the screen! M-G-M did such a swell job of the best seller that the author wrote: “I’m delighted.” And what a cast: Margaret Sullavan, James Stewart are the sweethearts. Robert Young, Frank Morgan do great work. It’s terrific!

Of all the operettas in which Jeanette MacDonald and Nelson Eddy have appeared “New Moon” is musically and romantically the best! The public is ready for this type of scintillating attraction and M-G-M has made a great musical show for them. Previewed! And it’s Perfect!
How marvelous that at this time when the public wants to forget troubles, M-G-M delivers the most uproarious of the entire Hardy series. “Andy Hardy Meets Debutante” has, in addition to Lewis Stone and Mickey Rooney, Judy Garland. It’s finished and it’s a sure HIT!

Just previewed before an audience that never stopped laughing in Riverside, Cal. “Pride and Prejudice” is without question a glorious audience attraction. Greer Garson (Mrs. Chips) will be famous all over again. Laurence Olivier co-stars. Fun and romance in a grand movie.

Clark Gable! Spencer Tracy! Hedy Lamarr! Claudette Colbert! Yes, they’re all in one picture “Boom Town” and it’s a powerful yarn of oil millionaires and their lives. Only M-G-M packs such a star-studded box-office wallop, and what a show it is!

Norma Shearer gets the prize role of the year, the fascinating Countess in the best-selling novel “Escape.” Robert Taylor co-stars and the cast is hand-picked to assure that this will be one of the greatest of box-office attractions. Something to watch for!

HE TRUSTS TO LUCK!
This exhibitor faces coming months with no assurance of attractions big enough to cope with the competition of the season and the times.

THE WISE OWL SAYS:
M-G-M exhibitors know from past experience that M-G-M plans its production so that its customers are equipped with big pictures when things are toughest!
WE'RE NOT MAGICIANS!

There is no trick about M-G-M operations, which now assure you preparedness at the box-office. M-G-M is geared to be the leader of this industry by virtue of its experience, its resources and its personnel. Preparedness now and for the difficult Summer period meant careful planning months ago. Plus the willingness to invest 10 million dollars in entertainment to safeguard the theatre investments of our customers. No wonder that year after year exhibitors place their faith in the capable hands of THE FRIENDLY COMPANY.
REVIEWS OF THE NEW FILMS

"Safari"
Douglas Fairbanks, Jr. and Madeleine Carroll
Metro
80 Mins.
(HOLLYWOOD PREVIEW)
LIGHT MELODrama with COMEDY
AND DRAMA SHOULD PLEASE
Enthusiasts of All Ages.

of a pretentious film, but a light little drama, simple in plot and well-written. In the usual caustic style we have come to expect in the guise of this "Safari" is one of best vehicles Doug Fairbanks, Jr., has in a long time. Entertaining, with the proper proportions of comic action and drama, it should please enthusiasts of all ages. Edward H. Grif-

"Susan and God"
with Joan Crawford and Fredric March
Metro
115 Mins.
(HOLLYWOOD PREVIEW)
QUALITY ENTERTAINMENT IN EVERY
RESPECT SHOULD CLICK STRONGLY AT
BOX-OFFICES.

Rachel Crothers' famous Broadway play has been effectively pictured, with the production being marked by quality in every department. George Cukor has given expert directorial guidance, gaining splendid performances from his cast. Hunt Strom-

"Four Sons"
with Don Ameche, Eugenie Leonovitch, Mary Beth Hughes
20th-Fox
59 Mins.
(HOLLYWOOD PREVIEW)
STORY OF GERMANY AND
CZECHOSLOVAKIA IS BITTER INDICT-
MENT OF WAR.

Here is a bitter indictment of war, showing how the Nazis brought sorrow and tragedy to a helpless Czechoslovakian family. The story concentrates on this family, which consists of a mother and four sons, three of whom go to their death before the picture ends. The picture has been given excellent production, direction and acting. Archie Mayer has turned in a superb job of direct-

"On The Spot"
with Frankie Darro, Mantan Moreland, Mary Kormann
Monogram
62 Mins.
ENTERTAINING PROGRAM OFFERING
WILL FILL IN NICELY AS SECOND AT-
TRACTION.

Well paced and ably performed by the players, this offering will serve nicely as a second attraction on dual shows in the nabe houses. A low budget film, it still has all the necessary entertainment ele-

Edward H. Fairbanks, and his wife, mẫu on the screen, and Paul Hervey on the original story, together with his associates, has done an unusual and digne piece of work scripting and in-

the picture. An amazing feature of the film is the disclosure of the here-to-undiscovered, or possibly overlooked story of Lyna Overman who has been the Paramount lot for a long time. German plays a Scotch trader. His dialect has been greatly helpful in capturing the finest characteristics of the year.

A film brings back to the screen Tullo

Carroll, who has been away too long. The film Carroll never bothered over a

line as the feminine interest. Eternal triangle is the theme. Tran-

sferred to Africa, the triangle proves quite effective in bottling peoples' lives.

banks, a white hunter, is engaged to

but a Safari for Tullo Carminati and

Colleen Carroll, who are after big game. He looks for them into the interior and be-

the foil of Madeleine, who is used to

arouse jealousy in the heart of her

fiancé. Discouraged, the hunter and

banks takes a dislike to them both, after the death of one of his native overmade Carroll's carelessness and vari-

ious wound to himself caused by Car-

atti's deliberate wandering of a lion, he

them to return to their home base and

flies back across it for medical at-

tenion. On the way home, Madeleine

overs the true nature of his fiancé, sees his feelings for the poor hunter, goes to him. With such a simple, laborated tale, it might seem impossible produce an exciting drama, but cleverly it is the part of all concerned make film one of Paramount's best releases the year.

AST: Douglas Fairbanks, Jr., Madeleine Carroll, Lyna Overman, Joel Angelus, Billy Gilbert, Thomas Loyd, Clinton Rossmend, Jack V. Carr, Ben-

ner, Fred Godoy, Fredrik Vogeding, Hans

Calderon, John Collier, George Melford, Jack Alej, John B. Washington, Hassan Said, Ma-

ham Harris, John Graves, Ernest Wilson, Jane Sue-Tswan.

+RITES: Producer, Anthony Veiler; Di-

tor, Edward H. Griffith; Author, Paul

screenplay; Dolman Dave; Herman,

German, Ted Tersetz; Art Director,

Deier and Ernest Fege; Editor, Eda

"Heymann Gets Rights To 10 French Films"
Andre Heymann, president of French Cinema Center, Inc., has obtained the American distribution rights to 10 films in French, including those of Marcel Pagnol. Heymann is returning to the U. S. on the Manhattan after spending more than a month in France.

Andrew Karzas Dead
Chicago—Andrew Karzas, 58, the artist builder and managing director of the Teatron and Aragon ballrooms, is dead after a brief illness. He was partner of Nicholas Nomikos in the building field. Wife and two sons, Byron and William, survive. Interment was in Evergreen Cemetery.

book from the story by I. A. T. Wylie; Original screenplay by John Howard. Directing: Milton Shearing; Cinematography: Dialog, Milton Sterling; Camera: Leon Shamroy; Art Directors, Richard Day and Albert Hogsett; Editor, Francis D. Lyon; Musical Director, David Buttolph. DIRECTION, Superb; PHOTOGRAPHY, Excellent.

CREDITS: Associate Producer, Grant Wirthers; Director, Howard Bretherton; Screenplay, Joseph West and Dorothy Reid; Original Story, Joseph West: Camearea, Harry Newmann; Editor, Russell Scheenlagar; DIRECTION, Good. PHOTOGRAPHY, Good.

said. Another brother, a draper, is

Nikolaus, and Ameche make the

town of Midvale becomes nationally known overnight when a big city's number one public enemy dies in the drug store after being shot. Another murder follows under similarly strange circumstances. Darro and Moreland, only witnesses when both men die, are besieged by more gangsters, reports and the sheriff to reveal what their last words were as the men headed a bank holdup crew that got away with $300,000. Darro finally nails the murderer in a hectic climax.

CAST: Frank Darro, Mantan Moreland, John St. Polis, Lilian Elliott, Robert War-

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Indictment Unfair, Declares Schenck

(Continued from Page 1)

ment investigator; the other was concerned only with tax evasion. In the latter indictment, Joseph Mosekowitz was named as an aide to Schenck.

Statement issued by Schenck read: "Income tax problems are always complex and subject to dispute. The charges made against me are grossly unfair.

Told He Overpaid Taxes

"Two of the best auditing firms in New York, Boyce, Hughes and Farrell, and Webster, Horne and Blanchard, after a recent audit, have advised me that for the years in question I have overpaid rather than underpaid my taxes. Mr. Hughes is the Head of the American Society of Certified Public Accountants and Mr. Webster is the chairman of the board of examiners of the New York State Certified Public Accountants.

"The claim that I made a false statement to a Government agent about another person’s tax is not true. I am confident that when all the facts are finally determined full vindication will result."

Indictment followed three months of inquiry conducted by the office of John T. Caffall, U. S. attorney. It charged Schenck with defrauding the Government of $400,000 in taxes for the years 1935-37. Tax fraud charges were based on the Government’s contention that the producer fraudulently deducted from his gross income losses set up from the purported sale of stock to Hollywood friends; and fraudulently deducted from his expenses against salary numerous so-called business expenditures which, in fact, were of a personal nature.

Bloff Probe Tied In

Perjury indictment and that of making false statements related to

NOTICE!!!

Sole ownership and world distribution rights to the feature picture—
"A SCREAM IN THE DARK"

Featuring
Lion Chaney, Jr. and Sheila Terry
also titled
"SHADOWS OF THE ORIENT" and "MURDER IN MOROCCO" is the property of FIDELITY SECURITIES CORPORATION at Hollywood. Distribution by parties other than those authorized by the above will be held accountable for infringement as same.

FIDELITY SECURITIES CORP. 5923 Santa Monica Blvd., Hollywood, Calif. Harry Lewis, Atty., 1501 B'way, N. Y. C.

Globe-Mills Projectors To Be Shown in 30 Days

Globe-Mills coin operated movie machines will be ready for press previews within 30 days, according to Frankenberg, research director for the company, who was in New York yesterday. Using six bands, Globe-Mills has been in production for the last six weeks on the Coast, Frankenberg said.

Definite plan of distribution of the machines and films has not been decided but a formula is expected to be completed by the time the previews are held. Frankenberg said offers from dealers for machines had exceeded all expectations and that at this time the supply could not keep up with the demand.

While the Globe-Mills will not show features or scenes from features, the films will present people who are known to picture fans. Frankenberg predicted that such treatment should help theaters rather than tend to hurt them.

Schenck’s answers to questions reportedly asked by James Ronayne, special agent of the intelligence unit of the Internal Revenue Bureau in May, 1938, when the latter was investigating the income of Willie Blof, who allegedly received $150,000 in cash and stock from Arthur STEBBINS, Schenck’s nephew, after an IRS strike.

The Government points out that Schenck reported a gross income of $406,307 in 1935 and paid an income tax of $23,509; the Government asserts his income was $754,206 and he should have paid a tax of $242,005.

In 1936, Schenck paid a tax of $257,636 on a reported gross income of $647,299. Government claims he should have paid $543,534 on $853,417.

Schenck, in 1937, paid a tax of $202,621 on a reported gross income of $594,225, whereas the Government contends his gross income for that year was $697,967 and that his tax should have been $500,274.

Tourney Captains In Luncheon Huddle

(Continued from Page 1)

Tourney Manager Don Mersereau and among the bib-tuck-owners will be Bill German and Dick Brady, Eastman Kodak; Tom Gerey and Bill Ferguson, M-G-M; Burro, Cormick and Lou Gaudreau, Francis J. Charley Einfeld, Mort Blumstein and Bob Williams, Warner’s; E. Scully, Universal; A. Schneider, Columbia; Leon Bamberger, Amp; Walter Green, National Tobacco Supply; Herb Fecke, representing the film trade press; Lynn Farm; A; Rodney Bush, 20th-Fox as Billy Brandt, representing the exhibitors’ team.

Competition among the four sons of the trade at this year’s Battle of The Bunkers is expected to be keenest in the long and glorified history of the tourney. This is due to two stand-out factors—traditional rivalry built up in predecessor struggles, and the importation of the movie publicists and their wives to the scene after there has ever been before.

All golfers and tennis players are hereby reminded that they should get their entry blanks signed, sealed, and delivered to THE FILM DAILY office and, of course, to send along the required entry fee of ten smackers.

The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

THE FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name ________________________________
Address ______________________________________

LAST THREE SCORES □ □ □

CLUB HANDICAP □

CLUB: ____________________________

Four Studios To Start Six Features This Week

(Continued from Page 1)

Profile,” with John Barrymore, Mary Beth Hughes, Gregory Ratoff, John Payne and Anne Baxter


A M P A takes extreme pleasure in having as guest of honor and principal speaker at this week’s luncheon meeting—

SPYROS SKOURAS

whose message to the advertising and publicity men and women will be food for thought and thought for action!

† A surprise or two †

You’re cordially invited but please come on time—we start serving at 12:45 sharp!

Thursday, June 6th at Jack Dempsey’s Restaurant
50th Street and 8th Avenue

Members $1.00—Non-Members $1.25—Includes Tip
Antidote to War's Worries Discovered

Detroit, Tenn.—Charles Parham, operator of the Uptown Theater, has a Rhode Island Red hen that catches bread crumbs or other small morsels of food tossed to her. Parham says that it keeps his mind off the war and bad theater his to sit on his back porch and toss crumbs to the hen, which is appropriately named "Mickey," for Detroit's Mickey Cochrane.

Vogel Holds War Slump Temporary

(Continued from Page 1)

radios for the latest war bulletins." Vogel summed up, "but they will come back to the theaters. The slump is already beginning to pass, as America readjusts its outlook to changing conditions abroad. Past experience has taught us that the public mind readjusts itself to these disturbances and turns quickly again to the movies for relaxation.

"As a matter of fact, even abroad where the fighting is taking place, the countries on both sides are making every effort to keep the theaters operating. In England in cities that are blacked out, arrangements have been made to keep the shows going; they have a system of staggering the starting time and the closing hours so that the crowds on the streets can be kept to a minimum instead of coming from all the houses at the same time."

Vogel, who is making a survey of the circuit's Southern houses prior to returning to his New York office, was met here by Ernest Entrekin of Oscar A. Doob's staff; W. A. Pinney, Southern division manager, Atlanta; Col. Cecil E. Vogel, manager of Loew's State, and Robert Kilgore, who will manage the Palace.

The Palace control recently reverted to Loew's at the termination of a five-year Lightman lease.

Morrell Killed in Crash

Detroit—William G. (Bill) Morrell, production manager of Business Film Products Co., was killed at Cleveland in an auto accident. His home was in Detroit. His widow and one child survive.

Gorrel Funeral Today

Cleveland—The mother of S. P. Gorrel, manager of Republic's Cleveland office, died suddenly in Los Angeles, while visiting her daughter. Funeral services will be held here today.

Production Code Data

Francis S. Harmon, Eastern man of the Production Code Administration, inserted in the record data demonstrate how the Production Code operates, with examples of actual working on recent cases. Several committee members had rested information on the operations of the organization regarding salacity. Other witnesses yesterday were Lewis P. Addoms, Motion Picture Council for Brooklyn; Mrs. Edna M. Barsham, Wilmington, Bet-
‘Notorious Waste’ Thru Pix Monopoly--Arnold

Equity Suit Trial Starts
With Anti-Trust Chief and
Williams Outlining Case

ON a whim, but was part of the regu-
lar D of J policy to enforce the Strick-
famous Anti-Trust laws and "to
free the channels of all industry," Arnold
then launched into what he
temed was the theory behind the
law. He declared that political fre-
dom could not exist where industrial
democracy had been lost.

Charges "Notorious Waste"
Stating that the domination of
any industry meant the deprivation of
individual freedom, and that only
in a free competitive market could
there be equal opportunity and
freedom for all, Arnold charged
the defendants with having a heavy
hand upon independents in the
industry. Arnold claimed that a monopoly exercised by the
major's had caused "notorious
waste" and that it had hindered individuals in bring-
ing new ideas. No combination could be justified on the
grounds that it rehabilitated the industry or
even preserved its solvency, he said. Any combination was the private
seizure of industrial power and could not
be allowed in this country, Arnold declared.

He attempted to use the example of
Germany as an illustration of his
point that existence of monopoly
meant a loss of democracy, but
Judge Goddard sustained an objec-
tion to it by Judge Thacher, a form-
er solicitor general. The defendants
attorney stated that the case
would take 10 years and not one to try in
the question of Germany was taken up.

Williams traces history
Williams took up the cudgel where

WEDDING BELLS

Indianapolis—Luanne Baker, War-
ers exchange steno, and James App-
blewhite were married.

Indianapolis—Pete DeFazio, until
recently with Warners here, and now
with the New Haven, Conn.,
exchanged, was married May 21 to
Rosa Civitelli.

Cleveland—Donald Myers, assis-
tant manager at Warners' Uptown,
and Miss Sophie Yurkov of this
city will be married June 15.

Paris (By Cable)—Marriage of
Eleanor Boardman and Harry D'Ar-
rost, director, took place Saturday.

Court Blocks Govt's Effort
To Cite German Situation
Thacher to Resume Today

Government's reason for bringing
as defendants the non-theater own-
ning majors:

"These companies joined others by making prints avail-
able to the others before distrib-
ing it to independents.

We say that they may be re-
fractory participants, but that
they indulged in the practices and
that is why they are defend-
ants."

Williams concluded by declar-
ing that it was necessary to get a
national relief on a national scale to
reach the foundations of the
system.

Judge Thacher to Continue
Judge Thacher opened argument
for the defendants by declaring that
he agreed with the Government
saying that the suit was a non-major
one. He maintained throughout that
clearance and block-bookin would result
directly from competition and
monopoly. The brilliant
complishment of the film industry
which, even the Government
conceded, Thacher said, could not
result from monopoly, but from
the sharpest competition.

Thacher will continue his argument
today.

Hugh Owen Named UA
Southern District Mgr.

(Copied from Same Page)

district manager for the Southern
district, succeeding Dave Prince,
signing.

Hugh Owen has been in charge of
Dallas branch of United Artists,
headquarters for the Southern
district will be Atlanta, his home tow-

Film Alliance to Add 12 Westerns to Lineup

Announcement was made yest-
day by Film Alliance of the U.
that in addition to its already
ounced program of 26 pictures
release during 1940-41, 12 west-
will be added to bring the total
to 38 feature releases. "Fifth
man Squad" and "Murder Inc."
are two of the first releases sched-

STORKS!

Alfred E. McNeill, manager of
Bronxville Theater, became
father of seventh pound daugh-
ter last week. His wife and son's
daughter are at the Lawrence H
dital, Bronxville.

Richmond, Va.—A daughter, Sh
non Ann, has been born to
Walter Broadwell, wife of the pop-
artist for Neighborhood Theatre.

WHO’S WHO IN HOLLYWOOD

TOM WHELAN. Born in Cannellon, Ind., in 1903. Educated in Denver, Colo.
Started stage career there. Became actor, writer and producer. In 1922, came
to Hollywood as writer of feature pictures for Hal Roach company. Later,
to England as assistant director for British International Films in 1928.
Returned to Hollywood as contract writer at EKO to study sound pictures
and direction in 1932. In 1935, again returned to Hollywood, wrote and directed
"The Murder Man," Spencer Tracy's first picture at M-G-M in which James
Stewart played his first screen role. Went back
to England in 1936 as director. From
1939, his pictures won three international awards. Virtually all of his pictures were released
in America and are given credit for much of the
prestige of English films. Developed stars
such as Vivien Leigh, Laurence Olivier, Geraldine
Fitzgerald, Flora Robson, Wendy Barrie, Valerie Hobson, and others in America
by Paramount to direct Basil Rathbone, Ellen
Drew and John Howard in "A Date with Destiny,"
after Paramount had seen "Sidewalks of London.
Has estate near London and winter home in
Cannes, France. Married to Miriam Seegar, former
star. Has two boys, Michael, age 4, and Timothy, age 6.

Arnold left off. He described the history of the film industry from its
very beginning in 1890 when Edison
invented the Kinescope. Williams
became interested in the exhibition
business, he said, when he was 14 and
bought theaters because of the com-
petition of exhibitors, other producing
companies followed suit to protect their market, Williams said. In
return, he continued, theater companies
acquired production facilities to protect the threat that their supply of films
would be curtailed. After tracing the
history of Famous Players Lasky,
Williams then described the origin
and rise of the four other producer-
exhibitor majors.

Buying Power As Monopoly?
Circuits of theaters, he stated, originated
in a desire by exhibitors to
force the price down on product. The
users of products and his public relations
suits against circuits whether or not the
concentration of buying power was
monopoly. It is a number of points in his state-
ment, Williams took pains to describe
the growth of theater acquisitions by the majors. He stated that terri-
rotorial division of theaters by the
majors arose because of the fact
that they purchased chains of
theaters in industrial houses. Therefore, Williams stated, when
a company had purchased a large cir-
cuit in one section it was natural for the other companies to look to other
sections for their theater ac-
quisions.

It did not matter, Williams con-
tinued, whether territorial division
was part of a conscious design or
not, since the result was always the
same. It meant, he added, that in-
dependent exhibitors were frozen
out or had to be subordinate to the
major houses. A practical re-
sult of territorial division, Williams
stated, was the fact that affiliated
houses obtained first-run of all major
pictures for their particular house
since there was no competition be-
tween the majors. It therefore makes
difference to an affiliated house, which company makes a good picture
because the house is always se-
cure in its clearance.

Stresses First-Run Importance
While independents must accept
block-book, affiliated theaters are
allowed to make selective contracts,
Williams asserted. He attributed
this alleged discrimination to the
economic power wielded by the de-
fendants." Forcing of short sub-
tjects and newsreels is also a result
of that economic power, he said. In
discussing clearance, Williams con-
tended that first-run was by far the
most important to an exhibitor and
producer. "Novelty and freshness
seem to be the most desirable quali-
ties of a film" and these, he said,
were assured to first-run exhibitors.

"Number of producers' 'naming"
automatically" grant first-run rights
to each other in the key 36 cities,
Williams asserted. He explained the

(Continued from Page 1)
**Schaefer, RKO Prex, Castigates Neely Measure**

(See Columns 2-3 Below)

Intimate in Character

International in Scope

Independent in Thought

The Daily Newspaper

Of Motion Pictures

Twenty-Two Years Old

**ATTACKS EQUITY SUIT AS 'CLASS ACTION'**

16 of Columbia's 44 Features to Get Top Budgets

Two New Series Included; Program Calls for 16 Westerns, Four Serials

Chicago—At least 16 of the 44 features which Columbia plans for 1940-41 will be top budget productions, the company's sales convention, now in session at the Blackstone Hotel here with Abe Montague, sales chief, presiding, was informed yesterday.

The 44 features will be augmented by 16 Westerns, comprising two series of eight each starring Charles Starrett and Bill Elliott, respectively, and four serials, "White Eagle."

**MYERS' PLEA ENDS NEELY HEARING**

House Committee Expected to Take Several Weeks Before Submitting Its Recommendation

By Milton F. Lushch

Washington Bureau of THE FILM DAILY

Washington—After three weeks and two days of testimony, hearings on the Neely bill before the House Interstate and Foreign Commerce Committee came to an end yesterday. The Committee is expected to take several weeks before making its report and recommendation on the bill.

Abram F. Myers, general counsel of Allied wound up the proponents case. The only matter agreed to by both proponents and opponents was that the hearing was the fairest, and most intelligent ever conducted on the block-booking legislation.

Mary T. Bannerman and Katherine Lyford for the public groups preceded Myers, with the latter underling severe questioning by committee members.

Cancellation "Matter of Grace"—Myers' statement was in the form of refutation of arguments made by opponents. He declared that all cancellation privileges are a matter

**Nine Plays Bring $1,050,000 Total**

With the 1939-40 Broadway play season officially closed, a survey yesterday showed that nine plays of the current crop of 99 were purchased by film producers, and a total of 33 plays altogether were purchased by film producers, and a total of 33 plays altogether were purchased

**Northwest Allied Talks Buying Unit**

Minneapolis—Resolving that they would not consider the percentage deals asked by the distributors and demanding a reduction in film rentals from 25 to 33 1/3 per cent, approximately 75 Allied exhibitors repudiated a deal,

**Brown Sees 5th Column Activities in IA Ranks**

Louisville—Fifth Column activities within the ranks of the IATSE were admitted yesterday by George

**Schaefer Rips Neely Measure**

Creates "Little Fuehrers", RKO Prex Holds

Photometric Sues WB, Radtke and Leonard Day

Warner Bros. Pictures, Radtke-Patents Corp., Leonard Day and Albert A. Radtke were named defendants yesterday in a suit for an

**Brought in Interests of Competing Theaters, Says Judge Thacher, for Para.**

Judge Thomas D. Thacher, counsel for Paramount and first defense attorney to speak as trial of the D of J suit entered its second day, yesterday charged the

Washington Bureau, THE FILM DAILY

Washington—For the "uninspired time," the D of J yesterday denied recovering report that a closed decree would terminate the New York equity suit trial. D of J spokesman termed the reports "unfortunate thinking."

Government with bringing the equities action against the majors in the interests of competing theaters and without regard to "public interest. The Government is only concerned

**Cuban Pix Will Be Distributed by UA**

Deal whereby United Artists will distribute the product of Latin America Productions, newly formed company, in Spanish-speaking countries was announced yesterday. Company is headed by Geza Polatty, European producer, who will make his

**Gell Off For Britain Following Mono. Confabs**

William Gell, Monogram's distributor in London, sailed yesterday for England after several weeks in New

**Coming Through (With) The Rye**

To stimulate both competition and cooperation, the famous house of Horace Walker has notified THE FILM DAILY Golf Tournament Committee that it is posting a case of Signet Rye Whisky, whose contents will be awarded as prizes. What better "proof" can be furnished of the exhilarating quality of this year's tourney. Get your entry in NOW!
Equipment Exhibit Will Be Allied Meet Feature

Chicago — Equipment companies which have been invited to exhibit at dates forch to the Allied national convention here, opening June 10, are... (continued)

Beresin and O'Reilly Become Loft Executives

Jacob Beresin, head of Berlo Vending Co., becomes president of Loft Candy Corp. with the sale of control of the company to the group headed by Albert M. Greenfield and Beresin by Phoenix Securities Corp. Charles O. O'Reilly, president of Sanitary Automatic Candy Corp, and Beresin's associate in many ventures, becomes vice-president and a director of the company.

Greenfield, president of a real estate company operating in New York, Philadelphia, Pittsburgh, New and Atlantic City, is chairman of the new Loft board.

Report M-G-M to Handle 6 French Documentaries

Paris (By Cable) — It is stated here that M-G-M will distribute in the U.S. six of the documentary short films made by French producers for showing at the New York World's Fair.

The six shorts are: "Mission de France," "La Cite Universitaire," "Profil de la France," "Arinieres de la France," "Neige de France" and "Chartres."

Rivoli Theater Closing Saturday for Two Months

The Rivoli Theater will close Saturday for an indefinite length of time, it was learned yesterday. House C operators probably be shut for two months.

B & K Completes Refunding

Chicago — B & K, paying out $1,300,000, has completed the refunding of its 7 percent preferred stock.

Hubert Rites on Coast

West Coast Bureau of THE FILM DAILY

Hollywood — Rites for Elbert Hubscher, Inc. (Laff designing firm), held yesterday.

Movietrola Would Use Scenes from Features

Movietrola, coin-in-slot film device, plans to use complete three-minute sequences from current features and identify the pictures from which the sequences are taken. This was revealed yesterday by Emil Hollander, president of Movietrola, who sought to answer charges made by independent exhibitors that the new machines would compete with theaters.

Hollander said the showing of sequences would operate as an institutional trailer and "will stimulate people who see the short sequence to see the picture in its entirety."

Movietrola, Hollander contended, will be aimed at the same audience which now hears mechanically operated phonographs and will not be competitive with picture houses.

RKO Sales Chiefs Get Posed For Action

Andy Smith, newly appointed sales manager of RKO, has moved into his new headquarters on the 14th floor of the RKO Bldg., Robert Mochrie, recently promoted from Southern district manager to Eastern sales manager, takes over his new post at the home office on Monday. Charles Boasberg, promoted from Buffalo to Eastern district manager, and Elmer Lux, appointed to succeed Boasberg, are now for hearings with Ned Depinet before taking their new assignments. Boasberg will headquarter in Cleveland.

N. J. Allied to Receive Newely Hearings Report

New Jersey Allied will receive a report on the Neely hearings. before the House Interstate Commerce Committee which closed yesterday in Washington, at an all-day meeting to be held tomorrow in New Brunswick. Business session is called for 3 p.m. with dinner to follow at 7 o'clock.

Cokell to Headquarter Again at Para. H. O.

Walter B. Cokell, treasurer of Paramount, will headquarter shortly in New York after having spent the last two and a half years at the Pacific Coast. He is to be assigned new duties in New York in addition to his regular work. Cokell's studio activities will be split between A. C. Martin and Charles Boren.

Cine Lux Corp. Indicted

Cine Lux Corp., operator of the Cine Roxette circuit, where Hubert Rites, president, were indicted yesterday by a Federal grand jury for alleged failure to pay amusement taxes exhorbitant, was arraigned on June 10 for pleading...
REASONS WHY!

(By telegraph from Preview at Pomona, Cal. of M-G-M's
"SUSAN AND GOD" starring JOAN CRAWFORD and FREDRIC MARCH)

   —Jimmy Starr, L. A. Herald-Express


3. Crawford proves she is one of the screen's greatest actresses. —Jimmie Fidler, Nationwide Columnist

4. Evoked bursts of spontaneous preview-night applause. —Motion Picture Daily

5. Quality entertainment in every respect, should click strongly at box-offices. —Film Daily

6. Superlative performances are just what it boasts. Particularly brilliant is Joan Crawford's dazzling portrayal of the scatterbrained Susan.
   —Hollywood Reporter


9. Miss Crawford reaches acting stature far beyond anything she has heretofore attempted. —Daily Variety

10. Everyone should see this enjoyable picture. —Hedda Hopper, Nationwide Columnist

with Ruth Hussey • John Carroll • Rita Hayworth • Nigel Bruce
Bruce Cabot • Rita Quigley • Rose Hobart • Screen Play by Anita Loos • Based on the Celebrated Play by Rachel Crothers and Produced by John Golden • Directed by George Cukor • Produced by Hunt Stromberg • An M-G-M Picture.
Cuban Pix Will Be Distributed by UA

(Continued from Page 1)

pictures in Havana, Cuba. Production is scheduled to start in

Each picture is to be budgeted $100,000, a high figure for the ter-

ory. European direction has been acquired, it was said.

O'Brien represented United Artists in the deal and Burt Mays er

for the producers.

First story will be selected from a list which includes "Simon Bo-

"Lone Affair of Goya," "Conga," "Black Magic" and a Vivi

Baum novel, "Men Never Know.""}

More Time Granted

In Majestic Radio Reorg.

Chicago—Federal Judge John Barnes has extended time limit

Monday for final acceptance of Majestic Radio reorganization

by creditors. Davega Stores Corp. holding 30 per cent of the out-

ing stock, has not agreed to the hearing on the company's in-

will also be held on Monday. If the com-

pany is ruled insolvent, a conservator and stockholders will be

called for and necessary, then reorganization plan will be

completed.

Detroit Council Votes

Restrictions on Signs

Detroit—Detroit's new sign ordi-

cance, designed to prevent con-

flict of commercial lighting with

traffic lights, has been formally

adopted by the Council. As final

adopted, the ordinance will pro-

hibit all flashing lights above 22

feet in height above the sidewalk

level. The flashing signs now must be removed within two years.

red signs within three years.

Detroit Council Would

Extend Carnival Ban

Detroit—Nathaniel H. Goldstic

assistant corporation counsel, pre-

sented an ordinance to the City

Council, at request of councilmen

providing for complete ban on carni-

s inside the City. Present ordinances ban games and con-

sessions. The new law also will pro-

hibit rides, which have played in-

pendently on small lots for the pa-

t four seasons.

Weidler in Hepburn Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Hepburn's agent,

the role of Dinah Lord in the film version of Katharine Hep-

"The Philadelphia Story," with Rex

Harrison, was in consideration for the

Liz Imbrie part.
Montague Explains
Chicago—Columbia’s self-propounded question, “When is a package not a package?” was answered yesterday by Abe Montague, Columbia’s chief booker, who explained that each Columbia production will now be presented a “b.o. package” for the exhibitor.

Top Budget Pix
Columbia’s 44

(Continued from Page 1)

“Let Us Stick to Our Jobs”
Jack Cohn Sounds Call for Sanity at Columbia Sales Meet

Chicago — A call to “stick to our jobs” was sounded here yesterday by Jack Cohn, Columbia vice-presxy, addressing the company’s sales conference.

“Just what does it do to listen to talk of war? We must devote our time, instead, to those sane, simple things that are most important in life—we must devote ourselves to sanity when the rest of the world has grown insane. Let us stick to our jobs—and our jobs will keep us sane.”

Lillian Day-Lyon Mearson, adapted by Sidney Buchman; “A Story of Old New Orleans.”


JOAN BENNETT: “Three Girls About Town.” “We Dare Not Love.”


DON CARLOW, “The Devil Said No,” one other.

Wednesday, June 5, 1940

REVIEW OF NEW FILMS

“Manhattan Heartbeat”
with Robert Sterling, Virginia Gilmore, Joan Davis
20th-Fox
(HOLLYWOOD PREVIEW)
NEW VERSION OF “BAD GIRL” IDEAL VEHICLE FOR TWO SCREEN NEWCOMERS

This considerably changed version of Vina Delmar’s “Bad Girl” is an ideal vehicle for the talents of two screen newcomers, Robert Sterling and Virginia Gilmore. Young Sterling gives a winning, appealing performance; Gilmore, as Virginia, is also very good in her role. Joan Davis, of course, does outstanding work, garnering a heavy quota of laughs for her songs, antics and comedy. Edmund MacDonald, Don Beddoe, Paul Hurst, Irving Bacon and Mary Carr round out a very satisfactory cast.

David Burton has supplied expert, sympathetic direction, blending the comedy, romantic and dramatic elements effectively. To Sol M. Wurtzel goes important credit as executive producer. Successful pairings are shared by Harold Buchman, Clark Andrews, Jack Jungmeyer, Jr., and Edith Skouras.

Sterling and Gilmore meet on a train bound for New York from Camp Mohawk where they have numerous other low-paid New Yorkers have been vacationing. Sterling,_located, is a mechanician, deeply interested in his work, pretends to be a woman-hater. He falls in love with her and they are married. He tries to raise enough money to buy a small airplane plant, but is unsuccessful. When Virginia learns she is to become a mother she is afraid she will not survive childbirth.

To raise funds, Sterling puts a bomber plane through a test flight, but finds he has far enough money to engage Paul Cohn, noted aviator. He makes a fantastic, winning appeal to Harvey and the latter not only brings the Sterling-Gilmore baby into the world, but gives it the infant $50 as a present.

CAST: Robert Sterling, Virginia Gilmore, Joan Davis, Edmund MacDonald, Don Beddoe, Paul Hurst, Irving Bacon, Mary Carr.

CREDITS: Executive Producer, Sol M. Wurtzel, Director; David Burton; from a play by Vina Delmar and Brian Marlow. Based on a novel by Vina Delmar; Screenplay, Harold Buchman, Clark Andrews, Jack Jungmeyer, Jr., Edith Skouras; Cameraman, Virgil Miller; Art Directors, Richard Day and George Dudley; Editor, Alexander Trof- fey; Musical Direction, Cyril J. Mockridge.

DIRECTION, Sympathetic. PHOTOGRA- PHY, Good.

Columbia’s Talent roster
Players in addition to those mentioned who will appear in Columbia’s pix this season include:


“Half A Simmer”
with Heather Angel, John King, Constance Collier
Universal
59 Mins.
ROMANTIC COMEDY HAS AN AMUS- ING STORY AND AMIABLE CAST FOR NABE TRADE CONSUMPTION.

Unpretentious insofar as elaborate production standards and big names go, this Universal release will likely fill the bill as a second attraction for dual pro- grams in nabe houses. The plot of the story is not very substantial, but an amiably cast of players makes the most of the situations offered with pleasing results. Al Christie directed from a script provided by Frederick Jackson.

Heather Angel attractively and ably fills the lead role. John King is okay opposite Miss Angel, and Constance Collier, Walter Collier, and others. Robert Ruven- driven the proceedings. Miss Angel, a school teacher and companion to a crotchety grandmother, goes out on a whirl to take in music and art. She is caught in a parked car with a dead gangster in the back seat and the action gets off to a fast start. King, owner of the car, subsequently stolen by gangsters and later taken by Miss Angel, is picked up by her. With the as- sistance of Constance Collier and King, Miss Angel manages to get out of her difficulties eventually and fall in love at the same time for a happy ending.


CREDITS: Produced by Universal; Direc- tor, Al Christie; Screenplay, Frederick Jackson; Original Story, Dalton Trumbull; Art Directors, Charles Van Eegh.

DIRECTION, Good. PHOTOGRAPHY, Good.

Heather Thatcher Comes On Fund-Raising Task

Montreal—Heather Thatcher has arrived in Canada on the way to New York where she expects to produce a play. She will also do some film work in Hollywood. Miss Thatcher’s mission is to raise funds among British players in the U. S., to help support British theatrical workers unemployed as a result of the war.

“Man and Dust” Booked Here
“Man and Dust,” with the Dick Lee, Inc., production dealing with the “streets of walking death” (scleriosis) area of Kansas, Oklahoma and Missouri, has been booked for its first-run at the New York Theater, opening tomorrow. Garrison distributes.

O’Brien Shifts Allegiance
West Coast Bureau of THE FILM DAILY Hollywood—George O’Brien, starred in a RKO western series this season, will appear under a different banner next year, it was learned here last week. O’Brien as the Jack London character, Smoke Bal- leau. Major release is being set.
Nine Plays Bring $1,050,000 Total

(Continued from Page 1)

(chased for film reproduction during the past year and a half. Two additional musicals of a few years back were reported to have been purchased.)

Estimates place the aggregate investment in rights to the nine plays at approximately $1,050,000. For the total of 31 purchased no accurate estimate is possible, but total is believed to run between $1,500,000 and $1,750,000.


Musician's IATSE Will Weigh New Agreement

(Continued from Page 1)

organizations for suggestions and approval following the former's national convention which opens in Indianapolis next Monday, it was learned last night.

At its last convention passed a resolution calling for the modification of the existing pact, "And Now Goodbye," Lester Cowan has agreed to the proposal at a conference with Joseph N. Weber, A.F. of M proxy.

"Baker's Wife" Dates Set

First-runs for "The Baker's Wife," French film handled in this country by Embassy, are as follows: San Francisco, Baltimore, Chicago and Pittsburgh. Picture's premiere in these cities is scheduled by Anthony Morgan's French Ambulance Unit. Film is currently in its fifth month in New York at the World Theater and is expected its second month at the Esquire in Hollywood.

Schaefer Rips Neely Measure Creates 'Little Fuehrers', RKO Proxy Holds

(Continued from Page 1)

ning more than 100 theaters the Northwest territory are advocating a buying organization to achieve their objectives.

As a meeting held here Monday night, the assembled exhibitors pledged their support to national A.A.M.E. and revealed that they brought every independent territory into the Northwest unit probably would be realized this season.

Northwest Allied board meets Tuesday to act on the exhibit resolutions and to make final recommendations for a successor. President A1 Steffes who has been given a six-month leave of absence.

Photometric Sues WB,

Radlike and Leonard Day

(Continued from Page 1)

junction to restrain an alleged patent infringement and an answer filed by Photometric Corp. in the Federal Court. The plaint contends that Radlike, in 1950, was employed by the American Development & Operating Co. and devised a patent, "methods for and means of optically recording sounds," for his company. Plaintiff, successor to Warman, American, charges the defendants with depriving it of the patent right and with fraudulently assigning these rights to Radlike Patent Corp.

Para. Latin-Amer. Reps. Meet Hicks Individually

(Continued from Page 1)

national sales conference in Los Angeles.

John Day, Jr., general manager for South America, arrives Saturday, while Jack Rapoport, manager for Columbia, arrives on Friday. Mr. Tula Andrews, in charge of the Guatemalan office, returns shortly after a few weeks here. A. L. Pratchett, central American general manager, arrived yesterday from the Coast.

Gell Off for Britain Following Mono. Confabs

(Continued from Page 1)

York and Hollywood. Conference were held in regard to Monogram's next season program and the problem of exporting money from England in view of restrictions.

Lebby, Lynch in New Field

Pittsburgh — Two veteran film salesmen of the city are active in new film reproduction picture industry. Ed Lebby, who just recently celebrated his 25th anniversary in the business, has resigned from RKO, and Robert Lynch, who has been a film salesman for 24 years, has resigned from Warner. Lebby and Lynch are entering a new business field together in Erie, Pa.

Northwest Allied Talks Buying Unit

M. A. Rosenberg Launches Candy Vending Company

Pittsburgh — M. A. Rosenberg, president of the AMPTO of Western Pennsylvania and operator of the Raffo Theater, has inaugurated a new candy vending company, to be known as the Rossmann Candy Service. Firm will handle standard candies of well-known manufacturers and cater mostly to motion picture theaters. Associated with Rosenberg in this new venture is Nate E. Landy, an employee of 20th Century-Fox.

Wilby-Kincey to Build New Bessemer Theater

Bessemer, Ala.—Plans are nearing completion for erection of a 1,000-seat, $50,000 theater here by Alabama Theaters Corp., Inc., a subsidiary of Wilby-Kincey Theaters, Inc., of Atlanta, Ga.

A washed-air conditioning system will be installed by U. S. Air Conditioning Co., Atlantic Building architect, Wm. J. Okel.

Milland Replaces McCrea

West Coast Bureau of THE FILM DAILY

Hollywood—Joel McCrea has withdrawn from the cast of Para's "Arisa, My Love," and Ray Milland has been signed to replace opposite Claudette Colbert.

M. A. Rosenberg Launches candy Vending Company

(Continued from Page 1)

ment and agreement by which the industry insures its social obligation to the public not only with regard to what goes on the screen but with regard to the way in which pictures are advertised to the public."

Schaefer continued with the charge that the blitzkrieg which this bill would unleash and the irresponsibility form of local censorship—irresponsible because it would have no legal basis—would be ended."

"In these days of Fifth Column and Sixth Columns not all (such) names will be so interested as I am willing to grant are some of those who have testified in favor of this bill. Honest but mis-

On the same issue, Schaefer said: "Instead what would it create Little fuhers in every community in the U.S. to tell the public what it could or could not see on the screen through exercising pressure upon the local censorship. That's democracy, so is Hitler's Germany."

Quotes from Film Year Book

Schaefer in his memorandum drew extensively upon the Film Daily Year Book of 1940 for industry statistics and organizational data.

In the latter part of the memorandum, RKO's proxy dealt extensively with the testimony given before the House committee by Sidney Samuelson, of Philadelphia, Allbrook. Among other things, Schaefer said: "Notwithstanding all that has been charged against this so-called 'Big Eight,' it will interest your committee to know that they had neither the ability nor the power to secure a complete list of the sales of their product to Samuelson in Newton, where, as he states, he had no competition."
dmits 5th Column drive in IA Ranks

(Continued from Page 1)

brown, president, in his report to the 35th biennial convention.

It comes as a detestable admission on my part," Browne said, "to that fifth column activity not only exists within the country but has the ranks of the organization well. Despite unceasing efforts the Alliance of unaided by such a vital element, they have def-

Browne Defends Bioff

brown vigorously defended Wil-

Browne who, he contended, was a victim of "certain newspaper unmissible" who brought about his

ATSE membership has been al-

doubled since 1934, Browne said, pointing out that the organiza-
i now has 43,437 members in 831 local.

Matthew Wall, AFL vice-president, and delegates to consider a plan to extend Union Labor Life Insurance benefits to IA members and urged them to work together "for higher and broader objectives" before

Breslin, IA general agent on the West Coast, reported

ATSE's activities, echoing Browne's praise of Bioff's work.

Breslin Sees CIO Plot

I regret to say these people who

such destroy your organization are ported by certain executives who

are, according to the press and politi-

cians, of course the CIO is in the

entire background," Breslin

SOTHER Buys “30,000 Horses”

Metro has acquired rights to the.<-

Thousand Horses," an orig-

story for the screen by Robert

son and Bartlett Cormack.

WEDDING BELLS

Announcement of the impending marriage of George Brandt, son of

Brandt, and Vivienne Man-

naum was made this week. Mar-

toon is scheduled to take place at

this month. Brandt is mana-

of the Flatbush Theater.

north Worth—Miss Eddie Jared

ier at the Hollywood Theater,

r, representative of the Interna-

tional Iron Workers Union, were married here.

rome A. Siegel, son of Henry

gel of the Little Carnegie Play-

e, was married yesterday to

Y. Siegel, daughter of Mr. and Mrs. Benjamin Siegel. Newy-

will honeymoon in Mexico.

Cause and Effect?

Syracuse, N. Y.—It was left for the

Happy Hour Theater here to offer this

"Mal! He's Making Eyes at Me"

"Granny Get Your Gun."

Interest in Golf

Tourney White-Hot

(Continued from Page 1)

lunch and a discussion of regu-

lations which will govern play.

Tournament Manager Don Merse-

au presenting at yesterday's meeting during which it was decided that

Mr. Gerety is to serve as chairman of the team captains. They will

meet Monday, the eve of the tournament, to verify handicaps, and the

verification proceedings will probably go through the night and into

the next day "till noon!"

So numerous, valuable and varied are the prizes offered at this forth-

coming tournament, that team cap-

tains slyly figured yesterday that every member of a foursome is in

line to annex multiple trophies and awards, in fact far beyond the pos-

sibilities afforded in any prior tournament.

Among those who attended yester-

day's luncheon session were Wal-

ter Green, who, aided by Jack Serv-

ces, will captain National Theater Supply Co.'s team; Bob Williams,

Warner team captain; Joe Gould, leader of the United Artists' aggre-

gation; Tom Gerety and Bill Fer-

guson of Metro; Herb Feeke, who

will pilot the Trade Press team; and

Richard ("Dick") Brady, captain of

the Eastman team.

Also prominently present yester-

day were Leon Bamberger, Am-
poo, who will lead his organization into action; H. M. Richens, Lou

Audreus and Lou Miller, all from RKO; Lou Pollock, rep-

resenting Captain Bill Scully, the

Universal team captain; Dave O'Malley, captain of Columbia's team

which A. Schneider is managing; and

John McDermott, sparkplug leader of Paramount's team.

Billy Brandt, captain of the Ex-

hibitors team, wired to the commit-

tee yesterday the names of a group of contestants and alternates for the

big effort of the theatermen to annex for the next year the famous Al-

bee Memorial Trophy.

Today at 1 p.m., in the Hunting

Room of the Hotel Astor, the Ten-

nis Committee will meet to polish-

up plans for the tennis tourney end of the festivities next Tuesday.

Huddling today, at the appointed

hour and place, will be Ole Colonel

Alicate; Tournament Manager Don

Merseburg; Jack Levin, tennis chair-

man; Howard Diets, Si Seidler, and

Louis Nizer.

Irene Bentley Dead

Allenhurst, N. J.—Irene Bentley,

70, singer and actress, is dead here.

ATTENTION!!

GOLFERS

TEEN PLAYERS

Event —

FILM DAILY GOLF TOURNAMENT

Place

GLEN OAKS COUNTRY CLUB

Great Neck, L. I.

Date

TUESDAY, JUNE 11th

Price

$10.00 NOW. $12.00 If Paid at Club.

Two Bucks Buys Three 'Golf Balls (Wholesale)

The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club,

Great Neck, L. I.

The FILM DAILY,

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name

Address

LAST THREE SCORES

CLUB HANDICAP

CLUB:
$72,000,000 Invested by Company in Film Houses, Judge Thacher Declares

(Continued from Page 1)

with representing a class or group. The company has maintained its position that the anti-trust laws were passed to protect the public. He noted his opinion after pointing out in detail the defendants' claim that the over $8,000,000 weekly patronage was receiving millions of dollars from a different development at nominal admission prices.

Ties Grow to Competition
Judge Thacher contended that the Government's entire theory is based on a conception that the motion picture industry is a business similar to others and has forgotten that it is a product but is a strictly entertainment proposition. Time after time, counsel pointed out that it should not have grown to its tremendous proportions without the "most vigorous competition of every competitor.

The speaker pointed out the difficulties of the business and the large coats involved. He enlarged upon the print costs, stating that the average print cost of a picture ranged from $30,000 to $40,000. For this price, production costs could not issue an unlimited number of prints and a system of clearance had to be set up.

About the only essential to stimulate sales and a distributor must do everything in his power to protect this and the competition runs in. Judge Thacher asserted. Many implications by the Government that clearance was unfair failed to take into consideration "dynamic and economic reasons for adequate clearance," he declared and continued that there will be no agreement made between distributors or exhibitors, that the system would evolve and could not have been worked out in any other fashion.

"Big Eight," Over-Simplification
It is easy, Judge Thacher dramatically said, to call the defendants the "Big Eight" and to lump them together as defendants but it resulted in an over-simplification of the situation by the Government. There are many producers independent of the majors who produce good pictures and there are many independent stars, studios and equipment available to independents with sufficient capital to finance going pictures, counsel contended. If a picture is good it can always be produced through the use of the facilities, he asserted. As an example, the speaker referred to GWTW and "Rebecca" as two of the most popular pictures of the year. The Government will claim that these are not independently made but that they are the result of a distribution through two of the defendants, but we will show that they were independently produced," Judge Thacher added.

Counsel also went into the particular situation of Paramount and discussed the intricate mechanics of production, distribution and exhibition. As an argument to prove competition, he cited the high prices paid for stories and stars. He contended that this was the opposite to monopoly which has a tendency to lower the level of the industry and to lower the industrial prices. The speaker argued that Paramount has always attempted to deal fairly with its customers, but in view of the difficulties of distribution, occasional complaints are made.

$72,000,000 In Theaters
As far as theaters are concerned, Paramount has a small investment of $72,000,000, he said, and a more than 50 per cent interest in only 400 of the 1,200 theaters with which it is associated. He insisted that the purpose of the suit was to try the five theater-owning defendants and their theaters "because they are the best and finest managed houses in the country and therefore command the exhibition of the best pictures."

Judge Thacher took several hours to narrate the history of Paramount and to give the reasons why Adolph Zukor purchased theater companies. He declared that Zukor had twice prevented the growth of monopolies in the industry through his individual ownership of the first, time, counsel said, Zukor bought the control of the Motion Picture Patents Co. by developing feature-length films and by forcing that company to license them because of their great superiority over the one-reelers of that day.

Friends Fete Joe Engel As He Leaves Albany

Albany—Joe Engel, Universal district manager here until a few weeks ago, left Albany for his new job as special representative out of the Cleveland district, on the heels of a good-bye party and presentation at the Hotel DeWitt Clinton. More than 80 row, men and exhibitors were on hand.

Moe Silver, Warner zone manager, Lou Golding of Fabian Theaters, and George Tompkins, Paramount manager, were the speakers while Barney Kranze, RKO branch manager, was toastmaster and gave the presentation of the jewel watch to Engel, succeeded here by Jerry Spandau, formerly Des Moines branch manager.


Kearney in B. C. Post

London (By Cable) — M. Neville Kearney, former general secretary of the British Film Producers Association, has been named director of the British Council, which handles the distribution of films depicting British life and action.

120 Inducted Into New Oklahoma Variety Club

Oklahoma City — Newest tent of the National Variety Clubs is in operation here following presentation and induction ceremonies Monday night. A class of 120 men became members of Tent 22 as James G. Balmer, National Dough Guy, presided.

Rev. John Harris, National Chief Barker, presented the charter to L. C. Griffith, Chief Barker of the Oklahoma City Tent. Approximately 450 guests, including exhibitors, press representatives, radio men, civic and charitable workers attended the affair. Among the guests was Bob O'Donnell, Chief Barker of the Dallas Tent, who explained the work accomplished by his organization. A film showing charity work of Variety Clubs all over the country was presented.

Gracie Fields, Chevalier in "Mile. d'Armentieres"

Paris (By Cable) — The English Music Hall and film star, Gracie Fields, and one of France's leading dancing masters, Maurice Chevalier, will be co-starred in a Franco-British production of "Mademoiselle d'Armentieres." Monty Banks will direct.

Aldine, Philly, Closing

Philadelphia — The Aldine closes for the summer Sunday.

Arnold Accused of Trying to Impose His Economic Views Upon Industry

The second occasion, he continued, was in 1918 when Zukor stopped the efforts of First National to sell the market by purchasing competitors for his company.

This very act of integration was planned by them deliberately, Judge Thacher said. He put a final halt to attempts by the company to control the market. He declared that Zukor had made his no-choice plan the third. National meant that Paramount either went out of business or into the theater business.

"Suit an Arnold Short-Cut"
Counsel declared that the suit was a cut for Thurman W. Az- to impose his economic views on the industry and concluded by saying that the disintegration of production was not as good as the combination leading to the public at large, and the court would not be interested in the individuality of competing theater groups.

John W. Davis, attorney for Loew's, Inc., will make his opening statement today, followed by Joseph W. Proskauer, Warner's counsel.

Here's a Duration Target For Equity Trial to Begin

Boston — The Government's latest trial suit will have to wait, it is to due, whether any record is made as some observers predicted. The Morse & Rothschild anti-trust litigation, which went to the Massachusetts Supreme Court here, was heard from 1838, 1903 and 1940. Actual days of hearing before First National Bank and a 20th Century-Fox Court master, totalled 212.

Testimony covered over 5,000 typewritten pages. This did not include any evidence that was taken primarily to the benefit of the Summation alone for the plain The court kept George S. Ryan, Boston attorney, who is handling a number of other anti-trust litigations, on stand without pause for five successive working days.

And, with no indications of any positive settlement in sight, the case still far from being finished.

Gov't Questioning Philly Exhibitors on Testimony

Philadelphia — Seymour Kri and Seymour Simon, special aids to the Attorney General, had been here for the past week quizzing exhibitors, subpoenaed as witnesses in connection with the York equity suit, was reported yesterday. Some of the inter are believed to have been lengthy, it was said. Governor Feineman, who was believed to get a line on the relative impo shs of exhibitor testimony, significantly, the willingness of nesses to testify.
AFFILIATED THEATERS OKAY FOR OWN PIX

Neely Bill Dead; Sub-Com. to Draft Substitute

Raftery Sees Myers As Foe of Industry

Abram F. Myers, Allied board chairman and general counsel, was charged with being "the active enemy of the best interests of the industry" by Edward C. Raftery, counsel for the U.S. in the Federal Court here yesterday during trial of the equity suit. The claim was made that Myers and Allied had fomented litigation and restrictive legislation. Raftery asserted that his clients were near the breaking point and that the loss of foreign revenue had hurt them tremendously.

"I don't know how long we are going to exist if we have to continue meeting lawsuits," Raftery declared.

Arbitration Seen As Goal of Allied

Chicago—Plan for a five-man arbitration board will be presented to the national Allied convention for approval when the delegates assemble here June 18-21. It is understood that a campaign for settling up of regional boards will be the keynote of this year's convention.

Tentative program for the annual (Continued on Page 4)

RKO Applies for New Stock Registration

Washington Bureau of THE FILM DAILY

Washington—RKO has filed application with the SEC for registration on the New York Stock Exchange (Continued on Page 6)

Columbia Stands by Own Code Will Continue to Sell It to Exhibits—Montague

RKO By-Laws Amended At Stockholders' Meeting

Wilmington, Del. — By-laws of RKO were amended at a stockholders' meeting in Dover yesterday. Company officers and directors will be indemnified for any expenses by reason of becoming parties in any lawsuit involving their duties unless (Continued on Page 4)

Gov't Concedes Producers' Right to Distribute And Acquire Theaters to Exhibit Own Product, But Sees Monopoly If Outside Films Are Secured for Houses

Legality of a producer to distribute his own pictures and acquire theaters to exhibit his own pictures was conceded yesterday by Special Assistant Attorney General Paul Williams in the third day of the Government equity suit trial.

In response to a question by Federal Judge Henry W. Goddard, Williams admitted the legality of the two activities, but argued that the producer could not seek outside product for his theaters. He said that it was the Government's view that "the minute he (the producer) goes out to get other pictures, he creates a monopoly."

"Inequality of Opportunity" Williams enlarged on his theory, a marked departure from the generally accepted concept of the D of (Continued on Page 5)

Charges Arnold Seeks To Destroy Labor

By HUGH MORRIS

FILM DAILY Staff Correspondent

Louisville — Joseph A. Padway, general counsel for the A F of L and IA, speaking before the IATSE convention here yesterday charged Thurman Arnold, Assistant U. S. (Continued on Page 4)

Prince Named to RKO South-Eastern Post

David Prince, formerly Southern division manager for United Artists, yesterday was named South-Eastern district manager of RKO by Ned (Continued on Page 4)

Industry Offers Its Co-Operation

Officials of the motion picture industry met yesterday at the Union League Club with officials of the War Department and pledged complete co-operation with the President's defense program.
Jules Lapidus Will Be Feted In Pittsburgh

Pittsburgh — Farewell dinner, sponsored by the Variety Club, exhibitors’ association and exchangemen, will be given Jules Lapidus, in honor of his recent promotion from branch manager of the local Universal exchange to Eastern district manager for that company, on June 6, in the Urban Room of the William Penn Hotel.

Committee in charge includes Harry M. Kalmine and John H. Hearns, chairmen; Burt Bishop, Dave Kineman, Ira H. Cohn, James Alexander, Mark Goldman, Harry See, Abe Weiner, Art Levy, Herb Greenblatt and Lew Lenten; M. A. Rosenberg, president of the AMPTO of Western Pennsylvania; with Mike Shapiro, of the Hazlewood Theater, as treasurer.

Canadian D.O.E. Joins Drive on Double Bills

St. John, N. B.—The Imperial Order, Daughters of the Empire, in national convention here announced it is “discrediting the double bill in film theaters, and urges as the ideal bill, one feature with accompanying shorts and newsreels.”

It was hoped that the modification of the ban on children in theaters in Quebec, with the appointment of a special censor bureau for children’s films, would result in improved conditions elsewhere “where no restrictions exist and children flock to see movies which are utterly unsuitable.”

Lightman Sees Republic With Rare Opportunity

Memphis—M. A. Lightman, president of Malco Theaters, in addressing the Republic regional sales meeting here yesterday, said “Republic in facing the new season holds a prime position which offers an unprecedented opportunity for the industry for the progress of an independent company.”

Son of Board of Trade Proxy Dies In Battle

London (By Cable) — Death of George Rae Duncan, son of Sir Andrew Duncan, president of the Board of Trade, was reported this week. Duncan, a lieutenant in the Oxford and Buckinghamshire Infantry, was killed in action in France.

Goddard Replaces Colbert

West Coast Bureau of THE FILM DAILY

Hollywood—Penrose lead in Cecil B. DeMille’s next, “Reap the Wild Wind,” will go to Paulette Goddard rather than Claudette Colbert, first choice.

Sherman Talks Dix Deal

West Coast Bureau of THE FILM DAILY

Hollywood—Penrose lead in Cecil B. DeMille’s next, “Reap the Wild Wind,” will go to Paulette Goddard rather than Claudette Colbert, first choice.

Union College Student Reviews Via Short Wave

Schenectady—Myron Mills, son of Bernard Mills, former Republic franchise holder in Albany and now associated with Jack Berkson in the WAGE and WEGA, is recording his reviews on a short wave picture available to the young people here.

Kuykendall Opposes Hiking Admissions

Ed Kuykendall, M.P.P., president of the M.P.P. Association of Canada, does not believe that the time is suitable for the raising of admission prices, a move recently suggested by Samuel Goldwyn, David O. Selznick and others. Kuykendall, speaking in New York yesterday, said increased price scales might be accepted “in the case of so-called big pictures, but a general raising of admission prices all along the line could be disastrous to the film industry.”

Newspapermen were first advanced, Kuykendall said.

Ascap Suit Prosecution Hinges on Jury’s Probe

Prosecution of the long pending anti-trust suit against Ascap here rests upon the present Federal Grand Jury’s inquiry into the Society’s activities, it was indicated both here and in Washington yesterday.

In Washington, an official of the D of J confirmed that preliminary steps towards a new anti-trust investigation had been taken. Recently, the Grand Jury here issued subpoenas for Ascap records and books.

“Safari” In Providence Bow

Providence, R. I.—Paramount’s “Safari” will have its world premiere here today when the event also will inaugurate the 25th anniversary of the Providence Theatricals. The XXX anniversary of the year’s management of its managing director, Oscar Edward, Rew—personal appearances of Lynn Overman, Muriel Angell and J. Carrol Naish. Celebration will last two days.

Heffernan, RCA Counsel

Joseph V. Heffernan, formerly with the law firm of Wright, Gorse, Johnson & Kusmierowski, has been appointed the law department of RCA as assistant general counsel.

ARTUR HORNIBLOW and his wife, MYRTLE HORNIBLOW, return to the Coast Saturday night after a brief vacation here.

JACK O’CONNOR returns this week, the president of the New York Associated Press, with his son FRED BIRNBAUM, secretary, have left New York to travel to Hollywood to attend some meetings, including Monday’s convention of the Associated Press here.

CHARLES ROBERTS, Columbia’s top supervisor for Latin America, returned from Mexico.

HAL LEROY leaves today for the Coast. 

ED KUYKENDALL, president of the M.P.P Association of Canada here, is returning to his home in Lumbus, Miss., on Saturday.

FRED ALLEN leaves for Hollywood today and Bob HOPE arrives in Detroit today also.

HAROLD NURSE, is at the Sherry Hotel here, and MORRIE RYKIND is on the Coast.

JOE SHAVE left last night for Fort Worth, Texas, to assist the GA promoting the world premiere of “Mondo.”

Baltimore May Hold New Time Referendum

Baltimore—A move for a referendum on daylight saving time in Baltimore has been launched in the City Council. A resolution backed by the Junior Association of Commerce has been introduced and hearings have been planned by a Council committee. If the resolution is passed, the referendum will be held in November. A decision has already been reached by voters by a large margin 10 years ago.

Shots of Premiere King Deleted from Newsreels

Toronto—A result of the policy of the Premier’s Ministry and Premier Miller that the raid on the film industry, and some Ontario exhibitors, are eliminating the former’s pictures from newsreels, due to audience reaction.

Applebaum to Produce

West Coast Bureau of THE FILM DAILY

Hollywood—Irving Applebaum, who is expected to start production of a musical picture soon, will make “Music Camp” a feature using an all-child cast. Applebaum will direct. He recently produced “Choir Boy,” a short, using St. Brendan’s choir.

COMING and GOING

Thursday, June 6, 19...
WHAT THE PUBLIC WANTS!

3rd week! And still the BEST IN TOWN!

VIVIEN LEIGH • ROBERT TAYLOR
in M-G-M's
WATERLOO BRIDGE

CAPITOL
B'way & 51st St. • Major
Edward Bowes, Mng. Dir.

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play by S. N. Behrman, Hans Rameau and George Froeschel • Based on the Play "Waterloo Bridge" by Robert E. Sherwood
Directed by Mervyn LeRoy • Produced by Sidney Franklin • An M-G-M Picture

3 WEEKS NEW YORK
2 WEEKS WASHINGTON
2 WEEKS ATLANTA
2 WEEKS PITTSBURGH
2 WEEKS BRIDGEPORT
2 WEEKS HARTFORD
2 WEEKS NEW HAVEN
2 WEEKS MILWAUKEE
2 WEEKS SAN FRANCISCO
2 WEEKS LOS ANGELES
(playing two theatres, day and date)

2 WEEKS BOSTON
(playing two theatres, day and date)

2 WEEKS PORTLAND
Arbitration Seen As Goal of Allied

(Continued from Page 1)

affair was announced yesterday by Jack Kiser, president of the Illinois unit. All sessions will be held at the Hotel Morrison. Directors are slated to meet each morning and open meetings are to be held in the afternoons. A full program of entertainment has been devised for the ladies. Affairs at which everybody will attend include a party at the Old Colony Club and another at the famous Chez Paree, in addition to the windup banquet at the Terrace Room of the Morrison.

Among the film executives invited to the convention are W. F. Rodgers, Jack Schlaifer, William Gehring, James R. Grainger and others.

RKO By-Laws Amended At Stockholders' Meeting

(Continued from Page 1)

deliction on their part is established. Price, Waterhouse & Co., was continued as auditors for 1940. Neil E. Depinet, vice-president, presided at the session at which more than 2,900,000 out of 2,650,000 shares were represented. Directors, approved last year by the U. S. District Court for the Southern District of New York in 7B reorganization proceedings have another year to serve.

Loew's London Deal Off

London, Ont. — Loew's London Theaters, Ltd., reports in a letter to shareholders "continuous difficulties beyond their control" faced directors in negotiating with a group outside the company's present connection for new bookings and management connection. However, due to negotiations entered into by the board with Loew's, Inc., a saving in film rental dating back to September, 1939, as well as other savings, has been effected, the letter concludes.

FPC Redeems More Bonds

Montreal—Famous Players Canadian Corp. is redeeming as at June 1, $350,000 of serial bonds due on June 1, 1941. This is in addition to the $550,000 of serial bonds due on June 1, 1940, which were redeemed as of that date.

Charges Arnold Seek To Destroy Labor

(Continued from Page 1)

Attorney General, "came on the scene in 1939, a college professor who had tried an anti-trust suit in his life, to try and destroy organized labor."

He said Arnold holds juridictional strikes illegal, adds "the ignorance of the anti-trust view is colossal."

"If Arnold is right then the states and courts can invalidate your jurisdiction until doomsday but you couldn't strike," Pau declared.

He cited various U. S. District Court decisions in favor of organized labor in interest aspect to the recent Apex case, in which the Supreme Court decision "tore the hide of Mr. Arnold, by holding strikes not constitute restraint of interstate commerce."

President George E. Browne was awarded an honorary life membership in Theatrical Mutual Association by Grand Lodge President James Dwyer of New York, in the first such award in TMA's 7 years history.

Judge Matthew Levy, New York state supreme judge, has been awarded a commission to drive against subversive elements within the organization.

Princename to RKO South-Eastern Post

(Continued from Page 1)

Depinet. He will be in charge the Atlanta, Charlotte, and New Orleans branches and will headquarters in Atlanta. As the pioneer in the theatre business, Prince was with the old General Film Co., Famous Players-Lasky and Paramount and other companies.

WEDDING BELLS

Denver—Announcement is made of the marriage of Miriam Brin daughter of Mr. and Mrs. Earl (Bu) Briggs of Denver, and Thomas H. Ostergren, III, son of Mr. and Mrs. William Ostergren of Scatsbuff. Both are students at the University of Colorado. Their father is manager of the State Theater here and the boy's father is executive of several theaters in and around Scatsbuff.

Engagement of Barbara O'N and Joshua L. Logan was made known this week. Logan, in addition to directing a number of Broadway plays, has served in Hollywood as director. Marriage will take place June 18 at the O'Neill home in Grovewich.

Beloe, Wis.—Raymond C. Port, projectionist for the Wisconsin Theater, was married to Martha L. Nelson, cashier at the State Theater here.
Gov't Okays Affiliated Houses for Own Pix

(Continued from Page 1)

Division stand, by stating that two producers owning theaters, New York, has bemoaned the exclusion of independents and create a preferential sys-

say that it spells inequality of popularity, which is itself a violation of the Sherman anti-trust law, Williams concluded.

Reaction of film attorneys at the trial to Williams' statement was uniform. One lawyer, who has been in the Government has never before conceded the privilege to producers to distribute their own pictures more or less to exhibit them. These attorneys added or for the most part that it would be useless for a producer to own his own theaters if he were confined to exhibiting only his own films.

trace Loew's, 2oth-Fox Growth

on John S. Davis, counsel for Loew's, and Ralph Harris, 20th-Fox attor-

Reynolds, related the histories of their companies as evidence that the film industry is not subject to monopoly, or has been open to sharp combinations. Davis told Federal Judge that Loew's has operated a "wholly independent and only self-contained unit." Harris related the struggle which those who wanted to enter the theater business as evidence that the film industry is not subject to monopoly, or has been open to sharp combinations. Davis told Federal Judge that Loew's has operated a "wholly independent and only self-contained unit." Harris related the struggle which Williams Fox engaged in with other companies to secure theaters regard-

Jenner—Three houses in theying operated by Gibraltar Enter-

in the Burro Alley, Santa Fe, N. the Oto, Scottabuff, Neb., and Riviera, Gering, Neb.

and, Louisiana, to Laws

lebanon, O.—Ray Laws has taken

Mad. Censor Re-Appointed

Baltimore—Marie W. Pressman, who has served many years as a member of the Maryland State Board of Motion Picture Censors, has resigned, effective immediately, three-year term by Gov. Herbert R. O'Conor. She is secretary of the Board.

New Morgantown Theater

Morgantown, W. Va.—George H. Nelson, president of the American Artists and Samuel Phillips, of the Phillips Music Co., will build a 1,000-seat theater on Labor Day.

Push Americanization Pix

Chicago.—The Indiana-Illinois Thea-

ero circuit is pushing Americaniza-

tion film programs in the steel mill

RKO Signs Fay Wray

West Coast Bureau of THE FILM DAILY

Hollywood—RKO has signed Fay Wray; first assignment is "Wildcat Bus."

Open House for Allied

Chicago.—Filmack Trailer will hold open house for national Allied's convention delegates.

Cesar Warns on Music Rights

Taking cognizance of reports that producers are seeking to buy

Woll Shifts WB Managers

Cleveland — Nat Wolf, Warner-

zoneman, has named the following personnel changes in the terr-

Don Reilly from assistant manager at the Hippodrome, Cleve-

to manage the theater, Lima, succeeding Clarence Slets, now man-

Guy Ellis moves from the Variety to be become assistant manager at the Hippodrome, where Tony Laurie be-

Maj. Warner Adds Reality

Miami Beach, Fla.—Maj. Albert Warners has added to his Miami Beach property holdings by purchasing a long strip of waterfront property on Collins Ave from M. L. Annenberg, Philadelphia publisher, for $240,000.00.

Honor Eastman Prexy

Canton, N. Y.—Frank W. Lovelock, president of the Eastman Prexy-
Newly Bill Dead; To Draft Substitute
(Continued from Page 1)
committee a brand new bill as a substitute for the Neely measure which a majority of the committee considered "unworkable."

The committee took the action in- stead of adjourning on the basis of a proposal to dispose of the Neely bill "finally and for all time today" by reporting it unfavorably.

One committee member informed The Film Daily that it was "the unanimous opinion and sense of the whole committee that the Neely bill did not have any moral value."

It was further said that one member of the committee defended "the bill's moral value" at yesterday's executive session. Also it was further learned on excellent authority no committee member defended the proposals proposed.

May Name Sub-Com. Today
Chairman Lea is expected to name his sub-committee to start drafting new legislation to do some thing out of the Neely bill probably today.

Congressman Wolverton, (R., N.J.) a minority member, was co-operating with Chairman Lea in selecting the sub-committee membership, to total either five or seven members, with the former given the preference with three to two Democratic and Republican ratio.

At yesterday's session, it was learned, the need for a sub-committee to delve into the testimony and report fully to the general committee on legal aspects and industry policies of the block-booking measure was emphasized.

New Haven C of C Neely Stood Rapper by Allied
New Haven—Objecting to the decision of the local Chamber of Commerce to oppose the Neely bill after what they term a "One-sided meet- ing" on the issue, members of Allied Theater Owners of Connecticut instructed their executive secretary, Lawrence C. Caplan to address a letter of protest to Prof. Ray B. Westerfield, chairman of the chamber legislative committee.

The letter states that although there are approximately 25 theaters in New Haven and vicinity, no independent exhibitor was notified of or invited to the meeting which was attended by exchange managers, John Husse, manager of Warner's Roger Sherman, and Lou Schaefer, manager of M & P Paramount, last week.

"The Chamber of Commerce usually reflects the views, and acts to promote the best interests of local businessmen and taxpayers, yet the only persons invited to the meeting were managers of out of state chain corporations, who have no direct local interest, either personal or on

If Md. Censors Want to Escape Fire Hazards They Must Cut Expenses to Pay Higher Rent
Baltimore—Although the Baltimore Association of Fire Underwriters has recommended that the Board of State Board of Motion Picture Censors be moved to avoid certain fire hazards created by the storage and showing of films, the State Law Department still holds that the Censor Board cannot use excess fees from the inspection of films to pay an increased rent. The opinion

holds that the Board must keep its expenditures within its budget allotment but if those expenditures could be curtailed, the money saved would be used to pay the higher rent necessary at a new location.

Columbia Stands by Own Code
Will Continue to Sell It to Exhibs.—Montague
(Continued from Page 1)
Commends Kaufman, Zeeman
Montague commended Hank Kaufman, manager of exchange operations, and Bernie Zeeman, for their convention arrangements, and intro- duced from the floor h.o., execs. Seth Kaulier, Vine Borelli, Al Sherman, Joe Freiberg, Irv Sherman, Al Se- ligman and Bill Brennan.

Delegates were moved from Frank Lloyd's "The Howards of Virginia" and Wesley Ruggles "Arizona,"

Division and branch managers held individual parleys in the afternoon.

Rube Jackson, assistant sales manager, announced the promotion of Sam Cramer, from accessories manager of the Denver Exchange, to the manager in the Chicago branch, and Or- ville Miller, from booker and office manager in Des Moines to sales manager there. Jackson further announced several new additions to sales per- sonnel in William Kahl in Chicago, Jack Shackelford, Kansas City, Fred Horn, Jack Tigue, Omaha and Norman Newman, Los Angeles.

Osa Johnson Picture Previewed for Delegates
Chicago—Columbia previewed the Osa Johnson picture, "I Married Adventure," for the delegates attending its convention here. Osa was shown at the B & K Garrick Thea- ter last night.

RKO Applies for New Stock Registration
(Continued from Page 1)
change of 2,753,053 shares of $1 par value common stock, issued; 5, 360,000 shares of $1 par value common stock, to be registered upon notice of issuance, and 128,170 shares of $100 par value 6 per cent preferred stock, cumulative, from Feb. 1, 1940, issued. On the New York Curb Exchange RKO asks registration of 2,589,573 option war- rants to purchase common stock issued.

'Helen Trent' Air Show Purchased for Screen
(Continued from Page 1)
be distributed by a major company with a big "name" cast.

With a Crosley rating, higher than the average median for a quar- ter-hour daytime show heard five million or more, 'Helen Trent' represents an investment of almost $4,- 000,000 by the sponsors.

The film, which has four features with the "Trent" character.

Zeidman Picture to Select
Contracts were signed yesterday between Zeidman International, Inc., and Select Attractions, Inc., for the U. S. release, of "Leopard Men of Africa." The picture will be road- showed. Each unit will carry travel- ing ballyhoo equipment and ex- ploitees. Key runs are now being set.

Femme Pix Tasties Uncovered by Poll
(Continued from Page 1)
ble could be eliminated from produc-
tion."

Using the material and informa-
tion obtained in the survey, Miss Mengel is at work building plans for a project which she expects will have far reaching effects in flu- ence on the future of pictures in this country.

Survey Wholly Independent
In announcing her survey yesterday, Miss Mengel stressed that the poll was conducted independ- ently of the industry and was not financed or supervised by anyone.

While data and statistics are being withheld, Miss Mengel insists that they are startling.

In explaining her move, Miss Mengel said: "Exhibitors, distributors and producers say that too little money is spent by producers on salesmanship and exhibitions; exhibitors blame the publi- lic. Exhibitors give the public pictures in double doses and advertise to all people, but the public still can't find any people to the theaters, and still more money doesn't reach the volume each group assures the other is putting into the industry. Minority groups abut and put their heads together and come to the conclusion that 'this' or 'that' is responsible for the loss of revenue. Government investigates and finds out that the root of the evil is something entirely different—all pulling his hair and all at different purposes."

Having been connected with the industry for 20 years, Miss Mengel says, "I always believed that business was a mystery and had been exacerba- ted by certain facts concerning the relation- ship of the public and the exhibitors who make the pictures for it."

Of these, she contends, was the parent inability of the producer to gauge in advance the probable reaction of an audience to a given picture, production, and this is especially true in considering the viewpoint of men.

Film 65 Per Cent of Film Auditors
According to Miss Mengel, women of America with their children constitute 65 per cent of the motion picture audience, own 70 per cent of the nation's private wealth, buy 90 per cent of all merchandise and 80 per cent of all saving bank deposits, possess titles to 48 per cent of all homes and comprise 49 per cent of all 15 million stockholders.

In was these facts, she says, that influenced her to launch her survey set up a working organization to conduct a list of names which she had carefully built up throughout the years. All answers were ana- lized under the direction of Dr. Robert A. Strong of the Institute of Educational Research Teachers College, and collabora- ted in the U. S. Department of Agricul-
EC Reveals Added Holdings of Execs.

Washington—A recent report by the Department of Justice, which states that Jack Cohn has acquired 31,321 shares of Paramount's common stock, has been released. The acquisition was made at $5.50 per share to bring his total to 559,321 shares. Cohn is now the largest holder of Paramount stock.

Columbia's report states that Jack Cohn has acquired 31,321 shares of common stock at $5.50 per share. This is in addition to his previous holdings of 559,321 shares.

Entrances Pour In For That Tourney

(Continued from Page 1)

(long, long table in committee headquarters opened).

More Roadshow Dates Set for AT&T

Five more special roadshow dates for Warners' AT&T have been set, to begin on Saturday, May 3, at the Majestic, Providence, June 20, Orpheum, Kansas City, and Orpheum, Des Moines, 36th, and Bradenc, Omaha, and Orpheum, New Orleans, 27th.

EC Acquires Chilean Picture

United Artists has acquired the Latin-American rights to "Escandalo," produced in Chile and reported to be the best picture to be made in that country. Deal is said to be worth $25,000 to the Chilean company, which will distribute the picture in United States theaters.

UA Acquires

Chilean Picture

West Coast Bureau of THE FILM DAILY
Hollywood—RKO has signed Richard Carlson to a term; first role is male lead in "Too Many Girls."

MORE PRIZES

A Truck Load—Fully Insured

1000 LAUGHS

Forget Business For A Day

ScrEENO Night

Champagne—Dishes—You Can’t Miss

Mickey Mouse Preview

Tennis For The Sissies

Bingo—Raffle—Pictures

A Three-Ring Golf Circus

The Twenty-eighth

FILM DAILY GOLF TOURNAMENT

Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

The FILM DAILY

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if not paid before June 11.)

Name

Address

LAST THREE SCORES

CLUB HANDICAP

CLUB:
PACEMAKERS

ENDOWED with special abilities in their special fields, and governed by supercritical manufacturing controls, Eastman negative films set the pace for raw-film quality. They share with cameraman and processing laboratory the credit for the unprecedented photographic excellence of today's motion pictures. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Kouras Urges Industry 'Moral Merger'—Tells Court WB Had to Acquire Houses 'or Else'

By RALPH WILK
West Coast Bureau of THE FILM DAILY
Hollywood—Speaking at the studio before 6,500 people, chiefly Warner Bros. employees and wives, Harry M. Warner urged his hearers to wage a war against "fifth column" activities and to report any subversive elements to the local office of FBI.

Warner emphasized the mistake the civilized world had made in making no effort to protect a minority and had permitted Germany to persecute a minority faith. He urged his listeners not to allow anyone to say anything against anyone's faith.

Warner told of finding in his own car, in his own studio, subversive literature and pointed out the U. S. Government needed help to cope with "fifth column" activities.

He declared his company made "Juarez" because of Nazi-ism and Communism were taking a strong hold in Mexico and Warners wanted to show Mexicans that their country had had a patriot who believed in liberal institutions.

Warner said his company loses from $25,000 to $30,000 on each of its patriotic shorts, but it is the cheapest investment its investors

100% Unionization Here, IATSE Goal

By HUGH MORRIS
FILM DAILY Staff Correspondent
Louisville—The IATSE convention here yesterday unanimously adopted a resolution empowering the Executive Board to "effect com-

Great Neck (By Carrier Pigeon)—The FILM DAILY Golf Tournament Committee swooped down on the nearby Glen Oaks Club yesterday for a thorough inspection of the famous links which is due for

$920,370 "U" Quarter Net

Profits of $1,381,002 for First Half of Year

Warner Men Departing For Pittsburgh Sales Parley

Warner h. o. execs., district and branch managers, salesmen from the East and Canada, foreign department reps., theater zone managers

Universal earned a net profit of $920,370 in the second quarter of its current fiscal year, ended April 27, before Federal income taxes and special amortization reserve. This compares with a net profit, similarly computed, of $381,387 in the corresponding quarter of last year and a

Calls for All-Trade Group To Meet Monthly to Co-ordinate Protective Steps

By GEORGE H. MORRIS
FILM DAILY Staff Writer
Addressing Ama's luncheon meeting yesterday, Spyros Kouras, head of National Theaters, declared:

(1) that a "moral merger" of all wings and factions of the industry is an imperative need if the business is to survive the present economic crisis springing from the war and international unrest;

Mexican Exhibitors' Quota Kicks Fufiie

Mexican quota law requiring exhibitors to show national picture a month in some theaters and two monthly in others is being enforced despite objections of exhibitors, according to Charles Roberts, Columbia's home office supervisor for Latin-American countries. Robert

Hays Will Be GOP Conclave Delegate

Will H. Hays, MPDPA presy, will be a delegate to the Republican national convention in Philadelphia this month. Hays, who returned to New York this week from Indiana, where his alma mater, Wabash College, conferred an honorary LL.D. on him, will represent the 7th Indiana District at the GOP

The Twenty-eighth

FILM DAILY GOLF TOURNAMENT
Tuesday, June 11, 1940, Glen Oaks Country Club, Great Neck, L. I.

THE FILM DAILY, 1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1940 Golf Tournament. (Entry fee will be $12.00 if paid before June 11.)

Name ____________________________

Address __________________________

LAST THREE SCORES ___________ ___________ ___________

CLUB HANDICAP ___________

CLUB: ____________________________

Lowetheater Managers In Exploitation Drive

Loew theater managers are launching a unified pre-release advertising and exploitation drive for the warm weather months in view of what they believe is the strongest M-G-M summer lineup in the company's history.

In explaining the campaign, Oscar A. Doob, Loew publicity manager, said the theaters plan a special sales effort concentrated upon individual pictures rather than the full season's group of films.

First of the summer films will be "Susan and God," on which extensive co-operative merchandising ads and tie-ins are being arranged. Others which will be given advance promotion include "New Moon," "Pride and Prejudice," "The Mortal Storm," "Andy Hardy Meets a Debutante," "Boom Town," "Escape," "I Do," "Gold Rush Maisie" and "I Love You Again."

Warner, RKO Men Talk Campaigns for AATAH

Warner field exploitation men and RKO theater execs, conferred with Charles Einfeld and Mort Blumenstock at the WB home office yesterday on campaigns for the special and roadshow engagements of AATAH. At the parley were: RKO: Harry Mandel, advertising director for theaters in New York; Mort Singer, of the Singer Circuit, Chicago; Tom Gorman, division manager in Chicago; and Dick Meyer, Southern division manager with headquarters in New Orleans.

Warner field men are John Goldsmith, Atlanta; Monroe Rubinger, Kansas City; Bill Lewis, Dallas; Charles Curran, Des Moines; and Ben Cohen of the home office, who will handle the Omaha engagement. The field men left last night for their respective territories.

Metro Suspends British Production Activities

M-G-M yesterday officially announced the suspension of production activities in England. Ben Goetz, the company's production head in London, arrives on the President Roosevelt due in New York on Sunday. Mrs. Goetz and Mrs. Robert Montgomery are accompanying him.

"Buxman's Honeymoon," starring Robert Montgomery, has been completed and will be released here during the summer.

Sarnoff Made Officer Of Legion of Honor

David Sarnoff, president of RCA, yesterday was elevated from the rank of Chevalier to Officer of the Legion of Honor by the President of France. Decoration was made by the French Consul General in New York for Sarnoff's services in the advancement of science and industry and radio.

COMING and GOING

A. MONTAGUE, Columbia sales chief, turns today on the Century from Chicago, where the company held a divisional sales meeting.

AL SHERMAN, Columbia home office—JEROME SARKIN, division manager with headquarters in Los Angeles, and CARL S. Detroit district manager, also left Chicago today for their respective posts.

MAX GOMEZ, RKO manager in Montevideo, returned to Mexico City after home office duties.

J. J. NOLAN and PERRY LIEBER left today for the Century for the Coast.

MAX WEISFELDT, IRVING SHERMAN, SETH FRIEDBERG, BILL BRYAN and AL MAN, Columbia home office execs, leave today for the Cotnede on the Vanderbilt.

DWIGHT DEERE WIMAN returns to New York shortly.

RUBE JACKER, LOU WEINBERG, L. ASTOR, VINCENT ROSELLI, SETH MAURICE CRAW and GEORGE JOHNS, of old stocks, leave Chicago today for New York.

BUDY DeVELY has returned to Hollywood.

GOETZ, ROBERT T. KANE and ROBERT L. MONTGOMERY, arrive here from the Roosevelt.

JOSEPH FRIEDMAN, managing director for Columbia, and A. N. LAZAR, allman manager, arrive in New York overnight.

MILDRED LAW left for Hollywood yesterday.

EUGENIE LEONTOVICH returns to New York next week.

CHARLES COBURN left for Schenectady night to take a p.a. job.

FRED GULBRANSEN, Panama manager for RKO, leaves today for Panama City.

NEDD HARRIGAN arrives here next week from Hollywood.

PAUL WHITMAN leaves the Coast as he completes a role in a new picture taking a long vacation in New Jersey.

JEN KIEFUR and his wife, MARTA EGGLESTON, sail for South America next week.

JOE SELWYN has returned to the Coast.

JOHNY MERCER leaves for Hollywood.

BERNARD SHORE, publicity director for Columbia, returns from New York.

CHARLES ROBERTS, Columbia's Latin American supervisor, is in New York from Mexico City.

Florence Roberts Dies

West Coast Bureau of THE FILM DAILY, Hollywood—Florence Roberts, actress, died here yesterday of disease.

“Our Town” Next Thursday

“Our Town” starts at the Municipal Hall next Thursday.

Schenck and Moskowitz Arraigned Wednesday

Joseph M. Schenck will appear before Federal Judge William Bondy Wednesday at 10:30 a.m. to plead to governmental charges against him. It was learned yesterday Joseph Moskowitz, who has been accused and Schenck, will be arraigned Wednesday, it is reported that Moskowitz has issued a statement denying all Government charges.

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FINANCIAL

NEW YORK STOCK MARKET Net

| High | Low | Close Chg.
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<td>Am. Seat.</td>
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NEW YORK BOND MARKET

| Keith B. ref. 15% | Loew's deb. 15% | Loew's deb. 15% |
| Par. B'way 65% | Para. Picts. 65% | Para. Picts. 65% |
| Phil. Picts. 6/4 | Phil. Picts. 6/4 | Phil. Picts. 6/4 |
| RKO 6/4 | RKO 6/4 | RKO 6/4 |
| Warner Bros. 6/4 | Warner Bros. 6/4 | Warner Bros. 6/4 |

NEW YORK CURS MARKET

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<th>Monogram Picts.</th>
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Happy Birthday To You
along the \hspace{1cm} RIALTO \hspace{1cm} with PHIL M. DALY

- - - - CHARLES COBURN stood before the Ampa luncheon yesterday and gave both a humorous and serious talk. The amusing aspect was the recounting by him of his first job in pictures... which event occurred many years ago. .. . He was asked, like a bolt from the proverbial blue, how he’d like... to make five bucks... Answering promptly and affirmatively... he was summarily sent down to the ole Biograph Studio... where in company with an actor side-kick... he essayed the role of a tramp. The picture, judged from today’s standards... was in length a mere cutting from a trailer... It recounted how the tramps got in a scuffle with a third party... and were driven off... while a snowstorm (consisting of falling salt and paper) raged... Mister Coburn, who has since risen to very lofty cinematic heights... wasn’t even billed when the production was released... but the director of the opus was... The latter became known to the world as... David Work Griffith. 

- - - - BESIDES his personal histronic contributions to film-land currently... Mister Coburn is taking progressively important steps to see to it... that Hollywood can continue to draw upon a supply of trained actors... despite the threat of a famine... attending the growing eclipse of the legit drama... Mister Coburn has founded... is as well known... the Hollywood Drama Festival... to train young thespians... for which grand service he has already been awarded an honorary degree of Doctor of Letters... by Union College... Soon another step in the Coburn program will be initiated... when the University of California commences imparting the fine art of acting... to young hopefuls... many of whose names will flash from film theater marquees in the future.

- - - - TO MISTER Coburn... this corner presents its coveted decoration for first-line service to the industry... the Order of Applause (with two palms)... ‘cause he’s abandoning some $50,000 of personal screen revenue this summer... to oversee the lashing of young talent for tomorrow’s screen.

- - - - WORD reached this desk yes’day... that Franklyn Waltman... director of publicity for the Republican National Committee has appointed Dally Butlerfield... to the post of representative for newsreel activities... Between now and the Convention... Dally will divide his time ‘twixt Washington, Philby and N.Y... and then accompany the selected candidate ‘round the U.S. ... COLUMBIA Pictures will hold its annual outing... the week-end of June 21... at Pine Brook Lodge, Nichols, Connecticut... Jack Cohn, Columbia’s v.p. will be guest of honor... A highlight of the outing will be a gala stage revue... penned by Alan Dinehart, Jr.

- - - - ARTHUR SACHSON of Warners... chairman of the Arrangements Committee for the Cinema Lodge of the F’nai B’nai... announced yesterday that details are now complete for the First Annual Banquet and Ball... of this chapter... Function will be held in the Grand Ballroom of the Hotel Pennsylvania... on Saturday evening, Oct. 28... Arrangement Committee includes Arthur Israel, Jr., H. C. Kaufman, Saul Immerman, Victor Blau... Joe Lee, Adolph Schimmel, Harold Rodner, W. M. Hom, A. P. Waxman... Jesse Block, Abe Lyman, and Ted Lewis.

FIGHT '5TH COLUMN,' SAYS H. M. WARNER

(Continued from Page 1) can make because if Americanism is overthrown all would be lost.

"We do not want anyone working for us who belongs to any body or is a Communist or a Fascist," he said.

Refuting the charge employment at his studio is irregular, Warner stated that of 3,411 permanent employees there, 1,444 had been employed three to five years, 1,265 from six to 10, and 433 11 to 15 years.

Robert Schless, Warner's European manager, who is returning to Europe immediately, commented "fifth column" activities in France and urged that Americans shun Fascist, Jack L. Warner presided at the unique "family" assembly.

TRENDELL WOULD RETURN TO DETROIT FILM FIELD

(Continued from Page 1) restrictive clauses in a contract made with Paramount in 1929.

The complaint states that Kunsky and Trenuddle sold their Detroit theater interests to Paramount with an agreement to open films for 50 years within a 150 mile radius of Detroit.

Trendell now claims that he wishes to operate theaters in Detroit which do not compete with Paramount houses, and that the latter refuses to modify the restrictions.

Contending that the restriction is unreasonable, Trendell demands either a nullification or a Court decree fixing no-competition territory. Kunsky, Trendell's former partner, is named as defendant as a party to the agreement.

This is an attracted interest because of the wide use of restrictive clauses in contracts on theater sales which are tested by this action.

HAROLD HURLEY TALKING INDIE PRODUCTION DEAL

Harold Hurley, former producer for Paramount, is here negotiating with several major companies on an independent production deal. Plan is to form an independent unit which would distribute through a major. A possible deal is being talked with Paramount among others.

WEDDING BELLS

Detroit—Eugene D. F. Welling, auditor for United Detroit Theaters, was married at the Church of the Immaculate Conception, Windsor, Ont., to Flora McLeod; they are honeymooning in the South.

Chicago—Florence Eddy, of the 20th-Fox exchange, was married to Rex Tucker.


Skouras Asks 'Moral Merger'
5c Minimum Admish. in Keys Also Proposed

5c minimum admission, in keys also proposed, Skouras asked the advertising and publicity forces of the industry to keep using their front offices to promote the practice of staging important world premiers and special pre-releases in logical locales in the keys. He cited the unprecedented public interest which attended premieres of "Dodge City," "Young Mr. Lincoln," "Union Pacific" and GWTW to name a few. A strenuously advocated that only pictures of importance be thus spotlighted so that the public would gain the best impression of the industry through its best pictures, and, as a result, turn in greater numbers to the box office.

Cites Trade Press Mission
Praising the trade press, Skouras said that the services these publications have rendered to filmland has been incalculably great, but that more than ever before it should take the lead in building confidence and inspiring the industry. Deferece and understanding, he declared, should be shown toward film critics because these appraisers of the film industry have, generally, a function with honesty and sincerity, and have, despite exceptions, been of great assistance in building public interest in movies. He characterized the publicity, advertising and exploitation forces of the industry as "those most responsible for filmland's success," and added that, withal, motion picture promotion is "a job without gratitude."

"I abhor double programs," Skouras stated, "as well as give-aways, and I beg you what you do about it when the exhibitor must make his expenses?"
He said, with reference to the critical days in Europe, that, despite the seriousness of the situation, he is optimistic of the future. "I hope to the Lord I will not be disappointed, and that the forces fighting against aggression will come out victorious."

Andy Smith Toastmaster
At Boasing-Lux Dinner

Andy Smith, RKO sales manager, will be toastmaster at a testimonial dinner for Charles Boasing and Eimer Lux on June 24. Boasing recently was advanced from Buffalo branch manager to Eastern Central district manager, while Lux was promoted from salesmen to succeed Boasing as branch manager.

WB to Test Duchin Again
Warner will again screen test Eddy Duchin for a contemplated George Gershwin picture when he comes to town next month. Duchin will fill a Coconut Grove engagement.

Pathé Pictures, Ltd.
To Handle PRC Lineup

William J. Gell, managing director of Pathé Pictures, Ltd., who returned to England this week, closed a deal, prior to his sailing, with Producers Releasing Corp. for the distribution of the latter's product in the United Kingdom. Contract covers the entire program of 20 features to be produced on the 1940-41 program. Among the deals is the acquisition of "Hold That Dummy" Pact extends for a period of years.

Harry Rather, president PRC, returns shortly from studio conference with Sieg Neufeld, production chief.

"II" Earns $290,370
For Second Quarter

"II" net loss of $115,975 in the second quarter two years ago.

For the first half of the current fiscal year, net earnings on the strength of $290,370, or $8.68 per share, against the loss of $641,424 or 86.73 per cent in the corresponding period of the preceding year. Two years ago, the net loss for the same period was $596,255.

With reference to the special amortization reserve of $6,000 a week, which was announced when the quarterly financials were published by Cheever Cowdin, chairman of the board, said in a letter to stockholders yesterday:

"Since then developments in world markets have further corroborated and restricted our business, and have added to the uncertainties of the business for the immediate future. As a result management has deemed it prudent to increase the amount of reserve to $8,000 a week with the start of the fiscal year, in these reserves to be made from time to time as may become necessary."

After provision for this reserve of $200,000 for the fiscal 1939-40, amounting to the twenty-six weeks to $206,000, earnings for the first six months $1,171,000, Federal income tax, $1,173,000.

Operating with lowered rates, exchange, the dollar volume of the company's foreign business during the first six months of the current year was slightly ahead of the corresponding period a year ago, but sales of the company, dropping from $8,000 a week, and foreign currencies the increase much substantial.

9,700 Contracts in 1939-40
"Specifically important to the strides which the company made in the domestic field," the company was able to close over 7,000 tracts in the domestic market in 1939-40 product as compared with 4,800 contracts secured for the same period 1939 product. Some 18 months ago, Cowdin the management undertook to arrange for the company to cope with conditions that might result from the war. As a result, he said, "we have every expectation that starting September 1, by this year, the company will start from its 1930 operations to continue improvement in the position in the industry."

For changes in the company's financial position continued to improve during the past year, having been a net realization of $1,381,745 in its balance sheet of $1,163,257 net working capital.
"I'm delighted," says Phyllis Bottome, the author. "M-G-M has done a splendid job in the picturization of my book, 'THE MORTAL STORM.' It was an exciting experience to see it on the screen."

starring
MARGARET SULLAVAN • JAMES STEWART
ROBERT YOUNG • FRANK MORGAN

with Robert STACK • Bonita GRANVILLE • Irene RICH • Maria OUSPENSKAYA
William T. ORR • Gene REYNOLDS • A FRANK BORZAGE Production
Screen Play by Claudine West, Andersen Ellis and George Froeschel • Based on the Book by Phyllis Bottome
Directed by FRANK BORZAGE • A Metro-Goldwyn-Mayer Picture
5 Major Col. Pix in Summer Period
(Continued from Page 1)

of Virginia. "It seemed for every joy to turn into a sorrow." He died in Chicago a week later. "It Happened in Paris" (temp. title) and "Before I Die," written by Ben Hecht with Doug Fairbanks, Jr., starring and doubling as associate producer.

Montague 15th Anniversary Campaign award winners were announced yesterday by Rube Jacker, branch managers participating on a nation-wide basis were:

Central Division: C. D. Hill, St. Louis; Midwest Division: Phil Du- nas, Chicago; and Western Division: V. C. Ball, Los Angeles.

Final awards to branch managers, salesmen, and personnel for performance in sales and liquidation:


Final awards on shorts and serials liquidation as well as personal awards to bookers:

2nd Place: St. Louis, Russell Mortensen, Werbe Bisschoun; 3rd: Omaha, Robert Ad- die; 4th: Des Moines, Ovril Miller.

Final awards on the accessory sales campaign:


Awards for the Eastern, Midwest, and Western Division will be at the second Columbus sales meeting to be held at the Hotel Atlantic City for four days, starting Monday.

Musicians May Tackle Theaterork Measure

With the American Federation of Musicians convening Monday in Indianapolis, sources close to the par- ent body yesterday expected the convention to consider anew a measure to increase employment of mu- sicians in theaters.

There is also a possibility that "president Joseph N. Weber, because of ill health, may retire after hold- ing the post for 40 years. Weber is not expected to make a decision until after he has received a final report from his doctors this week." In the event he does not run, James Petrella, "Chicago musicians' head and long a leader in the national organization, may succeed to the post although C. L. Bagley, Los Angeles leader, is regarded as a potential candidate in the event of Weber's withdrawal.

It is expected that Weber will ad- vocate a biennial convention instead of an annual one. A procedure change will require that all resolutions be presented on the first day of business instead of over a three-day period as in the past.

Louisiana State Senator Would Prohibit Charges for Phone Service in Theaters

Baton Rouge, La.—Rep. Flowers of LaSalle Parish (county) may want to tax charge for phone service in the theater business. He introduced a bill which would prohibit "charges for telephone service in theaters, boarding houses, hospitals and theaters." If passed, all the love sick swain will now have to do will be to pay his quarter to see Hedy Lamarr, and then give his best girl a call on the free phone—if he can get to it.

‘WB Forced Into Theater Biz!’
Says Alternative Was Subordinate Position
(Continued from Page 1)

product. He declared, that on the purchase of theaters, especially the Stanley circuit in 1928, was "born in trade warfare," and in the before opposition by other companies.

In discussions, Warner challenged the Government to "produce ample evidence of timony" that distribution facilities had been denied to independent producers with pictures carrying boxoffice appeal. He added, "All that anyone has to do to compete with us is to find a Thalberg, a Mayer or a Jack Warner."

Scolds at Monopoly Charges

The speaker scoffed at Government intimations of monopoly in the exchange of talent or equipment. Warners in the past four years has only borrowed talent four times, he said.

Concerning independent producers' requests, Judge Proskauer claimed that Warners had loaned 18 major players to independents in the past four years while only borrowing one from independents.

As far as equipment was concerned, the Government has made a great deal over very little, Judge Proskauer added, and gave a number of examples. Warners borrowed a pair of cameras from CBS-Columbia for $5,000, while at the same time it loaned a silk handkerchief for $1, and a battleship for $33, he said.

Judge Proskauer was followed by Bertram Shipman, representing the Chase Bank, who denied participation in any conspiracy.

Special Assistant Attorney General Paul Williams then announced to the Court that the Government would proceed with evidence showing industry operations this morning.

It was later learned that Elmer Pearson, former Pathe officer, will be the Government's first witness, with I. E. Chadwick, producer, probably following.

Dismissal Motions Filed

After Williams' announcement, Louis Sobol, attorney, or Cohen- bia, moved for dismissal against

Stewart in Metro Pix
West Coast Bureau of THE FILM DAILY

Hollywood — It's definite that James Stewart will play Macaulay Connor in Metro's "The Philadelphia Story." Studio is also talking a deal with Fredric March for the role of Dexter.

Myers Joins A. J. Balaban
Chicago — Sam Myers has been named general manager of the A. J. Balaban Theater circuit. Myers will continue to direct his own houses, but is giving up the lease on the Villard Theater at Villa Park, Sept. 1.

Warner Men Depart for Sales Conclave
(Continued from Page 1)

and addressing men, headed by Grad L. Seidel, a division sales manager, leave over the week-end for Pittsburgh, where the company's first annual sales conclave in the East and Canada opens Monday at the William Penn Hotel.


GE Introduces Special Outlets

Bridgeport—Latest innovations in wiring devices applicable to film theaters are the two new moderately-priced special electric outlets recently introduced by the appliance and merchandising department of General Electric Co., here. One outlet is designed for use with electric wall clocks, and the other for outdoor use in all weather.

New clock circular outlet (GE9301T) provides both mechanical support and electrical connection for clocks, eliminating the necessity of running an extension cord to the clock location from an existing outlet in the theater auditorium.

The weatherproof outlet (GE8318) is designed for use as an outdoor lighting or appliance outlet, or for use in the home.

Both of the new outlets are rated 10 amperes, 250 volts; and 15 amperes, 125 volts.

Crestwood Carpets Ordered


Scott Ballantyne Completes Orders

Omaha—Equipment installations recently completed by Scott Ballantyne Co. of this city include complete booth equipment, new Duosound master sound system and new screen for the New Theater, Homer, Neb.; carrier air conditioning plant for the Grenada, Norfolk, Neb.; and air conditioning plants of the same manufacturer in the Circle and Pegco Theater Advertisers, and the Empress in Fremont, Neb.

Ray Brown's Cozy Theater in Harlan, Ia., which is a new house, has been supplied with new Duosound master sound system, General chair, screen, carpet, lobby and foyer furnishings, and miscellaneous auditorium fixtures.

Scott Ballantyne has also completed installation of a Magic Weather-air conditioning system for Eugene Hopkins, Whitehall, O.; Applied booth equipment, seats, and carpet for Clark & Hampton's New Theater, Macedon, la.

Midwest Theater Supply Busy With Installations

Cincinnati—Midwest Theater Supply Co. reports Bremkent Enarke lamps and Benwood Linze rectifiers have been installed in C. Aaron's Sunset, Charleston, W. Va.; Bremkent Enarke in M. H. Weing's Western Plaza, local house; Mohawk Carpet in P. Sit-tike's Eastland Portable O.; rebuilt chairs, DiLite screen, CTR sound, in R. Moran's Olivet, Mt. Olive, Ky.; rebuilt chairs in Willard Floyd's Floyd, New Madison, O.; and DiLograph projector in A. Hyman's Keith Albee, Huntington, W. Va.

Kirchner Readeys Belvi

Belleville, Mich.—W. P. Kirchner will open his new Belvi Theater here on June 25. He has ordered from National Theater Supply Co.'s branch in Detroit the following equipment: Type E. Simplex Four Star sound; Super Simplex projection and lamps; Hertner transverters; Irwin Grunder chairs; Crestwood carpets; and Walker screen.

B & K Order to International

Chicago—International Seating Co. is currently building 4,000 seats for B & K's Chicago Theater from special specifications.

Equipment File

By GEOR

Equipment Files:

Since the sky is the roof of a "drive-in" theater recently opened in Phoenix, Ariz., and the roof of the ground construction necessary, a booth, projection screen, and a fence around the Big parking area, G-E engineers had to build, not up, in installing more than a mile of two-cylinder cable underground on this job to bring voice and sound to patrons seated in their cars.

Llewelyn Williams, vice-president in charge of engineering for York Lock- Machinery Corp., announced last week the appointment of John G. Bergold as corporation's chief engineer.

ColdF Mfg. Co., officials in Chicago declare that the company's new Ticket Dispenser, designed with such wide acceptance by pit houses and other places of amusement that production has been stepped up almost 100 per cent to keep pace with demand.

R. N. Marshall and W. R. Harry, important cogs in transmission equipment engineering, Bell Telephone Laboratories, state the case clearly when they say that the trend to directional microphones has gathered momentum in recent months as sound engineer and individuals have experimented with the new commercial types. Both had a prominent hand in the development of the new Six-Way Cardioid Directional Microphone which has been so well received in Hollywood studios.

Theater supply dealers in the mid-west report that air conditioning

NTS Denver Branch's Sales Are Improving

Denver—Sales at the National Theater Supply Co. Denver branch are improving, according to J. D. (Jap) Morgan, and as evidenced by some of their recent sales. A Simplex Four-Star sound equipment went to the Egyptian, Delta, Colos; the Aladdin, Denver, bought Four-Star sound heads and Super projectors; Denver, Denver, E-7 projectors, high intensity lamps and 28x-40 reflectors; Denver, Denver, E-7 projectors, Margo lamps and rectifiers; Mayan, Denver, lamp houses; Oden, Denver, lamp houses; Fox, Sidney, Neb., all the foregoing are Fox houses, and together with the Broadway, Denver, all went for the late B & L P-2 lenses.
Notes

MORRIS
3 FILM DAILY

A in all price brackets are selling at this month.

In the Oklahoma territory alone, 11 the new streamlined Brenkert pro-
ctors have been sold by the Okla-
oma Theater Supply Co. in the past 12 months.

Tomorrow, Wispers & Wetsman's whopolent, which just returned from a trip to the West, opens its new branch in Detroit, following con-
crete remodeling. National Theater Supply is the local branch that has furnished the new booth equipment and screen. America Seating chairs are in-
stalled, and Gordon Heating has put the air conditioning.

Circuit and indie operators, as well film theater architects, are visiting increasing numbers the Glass Central at the New York World's Fair, which proves the interest it exerts in us as a desirable structural mate-
ril for motion picture houses of the modern type.

Plans are going forward for the building of the Waller Theater in urel, Del.

J. A. Tanney, president of S.O.S.
ena Supply, New York, announces that his company has just issued four up bulletins. They are: Bulletin FA, full color photo-
ographic and slide portfolios; Bulletin Gold Seal on Super 16 mm. Screen; Bulletin Color, on pro-
file registers; Bulletin EB on the 16 mm. Sound-on-Film Pro-
tor, and Bulletin Eagle-10 on Super Eagle 35 mm. Projector. Ad-
ditionally, organization has just issued 940-41 Air Conditioning catalog.

Projection Standards

atin-American Problem

W. S. Tower, Jr., Erpi special repre-
sentative, who recently returned from a six months' tour of duty in 5 offices in Argentina and Brazil, states that "bringing foreign stand-
ards of projection up to the level of American practice is the equipment seller's main problem in Latin America.

He asserts that while first-run the-
ers in big cities generally have a good projection, typical of smaller cities in the interior is an exhibitor who, on finding that his new WE\r\nephonic sound installation did not pass film only at the standard speed of 90 ft. per minute, wanted to have his old system reinstalled so that he could continue his prac-
tice of running shows at 120 ft. per minute.

Equipment Demand
In Detroit Brisk

Detroit — Brisk activity in this area is reported by the National Theater Supply Co.'s local branch, which has installed Crestwood carpet in the Irving Theater; Super Simplex projectors in the Annex, operated by UA; and Super Simplex projectors and Hertner transverters E. T. Schneider's Stratford—all in Detroit houses.

In the post-fire remodeled Lincoln in twilight, NTS installed Simplex Four Star Sound Type "A", Simplex E-7 projection, Simplex High lamps, Hertner transverter, Walker screen, and Irwin seats.

Type "E" Simplex Four Star Sound was installed by NTS in the new Keego Theater, Keego Harbor, which recently opened. Company also supplied to this house Super Simplex projector, Complex High lamps, National rectifiers, and Crestwood carpet.

Heywood-Wakefield
Seat Orders Filled

Oklahoma City—Oklahoma Thea-
Dr Supply Co. reports sales of Hey-
wood-Wakefield seats to Metcalf's Ritz, Morriston, Ark.; Dr. W. O. Young's Young, Thomas, Okla.; J. F. Spangler's Beaver, Beaver, Okla.; and to Don Abernathy for his new house in Fairview, Okla., which is scheduled to open in mid-June there, giving this exhibitor two theaters in this situation. Current house is the Royal.

Macotta Front Installed

Detroit — Wolverine Enamel Co. has installed triangular marquise of enamel steel and new front of macotta as major elements in recent remodeling of Sham & Goldberg's Echo Theater here. Louis Goldberg personally supervised much of the reconstruction, with Bennett & Straight as architects, and Morris Pelavin as general contractor.

Automatic Devices
Fills Fair Orders

For the second year of the New York World's Fair, Automatic Devices Co., Allentown, Pa., has been called upon again to supply its steel curtain tracks and automatic curtain machines to discriminating exhibitors.

A total of 18 units are installed in various buildings including the Eastman Kodak Co., RCA, Ford Motor Co., Dominion of Canada, World of Fashion, etc. These are in addition to the 48 units purchased last year for various industrial and Gov-
ernment exhibits and amusement concessions at the Fair.

The company also reports a steadily increasing demand for its new Bestel medium duty curtain track which has been found to be the ideal economical solution to the curtain operating problems in a majority of theaters.

W.E. Sound for Dalton

Pulaski, Va.—Dalton Theater here has just installed W-E sound. Dave Peterson and Nat Mower, Altec en-
egineers, supervised installation.

 "TURNABOUT"

Rich, colorful Alexander Smith Carpet will help give your theatre a complete change in personality... one reason why you'll find this famous carpet in most of the country's suc-
cessful theaters.

ALEXANDER SMITH CARPET
"WE'RE STEADY PATRONS Now."

Your pictures are much better than they were, Mr. Williams. What have you been doing?"

"We've put in new projection lamps — 'One Kilowatt' High Intensity Arcs, the last word in projection light for small theatres like ours. They increase the light on the screen more than fifty per cent."

"That must run up your power bill."

"No, it doesn't, Mr. Harrison. These new lamps actually cost less to operate than the old, low intensity lamps we threw out."

"I notice the color features are better, too. They're perfectly natural now. Why is that?"

"That is because the light from these high intensity arcs is snow white. It's like daylight, so the colors all look natural. Many of our patrons have complimented us, as you have, on our improved projection and our increased business will soon pay for the new lamps."

**CARBON ARC PROJECTION LAMPS ARE STURDY AND DURABLE. NO WATER COOLING IS REQUIRED**

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

**NATIONAL CARBON COMPANY, INC.**
MOVE FOR SETTLEMENT OF EQUITY ACTION
48 Features and 2 Specials on Warner Program

Editorial

Settle Suit...and make pictures

By CHESTER B. BAHN

At the instigation of the Department of Justice, acting through trial counsel, new discussions and conferences leading to a settlement of the so-called New York equity suit against the eight majors during a trial recess are in progress.

For the good of the industry, yes, and for the good of the country, they should be pressed until an acceptable conclusion is evolved.

These are no times for industry—any industry—and the Government to lock horns. If the Government, confronted with such grave foreign problem as the United States has never faced, patiently needs industry's full support. And scarcely in less degree does industry require Government's understanding and co-operation.

"That is especially true of film business.

The Government certainly must know the exorbitant film revenue from overseas has been affected. It must know, too, the impact of such losses upon the industry's economic structure. Additional foreign revenue must realize that millions spent in legal counsel means the substitution of hair equivalent in taxable income.

Further still, as the Government turns to the formidable task of finding funds for its urgent, vital preparedness program, it well may ask itself if the cost of a year-long trial (the minimum duration forecast for the New York suit) might not be better invested in defensive armament.

It is significant that the overtures for a recess taken Friday and for the discussions ensuing came from the Department of Justice. Significant because it has been the Department of Justice which, in the past, has nullified moves to effect trade bureaus by code and to solve the issues raised in the equity suit by out-of-court settlement through the good offices of the Department of Commerce.

The discussions thus far are reported as bringing an agreement in principle, with terms to be worked out, provided Thurman Arnold and presumably his chief, Robert Jackson, attorney general, are agreeable.

It is understood that the majors in agreement upon the elimination of the Government's demand for theater divorcement. With the Department of Justice's admission that it is legal for a producer-distributor

(Continued on Page 3)

By HUGO MORRIS

FILE DAILY Staff Correspondent

La. House Passes Bill Taxing Theater Chains

Baton Rouge, La.—The House on Friday passed 60 to 7 the bill taxing theater chains according to the number of houses owned by the circuit.
The Broadaway Parade

Picture and Distributor
My Fight for Life (U.S. Film Service-Loosette)—4th week... Belmont
My Favorite Weep (KRKO Radio Pictures)—2nd week... Music Hall
Edison, the Man (Metro-Goldwyn-Mayer Pictures)... Paramount
The Way of All Flesh (Paramount Pictures)... Capitol
Brother Orchid (Warner Bros. Pictures)... Strand
Four Sons (Metro-Goldwyn-Mayer Pictures)... RKO
The Crooked Road (Republic Pictures)... Globo
Island of Doomed Men (Colombia Pictures)... Central
Bad Man from Red Buttes (Universal Pictures)... Central
Frontier Crusader (United Artists Co.)... (a)
Irene (KRKO Radio Pictures-Wilcox)... (b)
Palace
Earthbound (Twentieth Century-Fox)... (a)
Palace
The Birth of a Nation (d)... 55th St. Playhouse

TWO-DAY-RUNS

Gone With the Wind (Metro-Goldwyn-Mayer-Selznick)—26th week... Astor
FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—15th week... World
Rumba al Cairo (Cifares)... 46th St. Theater
Una Mujig in Perote (Esperta Films)...
Francesca (Italian feature)... Cine Roma

FUTURE OPENINGS

Gangs of Chicago (Republic Pictures)—June 13... Criterion
Our Town (United Artists-Losers)—June 13... Music Hall
Fifth Column Squad Film Alliance)—June 18... Rialto
The Low Man (Emmett-Allan Pictures)—June 15... Globo
The Man Who Talked Too Much (Warner Bros. Pictures)—June 29... Strand
The Moral Of The Story (Metro-Goldwyn-Mayer Pictures)... Capitol
The Doctor Takes A Wife (Columbia Pictures)... RKO
Lillian Roth (Twentieth Century-Fox)—June 16... Palace
The Girl In 313 (Twentieth Century-Fox)—June 15... Palace
Partire (Esperta Films)—June 15... Cine Roma

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Revival.

Settle Suit and make pictures

(Continued from Page 1)

to own and operate theaters for the exhibition of its own pictures, a real first step has been taken towards the cure of the divvorce issue. The Department promptly should go the entire distance.

If the Department does so, it is virtually a certainty that, within 30 days, the equity suit will be a thing of the past, if a consent decree will have instituted the needed program of trade reforms, and that this industry, no longer harassed, will be enabled to settle down and do the job the people of these United States expect it to do.

The same being the production, distribution and exhibition of the finest possible motion picture entertainment.

RCA Tube Opens Tele Field to Amateurs

Harrison, N. J.—Development of an inexpensive television camera "eye" tube which opens the field of electronic television to radio amateurs was announced over the weekend by RCA Laboratories. Developed and perfected by RCA, the tube will be sold for less than $25, making it possible for an amateur to build a complete electronic television transmitting and receiving system at a total cost of $300 or less.

RCA collaborated with the American Radio Relay League, which has been seeking for seven years to make it possible for the amateur radio fans to enter the television field.

8 Advig. Consultants Will Plug Para. Pix

To intensify the merchandising of the increased number of top-bracket pictures which the company will release during the 1941-42 season as a result of the elimination of all "B" production, Paramount will place a special force of eight resident advertising consultants in the field on and about July 1, R. M. Gillham.

The field men will make their respective headquarters in the eight district sales managers' offices and will co-operate with exhibitors, local advertising men and the company sales executives working under the district managers' supervision to obtain the maximum results in advertising, publicizing and exploiting the outstanding Paramount releases during the coming year. Their activities will be co-ordinated by Alex Bos, h.o. ad manager.

The field men and the cities to which they have been assigned are:

Eastern: Don Chambers, Boston; William Booker, Philadelphia; John Maxwell, Cleveland; Clinton Bolton, Atlanta; Bill Landisburg, Kansas City; Carl Kreuger, Chicago; Jack Daily, Dallas and Ralph Ravenscroft, Los Angeles.

Pick up your phone and express the preference of discriminating advertisers who appreciate fine craftsmanship.
Don't mind the **HEAT** just hang this over your marquee and start a box office **SAFARI**

Lines from the trade press...

*to start lines at the ticket window!*

"One of Paramount's best releases of the year. Entertaining, authentic, with the proper proportions of comedy, action and drama, it should please audiences of all ages!"

—Film Daily

"An exciting and entertaining piece of melodrama, convincingly projected with knowing showmanship to meet the particular mass box office demands of these parlous times. Romantic adventure, thrills, genuine suspense and a substantial love story!"

—Daily Variety

"Colorful entertainment that should be appreciated by audiences. Fairbanks gives a sterling account... Miss Carroll is her exquisite self... Muriel Angelus is seen to her best screen advantage to date!"

—Hollywood Reporter
IATSE Rejects Home Rule Plea

(Continued from Page 1)

lations and directing a third to the General Executive Committee instead of taking direct action on it.

The first was intended to give local unions power to terminate "emergency" powers granted President George E. Browne. Proponents argued it embodied the principles of "democratic labor unionism," but opponents maintained members of a local in an "emergency" are incompetent to exercise "home rule."

Sought Assessment Referendum

The other defeated resolution would have made a referendum necessary before any special assessment be made on membership. The West Coast delegation could muster no support for this constitutional change.

The third, referred to the executive committee, would have instructed IA officers to take steps to help film technicians' Local 688 negotiate a new contract.

The convention voted unanimously to expunge from its record a resolution through which New York delegates urged that the Federal Government try to "keep us clear of war involvements," and to prevent any loans to warring nations.

"A" Status for Exchange Locals

Other resolutions approved or referred to the general office.

To have officers formulate new rules governing production contracts insuring union conditions to IA members.

No change be made in yellow card by any road crew or producer without consulting representative of local.

Granting all film exchange employees' local an "A" status.

Procurings a thirty-hour week in all agreements.

Reduction of per capita tax to IA of 25 per cent.

Ask Tax Redetermination

Washington Bureau of THE FILM DAILY

Washington—Joseph M. Schenck Friday asked the Board of Tax Appeals for a redetermination of alleged $354,360 showing income tax deficiencies of $283,082.

"Happy Birthday to You"

From THE FILM DAILY to

Judy Garland
Virginia Valli
Mae Borenstejn
Dorothy Farrum
Longfellow Freuman
Eugene Mullin

Name 7 to Draft Neely Revisions

(Continued from Page 1)

P. G. Holmes, (R.), Mass., and Carl Hinshaw, (R., Calif.).

The complexion of the sub-committee confirms belief that dramatic changes will be recommended, particularly in the synopsis provision of the Four Democrats and three publicans. Dis satisfaction with the synopsis provision was expressed during the hearing by the four members—Boren, Kennedy, McGranery, and Hinshaw.

McGranery is expected to push for striking out the present synopsis provision and providing for only a "true synopsis."

Lea is counted with the major favoring amendments while Wolcott stated during the hearings he was not convinced a synopsis could not be written, although not in the manner argued. Holmes was not active in the hearings.

It is expected the sub-committee will take several weeks before reporting back to the full committee.

"Family of Nations" Set For Canada Only by UA

(Continued from Page 1)

traband," which was purchased Samuel Goldwyn and David O. Selznick for a reported $155,000, probably will be sold as a special attraction apart from the regular UA program. Picture is expected to undergo a title change and some editing.

Urges Showing National Defense Plans on Screen

An appeal to the exhibitors country not to exclude sent from newsreels showing the Government plans for national defense was made Friday by Edward Kuklof, MPTOA president, in letter to 9,000 theaters.

So that industry can do its part in keeping the public informed Government plans and activities, Kaykendell urged that "every newsreel containing such information be given a full and complete show at each performance, with the view point of showing our determination that we be kept out of the terrific conflict that is now going on."

WB Signs Jean Parker

West Coast Bureau of THE FILM DAILY

Hollywood—Walters has sign Jean Parker for one picture.

STORKS!

Sidney Levine of the Warner change, New Haven, is daddy to 7 pound, 4 ounce boy, born Grace Hospital. This makes N. Furst of Boston, Monogram division manager, a grandpa.
Warners to Have 50 for Year
Two Specials Included, Sears Tells Meet

(Continued from Page 1)

The 40 titles listed, 21 have players assigned, largely for the cast. While probable castings have been previously reported with a large number of other properties, definite assignments wait on vital studio plans now taking shape, it is understood.

Action in Key

As has been the case for several past seasons, the program lined up for 1940-41 by Jack L. Warner, vice-president in charge of production, is key to action. While some 11 biographical and historical stories are among the 40 titles—an unusual percentage—it is significant that these, too, largely fall into the action category.


It is of more than passing interest that among the 11 are two stories with a World War background and six with a Western locale. The studio penchant for "The Story" phraseology will be impacted by its use not only for the three just mentioned but for a fourth, "The Story of John Doe.

Chicago Parade to Follow

The local meeting, which will last through Wednesday, is being held at the William Penn Hotel. It is being attended by sales and theater executives from the Eastern and the Western territories. Via transcontinental phone, the convention will hear addresses from the Coast by Presy Harry Warner, vice-president Jack Warner and Hal B. Wallis, executive producer. A Western and Southern tour will be held at Blackstone Hotel, Chicago, June 17-19.

Program, as outlined to the convention today, permits this assignment breakdown:

GARY COOPER: "The Frank Capra-Robert Riskin "Life of John Doe of"
BARBARA STANWYCK: "The Life of Julia"
PAT O'BRIEN: "The Story of Knute Rockne"
DWARD G. ROBINSON: "The Story of Victor Herbert" and "Boulevard莺 Song"
JAMES CAGNEY: "Alben Kandel's "City for Conquest" and "Anatole Litvak directing Clements Ripley's "The Story of John Paul Jones" and "Thomas Ripley's "They Died With Their Boots On"
ANN SHERIDAN: "City for Conquest"
JAMES STEWART: S. N. Behrman's "No Man of My Own"
TRAL REYES: "Theatrical director" and "Rosalind Russell: No Time for Comedy"
JOE LYLE: "Blackboard Jungle"
Rosalind Russell: "No Time for Comedy"
OLIVIA DE HAVILLAND: The Allan Scott-George Haight "Honeymoon for Three"
"The Constant Nymph"

WARNERS TO HAVE 50 FOR YEAR, Two Specials Included, Sears Tells Meet

(Telegraphed from Page 1)

 telegram to THE FILM DAILY, "be- cause under statutes only the At- torney General can agree even in prin- ciple. Let us hope the defendants have seen through the crooks who will make proposals which will meet the neces- sities of the case. Sooner or later exhibitors are going to get the relief Allied has struggled so hard to ob- tain."

As to the issue of theater divorce, Myers said exhibitors may have no choice in the matter. The report that a settlement had been agreed upon in principle is a meaningless phrase, Myers said, be- cause the details are more important than the principles.

"Myers said some believe the move towards a consent decree or- iginated in Washington. Counsels in Government and the distribu- tors believed to have told Judge Goddard that they had a plan, and the court instructed the attor- neys to attempt to work it out be- fore continuing the trial.

La. House Passes Bill Taxing Theater Chains

(Continued from Page 1)

suit. The bill now goes to the Sen- ate.

State Senator Dudley J. LeBlanc who had ambitions to be Governor of Louisiana but who dropped out before qualification day, and who sponsored the measure against chain operations, was once an exhibitor himself.

Originally LeBlanc ran a house at Kaplan, which he relinquished to the Joy Houch circuit. He also ran a show at Lake Freemire.

Warner Studio at Work On Bumber Crop of 10

West Coast Bureau of THE FILM DAILY

Move for Settlement Of Equity Action

(Continued from Page 1)

and discussion of the terms by the attorney general's staff when Friday's Federal Judge Henry W. Goddard granted a recess of the trial until today.

As has been described in delay in the start of presentation of testimony by the Government was made by Special Assistant Attorney General Paul Williams, together with the latter's aides, had brought about tentative agreement on every important point of issue. The tentative agreement was described as the culmination of all the conferences which had been held between the Government and the defendants in recent weeks on the issue of a mutually satisfactory settlement.

Williams asserted: "I hope something constructive will come of all this."

Divorce May Be Hurdled

While there was no substance on the part of the D of J and the majors to discuss the agreement in principle because of its preliminary nature which might intervene with a settlement satisfactory to everyone concerned in the action. Further, it is noteworthy that optimism prevails over the possibility that the settlement might be realized throughout all branches of the trade and that we are going to solve our problems in the spirit in which found expression in Mr. Skouras' address. Let's hang together, as Benjamin Franklin or else—"

Threat of Veto Wins Sign Ordinance Hearing

Detroit—Detroit theaters gave reprise on the ordinance ban red or flashing signs within 25 feet of a sidewalk, when Mayor Ed. J. Jeffries threatened to veto bill unless the Council grants public hearing. Move was made United Denver Theaters, Denver Theaters, and Co-Operative Theaters Jointly.

Some 200 houses would have an average of $2,000 each, total of $400,000 to change signs and fronts under the new law, according to estimates of owners.
Censorship Bills, Pro
And Anti, in Louisiana

New Orleans—Two bills, apparently
intended to revive the dormant
film censorship act in Louisiana and
one to repeal it were reported here
at the week-end to have been intro-
duced to the Legislature at Baton
Rouge.

One bill, details of which were not
available was said to change cen-
sorship rates, while another—House
bill 796—amends the old act—No. 16
of the third extra session, 1935—to
place censoring under State Superin-
tendent of Education.

It provides for a three-men cen-
sor board, with a secretary, the board
to be paid $5 each for each censor
meeting plus 25 cents each for every
review rendered.

Board, to serve 6 years terms, will
be domiciled in Baton Rouge while all
died there at the week-end after a
long illness. He is survived by his
wife, his son, his mother and a sister.

Flexible Policy Scrambles
Detroit Opening Dates

Detroit—Detroit theater opening
dates are scrambled as the result of
adoption of flexible booking policy
by the Fox, to accommodate stage
shows, which may be booked for in
four days, six days, or other odd
numbers. Current show opened
Wednesday, and so will this week's,
the opening.

Possible Monday openings is envisaged for the house
day by David M. Idzal, managing
director.

Adams Theater, playing similar
product under a pooling agreement,
also switched to Wednesday opening
because of the Fox policy. The short
"weeks" will give the Fox a chance to work off second rate film
product with the major stage show
costs, reserving better screen fare
for the straight film weeks at the
house, which alternates stage shows and
straight pictures.

"Nobody's Children," Air
Show, Bought by Columbia

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has acquired
film rights to "Nobody's Children,"
radio serial sponsored by the Na-
tional Children's Home Society, as
a vehicle for Edith Fellows.

E. E. Clive Stricken
West Coast Bureau of THE FILM DAILY

Hollywood — Edward E. Clive,
British character player, is dead of
a heart ailment. Mr. Clive had a
long career on English and Ameri-
can stages before starting film work
in 1931.

Compulsory Group Insurance Plan Rejected
by IATSE Despite Administration's Backing

Louisville—A proposal to institute compulsory group life insurance for members
of the IATSE, proposed by Matthew Wall, AFL vice-president and president of Union
Liber Life Insurance Co., met defeat at the IA's biennial convention closed here.

Backed by a specially appointed committee and regarded as an administration-
approved measure, the insurance plan would have enrolled the entire IA membership
at $500 for 65 cents a week.

In to Glen Oaks',
Tomorrow's Slogan

(Continued from Page 1)

FILM DAILY Golf Tournament.
here's how to reach the scene of
action:
BY MOTOR: Queensborough 9th St., Tri-Boro or White-
Hall in 20 minutes; or ‚..."
Happy things are happening in Pittsburgh. Because today the Warner men meet there! Today they hear the marvelous news that takes the question-mark out of your product problem for '40-'41. Soon you'll know. Soon you too will be wearing the Warner Bros. smile!

THE SMILE THAT WILL STRETCH FROM PITTSBURGH TO YOU!
SETTLEMENT ACTION MAY BE DECIDED TODAY

Further Film Loss Seen By Italy’s War Entry

Pix Shipments to Balkan Nations Will Now Be Sent by Way of Bagdad

Entrance of Italy into the war yesterday further disrupted schedules for shipments of films and threatened a further loss of business to the American companies, with foreign department heads expressing the belief that the war in the major portions of the Mediterranean was not far off. However, Massie, Barnett & Co., film forwarders, stated that shipments to (Continued on Page 4)

New Admission Tax Looms in Louisiana

Baton Rouge, La.—Film theaters and all other places of amusements not only face a state admission tax but also apparently are compelled to post bond to insure collection of the tax if House bill 246 is passed by the Louisiana legislature.

This was the opinion here after a comparatively quiet week-end which found a plethora of general legislation and at least six measures which affect the film industry. (Continued on Page 8)

Rep. Takes Branches in Omaha, Des Moines

Republic’s offices in Des Moines and Omaha, both of which have been under franchise pacts, were taken over by the company effective a week ago.

Additionally, it was disclosed that Republic has renewed its franchise agreement with J. B. Sheffield, headquarters in Seattle, for the territories whose keys represent Port-

Eight Studios Start 13 Films This Week

West Coast Branch of THE FILM DAILY

Hollywood—Thirteen pictures are scheduled to go into production this week.


At RKO-Radio: The Charles Laughton-Carole Lombard picture, “They Knew What They Wanted” (Continued on Page 5)

To Appeal Neb. Ascap Decision Within 2 Weeks

Lincoln, Neb.—Walter Johnson, attorney general for Nebraska, definitely stated last week that Nebraska’s Ascap law, battled down in a three-judge decision in federal court, will be appealed to the U. S. Supreme Court and within a couple of weeks. It will have to be done before July 1, because the 90-day privilege following the judgment (Continued on Page 5)

Says Execs. Muffed Chance

Distrib. Failed to Clean House—Myers

Ask Ohio Supreme Court To Pass on Bank Night

Troy, O. — The Ohio Supreme Court has been asked to decide whether Bank Night, as perfected by the moving picture houses, is a lottery and in violation of state laws.

The Troy Amusement Co. here appealed to the Supreme Court to re-

Situation Said to Have Been Discussed by Counsels for Both Sides

Whether the equity trial will be continued tomorrow may be determined today when counsel for the majors and the Government convene to compare notes as to what progress has been made towards reaching a settlement of the case.

Attorneys for the companies were said to have discussed the situation with top executives, and Paul Williams is reported to have talked with Thurman Arnold and Robert Jackson.

Fruits of these individual discussions probably will be laid on the table today.

Urges Settlement

A further adjournment yesterday of the Government’s equity action until tomorrow lent credence to re-

Para. Sales Policy

Flexible, Says Agnew

Paramount’s policy of selling is a flexible one. Neil Agnew, general sales manager, said yesterday that denying printed reports on the Coast to the effect that the company would sell the new program, with one exception, only on percentage.

Agnew said that fully one-third (Continued on Page 4)

Over Hundred Expected At Col’s A.C. Meeting

Atlantic City—More than 100 delegates are expected at the second of Columbia’s sales meetings which opens here today at the Hotel Ritz (Continued on Page 8)

N.B.C. to Teleview Naval Launching

Television will flash its first graphic record of the launching of a man-o’-war on Thursday, when the new 35,000-ton battleship North Carolina slides down the ways at the New York Navy Yard in Brooklyn. Launching, first to be televised anywhere in the world, will be seen by television sets at 3:20 p.m. Program also will include films of U. S. naval activities.

There Will Be Many Vacant Exec. Chairs Along Film Row Today... Golf’s Got ‘Em!

Should you phone exec. offices around local Film Row today, and be advised by an evasive, crypto-sounding secretary that her boss isn’t in, it’s only because he’s a lover of the great outdoors, green pastures, cold beer and plenty of it, and the kind of birds that sing around the fairways of a verdant country club. In short, don’t be jealous of your business quarry, because he’s out on one of the great and ancient Scottish game, or a spot of tennis. For today THE FILM DAILY Golf Tourney is on!

There is a rumor today that there are several exec. chairs empty today along Film Row. It is suggested that the next big event in the film industry is the two-day film row golf tournament—the first event of its kind in the history of the industry, and the case of the empty golf chair is the sign of a victory.

(Continued on Page 5)

Nathanson Elected

CBC Vice-Chairman

Montreal—N. L. Nathanson, president of Famous Players Canadian Corp., has been named vice-chairman of the Canadian Broadcasting Corp. He replaces Major-General Victor W. Odlum, of Vancouver, who is in command of the second division of the Canadian Active Force.

The industry has muffed the opportunities to clean house on a basis that would be permanent and enduring, Abram F. Myers, Allied general counsel, declared yesterday in a special bulletin in which he denounced alleged "mud throwing" at Allied and its leaders during the Neely hearings and in the opening statements in the Government suit.

These outbursts Myers said are particularly ill-timed in view of the
ASCAP WINS MICH. VERDICT OVER UNLICENSED MUSIC

Grand Rapids, Mich.—Gene Buck as president of the American Society of Composers, Authors and Publishers, the Southern Music Co. and Sankty-Josef, Inc. have been awarded damages totaling $400 against Marie Brown of this city, doing business as the Stocking Theater.

The judgment granted on default was based on infringement of copyrights on the musical compositions "The Man With the Mandolin" and "It Makes No Difference Now," which the plaintiff alleged were played in a public performance at the Stocking Theater without the consent of the copyright holder.

BALTIMORE EXHIBITORS OPPOSE DAYLIGHT VOTE

Baltimore, Md.—Motion picture interests in Baltimore are opposing an ordinance introduced in the City Council at the request of the Junior Association of Commerce providing for a popular vote on daylight saving at the close of any season. Other farm, labor and numerous other representatives also appeared before the committee in favor of the measure. Among those in the motion picture industry who appeared to speak against the ordinance were Arthur B. Price and Thomas D. Goldberg, of the Motion Picture Theater Owners of Maryland and Nicholas N. Rybicki, of the Motion Picture Theater Operators' Union.

PREMIUM SUING PRICE ON INFRINGEMENT CLAIM

Suit has been filed in Brooklyn against Price Theater Premium Corp., Danbury (Conn.) Premium Products Syndicate, which charges Price with infringement in the merchandising of enameled pins.

Premium Promotion contends that it has operated Encyclopedia Nights in theaters for more than a year, using a copyrighted card, coupon and trailer. It is charged that Price, which also has an encyclopedia deal, used the same copy on its cards and coupons and took scenes from Premium Promotion’s trailer in selling its own service. Advertising men alleged the same was duplicated, it is charged, and Price allegedly used the name, Encyclopedia Night, a title reported to be owned by the plaintiffs.

TMAT ELECTS

Election of officers of the TMAT was held last night. Results will be announced today. John W. Alicate, president, and all other incumbent officers are running for re-election unopposed. Elimination of the Motion Picture Division of the organization, with the possibility that the Division would become a separate entity or affiliate itself with some other union, was also slated for action.

ACADEMY TO DEMONSTRATE STEREOPHONIC SOUND

West Coast Bureau of THE FILM DAILY

Hollywood—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, today announced a demonstration of Stereophonic Sound Recordings, to be held under Academy sponsorship in cooperation with Electrical Research Products, Inc. and the Bell Telephone Laboratories, at the Pantages Theater on Thursday evening, July 11.

In addition to extremely faithful stereophonic or third dimension effect in sound presentation, the new technique permits the recording and reproduction of a range of sound far beyond that possible under present practices. This range, it is claimed, extends from the lowest sound discernible to the human ear up to the loudest sound the ear can tolerate—and this without distortion of the sound quality.

RKO INCORPORATES NEAR EAST COMPANY

Wilmington, Del.—RKO Radio Pictures Near East, Inc., has been incorporated by charter by the State Department at Dover to deal in still and motion pictures. Capitalization is $10,000, par $100, and the "principal office" at Prentice-Hall, Inc., Dover.

The incorporators listed are Robert S. Dunn, Scarsdale, N. Y., George Mucknie, Long Island, and Gordon E. Youngman, New York.

BRITAIN REQUIRES PRIOR IMPORT LICENSE ON FILM

Washington Bureau of THE FILM DAILY

Washington—The Commerce Department said today the British Board of Trade will hereafter require prior import licenses for all products not hitherto subject to the same. Among the products being brought under the licensing system, but for which open general licenses were granted allowing importation from any country without individual permit are: cinematograph film (standard width), unexposed and film base; cinematograph film, exposed. Individual licenses will be required hereafter for celluloid other than film base.

The order was effective June 8.

RICHARD LEAHY DIES

Detroit—Richard P. Leahy, 67, owner of the Washington Theater (formerly the Opera House) at Bay City, Mich., for thirty years, died suddenly from a heart attack. He formerly owned the Wenonah Theater, also. Two brothers survive.

Harvey Orr dies

Indianapolis—Harvey L. Orr, owner and operator of the Daisy and Speedway theaters, died here Saturday at the age of 75. He is survived by his widow, Mrs. Anna L. Orr, and a son. Interment took place in the Rose Hill Cemetery, Chicago.

COMING AND GOING

HOWARD DIETZ New to the Coast nightly for studio business.

HERBERT J. YATES returns from the next week.

BEN GOETZ titles to Hollywood tonight.

JAMES R. GRANGER has returned to home office from Chicago.

JOHN MILES, publicity director Libbey-Owens-Ford from the Coast.

B. K. BLAKE, EMERSON YORKE and FILM WESBER left New York last night for city to attend the Columbia sales bazaar.

CONRAD VEIDT left New York yesterday for the Coast.

BORIS JECSONOF, recently Columbia manager, now traveling auditor, arrived yesterday from Europe.

JOSEPH BERNHARD, LEONARD SCHLESING, HARRY GOLDBERG, CLAYTON BOND, HINCHLEY and SAMUEL SCHNEIDER, home office execs, return today from the Burch where they attended the Warnery meeting.

NAT WOLFE, DON JACOBS, J. J. HANSEN, Mort Silver, TED SCHLAGER, PAYETTE and HERB COPELAN, Warner zone managers, also left Pittsburgh last night to return to their respective posts.

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BOX
BROTHER
OFFICE!

ORCHID

Starts with
3 Stand-up Days
at the N.Y. Strand
-the 3 hottest days
of 1940 !!!!

(SURE! IT'S HELD OVER!)

EDWARD G.
ROBINSON
back in Warner action in
"BROTHER ORCHID"

ANN SOTHERN • Humphrey Bogart
DONALD CRISP • RALPH BELLAMY • ALLEN JENKINS
Directed by LLOYD BACON
Screen Play by Earl Baldwin • Based on the Collier's Magazine
Story by Richard Connell • A Warner Bros. First National Picture
Para. Sales Policy Flexible, Says Agnew

(continued from Page 11)

of Paramount's accounts were sold on a flat rental basis and that the company preferred it that way. Each deal is completed to fit local situations, he added, stressing the fact that there was no set rule as to percentage contracts, except those with the larger circuits.

"Prosperity Club" Ruled Not a Lottery in Omaha

Omaha—"Prosperity Club," $500 weekly giveaway sponsored by city's 23 theaters, has been given the go ahead signal by Municipal Judge Palmer.

Plan is now in its fourth week and requires people to register in theater lobby but not pay admission to register or win the award. They must sign card on day of drawing to be in line for the award, however.

Palmer dismissed a lottery charge against Manager Allen of the Omaha Theater and said "signing of a card does not constitute gambling by any stretch of the imagination." Allen had been arrested as a test case.

Denis Film in Rochester

Rochester — "Asia-Africa-Adventure," will be shown by Armand Denis and Leila Roosevelt at the Eastman Theater here, today, under sponsorship of the Civic Music Association. Denis was associated with the Eastman Kodak Company for many years.

WEDDING BANLS

Lincoln, Neb.—When the Stuart Theater's cashier, Alice Trumble, was married to Don Costello, one time usher, all her sister "how many" girls were attendants.

Indianapolis—Marguerite Barton, Columbia cashier, and Charles Stewart were married Saturday in the parsonage of Roberts Park Methodist Church here.

Cincinnati—Miss Helen Lederer, UA, is to be married June 29.

Cincinnati—Marion Ray, RKO, has announced her engagement and approaching marriage to Al Neitus, lawyer.

Chicago trade is extending congratulations to Max Factor, formerly a Great States booker on his recent marriage. He is now associated with the Pioneer Theater circuit.

Albany—G. Schuyler Bestie of Watervliet, Paramount head booker, was married June 7 to the former Miss Rosamund Krenan of Troy.

Further Film Loss in Italy's War Entry

(Continued from Page 1)

Balkan countries would go through Bagdad instead of through Mediterranean, with a longer time for shipments the principal disadvantage.

The film forwarding company says that shipments to Sweden and Iran were now being handled through Petassoc, Finland, or through Constantin, Roumanian port on the Black Sea.

Although no business is being done now in Italy by the majors, was believes that the Italian movie would cause blackouts and subsequent theater shutdowns in the southern French cities where business had been good due to the flight of population from other parts of the country.

"Too Many Girls" Is in Rehearsal at RKO Radio

West Coast Bureau of THE FILM DAILY

Hollywood — George Abbott started rehearsals at RKO for film version of "Too Many Girl" Pix cast in addition to Desi Arnaz will have the following from Broadway production: Hal Le Re, Eddie Bracken, Mildred Law, William Blee, Janet Lavis, Anna Hess, Libby Bennett, Amanda Morris and James Benton. All the players will return to the company when "Too Many Girls" goes on tour in the Fall. It will open in Chicago on Labor Day.

"Desi Arnaz, who was stage manager for Abbott in New York, came out to assist him. Hugh Martin has been released from his duties "Louisiana Purchase" to arrange Rodgers and Hart score here.

Win Merit Drive Prizes

Second drawing for prizes in the Merit Pictures Corp. playdate drive was held last week with A. Epstein, St. Marks Theater, N. Y. City, winner of the first prize. Adolph Welkos, Plaza, So. Jamaica, won second prize and third prize went to R. Strecket, Square, Brooklyn.

Films Escape in Ill.

Springfield, Ill.—The Illinois Legislature adjourned its special session without enacting any film legislation during the session.

STORKS!

Beckley, W. Va.—C. D. Crawford, Beckley Theater, recently became father of a baby boy.

Cincinnati — Irving Sochin, representative, is father of a baby girl, Stephanie, born June 6.
Warners Open First Of 2 Sales Parleys

(Continued from Page 1)

Harry Warner, Major Albert Warner, vice-president, told the delegates that there was no place in the organization or any other business for Nazis, Fascists, Communists or any other foes of such groups. "Loyalty to Rooseveltism and the American flag comes first," he said.

Ed Schmitz, Eastern district manager, was announced as the third vice winner in the Sears drive and tickets were presented to Schmitz and the managers in his district, who include J. Roger Mahan, New York; Norman Ayers, Boston; Charles Rich, Buffalo; Sam Leykowitz, New York, and Paul Krumenacker, Albany.

A scene from "The Sea Hawk" was held yesterday and "All This and Heaven Too" is scheduled for today. John Einfeld and his handsomest stock are outlined in advertising and publicity plans today, while Norman fogy will speak on short subject. Others to talk yesterday were Joseph Bernard, Albert Warner, Joseph T Emmen and Joseph Schlesinger.

Warner Theaters Named in Suit by Patron

Raceine, Wis. — Suit has been entered in municipal court here by Alabya LaBoda alleging that Warner Bros. Theaters of Wisconsin, Inc., failed to pay her $900 as agreed if she would make a connection with a "Treasure hunt" award at the circuit’s Vene-

LaBoda contends he was declared inner of the award on May 18 and that, at the time, Mr. and Mrs. Keegan, Milwaukee, district manager of the circuit, was in his action.

Charles Rich Named
VB Cleveland Mgr.

Cleveland—Charles Rich has been named local Warner Bros. branch manager to succeed Ted Mendelssohn.

Rich has been Vitagraph branch manager in Buffalo until his transfer to Cleveland.

Ill Packard Dies

Frazeyburg, O. — William F. Pack-
d, 84, for many years operator of film theater here, died June 2, in Francis hospital, Columbus. He is survived by his wife and two daughters.

Deny Any Break of 4A Member Unions

Blanket denial of any break between 4A member unions and the Theater Authority, Inc., was issued yesterday by an official organization. The denial came in answer to reports of a rift.

Eight Studios Start 10 Films This Week

(Continued from Page 1)

is the working title; "Wildcat Bus" with Pay Wray.


At 20th-Century-Fox: "For Beauty’s Sake" with Marjorie Weaver, Ted North, Ned Sparks and Joan Davis.

At Warners: "Flying Gold" with John Garfield, Pat O’Brien and Frances Parmer; "Tugboat Annie Sails Again" starring Marjorie Rambeau and Alan Hale; "Ladies Must Live" starring Rosemary Lane. At Republic: "Tulsa Kid" with Don Bath and Doreen's "Hap-

At Edward Small's: "The Son of Monte Cristo" with Louis Hayward, Joan Bennett and George Sanders, heading the cast.

Albany Exchange People Feted by Frank Weiting

Cobeskill, N. Y. — Albany exchange salesmen, bookers and branch managers were entertained from golf to steak here Saturday by Frank Weiting, who owns the Park Theater. A score of Albanians played golf at the Cobeskill Country Club and remained for a steak dinner, with Weiting footing the check for the whole works.

Attending were Dan Houlihan, 20th Century-Fox; George Tuck, Leon Herman and Bernard Kranse, RKO; Clayton Eastman and Dick Hayes, Paramount; Jim Moore, Vitascope; Bill Gaddison, Ralph Ripps, Bill Williams, Sid Stockton and Ralph Pielow, Metro; Harry Bernstein, The Rail, Albany; Lou Golding, Fabian district manager, and Gene Lowe, former Monogram sales-

warners Set Four Pic For Release During July

Chicago—Prexy Jack Kirsch yester-

Warners release following four features during July: "July 16—"The Man Who Talked Too Much"; July 13—"My Love Came Back"; July 20—"The Bride-
groom Misbehaves"; July 27—"They Drive by Night."

Lou Harris Aid to Lewis

Hollywood—Lou Harris has been named advertising aide to Cliff Lewis at Paramount.

Here's Why Exhibs.
Suffer Headaches

Harrisburg, Pa.—You've heard of the guy asking the theater cashier if the same picture is available for day, only to learn that you're down on the important show, has been the new type of wise guy. On a recent warm day, Johnny reports, a prospective patron wandered up to the boxoffice and demanded to know if the house was air-conditioned in the balcony as well as downstairs.
May Decide Today on Settlement Action

(Continued from Page 1)

ports that trial of the suit will be postponed from week to week until a settlement can be brought about without further delay. The refusal of the defendants, the MacMillan Agricultural Improvement Co. and the MacMillan Agricultural Union, to make their defenses known, is the cause of the delay. If a settlement cannot be brought about, it is probable that a compromise will be reached.

Judge Goddard stated that it "may or may not separate the parties, but it is a precedent, and is a precedent of importance in international conferences with both parties."

It was reliably learned that Judge Goddard will not allow any unnecessary delay to interfere with the discussions between the parties. The trial of the suit will be conducted in a spirit of cooperation.

For Codine

Sources close to the Government indicated that the Government's aim is to work out a code of fair practice which will be binding on all industry officials and at the same time preserve theater ownership by major companies. It is understood that the code will provide for competitive local bidding on pictures. It is explained that the Government believes that all theater owners should have the right to bid competitively for units of films as well as for individual pictures or affiliations and with the right to appeal to arbitrators in the event of any decision.

It was said that under local competitive bidding a producer would still retain the right to show his films on a particular circuit, but it would be possible to submit bids without being willing to "auction" but that the effect otherwise would be avoided. It is understood that the code will provide for a system of circuits over individual independent producers.

To Regulate Practices

The commission will also look to regulate score charges, minimum admission prices, forcing of shorts and newswires, and other practices now criticized by the Government. A comprehensive system of arbitrators appointed by the court could be set up, it is understood. In the event that the code does not remedy the situation, it was said, a provision in the law will be made for reopening the case after a probationary period or a new suit might be filed.

Following this line of thinking, the commission will consider the possibilities of a decree by counter offers of the majors providing the Government feels that they are constructive and afford a reasonable chance of eliminating discrimination.

To Test Code

The Government feels that a decree within 30 days providing for this code would be advantageous to industries because trial may last two years, another year may follow before Judge Goddard's decision in view of the vast amount of conflicting testimony, and another year for an appeal. On the other hand the commission believes that the proposals suggested by the Government may be modified or carried to a final closing by a decree by counter offers of the majors providing the Government feels that they are constructive and afford a reasonable chance of eliminating discrimination.

The commission has jurisdiction in cases of this nature, but it is understood it will be necessary for the Government to request the courts to extend the time for the hearing of the case to 90 days.

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Rep. Takes Branches in Omaha, Des Moines

West Coast Bureau of THE FILM DAIL

Hollywood—Rep. is planning no further acquisition of franchising branches of the company that has been announced to date, learned here. From this point on, was asserted yesterday, the organization's distribution structure is complete, while all franchise deals close in addition to the exchanges take over heretofore by the company.

The company's two-day regional convention at the Park Central, which included the final sales convention in the four series of four regions, three of which have already been held in San Francisco, Memphis and Chicago is expected to be completed today.

Tonight, Rep. will entertain delegates and home office representatives with a cocktail and banquet dinner at the New York Athletic Club.

Those attending the Eastern regional selling convention are M. S. Merz, of Boston; Selskey, of New Haven; Herman Glan, of Philadelphia; and Morris Goodman, vice-president in charge of foreign sales; G. C. Schaeffer, vice-president and general manager; John O'Connell, treasurer; S. Buran, contract department head, and David W. Whalen, director of advertising and publicity.

Deny Burke's Application

New York Supreme Court Justice Samuel L. Rosenman yesterday refused the application of Mr. Burke, stockholder, to inspect the records of Columbia Pictures for other than a list of stockholders.

Burke claimed that he represented eight stockholders holding 3,560 shares who, he said, the support of other stockholders for a move to dissolve Columbia. Among reasons for dissolution, Burke pointed to the anti-trust as well as loss of foreign markets.

CAST: Margaret Sullivan, James Stewart, Robert Young, Frank Morgan, Robe Stack, Bonita Granville, Irene Rich, William T. Orr, Maria Ouspenskaya, Gene Reynolds, Ethel Bodell, Marion Edwards, Earl Austin, Dan Daley, Jr., Granville Bate Thomas Ross, Ward Bond, Sue Moore, Harry Depp, Julius Tannen, Gus Glasson, George O'Brien, Frank Borzage, Athor, Phyllis Bottome; Screenplay, Claude West, Andersen Elish, George Froeschel, Music Score, Edward Kane; Direction, Edward Kane, Robert Seplein, Digital; Recording Director, Robert Shaker; Art Direction, Cedric Gibbons; Associate Art Director, William Seplein; Set Decorator, Elmer May; Cinematography, Elmer May; DIRECTION, Excellent. PHOTOGRAPHY, Fine.
**Let's Go, Boys and Girls!**

**COMBINE BUSINESS WITH A GRAND WEEK IN**

**CHICAGO**

The Midwest's Summer Vacation Playground

**Morrison Hotel**

**JUNE 19-20-21**

Make your Reservations NOW!
New Admission Tax Looms in Louisiana

The amusement bills are:

Two bills to change or resurrect the dead censorship measure passed by the late Huey P.

A bill to tax chain theaters progressively which passed the House by an overwhelming majority and now faces the Senate. A bill by Senator Dudley J. LeBlanc which would prevent circuit-from operating more than one theater of 20,000 population.

Not only does the admission tax apply to theaters, circuses, and other places of amusements (race tracks are one of the things not considered an amusement under the term) but it would bind to ensure their performing the duties required under the act, but the act gives the Inspector of Revenue, who is in charge of its functioning, the following rights:

1. To promulgate rules and prescribe forms under which the act shall operate.
2. To examine either personally, or through his agents, all records of a business, to examine witnesses under oath.
3. To compel, if he believes it necessary or if the place of amusement is not bonded, the use of adhesive stamps or officially stamped admission tickets, as the case may be, to make payment and sell to the amusement operator for “the tax value of the amusement” plus the costs of preserving and delivering the said owner.

The taxes are to be paid monthly, and the penalty for failure to make such payment is 10 per cent of the tax due plus one per cent a month interest. All places must get a permit from the collector.

The censorship measures are:

A joint Senate bill (No. 207) which would “amend and re-enact Sections 4 and 4 of Act 15 of the Third Extraordinary Session of 1935” (Long’s law) by creating a state censor board of three members to serve three years each, each member subject to removal at the discretion of the governor. Payment for the censor board is $120 (instead of $5) under the present law, plus expenses, but there shall be no additional fee paid the censors according to the number of films they look at. Censor costs to distributors will be $4, a thousand feet and $4 for each additional thousand feet or fraction thereof. The bill does not provide for a board secretary and does not specify where the board shall meet. Funds after expenses directed at admissions, before the legislation.

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HOPE GROWS FOR U. S. SUIT SETTLEMENT

Expects British Gov't to Ease Quota Obligations

Kane Says UK Appreciative Of Existing Difficulties Facing American Distsibs.

Quota obligations of American companies doing business in England in all probability will be eased by the British government in view of existing difficulties facing the American companies, in the opinion of Robert T. Kane, president of the production head for Fox who returned here yesterday. (Continued on Page 2)

Eten Will Lead Anti-Mufiel Quiz

Albany—Investigation of the participutel betting system and its effect on bets, etc., will be carried on by (Continued on Page 2)

IBOA Bids Indies To Trade Confab

Independent exhibitors in the New York area, regardless of organization affiliation, are being asked to attend a meeting, sponsored by the ITOA, at the Hotel Astor next Wednesday. (Continued on Page 8)

Warner Parley to Close With Party for Sears

Pittsburgh—With a cocktail party tonight in honor of Sales Chief Grad L. Sears at which Harry Kalmine, local WB theater zone manager, will play host, the first of two Warner parleys will close. (Continued on Page 8)

KENT OVERSEAS DRIVE CANCELLED

Countries Unaffected by War to Conduct Own 20th-Fox Sales Campaigns Later in Year

Kent Overseas Drive, yearly sales campaign of the 20th-Fox foreign forces, has been eliminated for 1940, it was learned yesterday. It was pointed out that unprecedented conditions prevail throughout most of the world and it was impossible to establish reasonable competitive quotas for the drive.

However, countries unaffected by the war will conduct their own sales drives later this year, it was said. The Kent Drive was scheduled to start the first week in September and continue through Dec. 15. Leslie F. Whelan, foreign publicity manager, had already been appointed manager of the drive by Walter J. Hutchinson, director of foreign distribution. (Continued on Page 8)

Contempt Report Hearing on Monday

Chicago—Hearing on the exceptions filed by counsel for B&K and Paramount to the report of Special Master Edgar Eldredge in the Government's contempt action has been set for next Monday.

Report, made public early last week, is expected. (Continued on Page 8)

Midwest vs. Mich. Co-op Trial Set for July 18

Detroit—Suit of Midwest Theaters, et al., against Co-operative Theaters of Michigan, alleging conspiracy, etc., growing out of alleged film distribution contract, is scheduled for trial July 18. (Continued on Page 8)

U. S. Distsibs to Bordeaux

Move Offices from Paris; May Go to Lisbon

Nick, Weston Indicted Under Two Federal Laws

St. Louis—John P. Nick, former international vice-president of IAMSE, and Clyde A. Weston, ousted business agent of Local 143 of the projection union, were indicted yesterday under the Federal anti-racketeering act and conspiracy to violate the Sherman Anti-Trust Act. (Continued on Page 8)

Lisbon (By Cable)—American distributors with Paris offices have moved their equipment, staffs and other properties to Bordeaux, with the possibility looming that they will move here shortly.

The Clipper service remains as the only quick and comparatively dependable avenue for shipment of news-reel prints, with newsreel companies also said to have left Paris to establish headquarters elsewhere in France.

DO I Willing to Have Discussions Continued; Plan Further Adjournment

Hope for a settlement of the New York equity suit against the majors through the medium of an acceptable consent decree, preceding practice reforms was materially strengthened yesterday when it was learned that the Department of Justice at Washington had indicated its willingness to have the discussions inaugurated last week continued.

As a result, sources close to the (Continued on Page 8)

26 French Pictures Produced Since Jan. 1

French producers have turned out 26 pictures since Jan. 1 despite the war, according to Andre Heymann, president of French Cinema Center, who returned from Europe Monday on the Manhattan. Heymann went to France more than a month ago

40,000 Phonovision Sets Leased, Assents Orsatti

Distribution contracts for Phonovision sets have been signed with representatives in every state in the union and some 40,000 sets have already been leased, Frank Orsatti, partner of Sam Saxe in the company.

London Film Exes. On Local Defense

Film workers and executives in London have joined the local defense volunteers and are on regular patrol day and night in three-hour shifts. Their specific assignment is to be on the lookout for German parachute troops who may attempt a landing in England. Teddy Carr and George Archibald, co-managing directors of United Artists, and Louis Lewis, secretary, are among those on patrol, according to information received by Arthur Kelly, UA foreign chief, here.
Penny Will Lead Pari-Mutuel Quiz

(Continued from Page 1)

legislative committee created yesterday by Speaker Oswald D. Heck and Senator Joe R. Hanley, Republican legislative leaders.

Certain to be chairman is Assemblyman Norman F. Naughton, Jr., of South Orange, with Walter J. Mahoney of Buffalo, vice-chairman. Other members include Assemblymen Dolf F.民間, Samuel H. Putro, Penz_REPLY 9-719, 9-7120, 9-7212; Cable address, Filenew, New York.


Penny Will Be Leading Pari-Mutuel Quiz

(Continued from Page 1)

Penny, an enthusiastic new addition to the New York Stock Exchange, was keenly aware of the situation, and has indicated it will help the picture business in every way possible.

He expressed the belief that the English Government would make every effort to facilitate the shipment of American-made films into the country. There are several products the only certain exhibitors there can bank on.

Kane said that the company's studio at Sheffield was still producing, and had a product, but what shall happen today or tomorrow is impossible to predict. He leaves for the Coast the latter part of the week to confer with studio executives.

Albany Offices Deliver Prints Despite Strike

(Continued from Page 1)

been made despite the strike of truck drivers which was called at the week-end and threatened to tie deliveries from Poughkeepsie to the Canadian border. Bookers and salesmen used their own cars in the four miles trip, and many exhibitors picked up the films shipped to them. In a few instances England's 500 miles each way to deliver prints direct to exhibitors. The truck strike was still unsettled last night. Negotiations with the drivers are being handled by Andrew C. Doyle, supervising mediator of the State Labor Department.

Name Harris Lewis Aide At Paramount's Studio

(Continued from Page 1)

of the future major pictures. Harris will continue in charge of the studio's trailer department, a post he has held for the last year.

Don King, department editor, has been assigned to the writing of special features and the handling of publicity on certain major pictures. Bert Halloway, Lewis' assistant on publicity, replaces King as department editor but will continue his other duties.

Albany Officers Deliver Prints Despite Strike

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PREPAREDNESS!

On every Film Row of the Nation everybody's saying: "M-G-M to the rescue again!" Ten million dollars in 9 Big M-G-M attractions right now and all summer long! Look!

SPENCER TRACY
"EDISON, THE MAN"

JOAN CRAWFORD
FREDRIC MARCH
"SUSAN AND GOD"

MARGARET SULLAVAN
JAMES STEWART
Robert Young • Frank Morgan
"THE MORTAL STORM"

CLARK GABLE
SPENCER TRACY
CLAUDETTE COLBERT
HEDY LAMARR
"BOOM TOWN"

VIVIEN LEIGH
ROBERT TAYLOR
"WATERLOO BRIDGE"

JEANETTE MacDONALD
NELSON EDDY
"NEW MOON"

"ANDY HARDY MEETS DEBUTANTE"
Lewis Stone • Mickey Rooney • Judy Garland

GREER GARSON
LAURENCE OLIVIER
"PRIDE AND PREJUDICE"

NORMA SHEARER
ROBERT TAYLOR
"ESCAPE"

When they talk about next year ask them what about right now!
M-G-M Team Again Champs in Golf Tourney

By GEORGE H. MORRIS

Undaunted by overcast skies early in the week, which saw ideal con-
ditions set in by afternoon, close to 200 industry golf and tennis en-
thusiasts invaded the Glen Oaks Club yesterday for the 28th FILM
DAILY Golf Tournament. That at-
tendance was so great, in the face
of threatening weather, was a re-
ounding tribute to the popularity
of this annual event which symbol-
izes the good fellowship of the cine-
ma clan.

More than 40 foursomes tee'd-
off for the Battle of the Bunkers, which
found the legions of Leo the Lion
roaring o'er fairway and green to
the baying of the Jackies, original-
ly annexed by the aggregation a year
ago. The tennis fascists wit-
nessed a new high in attendance,
reflecting the growing favor of this
athletic activity 'mong local film
colleges.

RKO Radio's golf team annexed
the runner-up spot, with the Un-
iversal forces next in line.

Banquet the Big Climax

Climaxing the eventful day was
the gala banquet, at which the par-
ticipating athletes were augmented
by a delegation of "men who came
for dinner" to be on hand for the
prize awarding festivities which
were presided over by Ole Colonel
Jackie Alcoate. On the dais with
the Colonel were the various golf
team captains and tennis committee
dolls, comprising Ted Curtis, Leon
Bamberger, Herb Fecke, Billy
Brandt, Tom Gerety, H. M. Rich-
ey, Bill Scully, Bob William, Jack
Levin, Lou Nizer, and Samuel R.
erstein, president of the Glen Oak's
Club.

There was bedlam in the giant
dining hall when Jack Alcoate an-
nounced a temporary truce in the
fight to permit the holding of
Sereno, and the abandonment of
the original plan to give away a set
of encyclopedias and dishes in favor
of bottles of champagne, rye and
other stimulants.

Winners of Sereno Prizes

Among the winners of the shower of Sereno prizes were:

Charlie Goetz, Bernard Sholtz, Vin-
cent Trotta, Harold Rodner, Jimmy
Cunningham, Lou Pollock, Doc
Brown and Bill Germain. The prizes
were so numerous that a system was
installed whereby the first man who
got to his feet and repeated a design-
nated phrase was given a share in
the booty.

Charles Eckmann won the golf
bag raffle, Paul Terry the woods,
and Lou Nizer the irons. Bob
Figueruea annexed the ice chest, W.
Sherin a swell ash tray, and Billy
Frankel a bar service.

One of the evening's highlights
was the international premiere of
Walt Disney's newest Technicolor
short, "Mr. Duck Steps Out," star-
ring the great Donald Duck. The
picture was a rousing ovation.

Most Enthusiastic of the Tourneys

Prior to the general awarding of
cups and trophies, Jack Alcoate
caracterized this year's tournament
as the most enthusiastic in the his-
tory of the event. He expressed ap-
preciation of the hospitality extended
by Sam Gersten of the Glen Oaks
Club, and paid tribute to Paul Terry,
who this year is celebrating his 25th
anniversary in filmland. Billy Brandt,
Jack Levin and Tournament Man-
ager Don Mersereau also spoke as
part of the evening's program.

"Absentee Foursome"

The latter announced receipt of a
wire from Pittsburgh asserting that
Charlie Einfeld, Grad Sears, Paul
Lazarus, Jr., and Roy T. Haines had
played an "absentee foursome" in
the Steely City, with Einfeld card-
ing a 74, and Sears an 84.

According to custom, a prize
was awarded to the golfer turning
in the highest score. This was bestowed
upon Lennie Saitz, who accepted the
prize with true blue sportsmanship
and with the realization that the
award was all for fun.

The tennis singles trophy, a
gorgeous watch, posted by City
Photo Engraving, was won by Lou Nizer.
Paul Terry's silver trophy, "Le
Crystal decanter of Ballantyne's Scotch.
The doubles winners grabbed
a de luxe Gem electric razor, and the
runner up a National Screen Service bag.

With adjournment announced
till 1941, when the tournament will
be held "somewhere in Westchester",
the golfers proceeded to map this
year's event the top chart to
date.
**Putts & Takes**

**By DON MERSHEAUX**

LD Sol hibernated during the a.m., but made up for it in the afternoon when he emerged to prove ideal golf conditions.

According to tradition, Joe Laux, accordionist de luxe, was on hand in his colorful costume and enticed the athletes in the club

**Jack (RKO) Level** was the first to enter the tournament this afternoon. He hence grabbed off the No. 1 spot on the event's official list. By strange coincidence he was the 7th golfer to arrive for the final round. One must be his lucky number.

The tournament set a mark scoring ideals. In the morning, scores were set off in hazy weather, and the fairways and greens were good... and wet. But by noon, there was no squawking. Everyone was in a striped shirt, dressed for the fact.

Some foursomes in the p.m. had better fortune to be playing over ground, and under much clearer skies. No FILM DAILY Tournament has ever been as smooth, and smoothness they are famous.

Donroe Greenthal sent greetings from the Coast, declaring that he had played Hollywood's Hillcrest in the day so that he could see his score in, but decided not to do so.

A couple of team members were able to attend. Their substitutes, selected for the occasion, noticed their names on the foursome list as being the officials' entry.

From that moment the subs had the dubbing "tigers."

"From Pittsburgh, Charlie Einfeld sent a message which read, "Sorry not to participate in THE FILM DAILY Tournament. Know Warner will do their best. Root for you up front."

Because so many pix execs, wives of Glen Oaks, the club has a complete, ultra-modern projection system for sound films.

Versatility appears to be offspring inspiration. The tennis ginks decided to try their hands at golfing in the a.m., because the condition was so alluring. In the afternoon, the golfing gents, impressed by tennis prizes, retaliated by taking a shot at the court game.

He Got The Break

At Adams of RKO Radio executed the most unique shot of the day on the lovely 17th, with a No. 2 iron. He took three strokes at the open greens, and dropped the ball in the cup with only the handle of the club in his possession. The rest of the club soared over the fairway, actually outdistancing the ball. The sad part of it was that the shattered weapon was borrowed.

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**ALONG THE RIVER WITH PHIL M. DALY**

- **SUBURBAN** Great Neck's Glen Oaks Club was certainly the center of the film world yesterday. The carous of production, distribution and exhibition were wholly set aside... in favor of sport... as the legends of local pixland golfers... racketeers and kibitzers... turned out in capacity numbers... for the 28th FILM DAILY Tournament... which, by the way, was the 20th successive year... this giant and glorious event has been staged... and it was a fitting climax to two solid decades of athletic competition... which has ever been unique... for the reason that every participant... whether he be expert or duffer... goes home a winner... in the really important matter... of good fellowship... and good-will.

- **AMONG** the early arrivals at the scene of action... was E. F. "Ted" Curtis... captain of the Eastman team... who flew down from Rochester... carrying more clubs... than Yankee Joe McCarthy's Murderers' Row... The Paramount team... had an international flavor... its personnel including two prominent gents from the foreign field... the Messrs. A. L. Pratchett and S. E. Pierpoint... Half domestic and half from overseas... the Para. boys formed a 50-50 combo... in keeping with the company's modest selling policy.

- **FIRST** arrival at the Club was Dave O'Malley... accompanied by Charlie Garner... Earl Wingart soon followed... arrayed in protective coating of Grenfell cloth... to keep the sky emission off him... to a study in highly perfected camouflages... was the outfit of Murray Schoen... designed to match the mists of morning... In a snappy Cadillac... J. H. (Senator) Walters... drove up to the Colonials portals of the club house... and declared emphatically that the firmament was putting on a filibuster... It just proves what service and attention... the boys get at the FILM DAILY tournaments... Dr. Reifel waited... "This is a helluva tournament... nobody to park your car!"

- **DICK BRADY** took a chance on the raffle... of golf clubs and bag... on the theory that lightning can strike twice in the same place... At a recent FILM DAILY tournament... Ole Colonel Alcoate said to Dick... "Pick a number from one to ten."... Faced with the latter said... "Okay, 13."... and 13 won... Sydney B. Well arrived apparently light-headed... his athletic equipment consisting of a small gizmo bag... which contained... poker chips... just in case the weather locked down... Prof. McDermott of Paramount... deliberated a long time... and finally said... "Gimme 77... that's what I always shoot"... which brought a rousing roar from his golfing mates.

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**Birdies**

**By CHARLES ALCOATE**


Joe Malcolm's putting is getting woefully weak. He doesn't seem to be able to sink them at a distance of more than 70 feet. We tried one,—in the putting contest,—which was a mere 75 feet, and the ball kept spinning around the rim of the cup. Well, a guy does get out of practice!

On the eve of the tournament, Tom Gerety's check arrived for his entry. Explained Tom in an accompanying note: "It's a rain check,—if it rains it hau'ses."

Irving Chidnoff, portrait-taker extraordinaire, who has photographed more pix execs, than anybody in the land, was on hand to cast a professional eye on the proceedings. When he saw some of the strange "action pictures" on the links, he declared of posed pictures: "I love 'em still."

It seemed as though at least 1,000 guys were at the tournament. Every time you looked up, everyone was wearing a new and different outfit. Styles varied from trench coats to shorts.

Harry A. Gerson, Glen Oaks maestro in charge of arrangements, did a splendid job of taking care of all the tourney guests, while the culinary art of Max Renfer, Glen Oaks' chef, made it all possible that maintained the golfers' strength, and added length to the contestants' games.

Decidedly a big and welcome feature of the day was... the beer. Many a parched larynx leaped with joy at being carelessly cooled by the courtesy of Ye Oldes Braumeisters George Kelly and Charles Adler of La Hiff's Tavern.

Heard on the 17th fairway: "It's funny how far that ball won't go!"

Grandstand play was frequent during the battle. There were bleachers, too, who appointed themselves a cheering section. They comprised the gang that finished their rounds early, and then parked above the final green to tell the other boys just how the game should be played.

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**Pellets From Heaven**

Billy Brandt, tourney committeeman and a member of Glen Oaks Club, nearly swamped with surprise, when he dropped a quarter in the golf ball machine located outside the green's house. He hit the jack- pot, causing a flood of 20 brand (or should we say Brandt) pellets to emerge.
A Praying Colonel: Jack Alicoale emerges from the Glen Oaks portal at an early morning hour to find King Jupiter Pluvious in a threatening mood. "Pluvious stay 'way from our door," admonished the Colonel. Though sullen, Monarch of the Rains acquiesced.

Quartette In Harmony: Woody Sherin, Abe Kronen-berg, Ted Curtis and Tom Gerety set off for a friendly set-to. This foursome turned in some of the crackerjack golf of the day, bagging a few rare birdies on route with their well-directed ammunition.

The Advisory Staff: (Front Row) Capt. Dugan, Capt. Scholtz, Adolph Haas, H. B. Snook, Ml Kornbluth, (Back) Dave Strumpf, Al Adams, Gaudreau and Paul Ries park on the terrace the 18th green to tell the incoming foursomes how to play the game.

Golfing Birds In The Bush: This covey of game enthusiasts register calm and confidence in their prowess. Set for the initial wallop on the first tee are the Messers. Herb Fecke, Ray Keenan, Jack Bowen and Frank Begg.

Come And Get It: When the luncheon bell rang, the savage golfers laid down their clubs and hied to the club's grille to sustain their strength for the physical demands of the afternoon round just in the clings.

Without A Fourth: While this is usually a dilemma, it sometimes happens in the pastime of golf. But Pearce Chauncey, John Mu and Ted Pierpoint take the situation philosophic. The course was new to Ted, but he's used foreign fields.

Shoulder Arms: This well drilled squad consists of Jack Level, Jim Frank, Morris Smolen and Bill Heine- man. They gained more than 3.7 miles during their 18-hole offensive. The course is exactly that distance,—the "more than" being an allowance for a spot of wandering.

What The Shooting Was All About: A glimpse of the gold and silverware which lured the boys into competition. This year's booty represented the largest and most costly array in the tournament's long annals, and was moved to Glen Oaks in a guarded truck.

Seasoned Timber: Veterans of many a FILM D. Golf Tournament is the above foursome w members are, from left to right as usual, J O'Malley, Herb ("Birdie") Berg, Dick Brady and Billy Brandt. Their cards were among the classics.

Photos By: Filmland's Master of
WEDNESDAY, JUNE 12, 1940

Golf Tournament at Glen Oaks, Great Neck, L. I.

Facing the Fray: ... and with a smile, M. E. Jacks, Lou Pollock, Jack Kaufman and Ampa Prexy Leon Bamberger are caught by the camera, oblivious of all the traps and hazards which await them—not where the blue begins, but where the green ends.

Under Wraps: Sweaters and jackets prevailed in the early afternoon because of the nip in the air. R. G. Johnson, H. M. Richey, Harry Pimslein (guarding the nip), and Paul Greenhalgh paradoxically check in before checking out.

A Good Bet: But not for Arthur Kane who is surrendering a casual coin to both A. J. Powers and Oscar Neu. The latter gents sank their puts in a par two in the putting contest, but Arthur didn’t think they could. Charley Alicoate is witnessing the pay-off.

They Stoop To Conquer: Joe Castellano, H. Rinzler, Lou Miller and Max Cohen assume a reverend pose while going into battle. They proved that they have more than a prayer on the ball, for each carded a creditable score which led in two instances to prizes.

What Makes The Wheels Go ’Round: Tournament Manager Don Mersereau, in hat and trench coat, calls a meeting of his aides before the big doin’s commence. Flanking him, left to right, are Bernie Aran, Winstead Andrus, George Morris, Herb Berg and Bob Litzberg.

It’s The Net That Counts: But grossly serious is the trio of tennis committee men just before the brawl in and about the alleys. You see here with Jack Levin, Lou Nizer and, at the far right, Joe Gould, conferring with Jack Alicoate (wotta fancy regalia!) on tourney rule.

Little Drops Of Water ... are welcomed as the heat of the conflict grows. Sam Stern (center) interviews the links’ fountain while Louis Brecker and Jack Goetz wait with leisured patience to give their parched throats a refreshing shower.

Jimmy Sileo, of Cosmo-Sileo Co.
26 French Pictures
Produced Since Jan. 1

 acquire French product for U. S. distribution.

Quoting official figures, Heymann said that four pictures were completed in January, four in February, eight in March, four in April and six in May. Approximately 35 pictures have been made in France since the outbreak of the war in September. Studio activities at Marreilles were expected to move to Southwestern France near the Spanish border in the event Italy entered the war, Heymann said, an event which already has taken place.

Up to last week, Heymann continued, picture production was active to a limited degree and the French government was encouraging the industry to keep operating in spite of the invasion.

American pictures were being patronized more than French films in Paris, Heymann said, presumably because their themes permitted the people to get their minds off the war, temporarily at least. Theaters were remaining open until 8:30 P.M., bus service was good, banks were open, and Newscycle theaters were ordered to show features in addition to the news shorts in a move towards easing the tension.

While many of the pictures recently completed and now in work have war themes, others are of a lighter nature with no hint of the conflict in them, by order of the Government, Heymann said. One of the pictures just completed was "La Fille du Puisatier," which Heymann planned to release over here.

In addition, Heymann acquired 10 French pictures, all of which were produced before the outbreak of the war and dating back to 1936. Among others, they include "Cesar," "L'Homme du Niger," Jafroi, "Mademoiselle," and "Le Chat Un Puisatier." By special permission, Heymann spent five days in the front line area and witnessed the exodus of the refugees from the war-torn areas.

Astaire Stars in "Second Chorus"

West Coast Bureau of THE FILM DAILY

Hollywood—Fred Astaire will play the starring role in "Second Chorus," to be made by Boris Morros-Robert Stillman for Paramount release.

Happy Birthday to You

From THE FILM DAILY to

THEATRE LINCS

Ann Stock
William Austin

HOLLYWOOD SPEAKING-

BY RALPH WILK

Hollywood fable—Once upon a time a star picked all his own stories and they were all smash hits.

Pressed for large quarters, the Allied Division of The British War Relief Association, headed by Benita Colman and Pat Paterson, has moved to 8636 Sunset Blvd.

Our Passing Show—Charles R. Rogers, Sol Lesser, Sam Briskin, Harry Rapf, Joe Schnitzer, George Raft, Irving Cummings, Gene Pallette, Richard Flurnoy, watching the Hollywood and Portland baseball clubs in action; D. A. Doran and Oscar Serlin chatting on Gover Street; Harry Joe Brown has been down with the flu, but is back on the job.

Mr. and Mrs. Edward Ward (Yola D'Avril) are tossing a garden party for the benefit of Belgian civilians. Mickey Rooney will be chairman of the entertainment committee.

Hitch your wagon to a star. More than one studio press agent uses this method to hold his job.

Nick, Weston Indicted
Under Two Federal Laws

(Continued from Page 1)

Eleven counts of the indictment charge violation of the anti-racketeering law and one count charges violation of the anti-trust law.

Federal Judge Charles B. Davis set bond at $30,000 for each defendant. They were expected to surrender last night.

This is the first time the Federal Government has invoked the antiracketeering act here. Conviction carries punishment of fine of from 10,000 or both imprisonment and fine. The anti-trust law punishment is imprisonment up to one year or a fine up to $5,000 or both.

Warner Parley to Close
With Party for Sears

(Continued from Page 1)

Amer sales conventions will close for a day, although district managers will hold individual meetings with their respective forces tomorrow on new product and sales policies.

Apprroximately 300 exhibitors in this territory will attend the party for Sears as will local dignitaries and civic leaders, together with the assembled sales reps.

Sears sales force yesterday heard telegrams from Sam E. Morris, Spynos Skouras and Frisch & Rinzler read by Sears, then saw AT&T and later were advised of the company's sales policy on the pic.

Sales reps. return to their respective headquarters tomorrow.

Midwest vs. Mich. Co-op
Trial Set for July 18

(Continued from Page 1)

hinking difficulties, has been set for trial July 18 by Federal Judge Ernest A. O'Brien.

Importance of suit and effort it is liked to have in delaying purchases in the complicated Woodward Avenue booking situation at the start of the coming season reasons given for seeking an early trial.

ITOA Invites Indies
To Trade Conference

(Continued from Page 1)

nesday, June 19. Luncheon at 1 o'clock will precede the meeting.

Purpose of the meeting is to discuss sales policies, trade practices and other topics of interest to exhibition. Jack Bowen has accepted the invitation on behalf of the New York Film Board of Trade. Harry Bardin will preside.

Chi. Contempt Report
Hearing Next Monday

(Continued from Page 1)

month, found B & K and Paramount guilty of violating the 1932 consent decree, but cleared the other majors which had been named as defendants in the Government's action.

Latter, however, are expected to be represented by counsel at next Monday's hearing, a preliminary to disposition of the action pending before Federal Judge Woodward.

Future of MP Division
Up to TMAT's Governors

Saul Abraham, president of the TMAT, and all other officers were re-elected, and two constitutional amendments were approved at the union's meeting this week. An amendment empowering the Board of Governors of the parent body to eliminate the motion picture division, incorporate it or allow it to remain as an autonomous group was passed.

Malvern to Do 6 for Mono.

West Coast Bureau of THE FILM DAILY

Hollywood—Paul Malvern will produce four "Mister Wong" features and two Jack London stories for Monogram.

Hope Grows for U. S.
Suit Settlement

(Continued from Page 1)

conferences under way here indicate last night that Federal Judge Hen W. Goddard would be asked to grant a further adjournment tomorrow.

Originally, it is understood, counsel planned to ask merely a nominal 24 hours, but with the department of Justice, pressure through Thurman Arnold, Assistant Attorney General, flashing the green light, the decision to ask for a longer postponement was reached.

Neither Government attorneys nor counsel for the majors yesterday would comment upon the scope of the day's discussions, but the Federal court, known to be fully informed of the proposals advanced by both sides, was agreed to be of the opinion of the continuance was regarded as significant.

Meanwhile, major attorneys are continuing to work on the case, preparing to resume the trial, the event negotiations break down.

40,000 Phonovision Sets
Leased, Assents Orsatti

(Continued from Page 1)

told THE FILM DAILY yesterday. He also disclosed that they had leased the Edison studio here for production.

Saxe is now contacting all its "name" hands in the area, Orsatti said. First public showing of the machine will be held next Monday or Tuesday at Dempsey's restaurant, it was learned.

Orsatti said that he and Saxe were confering every day with the distributors who have expressed interest in obtaining state rights throughout the country. State-right franchise holders are empowered to enforce age cies throughout their territory.

Shuberts Seek Pick Name
For "Rebecca" on Boards

The Shuberts, having acquired S. rights to Daphne du Maurier's dramatization of her own "becca," are dickering forfill "names" to appear in an early August Broadway production.

The Shuberts, it is understood, would use several of the players who appeared in the Selznick film, cast of which was topped by Laurence Olivier and Joan Fontain with George Sanders, Judith Anderson and Nigel Bruce also promising.

STORKS!

Daughter was born to Mrs. Irvitz, press representative for Loc 386, and Mrs. Irvitz at Beth Israel Hospital yesterday.
AROLND JOINING IN SETTLEMENT PARLIES

Columbia Plans 'Idea Pictures' For Small Towns

Expect Rapid Senate Action on Tax Bill Which Sets 30c Exemption, Extends Levy

Washington—Senate passage of the $1,004,000,000 tax bill, which, among other things, provides for a 10 per cent tax on all theater admissions in excess of 31 cents after July 1 and extension of the admissions tax until 1945, was urged yesterday by Treasury Secretary Morgenthau, appearing before the Senate Finance Committee. The tax measure passed the House, 396 to 0. Senate action is expected to be rapid, Morgenthau told the committee that the time was opportune to revise the country's entire tax structure if Congress was willing to remain in session. There is growing sentiment for such a course.

Chaplin Sues, Wins Injunction vs. Life

Suit for $1,000,000 damages and an injunction to restrain the publication of a photograph of Charles Chaplin from the picture "The Dictator," was filed yesterday in Federal Court by Chaplin and Charles Chaplin Film Corp., against Time, Inc., publisher of Life; Henry R. Luce, Roy E. Larsen, John Shaw Billings, and Charles D. Jackson. Simultaneously, Federal Judge John C. Knox issued a temporary injunction which restrains the circulation of the photograph for 30 days. (Continued on Page 4)

Record Exhibit Attendance As Kalmine Feted Sears

Pittsburgh—An all-time high for exhibit, guest attendance at a major company convention social event, was claimed by Warners last night as upwards of 300 showmen from the territory attended a cocktail party tendered Grad L. Sears, WB sales chief, by Harry Kalmine, theater owner. (Continued on Page 8)

Tas-Com, Tackles Neely Revamping

Washington—First step in revamping the Neely bill will be taken today when the sub-committee of the House Interstate and Foreign Commerce committee meets in executive session to consider the film measure. It was learned last night that the sub-committee will lay particular emphasis on the synopsis provision. It is almost certain that the provision will be included in the bill. (Continued on Page 6)

Allied's Reservation List Hits New High

Advance reservations for the Allied convention in Chicago next week are reported to be the largest in the history of the organization. Eclipse of the Neely bill and the move toward the settlement of the Government suit at first were believed to be factors that would limit the attendance; instead, it is reported that the figure will be about 1,500. (Continued on Page 8)

May Attack Schenck True Bill Exec. and Aide Plead Not Guilty; Light Bail

Pascal Will Produce Next Pix in Hollywood

West Coast Bureau of THE FILM DAILY

Hollywood—Production here by Gabriel Pascal of "The Captain of Köpenick" is expected to get under way after the producer arrives here from England in about a month. Pascal's plans to produce here in-

Joseph M. Schenck, 20th-Fox board chairman, yesterday pleaded not guilty to charges of conspiracy to defraud the Government of income taxes, perjury, and the filing of false returns, before Federal Judge William D. Moore of the US District Court. Schenck's assistant, also pleaded not guilty to a charge of aiding Schenck in alleged evasions. (Continued on Page 4)

UA, 'U' Reserving Freedom Of Action; Columbua Said Co-operative in Moves

Conferences, attended by counsel for defendant companies in the New York equity action brought by the Government against the majors, and D of J officials, headed by Thurman Arnold, Assistant Attorney General, continued yesterday with the aim of satisfactorily settling the suit. Following yesterday's session, sources close to the current confabs intimated that because the "agreement in principle was reached." (Continued on Page 6)

Abandon Effort to Get Orks in Pix Theaters

Indianapolis—American Federation of Musicians, in annual convention here, failed to adopt the resolution demanding the employment of musicians in motion picture theaters. Attitude of the convention was that such action might be regarded as in restraint of trade, and also that the organization had tried for years to get its members in film theaters without success. Retiring (Continued on Page 8)

New Brunswick Exhibs. Rap New Tax Ticket

St. John, N. B.—Objections have been registered by film exhibitors against a new combination amusement and tax ticket which has been forced on them by the Provincial censor Board, through a special or-

Eastman Issues Lead As Amusements Rise

Led by Eastman, amusement stocks bounced back on the Big Board yesterday for gains up to 5%, scored by Eastman common which closed at 125 1/2. Eastman preferred was up 5 to 160. Both Paramount and Universal Pictures preferred advanced 1/2 point. It was the first day in five that amusement issue quotations in all markets did not reflect declines due to the World War II situation.
End or Reduce Duals, Wehrenberg Proposes

St. Louis—Confirming that houses embraced in the Wehrenberg circuit will play "Rebecca" on a single feature basis, Fred Wehrenberg, chair's president of the circuit, reported yesterday to the St. Louis, Eastern Missouri and Southern Illinois, expressed the belief that if the first-run theaters in the Louis circuit could agree to plan an "all in" for melon, the community or groups would play, or at least greatly reduce, duals, the subsequents would result.

Perhaps a start in this direction would be to play outstanding features on single programs in the first-run, Wehrenberg suggested.

As MPTO prexy, the circuit operator has been showered with letters from organizations affiliated with the Better Films Council of Greater St. Louis protesting against the triple feature programs that still prevail in so much of the local theaters.

None of his houses are showing triple bills.

Louisville New Time Decision Off for Year

Louisville—The Board of Aldermen, split 6 to 6 on the question of daylight saving time for Louisville, then voted to defer further action on the proposal until next summer. Col. Henry W. Stites, counsel for the Fourth Amusement Co., argued against the proposal.

Lexington, Ky.—The Board of City Commissioners, by a vote of 3 to 2, defeated an ordinance to give this city daylight saving time. Petitions signed by 5,193 persons favoring the measure were presented.

One Big Union Report Goes to Equity Com. 74

Report made by an accountant on the feasibility of one big union proposing the AAMC member organizations has been received by Equity and handed to its efficiency and economy committee. Committee is scheduled to meet Friday to consider the report at the next Council session, June 25.

Equity also passed a resolution this week urging the ouster of top officers from the ranks of labor, and the resolution also welcomed the return of the ILGWU to the A F of L ranks.

Cleveland V. C. to Stage Dinner for Duke Clark

Cleveland—Variety Club will stage a farewell stag dinner on June 17 in honor of "Duke" Clark who leaves post as local Paramount manager to take the helm of the Paramount office in Los Angeles. Nat Leften chief Barker, Warner, will be in charge of tickets, manager and Bert Stearn, UA dis- trict manager, as a committee on arrangements. Harry H. Goldstein, Paramount district manager, will be toastmaster. Howard Roth of Paramount and Charles Albert of Warners, in charge of tickets, will be master and steward. Ladies will be welcome at nine P.M.

Montreal Mayor Snubs Fields Tour as "Stunt"

Montreal—On the ground that the current tour of Canada by Gracie Fields, English film star, and her film producer husband, Monty Banks, is a publicity stunt, Mayor Camilien Houde of this city has refused to receive the actress, or permit her husband to enter. His mayor's Golden Book, opened by Britain's monarchs a year ago when they visited America.

Miss Fields and Monty Banks, whose tour of the Dominion is under the auspices of the Navy League of Canada to raise funds for war chariti- ties, arrived in Halifax last Monday. Lieut. Governor Mayor General Sir Eugene Ficey gave a reception at his official residence, Spencerwood, Quebec, for the film couple.

On Tuesday night, Miss Fields entertained the Canadian troops at Valcartier Camp.

"U's" Canadian Biz Keeps Pace With That in U. S.

Universal's Canadian business, handled by Empire Universal Films, Ltd., has kept pace with the sales improvement established by the U. S. staff, it was revealed on the eve of the annual Empire sales convention which opens in Toronto to- morrow. A selling force of more than 20 men represents Universal product in Canada.

William A. Seuly, Universal sales manager, and F. J. A. McCarthy, Eastern sales head, left yesterday afternoon for Toronto to attend the sessions.

Brandt and Wachsberger Form Ariane Productions

West Coast Bureau of THE FILM DAILY


Conn. MPTO to Discuss Film Contracts Monday

New Haven—Connecticut MPTO will meet at Cerrini's Cafe Meadon Monday, with Arthur H. Lockwood presiding. Members will discuss the 1940-41 film contracts. Executive Secretary Herman M. Levy will report on the annual Film Golf Tournament, to be held in August.

N. M. Theater Revenue Dips

Santa Fe, N. M.—New Mexico's theaters' income in March totaled $197,818 as against $204,410 in Feb- ruary, according to the State Bureau of Revenue.
BOOM TOWN" BOOMING!

We rush into print to tell you, because our undercover scouts tell us, that this great entertainment now in production at the M-G-M Studios is shaping into the most sensational box-office attraction of the year. And remember, "Boom Town" is just one of the life-saving line-up from M-G-M now and all Summer.

CLARK GABLE
SPENCER TRACY
CLAUDETTE COLBERT
HEDY LAMARR

in the hit of the year
"BOOM TOWN"

Screen Play by John Lee Mahin
Based on a Story by James Edward Grant
DIRECTED BY JACK CONWAY
Produced by Sam Zimbalist
A Metro-Goldwyn-Mayer Picture

"In a preceding issue of this publication M-G-M ran an advertisement which incorrectly placed the name of Miss Claudette Colbert. We wish to emphasize that the former advertisement was a misprint and that the correct billing on 'Boom Town' is as you see it here."
May Attack True Bill Against Schenk

(Continued from Page 1) of taxes. Both defendants were released on $1,500 bail after Judge Bondy ordained their appearance on July 29 to set date of trial.

Max D. Steuer, attorney for Schenk, obtained permission to either withdraw the plea or to file demurrers to the indictment within 30 days. He was told that the Court would allow the filing of a motion even after that period. It was learned that Steuer reserved the right to change the plea as a preliminary step in disputing the sufficiency of the indictment if a study shows that they did not state a crime.

Steuer asked that bail be set at $1,000 while Chief Assistant U. S. Attorney Mathias Correa asked for $2,500. Judge Bondy remarked that there was little danger of the defendants defaulting in appearance at trial and that high bail was unnecessary.

Schenk was informed that he would be at liberty to return to the Coast after he had secured judicial consent.

John Burns represented Moscowitz in the case.

Kreisler Gives Exhibs. Chance at Prize Money

Washington Bureau of THE FILM DAILY

Washington—Exhibitors Appreciation Award campaign has been instigated here by Manager B. Bernard Kreisler of the Universal exchange, with prizes for exhibitors and bookers. Prizes will be awarded on a dating point basis for all features and other subjects played by exhibitors and booked by exchange workers between June 1—Sept. 1; Kreisler is using part of the branch's second place prize money in the recent Scully Drive for the awards.

ET to Pay 3½% on Pfd.

Montreal—Directors of Eastern Theaters, Ltd., have declared a dividend of 3½ per cent on the preferred, payable July 31 to shareholders of record June 29.

Chaplin Sues, Wins Injunction vs. Life

(Continued from Page 1)

Cululation of Life to 1,600,000 copies now in the hands of dealers. T. Court, after a short hearing, ordered the defendants to remove the offending picture from 1,200,000 copies of Life still in possession of them.

During argument for the temporary injunction, Judge Knox was informed that the defendants claim to have purchased the pictures for a man of unknown identity, and that Chaplin was informed of the pendency of the case on June 6.

Chaplin, in his complaint, claims that the publications, at some time before June 6, "surreptitiously" secured certain photographic stills from Chaplin without knowledge or consent of Chaplin and has not asked or consent of Chaplin and has not been exposed to reproduce them in the July 17 issue of Life. Inspection of a copy of the magazine revealed that the full-page picture shows Chaplin dressed in the uniform of an officer.

Chaplin claims that he stands to make over $5,000,000 profit from the picture and that the defendants have damaged "irreparably" his possibilities by their action, and the complaint insists that it is essential for the plaintiff to employ his own means to prevent exploitation of the film and that Chaplin has been deprived of valuable right to the sale of first publication right of the story. Complaint also charges a violation of the New York Copyrights.
**REVIEWS OF THE NEW FILMS**

**The Ghost Breakers**

with Bob Hope, Paulette Goddard, Richard Carlson

Paramount (HOLLYWOOD PREVIEW)

*CORKING COMEDY HAS LAUGHS AND THRILLS APLENTY: SHOULD DO BIG BUSINESS GENERALLY.*

Following the formula of the previous Hope-Goddard-Anderst comedy, "The Cat And The Canary," the "Ghost Breakers," if anything, tops the former production. Using all the thrills they could pack into their haunted castle in Cuba, and all the laugh situations and gag lines they could pile on Hope, Director George Marshall, and screenwriters Walter De Leon, have made this picture 82 minutes full of solid entertainment. Hope, as Lawrence Lawrence Lawrence, a radio forlorn who tries to improve his soap opera on each screen effort. He is funnier than ever in this one. Paulette has found his niche, and if he keeps him doing this sort of thing, Hope should prove a real money-maker. Miss Goddard is attractive and more competent as the owner of the haunted castle. William Tabbert, with whom Miss Goddard has appeared in a number of pictures, is the family detainer, can take a bow for doing a good job in a very fat part. Richard Carlson, Paul Lukas, Anthony Quinn, and even the supporting cast are as amusing as the script demands.

The film should prove no stumbling block in the career of Producer De Leon, who is only half as old as Miss Goddard, a guest star, who is leaving that night to take possession of a castle she has inherited in Cuba. The cast is steam bound for that hot little island, accompanied by Alex, Willie Best, his valet.

For those who cry love and horror—

with plenty of laughs thrown in for good measure. Hope and Miss Goddard find the treasure of the castle, and at the tag, if course decide to get married. There are twists to the haunted house sequences have never been used before. Hans Dreier and Robert Usher, who built the sets did an excellent job—they are really weird. Patrons who bought tickets to the other Hope-Goddard scarer will never be sorry if they make an investment in this one.


CREDITS: Producer, Arthur Hornblow, Jr.; Director, George Marshall; Based on the play by Paul Dickey and Charles Goddard; Screenplay, William Douglas, Camille Paglia; Charles Lang; Editor, Ellsworth Hoagland.

DIRECTION. Fine. PHOTOGRAPHY. Good.

Calvin Anderson Dead

Oklahoma City—Calvin Price Anderson, 65, salesman for the Oklahoma Homestead Supply Co., died at his home here.

**Private Affairs**

with Hugh Herbert, Nancy Kelly, Roland Young

Universal (HOLLYWOOD PREVIEW)

FIRST-RATE COMEDY WITH PLENTY OF LAUGHS SHOULD GO OVER NICELY.

With a pair of sure-fire laugh-getters like Hugh Herbert and Roland Young, plus creation, Robert Cummings, this picture should go over nicely. Bert Kelly, and his associate, Glenn Tryon, have a real clever plotline. The smooth, sincere direction, John M. Stahl, is good. Herbert becomes involved in the affair because of Young's inability to pay a dollar and forty cents fare in Herbert's cab. And as the story progresses, so does the affair, until Herbert and Young become partners because of the debt. The villain, C. H. F. H. Talbott, a broker of a family detainer, can take a bow for doing a good job in a very fat part. Richard Carlson, Paul Lukas, Anthony Quinn, and even the supporting cast are as amusing as the script demands.

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DIRECTION. Fine. PHOTOGRAPHY. Good.

Lindsey Interests Will Build Miami Theater

Miami, Fla.—Plans for a new theater building have been drawn by Charles Nieder, Miami architect, for the Allapattah Center, Inc. O. G. Lindsey is president of the company. The theater is planned to seat 1,000 persons and is to be started immediately. The hope of Lindsey of this city has been awarded the building contract.

**Island Of Doomed Men**

with Peter Lorre, Rochelle Hudson, Robert Wilcox

Columbia (HOLLYWOOD PREVIEW)

CRIMINAL THRILLER HAS GOOD ACTION AND AN ABLE CAST TO MAKE IT ENTERTAINING.

An interesting story provides plenty of excitement and action in this Columbia release. In addition, the story has a good locale on a tropical island. Exhibitors should find this one easy to sell as it is a first-class crime thriller, and the people who like this type of film will go for it in a big way. Peter Lorre is fine as a cold-blooded killer, who enslaves parolees to work on his diamond mine and tortures his wife while not busy at other tasks. Robert Wilcox does a nice job as an FBI agent. A good supporting cast includes, Rochelle Hudson, Don Beddoe, George E. Stone and Charles Middleton.

Charles Barton directs the picture with a good pace and sense of timing in getting the most amount of action and thrills possible. Wilcox is assigned to break Lorre's racket, that of taking prisoners and enslaving them on his island. He meets another FBI man to get further details, and the other man is murdered. On his own, he has to go to jail for the crime as he can't prove his innocence. Lorre gets him paroled some time later and takes him to the island. From there on there is plenty of action and suspense. When Lorre is killed, Wilcox frees the men and Miss Hudson to wind up his job.


CREDITS: Produced by Columbia; Director, Charles Barton; Original Screenplay, Don B. Andrews; Director, William Cameron, Benjamin Kline; Editor, James Sweeney.

DIRECTION. Good. PHOTOGRAPHY. Good.

Carolina TOA Hears Needy Report, Takes No Action

Myrtle Beach, S. C.—The TOA of North and South Carolina convention, which has just closed here, reported a report on the recent Needy bill hearings in Washington from Lyle M. Wilson, of Roanoke Rapids, N. C., a director, but took no formal action.

Co-operation of theater owners with the Federal Government during the present emergency was pledged by Ed Kuykendall, MPTOA proxy, in his convention talk.

RKO Offering Big Pix In Met. Dual Houses

A summer season of big attractions on double feature programs is being launched by the RKO circuit in Great New York, and Westchester under the supervision of John J. O'Connor.

In an announcement yesterday, it was said that a certain number of outstanding pictures from the major companies until after Labor Day, RKO houses will present them as fast as they are available.

Floste Buys in Dade City

Dade City, Fla. — The Crescent Theater has been purchased by the Floste Corp., operating now in six other Florida towns and in ten spots in Georgia from F. O. Mullen and A. W. Sprieg. Sprieg will retain his position as manager.
New Brunswick Exhibs.
Rap New Tax Ticket

(Continued from Page 1)
der-in-council passed by the Provin
cial Government at the instance of C. H. Bennett, chairman of the Board.
Exhibitors believe great confusion will be caused by the lack of indi
vidualism—the tickets issued by the Board are all alike except in the serial number. Bennett contends the serial numbers will eliminate con
fusion, but the exhibitors vote con
tra. They maintain it will be pos
sible for one to buy a ticket in one
place of amusement, theater, fair,
carnival, circus, dance hall, rink,
etc., and use it in another.
In a rush, it will be impossible for a theater doorman to check ac
curately on a serial number, theater men contend.
Enforcement of use of the new ticket is delegated to the Censor
Board. A fine can be imposed for refusal to abandon the individual
theater ticket in favor of the new
one supplied by the Board.

Pittsburgh to Have First
Stock Option in Years

Pittsburgh—For the first time in many years, local exhibs. face dra
matic stock option this summer. Company opens a 10 weeks’ run for
June 25 at the Fox Chapel Play
house. Policy, unique, calls for con
certs Monday nights, plays Tuesday through Saturday.

Given Naval Appointment
Clarence Hill Jr., son of Clarence Hill, assistant to Bill Sussman of 20th-Fox, has received an appoint
ment to Annapolis. He expects to enter the Naval Academy shortly.

B. C. Enlarges Summer Camp
Pittsburgh—Camp O’Connell, which is one of the chief charities of the local Variety Club, is being enlarged in size to accommodate ap
proximately 20 more children per
week this Summer.

WHO’S WHO IN HOLLYWOOD

HEPARD TRAUBE. Born in Malden, Mass. Attended University of Penn

Sub-Committee Tackles
Revamping Needy Bill

(Continued from Page 1)
ion will be redrafted if it stricken from the bill. At the time.
Off-the-record sentiment of sub-committee members is that the bill is highly impractical and unwork
able.
At the meeting today, it is be
lieved, each of the seven members will offer several changes to clarify the measure, which may result in an entirely new bill.

Particulars Bill Sought
By Majors in N. J. Suit

(Continued from Page 1)
$150,000 damages brought by Bat
ten Amusement Co. of Elizabeth. Suit accuses the majors of conspiring
to furnish Columbia Amusements Co. with first-run films, shutting out competition and creating monop
oly.
Defendants in the suit are Para
mount Pictures, Vitagraph, Loew’s, Inc., Columbia Pictures, 20th Cen
tury-Fox, RKO Radio, United Ar
tists and Big “U” Film Exchange, Inc.

SAG Class B Members
 Lose Fight for Vote

West Coast Bureau of THE FILM DAILY

Hollywood—Court fight by 6,700
class B members of the SAG to have equal voting privileges with the 1,200 class A members ended yesterday in defeat. Superior Judge Charles D. Ballard rendered the de
cision, ruling that the B members had joined the organization willing
ly under the terms stipulated and that in his opinion they have not been deprived of any constitutional right.

Herb Chatlin Joins Filmack

Chicago—Herb Chatlin has just
been appointed manager of the pro
duction department of Filmack Trail
er Co.
SHORT SUBJECT REVIEWS

Thursday, June 13, 1940

“Social Security” (Washington Parade No. 4)
Columbia

10 mins. Interesting Subject

The subject, accompanying the entrance and operation of the Social Security Plan will be of great interest to all audiences. Opening with a roll of Congress, the President signing the bill and delivering a short speech on its benefits, the reel goes into the intricate methods of operation of the Plan. Especially worth while are the views of the automatic machinery which renders payments, draws and signs checks, puts them in envelopes and seals the envelopes—all in double-quick time.

“Mechanic Illustrated”
Warner

10 mins. Interesting and Educational

Four interesting items are contained in this short subject. First, the reel depicts the behind-the-scenes of a live horse race from the LaGuardia Field, most modern airport in the U.S. Second sequence shows the latest developments in ultra scientific designing, followed by a sequence devoted to tests made to protect consumers. Real winds up with a demonstration of how a new fire extinguisher smotherers any kind of a blaze.

“Hurdle Hoppers”
RKO Pathe News

9 mins. Interesting Equine Reel

This reel presents some of the Army schools giving far more interesting lessons to its students than to any other group of learners. In the Army Cavalry Schoo at Fort Riley, Kan., this reel has considerable interest. It shows the Army officers schooling their mounts for all sorts of work, and a couple of remarkably well trained horses give performances that are eye-opening. One exhibition is also given of group riding and jumping that carries a lot of punch. In this, a large group of officers and mounted personnel are participating in a fast cross-country ride.

“The Fouled Ball Player”
Paramount

7 mins. Fairly Amusing

Latest of the Max Fleischer Stone Age series, this cartoon has some laughs. It depicts a baseball game between the mighty Granite Giants and the Marble Midgets. The game opens with the Giants piling up a big lead, but the first of the Giants discovers that the pitching of the Giants’ pitcher gets hay fever from flowers. Result, the game is a sneezing victory for the Midgets in short order.

“Gun Dog’s Life” (Color Parade)
Warner

10 mins. Wide Audience Interest

Here’s a handsomely photographed and assembled reel whose content from beginning to end will interest all audiences. It is especially great for outdoor enthusiasts, dog lovers. Even for Springer Spaniels at their skillful chases a-field, riding the hunter in spotting game birds and flushing them. There are some engaging scenes of Spaniel pups, but the action is provided by the mature dogs who put on a grand show of retrieving, as do the Labrador Retrievers who are depicted swimming out in marsh-fringed ponds to bring back the ducks which the hunter has bagged on the wing. The script is nicely put together by the authors and directed. Narration is finely done by John Deering.

“Excurions in Science and Engineering” (No. 6)
A. O. Bondy-G-E 10 mins. Well-Made Industrial

This is a very interesting, well-made industrial reel which deals with the fabrication of the highly delicate quartz springs, whose application in the field of science is in connection with the super-sensitive weighing of materials in laboratories of manufacturing plants. These springs are of glass, and are invaluable aids to research engineers because in contrast to most substances used in weighing-springs, they are unaffected by most chemicals. Inertness of the quartz glass also lends advantage in the matter of temperature changes. The second portion of this reel discloses two unusual alloys which are becoming very useful to electrical engineers. These alloys, Alnico and Curie metal, have peculiar magnetic properties which are demonstrated by means of bell, applied to a wheel, in whose design the alloys are incorporated. Climaxing this G-E subject are fascinating demonstrations of quartz lamps for highway illumination. Not alone is this reel for the scientific minded. The general public will find it highly instructive. John Gilmour directed the script, and narration is by John Sheehan, of the Paramount departments are expertly handled.

“Tom Thumb in Trouble”
Warner

7 mins. Entertaining Cartoon

Tiny Tom Thumb and his father, a woodchopper, live on the edge of a huge forest. Tom accidentally falls into a pan of water and is drenched when a bird smashes through the window and rescues him. His father returns and tries to catch the bird, believing it has injured Tom. However, Tom is rescued by the bird again and everything is all right.

“Silent Wings”
RKO Pathe News

9 mins. Should Interest the Air-Minded

Filmed at the annual Elmhurst glider meet, this reel is interesting in every respect. It not only shows that gliding is a sport which is becoming more popular every day, but it also proves that gliding is one of the best basic backgrounds a plane pilot can have. The photography is fine and the reel should help stimulate interest in the sport.

“Onion Pacific” 7 mins.

Spinach Scores Again

Paramount

The rhythm of Wee Willie Winkie again demonstrates the efficacy of his spinach. Popeye and Bluto, engineers on two rival engines racing for a franchise, get off to a fast start. Olive gets on board accidentally. Bluto’s dirty work fails to keep the determined Popeye from winning.

“Sport of Kings” (News World of Sports)
Columbia

10 mins. Background of Racing

This many horse racing fans will not care to see in this photofeature of important events in horse racing. Included are views of early morning workouts in the training of horses, an explanation of how the judging camera works, and some slow-motion shots of the new Puei starting gate.

“Cinderella’s Feller”
Warner

19 mins. Entertaining Fairy Story

Done in Technicolor, this subject is entertaining, and it should appeal enormously to children. Using an all-child cast, with the exception of the king, the well-known fairy-tale Cinderella has been colorfully brought to the screen. Juanita Quigley and Scotty Beckett head the juvenile cast, with young Miss Quigley portraying Cinderella and Beckett cast as the young prince.

“Blue Barron And His Orchestra”
Paramount

10 mins. Good Musical Number

A group at night club setting, Blue Barron and his orchestra play several snappy numbers, with solos by the individual members. Anita Boyer, radio singer, does a guest-star. Reel winds up with “Tiny” Wolf, a retouche 200-pounder, in a song and dance specialty.

“Boobs in the Woods”
Columbia

16 mins. Poor Slapstick

A series of time-worn gags strung on an old story formula (the interfering brother-in-law) make up this latest Andy Clyde comedy. Shemp Howard, brother of one of the Three Stooges, plays the character who gets Andy fired and then takes him on a harrowing vacation trip. Del Lord directed.

“Stray Lamb”
RKO Pathe News

8 1/2 mins. Unusual Short

A distinct departure from Pathe’s usual short production, this reel is different and has a lot of laughs. The dialogue is exceptionally good, and there is a lot of high grade trick photography and animal work, which is always difficult. Reel tells the story of the adventures of a lamb that strays away. It is gauged by an eagle and finally rescued by its St. Bernard friend. Audiences generally should get a big kick out of it.

“South of the Boudoir”
Columbia

18 mins. Typical Charley Chase

The usual Charley Chase routine—situation piled on situation. This time Charley has to bring the boys home to dinner, against wife’s wishes. She walks out—Charley gets a waitress to pose as his wife—the boys pick up the real wife and brings her to dinner as his guest—etc. They even have a dish-breaking contest and hit Charley in the face with an egg.

“Ozzie Nelson & Orchestra”
Warner

10 mins. Pleasing Musical Number

Ozzie Nelson and his orchestra go through their paces with a bandstand setting used as a background in this short. Nelson also sings a number, which is acted out at the same time, to show the trials and tribulations of an orchestra leader. Roy Mack directed.
300 Exhibs. Attend Party for Sears

(Continued from Page 1)
zone manager, at the William Penn Hotel.
At the party, Sears was presented with his handsome appointment as an honorary
police lieutenant by Judge M. A. Musmano.
The party was the convention's swan-song. Charles Einfeld, with
Mort Blumenstock, Mitchell Ravn
son, Paul Lazaro, J. E. Dickson, Charlie Kemke and Char-
lie Baily of the home office, return to New York this morning. Other
hosts, including Sears, Carl
Leserman, Roy Haines, Ben Kal-
menson, Norman H. Moray, Arthur
A. and W. Schenley, leav-
ing in an elaborate manner where the
second convention opens at the
Blackstone Monday.
Eastern and Canadian delegates also
enjoyed their party for their respec-
tive territories where district and
branch managers will hold local
post-convention parties.
Among exhibits guests registered at
the Sears cocktail party were:
A. Joseph, J. Gelman, I. Schmidt, Silvett
House, I. Richman, Jack White,
I. Browski, N. Feinberg and Son, M.
Schwartz, M. Kirschen, Miles M. Fulk,
Alex Moore, A. Finsman, R. V. McCalmon,
M. Shapero, J. Jack, Littlestone, Dace Fisman,
Clark Pisko, X. Hublin, Pflueger, W. L.,
Robert, Andy Ackerman, Claude
Hodder, Russ Wehke, Frank Panopoulos,
Vincent Joeble, A. - Gheer, M. A. Ackra,
Cooke, Feinberg, E. Earl, D., Stadtman,
M. H. H. Sperling, N. J. Yealey.

Allied Reservation
List at New High

(Continued from Page 1)
port, the effect has been the op-
posite and indications are that in-
dependent stations are taking to the
Dezert ship plan to swoop down on
Chicago.
While the reservation list is not yet
complete, it is said that the
Chicago unit has brought some
Pullmans to take its delegation to the
convention. The convention will include approximately
20 exhibitors and New Jersey Al-
lies has pledged at least 10 dele-

gates. Several other Industry execu-
tives have indicated they are being
informed and will probably be on
hand.
Convention opens next Wednesday
at the Hotel Morrison in Chicago and is scheduled to end Friday
with the usual windup banquet.

Set Northwest Allied
Convention for July 10-11

Minneapolis—Annual convention of
Northwest Allied has been set for
July 10-11 at the Nicollet Hotel.
Strong sentiment in this ter-

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SETTLEMENT TALKS TO CONTINUE MONDAY
Metro Plans to Withdraw GWTW at End of July

Parleys Said Developing No Serious Impasse: Concessions on Both Sides Held Necessary. But There's a Limit for Majors, Counsel Say

Discussions between attorneys for the Government and for the major companies looking to a possible settlement of the equity action brought by the D of J will continue on Monday, it was announced yesterday. It was learned that thus far the discussions have encountered no serious impasse and that a large number of different subjects and possibilities are being discussed at length.

It was agreed among major attorneys that both the Government and the distributors would have to concede certain issues, but there are

Knopf's Goldwyn Pact Cancelled Mutually

West Coast Bureau of THE FILM DAILY
Hollywood—Samuel Goldwyn and Edwin Knopf, his production executive, yesterday agreed to the mutual cancellation of their agreement, thus giving credence to the report that Goldwyn would not resume production until his suit against United Artists was decided.

It is understood here that Goldwyn will press his case to the limit.

Sam Wood, who also received a release from his Goldwyn contract, is expected to make a producer-distributor deal with Paramount.

Sliding Tax Scale For Amusements!

Washington Bureau of THE FILM DAILY
Washington—Proposal for a sliding scale of amusement taxes, starting at 10 cents, was presented to the Senate Finance Committee yesterday by Sen. Pat Harrison, its chairman.

Tax measure, as passed by the House and sent to the Senate, calls for dropping the tax exemption on

WB Lists 20 Percentage Pix

Four at 40 Per Cent, 8 at 35 and 8 at 30

In the wake of Warners' sales convention in Pittsburgh—which was the first of two scheduled regional sales, the second of which will be held in the Blackstone Hotel, Chicago, on June 17-19—it was learned yesterday that 20 percentage pictures are included in the company's 1940-41 program.

A breakdown of the schedule reveals the following minimum base:

(Continued on Page 4)

Schafer Aids M. P. Dutch Relief Drive

Designation of George J. Schafer, RKO proxy, as chairman of the Motion Picture Division of the Greater New York Men's Committee for Queen Wilhelmina Fund, Inc., was announced yesterday by Lewis E. Pierson, chairman of the Men's Committee and honorary board chairman of Irving Trust.

The drive, which is expected to raise at least $3,000,000, was opened yesterday by President Roosevelt.

WASHINGTON—(Continued on Page 3)

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(Continued on Page 4)
Mrs. Catherine Blatt, Circuit Founder, Dead

East Brady, Pa.—Mrs. Catherine Blatt, founder of the Blatt Theater Circuit, died from a heart ailment at St. Francis Hospital, Erie, Pa., on November 13. The body was brought back to East Brady for burial, where funeral services will be held at 9 o'clock tomorrow morning.

Besides her daughter Peggy, Mrs. Blatt was survived by her husband, Joseph Blatt; two sons, James Blatt, Jr., at Pittsburg, and Joseph Blatt, at Erie; two brothers, Charles, J. A., and William, all of whom are associated in the operation of the 18 theaters in the Blatt Circuit.

Known to her family and friends as “The Governor,” Mrs. Blatt was a member of the Pittsburgh Press and the motion picture exhibition business. Having been left a widow with five children rather early in life, she opened the St. John’s Theater here, which she managed until her death, assisted by her daughter Peggy, in addition to being an owner and manager of the other houses in the chain of theaters which were acquired.

Justice Schmuck Dismisses “Snow White” Voice Suit

New York Supreme Court Justice Peter Schmuck yesterday dismissed the $300,000 lawsuit of Adriana Caselli against Walt Disney Productions, Ltd., and RCA Manufacturing Co.

Suits had claimed that the defendants had unauthorizedly used a recording of the plaintiff’s voice to make animated sound films, one of which was Snow White in “Snow White and the Seven Dwarfs.”

The Court ruled that the plaintiff had signed a number of talent vouchers which acknowledged salary payments and gave Disney the right to reproduce her voice in any manner.

Court Grants Schenck Departure Privileges

Federal Judge William Bondy yesterday signed an order granting the voices to Joseph M. Schenck and John A. McCormick, respectively, each to grant himself permission from time to time, and for their respective businesses.

RKO Golf Tournament Is Set for June 27

RKO’s annual golf tournament has been set for June 27 at the Westchester Country Club, Rye, N. Y. One of the largest tournaments in the nation, it will be played in the morning as a qualifying round to determine handicaps.

General tournament committee is headed by President George Schaefer and includes Ned Depinet, Phil Reisman, L. E. Thompson, J. J. Mergel, Malcolm Kingsberg and J. Henry Walters.

Other committees include S. Bar- ret, M. C. White, R. B. W. Buford, Jack Level, Harry Mandel, Maurice Harris and Ben Grim, publicity; Cresson Smith, Harry Michelson, R. S. Gavin, David Canavan, A. Kirwan and L. E. Gaudreau, promoters; J. Henry Walters, J. A. Farmer, R. S. Gavin, W. Dahler, Charles M. McDonald, Lou Miller, Tom O’Connor and L. E. Gaudreau, prize award.

Geo. Fitzmaurice, Veteran Film Director, Is Dead

West Coast Board of THE FILM DAILY

Hollywood — George Fitzmaurice, veteran film director who first gained prominence in the early days of silent films, is dead following a long illness. His last assignment was on “Adventure in Diamonds” for Paramount.

Donohue Back in Chicago

Chicago — James Donohue, Paramount exchange manager, has returned from his East Coast trip where he was called by the serious illness of his mother in San Francisco.

Board of Tax Appeals Rules Against D. L. Loew

Washington — The U. S. Board of Tax Appeals has ruled that the Commissioner of Internal Revenue was not correct in finding a deficiency of $7,200 for 1956 income of David L. Loew. Loew contended the Internal Revenue Bureau was in error in not allowing six exclusion of $5,000 each in addition to three exclusions of $5,000 each which were allowed. The dispute arose over Loew’s transfer of property in 1956 to nine separate trusts which were ruled to be subject to gift taxes.
"Orchids to 'Mortal Storm'."
—WALTER WINCHELL, Nationwide Columnist

"STANDOUT FILM WHOSE STORY, DIRECTION AND ACTING LABEL IT FOR B.O. TRIUMPHS EVERYWHERE... This film must be seen by every American... It is 'must' for circuits, indie houses, and the public... It is superb entertainment, deservedly one of the resounding pictures of this or any other year. Magnificently directed by Frank Borzage, pulsating with dramatic power, and played up to the hilt by a transcendingly skillful cast, it will electrify audiences wherever it is shown... Appears destined to take its place among the immortal photoplays."
—FILM DAILY

"A fine picture."
—ED SULLIVAN, Nationwide Columnist

"Vivid and strong. Filled with potential audience impact."
—MOTION PICTURE DAILY

"A film bomb... Will be enthusiastically received... A script of rare craftsmanship... Frank Borzage has created one of his best directorial jobs... He has turned out a film that demands universal screening in American theaters."
—VARIETY

"Powerful drama, skillfully presented. Margaret Sullivan and James Stewart should go straight to your heart and tear-ducts."
—HARRIET O. PARSONS, Los Angeles Examiner

One of the strongest dramatic pictures issued during the year... Of engrossing interest... The performances one and all rise to an exceptional level."
—EDWIN SCHALLERT, Los Angeles Times

Frank Borzage has carefully and faithfully transferred Phyllis Bottome's timely novel into a vivid, pulsating drama... Brilliant work by all the players... It is a beautiful thrilling production. M-G-M's Leo the Lion can well roar with pride."
—JIMMY STARR, Los Angeles Herald Express

Gripping! Beautifully made motion picture, and one that merits wide success... The performances are inspired. Among Frank Borzage's distinguished credits can be found no finer work."
—HOLLYWOOD REPORTER

ONE AFTER ANOTHER THE GREAT NOVELS come to the screen, and here's the new sensation!

MARGARET SULLAVAN
JAMES STEWART
ROBERT YOUNG
FRANK MORGAN

"THE MORTAL STORM"

with Robert Stack • Bonita Granville • Irene Rich • William T. Orr • Maria Ouspenskaya
Gene Reynolds • A Frank Borzage Production • Screen Play by Claudine West, Andersen Ellis
and George Froeschel • Based on the Book by Phyllis Bottome • Directed by Frank Borzage
A Metro-Goldwyn-Mayer Picture
Settlement Talks To Continue Monday

(Continued from Page 1) appeared a determination among industry attorneys that they would not give up so much that they "would be giving up their business," as one of the counsel described it. If the Government demands more than the companies feel they can logically give, there can be no hope for a consent decree, it was said.

Trial to be Further Adjourned
Meanwhile, trial of the suit will be postponed on Monday for a short period of time and will continue to be postponed while the conferences proceed.

The Government has been represented at these conferences by Paul Williams, James Hayes, Robert L. Wright and Robert Sher, all special assistants to the Attorney General. The last named recently arrived from Washington to participate in the discussions. Thurman W. Arnold, Assistant Attorney General and head of the Anti-Trust Division of the D of J, who took part in Wednesday's conference, has returned to Washington.

Among those representing the majors are John W. Davis, Judge Joseph Proskauer, Col. William J. Donovan, Judge Thomas D. Thunder, and John S. Casky.

Sources close to the defendants said yesterday that any Federal administration of a fair trade practice code, as and when the latter is evolved, will not be a probationary matter, since that description implies that the film industry is guilty of Government charges, which, it is contended, is not the case.

Outline Gov't's Position

The Government's position would be, it is explained, that of an observer who wishes to determine whether trade practice formulae are working out in a practical and satisfactory manner.

Indications are that if a settlement is reached in the equity action it will be forthcoming within the present month, or the first week in July at the latest.

Bette Grable Replaces Alice Faye

West Coast Bureau of THE FILM DAILY

Hollywood—Bette Grable has been assigned by 20th Century-Fox to play the role originally set for Alice Faye in "Down Argentine Way."

25th Anniversary of First Pix House

Pittsburgh—Theaters of the Harris Amusement Company, starting Sunday, will celebrate the 25th anniversary of the world's first film house, opened here on June 10, 1905 by the late Thomas P. Harris and his associate and brother-in-law, John P. Harris. The Nickelodeon, was called the Fabre-Palantheatre formerly. First house had 96 seats, but its 12 to 20 minute film program and 8 a.m. to midnight operating period permitted an amazing average daily attendance of 7,000 patrons. Admission was a straight five cents.

WCTE Warners List 20 Percentages Pictures

(Continued from Page 1) four features to be sold at 40 per cent; eight at 35 per cent; and eight at 30 per cent. Each of the groups is subject to an "or" clause. Wallich percentage at the company's discretion. The balance of the program will be delivered on a flat rental basis, is said.

Sales policy does not include the special, "The Man Who Could Dinner" and "The Life of John Doe"—both of which are to be sold separately.

Radio Coin Said to Aid Neb. Anti-Ascap Appeal

Lincoln, Neb.—Contributors to the war chest to see the Anti-Ascap Nebraska law given a chance to survive before the U. S. Supreme Court so far have made it a point to stay in the background, but early in the next week the Nebraska Broadcasters Association President-elect W. I. LeBaron, KGNF, North Platte, said the NE had voted to help the war chest with funds from the association.

Filing will be made late in the month, appealing from a ruling unconstitutionality made by Federal Court here not long ago.

House Considering Bill Repealing Fight Pin Ban

Washington Bureau of THE FILM DAILY


The bill leaves the films subject to the laws of any state into which they may be taken.

A F of M Tackles Radio Issue

Indianapolis—Attention yesterday of the A F of M, in annual convention here, was concentrated on radio problems.

Louis Levin Expires

Chicago—Louis Levin, 55, former owner of the Public Theater, is dead.

Free Dance to Mark Theater Anniversary

Port St. Joe, Fla.—Roy E. Williams, manager of the Port Theater, is bringing Frank Hopkinson and his 12-piece orchestra to the theater Sunday to help celebrate the 25th anniversary of the theater. Following tonight's performance a free Anniversary Dance for patrons of the theater will be held in the Contential Ballroom. Music will be furnished by Glenn Brown and his orchestra, directed from the Belment Club, Miami Beach.

ALONG THE RATIO WITH PHIL M. DALY

• • • TODAY is Flag Day. . . . and it is editing to contemplate . . . . . . . that Old Glory will be flying . . . . over many a film studio, exchange and theater . . . . . . . Nevertheless, we pass along a suggestion . . . . to every producing and distributing company head . . . . as well as to circuit chiefs and owners of individual houses . . . . . that they issue an order today . . . . that the flags are to STAY UP . . . . so that our national colors may remain . . . . before the eyes of the American public. . . . . EVERY DAY from sunrise to sunset . . . . in these critical times . . . . when our way of life is threatened . . . . by sinister and subversive forces . . .

• • • TODAY is Flag Day. . . . Tomorrow many of the banes . . . . will have been put away by those who feel that the purpose of Flag Day . . . . has been fulfilled. . . . If others in this land . . . . lack the initiative and the fervor . . . . to fly their flags . . . . then let the motion picture industry set the example. . . . It would be fitting that it should do so . . . . for patriotism cannot be permitted to remain latent. . . . It must be made acute. . . . and remain acute. . . . To accomplish this requires a special weapon . . . . which no other industry in the land . . . . has ever wielded with skill as great as that of filmland. . . . The weapon is SHOWMANSHIP . . . . Let us use it! . . .

• • • TODAY is Flag Day. . . . But, alas, look at the record! . . . . You'll not find it listed among the so-called "chief legal or public holidays" . . . . observed in the U.S.A.. . . . . Rather is it a sort of "also ran" . . . . That should not be. . . . It isn't so in two of our States. . . . Missouri and Pennsylvania. . . . There, Flag Day is accorded honor commensurate with that shown. . . . to other great days of the year. . . . Pennsylvania has a special reason for its full observance. . . . for it is pretty well established that Francis Hopkinson . . . . who was born in Philadelphia . . . . and was a signer of the Declaration of Independence . . . . designed the Stars and Stripes. . . . Further, he designed the first Great Seal of the United States . . . . and was the first native American composer of a secular song. . . . "My Days Have Been So Wondrous Free" . . .

• • • TODAY is Flag Day . . . . and flags will be flying in every State. . . . . and in American possessions . . . . over the seas . . . . and on her merchant and war vessels on all seas. . . . . At her embassies, legations, and consulates in many foreign lands . . . . it will also fly. . . . . Let us of the motion picture industry . . . . resolve that Flag Day shall be every day . . . . and set the precedent for it . . . . by the issuance of immediate orders that. . . . the flags that are up today . . . . STAY UP! . . . .
Prosperity Club Ban Sought in Nebraska

Lincoln, Neb.—On heels of an unsuccessful attempt to curb the use of the Prosperity Club, James to have outraged in Omaha's 25 theaters singing by way of the Omaha Municipal court, City Attorney W. W. Wenstrand. New York City, at a member of the First National production staff. Worked for James A. FitzPatrick on his 'Music Masters' shorts produced in New York. Wrote radio skits. Wrote vaudeville acts. Technical advisor on "The Quarterback," made at Paramount Long Island studios, with Richard Dix as the star. Played lead in a series of song shorts, for an independent producer, while "doubling in brass" in the production department. Came to Hollywood in 1926 and entered independent production. Made survey of the theaters of Latin America for the Mexican government. In 1937 organized Cinema Sales, Inc., producing commercial pictures for national advertisers and using the same production crews on them as on his regular theatrical features. Formed James Gallagher Productions to make a series of features starring Irene Dare, the young ice star.

First Scarcab Honor Medal Goes to Pereira, Architect

West Coast Bureau of THE FILM DAILY

Hollywood—Honor medal of Scarcab Architectural Fraternity, "for signal professional achievement among architects under 35," has been received by William L. Pereira, architect-designer of Paramount's contemplated new $15,000,000 studio. He is the first recipient of the award which will become an annual affair. Presentation of the medal was made at a meeting of the Southern California chapter of the American Institute of Architects by R. Van Buren Livingston, national president, on the basis of balloting by men of the profession throughout the country.

Pereira, now 30, a graduate of the University of Illinois, class of 1930, has gained wide attention as the designer of some 75 theaters, including the Esquire, Chicago, whose interiors, facilities and facade are illustrated in the Encyclopedia Britannica.

$1,000 Bank Night Subs For Denver Car Giveaway

(Continued from Page 1)

part runs carryovers from the Orpheum, an RKO house, is not on the deal.

Fox has closed the Hiwatha, nabe, for the summer.

Sax Signs Abe Lyman For Phonovision Short

First short Phonovision will produce at the Edison studios will star Abe Lyman, it was announced yesterday. Additional contracts with "name" bands are now being negotiated by Sam Sax, partner in Warner's "The Gambler," with William Dieterle directing.
**REVIEWS OF THE NEW FILMS**

**“On Their Own”**
with Spring Byington, Ken Howell, George Ernest, June Carlson.

20th-Fox. 63 Mins. LATEST IN THE “JONES FAMILY” SERIES OKAY FOR FAMILY AND NABE TRADE.

Although several regulars are missing in the cast, the nabe customers will find the Jones Family carrying on. Picture will serve all right as a second attraction on double bills. Associated Producers, father of the family, is supposedly laid up and never appears except by reference. Otto Byington and June Carlson have his family and family from all directions. Spring Byington has to take over the family helm when pa gets sick. She sells the house and they all move to California. There, they invest in a bungalow court as a means of making a living. They discover that most of the tent-dwellers live a more fortunate life because at any time, they have only a few paying guests left after the sale is completed. However, after further difficulties they hit on an idea that solves the problem. In addition to Miss Byington, the family is composed of Ken Howell, June Carlson, George Ernest, Billy Mahan, Marguerite Chapman, John Quinlan, Charles Chase, Chick Chandler, Forrest Harvey, Isabel Randolph, Walter Soderling, Inez Palange, Charles Lane.


**“Babies For Sale”**
with Rochelle Hudson, Glenn Ford, Miles Mander.

Columbia. 64 Mins. EXPOSE OF “BABY FARM” RACKET IS OKAY AS PROGRAM OFFERING.

As a program offering this release will sell okay. The story is fairly interesting and the cast is choice for its assignments. Rochelle Hudson, Miles Mander and Glenn Ford head the cast, with Isabel Jewell, Selmer Jackson and John Quinlan in supporting roles. Ford, a young reporter, is investigating the sale of babies by take nursing homes. He gets a large amount of information from Joseph Stefani, a slum doctor. When his story is printed the paper is assailed by a number of women’s organizations and other people, including Miles Mander, head of a “home.” A retraction demand brings about Ford’s exposure of what he can offer in the face of the evidence. He sets out to get this information and watches the place run by Mander. Miss Hudson shows up at the place after her husband has been killed. She is allowed to sign an adoption release for her baby, with Mander telling her later that it died at birth. The picture is covered completely, proving the baby is alive and Mander is uncovered.


**“The Man from Tumbleweeds”**
with Bill Elliott, Iris Meredith, Dub Taylor

Columbia. 59 Mins. SLAMBOG WESTERN IS SURE TO CLEAN SIX-GUNS.

Latest in the series Columbia is making with Bill Elliott, this western is as replete with hard-hitting action as the most ardent gun fan could desire. Picture starts out with a killing and works up to some time and fancy free-for-all fighting both with guns and fists. Bill Elliott looks and acts the part of a gunfighter. Iris Meredith attractively fills the female lead. Dub Taylor will get some laughs as a stooge for Elliott, and Raphael Bennett fills the bill as a bad man. Elliott is summoned to the town of Gun sight after Miss Meredith has seen her father murdered by Bennett, head of the town. Elliott gets permission from the governor to take a gang of gunmen out of jail to work with him, with the men to be pardoned if they faithfully perform their duties as rangers. Elliott goes to work immediately and there is continuous action until he disposes of the ringleader.


**“Our Constitution”**
Academic Film Co. 20 mins. Excellent Two-reeker.

This is the first of a series of eight patriotic shorts being currently produced by Max and Arthur Alexander. "Our Constitution," first release, is the product of a group of nine professional filmmakers who will carry the maximum appeal to the trade and the public alike. It is fashioned expertly, has possession of a script charged with inspirational values, smooth acting by a well-chosen cast, and technical merit. Its director, G. A. Durand, penned the screenplay. The result is that the footage is close-knit and moves with rapid tempo. Direction by Elmer Dyer is top flight. How our nation’s Constitution sprang into being, emerging from the wisdom and ideals of its framers, is interestingly told. That organization was not without attending vicissitudes. Daniel Carlis interprets the role of George Washington; John Elliott that of Benjamin Franklin; Mare Loebel, James Madison; Alan Connor, Alexander Hamilton; while Alex Callan, Michael Vallen and Phil Dunham say the parts of Governer Morris, William Randolph, and a clerk, respectively. The picture’s narrative is made up of excerpts from authentic historical documents. Milton J. Salburg and Harold Baumber are the associate producers, and Charles Hendl the editor. Effects are by C. Gruber. Film outlooks everywhere should enthusiastically welcome the two-reeler and its seven sequels, not only from the standpoint of showmanship, but as a profound public service.

Wade Boteler, Trevor Bardette, Charles Waldron, Wendell Niles.

**CREDITS:** Associate Producer, Sol C. Siegel; Director; Bernard Vorhaus; Original script and screenplay, Joseph Micalis; Associate Producers, March and Samuel Ornitz; Cameras, John Alton; Editor, William Morgan.

**“Shorts”**
Cartoon Faks, Ltd. 9 mins.

"War Graphs" is a decided novelty in the cartoon field. By the use of cartoons, graphs and drawings the invasion and destruction of Norway is vividly depicted. The subject is a cross between “The March of Time” and a news weekly and gives a factual account of what occurred in the love-loving country of Norway when the Nazi hordes, with their modern warfare and equipment, went into action. It is an educational and instructive subject. The Background music is effective. Law, the associate producer. Paul Feiner, the director and Thomas Freehaim Smith the narrator.

**“The Refugee”**
with John Wayne, Sigrid Gurie, Charles Coburn

Republic. 79 Mins.

INTERESTING DRAMATIC STORY IS TIMELY AND ABLY PUT OVER BY A GOOD CAST.

Exhibitors will find that this picture will fit in nicely with this month’s news situation and by itself is strong enough as a single attraction for nabe houses that don’t dual. The story is okay, it is timely, and a good cast is provided for it. The parts are offered. Bernard Vorhaus gets credit for the direction. John Wayne, Sigrid Gurie and Charles Coburn head the cast. Coburn is particularly good as a refugee doctor who is brought to a small North Dakota town. Miss Gurie is attractive and capable as his daughter. Wayne looks and acts the part of a farmer. Spencer Charters and Russel Simpson help out with good performances in supporting roles.

Coburn and his daughter go to Ashville Forks, N. D., after they have appeared on a radio program dealing with our doctors. They arrive in the middle of a dust storm and are ready to leave the next day, but Coburn staying because he is needed. The whole area becomes untenable because of the dust storms and the refugees are used as a group to start a migration to Oregon under Wayne’s leadership.

Miss Gurie’s romance with Wayne is held in semi-suspension due to the arrival of a supposedly dead fiancé who had helped them escape, and trouble ensues with the law. But everyone is handled well, and everything is smoothly ironed out in time.

CAST: John Wayne, Charles Coburn, Sigrid Gurie, Spencer Charters, Russell Simpson, Helen MacKellar, Sonny Bupp.
Expect New Code Offer At Allied Meeting

(Continued from Page 1)

FILM DAILY is that distributor heads of the Big Eight, who have been invited to attend the convention, will outline a new code proposal to exhibitors following the industry conferences with Government attorneys in the New York quality suit.

Kirsch said that the Big Eight distributors’ attendance would depend upon whether their presence was required at the New York suit. The Chicagoan said he expects arbitration to loom large on the convention horizon. The exhibitor-members still come primed to hear the latest regarding the reported consent decree in the New York suit. Kirsch, who visited Capitol Hill during his several days’ stay in Washington, said the gathering would be distinctly interested in the latest debate regarding a revised Neely bill.

Describing the forthcoming chief speaker for the Chicago convention as a “dark horse,” Kirsch said advance meeting schedules called for total attendance of some 650 executives with whom would comprise out-of-Chicago exhibitor representation from over the nation. Aside from Myers and Cole, who will follow Kirsch to Chicago, speakers are not definite aside from other members of the Allied high command. Kirsch had no information as to a possible Representative or Senator as convention speaker.

ep. Holds Conferences

Business sessions of Republie’s two-day regional sales meet-
ging having concluded on Wednesday night, yesterday was devoted to con-
ferences between James R. Grain-
ey, company’s president, and indi-
vidual franchise holders and branch managers, each of whom brought to discuss their problems for discus-


die in RKO Short

With Wendell L. Willkie, potential DP nominee, on the question firing line along with the regulars, the information Please” production set the Fox Movietone Studio yesterday brought out leading Metropolis columnists, syndicate writers and newsmen as well as a score of meranemen.

Just a Jones Custom

Chicago—As the young manager of the White City Amusement Park for 35 years, Aaron Jones, Sr., now proxy of the Jones, Linch & Schaefel circuit, angered Sophie Tucker for the opening bill. Since then, Jones has made it a point, whenever possible, to engage the singer for the opening bill of any new house. So with the Orienta revering to a vaudeville schedule, Miss Tucker headlined.

Singing the “Wind” Type

Atlantic City—Those who proclaim “all is lost” when surveying the overseas scene were decried before the Columbia sales convention at the Ritz-Carlton here by Joe Mc-

company’s foreign sales chief.

Said McConville:

“We must not consider the foreign market a lost cause at this point despite the fact that Blitakrieg seems to be the order of the day.

The foreign offices will carry on in spite of the seeming insurmount-
able difficulties of today. True, conditions are extremely trying and changing events have made matters even worse for our representatives in various European countries with each passing hour.

“Our problem—and the problem of all of us who look to the foreign market—is in guessing the future. No one knows what will happen to tomorrow’s business, but Columbia is looking ahead adjusting its foreign field activities to the ever-changing conditions of a war-tossed market.”

Joseph Friedman, managing direc-
tor of England, who recently re-
turned from London, also discussed events abroad.

“Foreign Mart No Lost Cause”

Overseas Offices to Carry On — McConville

(Sliding Tax Scale for Amusements?

(Continued from Page 1)

admissions from 40 to 30 cents. Harri-
son estimated the sliding scale would bring in $90,000,000 additional-
revenue. Average admission price in the U. S. film houses is 23 cents.

A second new proposal of interest to exhibitors, yesterday originated with Democratic Leader Barkley. It calls for a cent a bottle levy on soft drinks. Thousands of theaters, particularly during the hot weather period, sell soft drinks atobby stands.

Barkley told the Committee that the soft drink tax would raise $70,-

(Continued from Page 1)

000,000 annually.

Craven Forecasts Full Tele Commercialization

(Continued from Page 1)

engineering standards are agreed upon.

Craven told Lundeen he would prefer to see the FCC follow a more liberal policy in handling television but concurred with the Commission in its latest report to attain “its broader objectives” and felt the differences were not sufficient to justi-
dissenting vote.

NOTICE!!!

Anyone wishing to buy an extra one of those portable radios that made such a hit as Four-some Prizes at—Film Daily Golf Tournament can do so at

Elliott-Alessi

72A Courtlandt Street New York City

Specially Priced at $12.50

West Coast Bureau of THE FILM DAILY Hollywood—Normie Coward’s “Cav-

cade” will be produced as a Brit-

ish War Relief Fund benefit at Pas-
dena with a cast recruited from the English colony and Frank Lloyd di-

recting. Arrangement with Coward was completed by Basil Rathbone, it is reported. Lloyd directed the 20th-Fox film version of the Lon-
don stage hit in 1933.
PACEMAKERS

ENDOWED with special abilities in their special fields, and governed by supercritical manufacturing controls, Eastman negative films set the pace for raw-film quality. They share with cameraman and processing laboratory the credit for the unprecedented photographic excellence of today's motion pictures. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
SETTLEMENT TALKS COVER EIGHT POINTS

Sweeping Revision of Admish Tax Is Advanced

Penny Levy on 10-25c Tickets, 2 Cents on 26-49c Duds; Then 10%, is Proposed

By MILTON F. LUNCH
Washington Bureau of THE FILM DAILY
Washington—Sweeping revision of the admission tax scale was proposed to the Senate Finance Committee Friday by three representatives of the industry. Charles C. Pettijohn, MPDA, general counsel, was the sole industry witness as the committee considered the tax bill passed by

(Continued on Page 14)

Foll of La. Chain
Tax Bill Uncertain

New Orleans—What Louisiana’s main theater tax bill if enacted into law, will cost the film industry annually is still a matter of question marks.

The bill, which passed the House 37 to 7 and now awaits Senate action, provides a graduated tax for chains, based on the number of their houses and ranging from $50 a year or chains of two houses to $200

(Continued on Page 14)

Two Theater Games Face Court Test Cases in Mass.

North Adams, Mass.—Francis J. Faille, manager of the Paramount theater, pleaded not guilty in the District Court here to setting up and promoting a lottery.

Faille’s appearance in court followed a raid by state and local police in which a number of implements

(Continued on Page 14)

Little Curly Heads
With a Dead-Head

Detroit—Local exhibs, near the Drive-in Theaters are squawking over what they claim is an unfair patent practice which is ruining their lease trade. Drive-ins, it seems, change only for adults—kids are free. So wise militarily canvass their home neighborhoods, rattle up a cargo of kids who pay a dime each, and patronize the Drive-ins. The kids’ contributions occasionally more than cover the admission for the adult car owner.

(Continued on Page 14)

Divorce Action
Waits, Says Neely

Washington—Sen. Mathew Neely told THE FILM DAILY Friday that hearings on his Federal divorce bill would be delayed until the pressing defense legislation was cleared up. Neely said his time had been exclusively occupied with national problems and that he had been unable to devote any time to film matters.

Neely’s statement was interpreted as an indication that the hearings

(Continued on Page 14)

League of N. Y. Theaters
Objects to DG Agreement

Board of governors of the League of New York Theaters will meet Wednesday to discuss some 27 objections to the League’s basic agreement with the Dramatists’ Guild.

Chief objection is thought to be the present 40-60 division between producers and authors on the sale

(Continued on Page 14)

Sears Hails Co-op By Exhibs.
Tells Warner Convention of “Fine Spirit”

Chicago—“The American exhib, fully conscious of the foreign situation, already has shown his desire to help the film industry absorb the losses in the domestic market,” Grad L. Sears, Warner’s sales chief, declared here today as the company’s second and final sales convention opened at the Blackstone.

Asserted Sears:

“The exhibitors in the U. S. have

(Continued on Page 4)

Discussions are under way between company heads, counsel and sales managers on a list of subjects proposed by James B. Hayes, Special Assistant to the Attorney General, as a basis for a new consent decree, with recommendations by the company heads to be forwarded to Washington immediately when received by trial counsel for the Government, it was reported over the week-end. It is expected that the recommendations will be returned by all majors not later than the end of this week.

Hayes it was learned, proposed

(Continued on Page 10)

Musicians Reject
Anti-Warner Move

By HOWARD RUDEAUX
FILM DAILY Staff Correspondent
Indianapolis—The American Federation of Musicians convention here Tuesday turned down the demands made by Local 77, Philadelphia, that Warner Bros. be placed on the Federation’s unfair list.

Local 77’s resolution, which was

(Continued on Page 3)

25 Hours of Telecasts
From GOP Convention

NBC, via its New York television station, will televise approximately 25 hours of programs from the GOP national convention in Philadelphia, according to Alfred H. Morton, NBC vice-president. Plans are for two or

(Continued on Page 4)

O. C. Theater Tests
“No War” Film Show

Oklahoma City—Midwest Theater, one of the string of houses operated by J. H. Cottler’s Standard Theater Corp. in affiliation with Warners, is experimenting with a special program Bill Is topped by “Sukan and God” “No war” film is being used in advertising the show.
The Broadway Parade

Picture and Distributor
The Fight for Life (U.S. Film Service-Loan)—15th week... Capitol
Brotherhood (Universal)—15th week... Street
The Way of All Flesh (Paramount Pictures)—2nd week... Paramount
Our Town (United Artists)-Loeff... Marie Hall
Gang of Chicago (Republic Pictures)—Central
The Doctor Takes a Wife ( Columbia Pictures)...Roxie
The Lone Wolf Meets a Lion (Columbia Pictures)...Central
The Man from Tumblewood (Columbia Pictures)-(a)... Central
The Thrill Hunter (Producing Sales Corp.)...Central
Lillian Russell (Twentieth-Century-Fox) (a)... Palace
The Girl in the Train (Twentieth-Century-Fox)... Palace
Passport to Alcatraz (Columbia Pictures)...Bialto
Birth of a Nation—2nd week...55th St. Playhouse

TWO-A-DAY RUNS

Gone With the Wind (Metro-Goldwyn-Mayer-Selznick)—27th week...Astor

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—16th week...World
Parthie (Espoir Films) Carmen de la Trinidad...48th St. Theater

FUTURE OPENINGS

The Moral Storm (Metro-Goldwyn-Mayer Pictures)—June 16...Columbia
Safari (Paramount Pictures)—July 19...Paramount
Hot Steal (Universal Pictures)—June 21...RKO
Phantom Raiders (Metro-Goldwyn-Mayer)—July 17...Universal
Lucky Cisco Kid (Twentieth-Century-Fox)—June 22...Globe
Land of the Six Canes (Mongrel Pictures)—June 19 (a)...Central
Prairie Law (RKO Radio Pictures)—June 19 (a)...Central
The Man Who Stole the World (Crom Bros. Pictures)—June 28...Strand
Tom Brown's School Days (RKO Radio Pictures) (c)...Music Hall
Dark Command (Republic Pictures)—June 20 (a-b)...Palace

(d) Dual bill, (b) Subsequent run, (c) Follows current bill. 1d) Revival.

Sheriff Joining Korda As Writer on Film Contracts

Robert C. Shoffit, screen writer, who arrived in Montreal from England last week, has joined Alexander Korda's Hollywood organization as a writer. Shoffit's alleged statements to Canadian newspaper men regarding the shifting of British production to Canada were not taken seriously by American film executives. United Artists head men discounted Shoffit's remarks to the effect that Korda would produce in Canada.

Play Scouts to Catch Three New Attractions

Home office play scouts face three assignments this week in the straw- hat field. They are "Some Call It Madness" by Edith Ellis, at Great Neck, L I; "A Lady Passed This Way," by James Hagen, at Pawling, N. Y., and "Roller Shades," by Bass Breene at Abingdon, Va. The first two open tonight and the third on Thursday.

United Artists to Open Korda Week on June 27

Week of June 27 is to be known as Korda Week when United Artists will inaugurate a drive as a tribute to the London Films producer. Many of Alexander Korda's successes, including "Henry the Eighth," "Catherine the Great," "Scarlet Pimpernel," "Storm in a Teacup" and others will be reissued with new prints.

Conn. MPTO to Mull War's Film Contracts

New Haven—Connecticut MPTO will meet at 12:30 p.m. today at Ceriani's Cafe Mellone, with Arthur H. Lockwood presiding. Discussion will be had on the 1840-41 film contracts, as well as industry events. The membership is being urged to take cognizance of the fact that the war situation makes the coming buying season an unusual one and that exhibitors must be on the alert. Allied Theater Owners of Connecticut will meet at 12:30 p.m. tomorrow at the Hofbrau Haus restaurant, with A. M. Schumacher presiding, for the regular bi-monthly luncheon-meeting.

Goldwyn's 'The Westerner' Will be Released Sept. 20

Samuel Goldwyn's "The Westerner" will be released nationally on Sept. 20, United Artists announced over the weekend. World premiere will be held in Fort Worth, Tex., where the showing will climax a three-day civic celebration sponsored by the Ft. Worth Chamber of Commerce and the state of Texas.

Financial

(QUOTATIONS OF FRIDAY, JUNE 14)

NEW YORK STOCK MARKET

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NEW YORK CUM MARKET

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| Spotlite Corp. | 91 1/4 | 91 1/2 |
| Technicolor | 91 1/4 | 91 1/2 |
| Trans-Lux | 91 1/4 | 91 1/2 |
| Universal Corp., v.t. | 3 1/2 | 3 1/2 |
| Universal Pct. | 60 1/4 | 60 1/4 |

N. Y. OVER-THE-COUNTER SECURITIES

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<td>Loew's Thea. Realty 6 1/4 1st 4%</td>
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<td>Metro Theatrical Corp. 3% 6 1/4</td>
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<td>Radio Thea. Bldg. 4% 1st 97 1/2</td>
<td>60</td>
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POSITION WANTED

Young man desires position in advertising or motion picture firm. Experienced with commercial advertising. Can furnish excellent references.

Secretary. Write Box 1905, The Film Daily, 1501 Broadway, New York City.
Musicians Reject Anti-Warner Move

(Continued from Page 1)

reported by its plea that it was waged in "a life or death" struggle with Warner theater owners in Philadelphia, is regarded unfavorably by the committee.

This brought the charge by the committee that the Executive Committee did not have the support of the membership, and hence was not acting in the best interests of the union.

The convention of the Philadelphia chapter of the American Federation of Musicians was held in the Hotel Commodore, with President Joseph N. Halbert presiding.

The meeting was called to order by President Halbert, who stated that the purpose of the meeting was to discuss the affairs of the chapter and to consider any matters that might be brought up for discussion.

The minutes of the previous meeting were read and approved.

The financial report of the treasurer was presented, and it was decided to accept the report and to proceed with the business of the meeting.

An outline of the program for the coming year was presented, and it was decided to accept the outline and to proceed with the business of the meeting.

The convention adjourned at 10:00 a.m.

Date Book

Today: Blackstone Hotel, Chicago.

June 18: Paramount stockholders' meeting.


June 24: MPTO of Virginia mid-summer convention, Chamberlin Hotel, Old Point Comfort.

June 24: Julius Lapidus farewell dinner, William Penn Hotel, Pittsburgh.


June 27: EKO gold tournament, Westchester Country Club, N.Y.

Aug. 6: Conn. MPTO Golf Tournament, Race Brook Country Club.

Sept. 12-14: Biographical Association convention, Hotel Kinzie, Chicago.


Nov. 21: Motion Picture Associates ball, Hotel Astor.

Majors Using Re-issues in Drive for Revenue

(Continued from Page 1)

To be offered by 20th-Fox. Pictures are "Show Them No Mercy," "Bottles Up," "Now I'll Tell," and "Marie Galante." Other companies are reported following the same policy, with about the same number of old pictures available, either as straight details or replacements in some cases where adjustments are asked.

"ATAHT" Sets Advance Sales Records in L. A.

West Coast Bureau of The Film Daily

Los Angeles—With the exception of "Gone With the Wind," "ATAHT" has had the heaviest advance promotion of any picture to play the Carthay Circle. It set a record for opening night's receipts.

George Moyen Dead In Chi.

Chicago—Funeral rites for George Moyen, veteran Essaness circuit manager, were held Friday. His widow and two children survive.
Cites Response to Warner Sales Plan for ATAHT as Illustrating "Fine Spirit"

(Continued from Page 1)
displayed a fine spirit of co-operation in the matter of extended playing time for worthwhile attractions, in an endeavor to make this industry self-supporting and to continue the long standing trend of high grade motion pictures.

As a result of this action, Sears called attention to Warners’ own experience with exhibit response to ATAHT’s merchandising plan which closely parallels that of GWTW. The Warner exec. said:

2000 ATAHT Special Already Set

“Despite the fact that we had already closed over 11,000 contracts for its showing, more than 200 exhibitors have already agreed to exhibit the picture via special and roadshow engagements at advanced prices. Among them are such important accounts as Vince McFall, Buffalo; Conner Theaters in Providence, Wilkes Barre and Scranton; the KRO Circuit, Bob O’Donnell (Interstate Circuit) Wilkes Barre and Scranton; and many others.

“These showmen fully realize that it is only through their and this industry can continue to produce films of like quality and continue to make a profit despite the almost total loss of revenue from across the country. This in the exhibitors, producers, distributors and the motion picture industry itself (which, in the final analysis, supports all branches of this great industry) are all the gainer.

Says Films Are Pre-Sold

“As for our contribution to this attempt to get the motion picture industry out of its present ‘nickelodeon’ stage and into a neighborhood of long lengths to secure the most important story properties available as the basis for our production line up for the forthcoming season. This was all planned on the very practical theory that the home market must make up the difference in the losses incurred by our making them available. In the main, our films for next season are pre-sold, audience-tested best-selling books and plays and designed

“Parking Tickets” Banned in Detroit

Detroit—Publicity gag of giving “parking tickets” to stars in a neighborhood which turned out to be a plug for a theater ran afoul of the law here when it was tried at the Dry-In Theater. One car owner took the sign seriously, without further thought, and appeared at the police headquarters to pay his fine thus bringing the matter to official attention. The corporation counsel is issuing a warning against such publicity stunts in the future, on the ground that it simulates an official document.”

Exhib. Co-op In Revenue Crisis Burred By Theatres

25 Hours Of Tele Programs For GOP

(Continued from Page 5)

three telecasts daily during the five days the convention is expected to be in session.

With technical experts already in Philadelphia, NCB’s mobile tele station will be moved to the Quaker City tomorrow, to be followed on Thursday by NBC’s new, fully stream-lined portable apparatus.

Television activities on the floor will be interspersed with political demonstrations from the floor, a motion picture studio, and informal interviews in or near the lobby of the building. NBC’s convention cameramen, along with Hal. V. Katenborn, Earle Godwin and Baukea, will probably appear one or more times before the television cameras, and a half dozen of NBC’s staff of 20 are assigned to the convention.

The program will be headed by Thomas H. Hutchison, NBC’s manager of television programs; Burke O’Reilly, director of outside telecasts, and Roy Meredith Ray Forrest, television announcer, will make frequent appearances during the week. Technical staff under the supervision of Harold P. See, telefield supervisor.

NBC will relay programs from Convention Hall over more than 100 miles of wire circuits for broadcasts over Station W2XBS here. It is estimated that the television audience for this approach to the convention will be very large. Both in extent of air time and distance of relay, program outlined by Morton will make NBC’s convention telecasts the largest undertaking of television anywhere in the world.

Weismann Bond Slashed

Federal Judge John C. Knox on Thursday granted the application of Milton C. Weismann to reduce his bond as receiver of Fox Theater Corp. from $100,000 to $7,500. Weismann obtained the reduction because he had transferred the major part of Fox’s operations to John P. Steinreich and as trustee.

Little German Band In Script Blackout

Hollywood—Current feeling is being closely watched by the film industry and its pulse is having curious effects. In "The New York," which Paul Jones is producing for Paramount, the script called for a band of German street musicians, typical of those who would have come to "Bandanna Bill" and to other films of the kind. The original script had a German music band as the stars, Dick Powell and Ellen Drew. The scene was completely changed around on Jones’ orders, and the band will be an American music group.

Charles Ross to Provide GOP Lighting Equipment

Arrangements were completed here on the week-end whereby Charles Ross, Inc., motion picture lighting expert and exclusive representative in the East for Mole-Richardson equipment, will handle the lighting for newsreel, still, and television coverage of the Republican Convention to be held at the Convention Hall, Philadelphia June 24.

Announcement of the awarding to Charles Ross, Inc., of the light contract was announced by Allyn Butterfield in behalf of the National Republican Committee.

The equipment which Charles Ross will use for the Convention, will be displayed in Philadelphia in two large trucks including 14 Solar Spot Lamps of 5,000 watts, 7,500 feet of cable and approximately 50 additional pieces of equipment which will require individual operators.

It is estimated that the amount of electricity which will be consumed during the Convention would provide service for a town of 30,000 people.

Metro Issues Special Mat Service on Product

Full-page proofs in standard newspaper size of M-G-M’s special summer announcement is being distributed to 1,250 newspapers and the producers in the U.S. and Canada as an aid to promotion of the upcoming summer product. Page is highlighted by a story dealing with summer product and also includes a cartoon by Wile E. Coyote and Elmer Fudd for a special golf equipment.

M-G-M’s summer releases include “The Mortal Storm,” “Susan and God,” “New Moon,” “Andy Hardy Meets Debutante,” “Pride and Prejudice,” “W. We Who Are Young,” “I Love You Again,” “One Came Home,” “Gold Rush Maise,” “Boomerang” and “Escape,” which probably will be the first release of the 1940-41 season.

Forde on “Charter Pilot”

West Coast Bureau of THE FILM DAILY

Hollywood—Eugene Forde will direct “Charter Pilot,” for 20th Century-Fox. Lynn Bari has been set to play the star in the adventure and is writing the script from an original by Lester Ziffren.


Henry Herbel, West Coast district manager for AE. Ben, is another impressive contingent: Denver: E. A. Bell, W. A. Haege, Knight and George; San Francisco: E. W. Callaway, J. D. Burden, J. N. Howard, C. T. Overach, Sam St. Louis, W. A. Metcraft; Portland: M. F. Kelley, and T. M. McDougal; Salt Lake City: Wm. G. Gordon, M. H. Guzman, Keith K. Fack and Charles Sapho; San Francisco: Al Shittmen, S. E. MacDonald, W. C. Wheeler and Al Owen; Seattle: Wm. Shartin, Art Gollon and C. W. Young.
for 1940, 1941 and beyond

A Program that will endure as the industry standard from now on
The Library of the world itself tells the story of the Product of WARNER BROS.
A MILESTONE IN THE STORY-BUYS OF A SINGLE COMPANY: ALL THESE BOOKS AND PLAYS EXCLUSIVELY WARNER BROS.
TO THE BOOK
THESE SCRIPTS
CERTIFIED TO
THE PREPARED
AMASSED BY
W
AND PLAYS
ADD MORE
TIMONY OF
PROPERTIES
NER BROS.

SAM COLT,
TRIGGER MAN

THE STORY OF
UTE ROCKNE

THE FABULOUS
THIRTIES

JACK I. WARNER
Vice-President in Charge of Production

HAL B. WALLIS
Executive Producer

The ASSOCIATE PRODUCERS for WARNER BROS. STUDIOS

HENRY BLANKE
WILLIAM CAGNEY
ROBERT FELLOWS
BRYAN FOY
IRA GENET
EDMUND GRAINGER
MARK HELLINGER
GORDON HOLLINGSHEAD
WILLIAM JACOBS

The DIRECTORS for WARNER BROS. STUDIOS

LLOYD BACON
KURT BERNHARDT
HUGH CUMMINGS
MICHAEL CURTIZ
WILLIAM DIETERLE
RAY ENRIGHT
ROBERT FOLK
EDMUND GOULDING
JO GRAHAM
WILLIAM K. HOWARD
WILLIAM KEIGHTLEY
ANATOLE LIVIK
HUGH MacMULLAN
WILLIAM McGANN
TERRY MORSE
IRVING RAPPER
LEWIS SEILER
VINCENT SHERMAN
RAOUL WALSH
WILLIAM WYLER
Because of the genuine good that the offerings here presented are certain to bring to the motion picture as an institution and an investment

WARNERS

are gratified to be their sponsor

*Action
†Showmanship

The material here presented is an indication of the motion pictures which, allowing for the exigencies of production, we contemplate for the season 1940-41.
"Girl in 313" with Florence Rice, Kent Taylor, Lionel Atwill, Katherine Aldrige.

"The Doctor Takes A Wife" with Loretta Young, Ray Milland, Reginald Gardner, Gail Patrick.

"The U. S. Navy—1940" (The March of Time)

SHOTS

"Cradle Of Champions" Paramount 10 mins. Interesting Sport Reel Narrated by Ted Husing, this sport reel is interesting for America-at-large. It shows how youngsters get their training in many different branches of sport. Boys and girls trained for American athletics. The film is appropriate for young audiences.

"The Chewin Bruin" Warners Amusing Cartoon Porky Pig is the interested list-ener to an angel for his recollections of his days in the woods. Porky is told the story of the Chewin Bruin, a bear that chewed just like a human. The experiences of the trapper and his dog with this unusual critter will get laughs. Short was produced by Leon Schlesinger.
Toll of La. Chain
Tax Bill Uncertain

(Continued From Page 1)

"for each such addition moving picture show, theater or similar place of amusement" in excess of 5 houses. Apparently such legislation, which an industry official said would pay $50 tax each to the year, and then the next would fall into line.

Court Ruling Might Be Needed
While the act is directed against places "under the same general management, supervision or control," it is possible that court interpretation might be needed to clarify this.

The largest booking operation in Louisiana, which apparently would not be considered under the act since it only buys and books and then operates, is the Louisiana theater chain. The owners, is Theater Service Corp., of 92 houses in 69 Gulf States cities. In Louisiana, Theater Service books and buys for 74 houses in 57 towns.

Apparently the greatest threat to the numerous producers of the state's various types of productions, is the Louisiana lobby, which will be the Paramount-Richards circuit with total income from 52 to 63 theaters in the state, adding two to three recent theaters to the man which at present operates 10 theaters in 5 Louisiana towns.

Loophole is Possible
However, observers point out that the various partnerships under the Paramount-Richards standard could easily resurface operations of their other houses if necessary.

Among the other circuits operating in the state are: Loew, one of the big ones in New Orleans; Movi B. H., two in New Orleans; Southern Amusement Co. of Lake Charles, operating 23 theaters in 17 Louisiana towns, operating 16 theaters in 12 towns, or 13 theaters in Louisiana; Joy Theater Co., operating 15 theaters, six of which are in Louisiana and operating, presumably, three more in association with Levie Montgomery; J. W. Hard, six theaters in five Louisiana towns; Rex Amusement Co (Willis Houch), 11 theaters in 17 territory towns, 18 which houses are in Louisiana, United Theatres of New Orleans, 17 houses; Bijou Amusement Co. (Nero operation) 9 theaters in Louisiana towns as part of a circuit credited with 19 houses in the south.

League of N. Y. Theaters
Objects to DG Agreement
(Continued From Page 1)

of film rights to plays. The League is expecting to fight out for the former 50-50 split.

Objections to the present pact exist in the industry, were known to have been forwarded to the governors by James F. Reilly, executive secretary, Elmer Rice, president, and a committee working on the pact for the Guild.

Two Theater Games Face
Court Test Cases in Mass.

(Continued From Page 1)

would not be continued this session, as Congress is expected to devote itself almost exclusively to defense legislation.

No comment was made on hearings on his block-books bill nor the equity suit, because, Neely said, "I haven't been able to read one word about either of these matters."

position of the industry, it was stated.

Concluding their plea, Barron and Skou- ras stated the House plan will be most harmful to the small exhibitor because, unlike the large theaters, he cannot hope to offset the loss of revenue through larger seating capacity.

For the larger theaters to reduce prices and for the producer to meet this competition, this is economic suicide," the ex-Cox statement said.

Brother Orchid" Gets a Third

New York Strand is holding "Brother Orchid" which starred James Cagney and his band for a third week.

Columbia Campaign Prize Winners are Announced

(Continued From Page 1)

ing the Montague 15th Anniversary Campaign in the Eastern, Midwest and Southern Divisions.

For the July 1, 1939-May 19 period, Sam Moscow's Southern division took first, and Nat Cohn's New York division, second. Final awards to branch managers of the leading branch in each division for best performances in liquidation during the 12-week campaign period went to: T. P. O'Toole, New Haven, Midwest; S. A. Galanty, Washington; Southern; W. W. Anderson, Atlantic.

Final awards to branch managers, salesmen, office managers and bookers for general performance in sales and liquidation were announced as: 1st Place: Atlanta, W. W. Anderson, L. R. Foster, L. T. Koch, B. H. Webster. 2nd Place: W. L. Seidman, J. C. Schulz, L. Seidman, Dr. S. F. Keating, J. S. Seibert. 3rd Place: New York, M. J. Seidman, J. E. Seidman, J. C. Schulz, J. D. Seibert. 4th Place: Indianapolis, E. S. Wilkerson, W. S. Bosworth, E. S. Wilkerson. 5th Place: New York, R. J. Seidman, E. B. Seidman, J. C. Seidman, J. D. Seibert. 6th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert. 7th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert. 8th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert. 9th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert. 10th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert. 11th Place: New York, R. J. Seidman, J. C. Seidman, J. D. Seibert.


THE WEEK IN REVIEW

Equity Settlement Impends: U. K. to Ease Quota?

DOMESTIC

EQUITY SUIT: Gov't's equity suit remained matter of chief interest during past week, with prospects of a settlement being reached still viewed as good, though major counsel hinted at a limit of concessions on part of the defendants. With Thurman Arnold taking part in discussions, no serious impasse to settlement was seen. Further adjournment of the trial while conferences continue was granted. Nominated Artists and Universal received freedom of action in case consent decree was agreed to by other majors.

WARNER BROS.: At first of two 'amer sales convention company program for new season was announced at 42 features and two specials, the latter being "The Man Who Came to Dinner" and "The Life of John Doe." It was stated that Warners would have 20 percentage price on its new list—four at 40 per cent and eight at 35 and 30 per cent.

CHAPLIN SUES: Charles Chaplin id Charles Chaplin Film Corp., publisher of Life magazine, and its officers for $1,000,000 damages for inclusion of a photograph of the comedian in his new film, "The Dictator," in the June issue of Life. He asked, and was granted, an injunction against publication of his portrait in the 1,200 copies of the publication which had not been distributed. Publishers id already distributed 1,600,000 copies of the offending issue which they were unable to recall.

ON VARIOUS FRONTS: Allied executives discuss, to offer new Code oposals at its annual convention in Chicago, June 17-19... House Foreign and Interstate Commerce committee named seven to a sub-committee to study revamping Neely's anti-block-busting bill. Committee met and adjourned due, it was believed, to defense legislation needs... Samuel Goldwynalue and his production exec. Edwin Knop, cancelled latter's contract by mutual consent. Action was believed to forecast Goldwyn's abstention from further production until his suit against UA is settled... Metro plans to withdraw "GWTW" from distribution about the end of July, and to bring it back under a different sales policy in January. Warners "ATAHT" will likely play the Center Theater after all, opening June 27. It is reported a smash box-office hit in Los Angeles... Columbia reported planning "idea pix," based on events of the day, for small-town theaters... Sliding tax scale on admissions, from 10 cents, indicated by such a proposal to the Senate Finance Committee... New admir tax looming in Louisiana... A P. O. M., at Indianapolis convention gave up effort to get orchestras into film theaters. Jos. N. Weber: from presidency of organization after 40 years... Poll of women showed 66 per cent opposed to duals... Para.'s sales policy to be flexible, on newspaper accounts... ITOA bids indices to a trade conflag on Wednesday at the Astor Hotel.

FOREIGN

EUROPE: Robert T. Kane, back from England, stated that the British Gov't is expected to ease quota obligations... Kent Overseas Drive cancelled because of the war... Andre Heymann, returning from France, said that country had produced 26 pix since Jan. 1.... U. S. en, in Paris moved their offices to Bordeaux due to imminence of Nazi capture of Paris, an event realized at the week-end... Further loss of film revenue from Europe foreseen as a result of Italy's entry into the conflict.

Paramount to Release
Gene Markey Production?

West Coast Bureau of THE FILM DAILY

Hollywood—Gene Markey is reported setting a deal to produce independently, with Paramount as the distributor. Plan calls for Markey to make one with Bonnie Baker and Orrin Tucker.

Irvine Internment Rites

Detroit—William I. Irvine, sales manager for Wilding Picture productions, industrial film producers, was buried in White Chapel Memorial Cemetery. His widow and two children survive.

CBS in Philly Variety Show

Philadelphia—CBS will have headquarters in the Variety Club rooms in the Bellevue here during the GOP convention.
Major Execs. to Draft Recommendations for D of J to Further Adjourn Trial

(Continued from Page 1)

Reach Common Understanding
All the subjects listed follow closely the contents of the consent decree which was proposed by the Department of Commerce. However, objections have been raised by both the Andrews and Government counsel on a number of points now under discussion, with flat rejections by both sides on some of them. These rejections, though, are not considered to be in any way detrimental to the “agreement in principle,” with the principal difference being the disagreements brought clarification in most cases where common understanding of both points of view had been previously lacking.

Mechanics of the proposed machinery has been thoroughly overhauled since the new discussions started. One of Government’s seven attorneys is a major attorney that an entirely new conception of the question has resulted. On the question of whether clearance should be subject to arbitration, the principal discussion has revolved around what machinery should be used. Rejection of arbitration of theaters presented a problem to which no equitable solution agreed to both sides has been provided as yet, but it is believed that a solution will be worked out during these discussions.

All company heads are expected to keep working with their lawyers this week until their recommendations are completed for submission to the Government. It is expected that the new consent decree will be drafted within a week after the recommendations have been sent to Washington.

Meanwhile, adjournments of the equity trial, are expected to continue until the new decree is worked out and its fate determined. A further postponement of the trial will be asked of Federal Judge Henry W. Goddard today.

CFI Earns $179,299 in Quarter

Consolidated Film Industries, Inc., and subsidiaries for the quarter ended March 31, 1940, report net profit of $179,299 after usual deductions, but before deduction of any undistributed profits, equal to 45 cents a share on 400,000 shares of $2 preferred stock. This compares with $267,758 or three dollars fifteen cents per share for the year ended March 31, 1939, of common in March quarter of 1939, after dividend requirements on preferred stock.

Eight-Point Discussions Look to Consent Decree

Sears, Roebuck Coupon Plan Clicks in Philly

Philadelphia—On the basis of the first two weeks of operation in six local theaters, the Sears, Roebuck & Co. profit-sharing coupon plan is reported clicking satisfactorily, with marked gains in the second week. Additional agreements with theaters are being held up until S-R is better equipped to handle the many details involved.

Details of the plan are simple—S-R, through its local representative contracts with the theater which purchases, at face value. Sears coupons in the denominations of one cent, two cents, and five cents. Men, women and children patronizing the theater receive the coupons. This is contrary to the usual practice of giving premiums to women only. Under the plan, however, children usually receive a coupon of a lower denomination, although this is left to the management of the theater. The coupons are redeemable at any Sears, Roebuck store, both mail-order and retail. They can be used as payment or part-payment on a charge account, as payment or part-payment of a COD upon the delivery of merchandise, in making store purchases, or in ordering by mail. The regular advertised Sears prices will be charged on all merchandise.

Full range of advertising accessories is being made available to users, using the plan by S-R without charge.

Conceding that the plan has national possibilities, S-R points out that such a policy would entail months of work.

DuPont Signs “Prof. Quiz” For 30-Minute Adv. Short

“Professor Quiz,” is sponsored by Procter & Gamble Co. for Teel denimtric on CBS, has been signed to do commercial film for E. I. du Pont de Nemours Co. for its new product, Verex anti-freeze. Film, which runs 660 feet, will simulate the CBS program using as contestants professional artists representing typical consumer and distributive types. Dramatised at Astoria by Audio Productions and scenario is written by Sherman Egerers. Bob Trout will handle the “announcing assignment.”

Newsreels Will Trim War Shots in Their Prints

(Continued from Page 1)
had been hurt to some extent by flood of war footage.

Duce Provides Newsreels With “Hell of a Problem”

Press dispatches from various parts of the nation, recounting anti-Fascist demonstrations on the part of audiences when newer news shots of Mussolini were thrown on screens, at the week-end re-created for news-reel companies a problem which they have been trying to get rid of for months. The launch of the European war when audiences were incited by shots of Adolph Hitler.

Sources close to the newreel companies declared Friday that they are conscious of the fact that pictures of Mussolini since Italy’s step to intervention against the Allies, are exciting to the vast majority of patrons, but have been included in issues only to tell a news story, just as is the practice of newspapers.

Il Duce’s pictures on the screen, it is pointed out, are there only because he is making news by what he does. Even so, there has been reluctance on the part of the reissue to include scenes of him but to exclude such scenes would be to abandon the functions of sincere and honest journalism.

One newreel source disclosed yesterday that “it is hell of a problem.” The companies declare that they do not want to cause exhibitors any trouble, nor do anything which might estrange patrons. The bulwark against this happening is the fact that theaters everywhere can exercise their right to delete sequences of Il Duce, or any other sequences they choose to exclude.

Painstakingly, the Mussolini footage was toned down so that it would be coldly factual, it was said.

“Deadwood Dick” Shooting

West Coast Bureau of THE FILM DAILY

Hollywood—Larry Durmourn puts “Deadwood Dick,” into production today; it’s his fourth serial so far this year for Columbia with Stewart Horseland. Cast includes Don Douglas, Lorna Gray, Lane Chandler, Marian Siles, Robert Flute, Harry Harvey, Ed Cassidy, Edward Cobb, Edward Pell, Sr., Jack Ingram, Carl Hackett, Lee Shumway, Bud Osborne, Tommy Ward, Charles King and Franklin Farnham.

STC Polls on War Shots in Newsreels

OKLAHOMA CITY—Standford Theaters Corp., operating a group of the 30 theaters affiliated with Fairmont War reeles, have received requests from patrons as to whether they want to view war scenes in newsreels and if a preparedness footage. Polls are ordered by Walter B. Shute, general manager of the circuit.

The questions being asked of patrons are: “1. Do you want to see war scenes in newsreels?” and “Do you want to see special footage relating to Fairchild activities?”

First Vote Favos War Footage

The first day, men voted 144 for and 92 against the showing of war scenes in newsreels. The women voted 153 for and 164 against the showing of war scenes in newsreels. On the second question pertaining to war footage, 134 men voted yes and 38 men against, about the same as the first question. The women voted 260 for and 58 against the showing of special short war scenes. Ratio of votes to men attending theaters here was more than 2 to 1 as revealed by poll.

In addition to the lobby poll, 1,000 self-addressed 1-cent postcards, will be distributed to persons passing the street and in business places, asking patrons to the theater, if there is any objection to the preparedness film, giving patrons an opportunity to fill out the questionnaire after the show.
WASHINGTON—Possibility that the Senate sub-committee now studying the Neely bill may become a semi-permanent body to make a complete survey of the industry's problems was revealed here yesterday by one of the members. At a sub-committee meeting it has been proposed that action be delayed for this session.

Neely Bill Not Dead
By Long Shot—Cole

Chicago—"The Neely bill is not dead by a long shot," Col. H. A. Cole, Allied president, declared here yesterday, adding that abolition of block-booking would be one of the main topics for discussion at the national Allied convention which opens here tomorrow at the Hotel Morrison.

Ousting of block-booking and periodic theater divestures are prime aims of Allied, Cole, Cole said.

SPAG "Recognition" Move Under Amana Consideration

Amana is polling its membership on a resolution, approved by the Board of Directors, which would extend "recognition and encouragement" to the Screen Publicists and Advertisers Guild. Result is expected to be announced at Thursday's meeting.

Carnival Opposition
Wisconsin Headache

Milwaukee, Wis.—June has been a headache for Wisconsin exhibitors from the standpoint of competition from carnivals. The tent shows appear to be particularly active in the state this season, theater men report, with many of them running for a week in the larger cities in the state. Critics in which the carnivals have been holding forth this month include Milwaukee, Sheboygan, Racine, Oshkosh, Eau Claire, Madison, Antigo and Kenosha.
Paramount's Directors Slated for Re-election

All directors of Paramount are slated to be re-elected today when the company's stockholders hold their annual meeting at 10 a.m. Expected to be re-elected are Barney Balaban, Neil Agnew, Y. Frank Freeman, Stephen Callaghan, Harvey Gorton, A. C. Childs, Pearson Grills, Duncan Harris, John Hertz, John W., Hicks, Austin Keough, Earl Mackelprang, Maurice Millman, E. V. Richards, Edwin Weil and Adolph Zukor.

Cohen to Raze Wallack. Erect New Film House

Sale of the Wallack Theater property on 42nd Street, New York, to the Alfini Enterprises, Inc., headed by Max A. Cohen, was announced yesterday by Berk & Krugold, theater real estate brokers. Cohen plans to raze the building and replace it with a new structure to house a 600-seat theater and five theaters.

The new Wallack is expected to be completed by October of this year. The Wallack was built by Lester Wallack and was opened on Jan. 4, 1882, as one of New York's finest drama houses. Last dramatic performance was given on May 4, 1915, and theater has been a picture house under various management since that time.

Amusement Tax Charges Bring InIoent Pleas

Cinelux, Inc., operator of the Cine Roma theater, and Pietro Garofalo, president of Cinelux, were released on $1,000 bail yesterday by Federal Judge William Bonyd after the defendants had pleaded not guilty to charges of failing to pay in excess of $16,000 in amusement taxes. Jesse Moss, U.S. attorney in charge of the case, stated that trial could not be reached until the Fall. Moss added that he and a staff of nine department of internal revenue men were conducting a drive in New York, Connecticut and New Jersey to enforce federal amusement tax laws.

Train Struck Settled Via State Mediation

Albany—The local truck strike, which caused express to cease all distance prints, has been settled after mediation work by the State Department of Labor.

Smith-Howell Service was back picking up mail over the week-end. Exchange men claim to have had no missouts during the week-long strike, called by the teamsters' union.

Ala. High Court to Hear "Discrimination" Charges

Mobile Ala. — Judge J. Blocker Thornton in Mobile Equity Court has granted a motion to strike from a record complaint of Ricardo Montiel, manager of Saenger Theater, in which he sought to avoid prosecution on a liquor charge. Indict ment was returned against Montiel for Bank Night operations in the Saenger, Mobile's largest downtown theater.

Motion to strike was brought by Solicitor Bart Chamberlin and members of the Williamsburg residents in Montiel's complaint. Montiel's attorneys immediately appealed to the State Supreme Court. Trial on the liquor charges has been scheduled June 27, but this date will undoubtedly be passed over until the Supreme Court decision, it was announced.

Montiel charges discrimination, in that while he was indicted for Bank Night operations, scores of Bingo games, sponsored by church and fraternal organizations, were allowed to run uninterrupted.

Local 306 Votes on New Skouras, Randorce Pacts

Meeting of the membership of Local 306, projectionists union, was held early this morning to vote on acceptance into the union of projectionists now working in the Coccalis houses which are to be sold to RKO. Randorce also voted on new wage agreements with the Skouras and Randorce circuits.

Wage increases in the new pacts call for a total increase of 15 per cent over a six year period, five per cent being added every two years. Agreements make the first increase retroactive to September 1, 1939.

Jay Emanuel Tournament Prize to A. L. Prachett

The Jay Emanuel prize for the most "birdies" in the FILM DAD golf tournament was awarded yesterday to A. L. Prachett, Paramount's manager for Latin-American exchanges. Through an oversight, the committee inadvertently neglected to post the winner with the prize order for a $10 Stetson hat—after the tournament last Tuesday night.

GWTW Out After 21 Weeks

Chicago—GWTW finally closes in the Essaness Loop Woods theater to make room for a run of 21 weeks.

Walters' Danish Manager Dead from Heart Attack

Information of the death of George Westergaard, manager for Warners in Copenhagen, Denmark, was received yesterday at the Warner home office. Westergaard died suddenly of a heart attack. He had been with the company over 10 years.
Take it from Paramount you can

"KISS THE B'S GOODBYE"

IN 1940-41

38 big PARAMOUNT feature pictures...

6 swell "HOPPYS"... A total of $25,000,000 to be spent on Super-Entertainment. An average of $100,000 more per picture.

That's the Paramount program for the new season. That's our contribution to BIGGER and BETTER BUSINESS!

ALL ABOUT IT IN OUR PRODUCT ANNOUNCEMENT IN June 24th Issue
Senate Com. Wants Sliding Tax Scale

(Continued from Page 1)

tions of the industry a possible $60,-
000,000 return was seen annually, the
proponents of the Senate For-
mula predict the new amusement
levy will bring in $77,000,000.

The Senate Finance Committee-
approved scale follows:

Nine cents or less no tax; 10 to
ten cents, one cent tax; 20 cents,
two cents tax; 30 cents, a three cent tax; with the
rate continuing to go up 1 cent for each
10 cents or less.

The Senate schedule is expected to produce $102,500,000 as compared with
$25,000,000 under the House bill which merely applied a flat 10
cents per tax, starting at 31 cents. Under present law there is only
the 10 per cent tax, starting at 41 cents.

The additional $77,000,000 thus
obtained from amendments off the
vote will increase the services of the
House increases on cigarettes cigars
and other forms of tobacco.

The Senate receded and debating
the tax bill. No vote action on the
measure is expected until today, and
probably not until after next week.

Twin Courses to be Used For RKO's Golf Tourney

General committee for RKO's an-
nual golf tournament for employes and
their guests, scheduled for the
Westchester County Club June 27,
has announced that play will be over the
Club's two courses. A booklet will
map an entire set-up for the
competition has been prepared by
Al Adams of the Radio Pictures' advertising department.

Al has told the boys that winter
rules will apply, but not for tiger
land. He also has tipped off the
boys to the Little Marvel Mask
Company, where duffers who expect
to turn in scores in the 80's and 90's
may get masks aiding them in keep-
ing the necessary straight face.

Another novelty the mashie maestro
may apply for is a "pro pencil"
which on the score makes a nine
loom up as a six.

$500,000 Reported Tied Up in France

(Continued from Page 1)

this time to believe these prop-
eties were lost for the future, with
the exception of losses in war
stricken areas.

Shipments of prints were being
in abeyance until the situation has been
clarified.

Reason for the comparative
small bank balance of distribution
operating in the country was stated
to be due to the fact that money
earned in France had been used
for the main part for expenses of del-
ing, and costs of transportation
for shipment of prints from France
to other European countries.

IN A CERTAIN instance, it was pointed out that practically all pictures
shown in Greece up to a recent date
had been produced locally and ship-
ed to Greece from France when
the prints were made up. Major-
ity of companies also drew out all
available money from French bank
shortly after the war started.

Milwaukee Will End Dual Bills on Sept. 2

Milwaukee—Duals which have hith-
out at local houses for the past five
years despite sporadic attempts to
drop them, are slated for oblivion
starting Sept. 2, according to Harry
Perleowitz, business manager of
PITA of Wisconsin and Upper Mich-
igan.

Perleowitz reports he has the as-
surance of independents and circuit
officials alike that they will co-op-
erate in a single feature policy in
Milwaukee county.

If exhibitors can agree on the
elimination of dual features, there
is said to be a strong possibility that other evils, such as early bit-
adsmissions and giveaways, may also be
weeded out at a later date.

Goldwyn to Stop Producing For Year Pending Suit

West Coast Bureau of THE FILM DAILY

Hollywood—Samuel Goldwyn will
stop producing for a year, awaiting
outcome of his suit against United
Artists, it was revealed here last
night. That he expects the court
case to last for quite some time was
indicated by the skeletonizing of his
production staff during recent weeks.

Free Phone Service Measure Withdrawn

Baton Rouge, La.—Even if you go
to the booth it will cost you five
cents to telephone. State Senator Nicholas Carbaljal withdrew his bill which would have
provided rates for "telephone service in hotels, boarding houses, hos-
pitals and theaters."
IHI'M NOT GOOD AT METHODS

With the picturization of "New Moon," over "Come Back To Me," "Waiting You," "Hot Kiss" and "Stout Hearted Men" are in hand to advertise. "New Moon" an ideal vehicle for Jeanette MacDonald and Nelson Eddy, and the stars, furnishing lots and duets, have never sang better, any bows are due Robert Z. Leonard, to guided the picture as producer and director.

Mary Boland, George Zucco, H. B. Warner, anley Fields and Grant Mitchell are among the principals. Jacques Deval and Robert Mayaux are the Frenchmen, directed by Ettore Savino, Herbert Stothart handled the musical direction very effectively. Eddy a French nobleman rebel against a method used by the Government in aiding the masses. With another person, he comes to New Orleans as a gambler, he and his associate are to be auctioned off as slaves. On board, Jeanet, a spoiled French aristocrat, meets Eddy and does not realize he is in trouble.


CREDITS: Producer-Director, Robert Z. Leonard; Based on operetta "New Moon;" book and lyrics by Oscar Hammerstein II, based on Mandel and Laurence Schwab; Music, Ermal Romero; Screenscript, Jack Donohue and Robert Arthur; Cameraman, William aniele; Art Director, Cedric Gibbons; Asso- ciate, Eddie Images; Musical Director, Her- bert Stothart, dances, Val Rasell; Editor, Harold F. Kress.

DIRECTION, Excellent, PHOTOGRAPHY, ory Good.

Mrs. L. Jacqueline Deed

Brownsville, Va.—Mrs. L. Jacque- line Deed, widow of Mrs. East- wood who is a partner in the ownership of the Plaza, Biso and Strand The- aters, died after a lingering illness. Funeral services will be held to day.

"Pop Always Pays"

with Leon Errol, Dennis O'Keefe,

Adele Pearce

RKO Radio 66 Min.

(HOLLYWOOD PREVIEW)

FAST-MOVING COMEDY WINS LAUGHS IN ABUNDANCE. ERROL WAS NEVER FUNNIER.

This offering is built solely for laughs— and wins them in abundance. Director Leslie Goodwins has turned in an expert job, keeping the comedy moving fast and getting full value from all the situations. To Bert Gilroy goes important credit as pro- ducer. Leon Errol has never been funnier and proves himself, ranging from tit- ers to belly laughs. Two other veteran comedians, Walter Catlett and Tom Ken- nedy, have well timed their antics and capers.

Dennis O'Keefe is excellent in a breezy role, while Adele Pearce is decorative and capable as the love interest opposite him. Margaret Gateson gives a fine performance as Errol's wife, knowing and tolerating his tendencies to boast and get into jams. Robert Middlemass, Effie Anderson and Enikee Sanford round out a splendid cast. Charles E. Roberts concocted a very amusing screenplay, based on an original story by Arthur J. Beckhard.

In a boisterous, reckless moment, Errol promises his prospective son-in-law, O'Keefe, that the moment O'Keefe saves $1,000, he will give him an equal sum. Then Errol's troubles start. O'Keefe man- ages, by various methods, to save the spe- cified sum, but Errol finds that his own bank account is much less than $1,000. He issues a "rubber" check, but his wife, Marjorie, manages to retrieve it, and with some maneuvering causes everything to end happily.

CAST: Leon Errol, Dennis O'Keefe, Adele Pearce, Walter Catlett, Marjorie Gateson, Tom Kennedy, Robert Middlemass, Effie Anderson, Enikee Sanford, Margaret Gateson, Charles E. Roberts.

CREDITS: Executive Producer, Leo Marc- c us; Producer, Bert Gilroy; Director, Leslie Goodwins; Author, Arthur J. Beckhard; Screenplay, Charles E. Roberts; Cameraman, Jack Mackenzie; Art Director, Van Nest Polglase; Associate, Albert D'Agostino; Editor, Desmond Marquette; Musical Direc- tor, Paul Sawtell.

DIRECTION, Expert, PHOTOGRAPHY, ory Good.

"The Lone Wolf Meets A Lady"

with Warren William, Jean Muir, Eric Blore

Columbia 71 Min.

MYSTERY MELLER Has ABLE CAST AND BRISK ACTION WITH PLENTY OF SUSPENSE.

Better than the average run of mystery mellers, this release should please audi-enceds generally. It has a good plot, well written and directed. Warren William can be- sure to the ultimate disclosure of the murderer and thief who causes all the trouble. As both detective and amateur sleuth, the story must be overlooked to some extent, but audiences will surely do this as the picture will hold their interest.

Eric Blore does and efficiently portrays the "retired" Lone Wolf, and Eric Blore gives a good account of him- self as both butler, chauffeur, con- fidant and handy man. Jean Muir, Roger Pryor, Warren Hull, Victor Jory and Thur- ston Hall supplement the principals convincingly. Sidney Salkow does a nice di- rectorial job. Miss Muir, a working girl engaged to millionaire Warren Hull, is robbed of a pocketknife by a woman's husband, Roger Pryor, whom she believed dead. However, Pryor is mur- dered in her apartment and she runs out in the street not knowing what to do. William almost knocks her down in his car and takes up the cudgel for her. A care- fully rehearsed explanation of the crime goes astray and William has to track down the killer himself, which he does, with considerable excitement ensuing until the killer is caught.


CREDITS: Producer, Ralph Cohn; Direc- tor, Sidney Salkow; Screenplay, John Lar- kin; Based upon a novel by Louis Joseph Vance; Cameraman, Henry Freidrich; Edi- tor, Al Clark.

DIRECTION, Good, PHOTOGRAPHY, ory Good.
settlement talks
said “progressing”

(Continued from Page 1)

of the deliberations that the continuance of the negotiations was in itself sufficient to indicate some progress had been made.

For the government of trial to Wednesday, June 26, was granted yesterday by Federal Judge Henry W. Goddard upon the application of Special Assistant Attorney General J. Stephen Doyle. Doyle told Judge Goddard that conversations between the Government and majors were continuing, and in view of this situation, it was necessary to postpone trial. Goddard called Doyle to his bench for advice on what has happened to date, but all comment was private.

Paul Williams, Special Assistant to the Attorney General, other members of the Government staff, and company attorneys attended yesterday’s huddle.

Kincey Promotes Managers In Realignment of Staff

Charlotte—President H. F. Kincey announces important promotions and personnel changes in the staff of North Carolina Theatres, Inc., as follows, effective June 23:

Roy L. Smart, Charlotte district manager, succeeds Harry Hardy as booker and buyer of pictures for the chain, and Hardy becomes district manager. Emil Bernstein, city supervisor and manager of the Carolina, becomes district manager of theaters East of Raleigh and will be succeeded by Nell McGill, manager of the Imperial.

Sanford John, Broadway manager, becomes city manager in Lexington, and will be succeeded by Clyde Webb, manager of Danville, Va. Dewanner Stallings, city manager at Lenoir, succeeds McGill at the Imperial.

Bernstecker and Hardy will have offices in Charlotte headquarters. M. S. Hill and Warren Irvin will remain district supervisors in Greensboro, N. C., and Columbia, S. C., respectively.

Buckley to Rebuild Hall

Albany—Harmanns Bleecker Hall, burned to the ground a month ago, will be rebuilt by Chris Buckley, Bennington, Vt. exhib. who owned the structure. Buckley’s 21-year lease with Fabian Theatres will thereby remain in effect at an annual rental of $50,000.

The Bright Side

Laurie, 0.—George Scheckner, owner of the Lancaster (Pa.) 500, said that he will have the Ringling Bros. Barnum & Bailey circus in town for six Sundays, so that June has five Sundays, so it might be worse.

Einfeld Asks Industry Co-op

Drop Selfish Interests, Ad Chief Urges

(Continued from Page)

and the substitution instead of “a concerted co-operative effort.”

Asks Exhib. Visit Burbank

It is only through the latter, representing contributions by producers, distribs., and exhibs., alike, Einfeld told the attentive sales staff, that the industry “can best overcome the obstacles that appear on the horizon for the industry’s future.”

Einfeld suggested that the sales force encourage exhibs. to spend their vacations in Hollywood studios.

Defining advertising as “the ability to sell something to a greater number of people than would ordinarily purchase it,” Einfeld outlined campaigns for “The Sea Hawk,” “City for Conquest,” “Montana,” “The Life of Knute Rockne” and “Santa Fe Trail,” which, he said, the company would “pre-sell.”

With Grad L. Sears, sales head, stationed in New York for confab in connection with the projected set-tlement of the equity suit, Carl Les-erman, assistant general manager, presided yesterday. He read wires from Harry and Jack Warner, Hal B. Wallis and Sears. Toll call was taken by Ben Kalmsen. Les-erman presented checks to the Sears Drive winners in attendance.

Sears Drive Winners

L es e r m a n a l s o a n n o u n c e d that the company’s Southern and West Coast districts, under the leadership of Ben Kalmsen, Western and Southern sales manager, won first and second places respectively in the recently concluded Sears Drive.

Checks were presented by Les-erman to: I. N. MALDONO MASTER BANDS: a new style in band films featuring top “name” stars and Hollywood personalities as M.C.s. The veteran trombonist: Will Callahan, Assistant Manager, Southern district manager, Henry Horbel, West Coast district manager and the following branch managers in the two territories, in the order of their finish: From the South: Ralph McCoy, Atlantic: Doak Rob-erts, Dallas; J. O. Rohde, Oklahoma City; John A. Bachman, Charlotte; and L. Conner, New Orleans. From the West Coast: William F. Gordon, Salt Lake; W. E. Callaway, Los An-

Crafts May Huddle On Urk Employment

(Continued from Page 1)

increasing employment of musi-cians in theaters.

While the conviction in general is its wording, those who is to be in the know read IATSE’s: “a failure of the theater industry. Additional significance arises from the fact that the A F of M and I are preparing to modify their work-ing agreement.

The convention in its closing hours: 1) rejected a resolution striking at Ascap after retiring Presid-ent Joseph N. Weber advocated friendly relations existing with Ascap; 2) assailed the D of J’s prosecution of unions on antitrust charges; 3) adopted a resolu-tion making it mandatory for locales to purge their memberships of all subterfuge elements; 4) heard a report on the present status of television; 5) refused to adopt a resolu-tion which would have empowered locals to insist that in theaters pre-senting occasional stage shows, the minimum number of musicians estab-lished for such theaters shall be employed.

A discussion of the Social Security Act by Samuel T. Annsell, counsel, reports of committees and installation of President James Pe-trillo and his staff brought the con-vention to a close.

Harris Circuit Frames Own Anniversary Quiz

Pittsburgh—Adapting radio’s quiz craze, houses of the Harris circuit, now marking the 55th anniversary of its projection of the opening of its first film theater, last night staged an Anniversary Quiz program, with the 15,000 patrons who answered questions concerned with motion picture history.

New RKO Stock Listed

Tomorrow the Stock Exchange will admit to the list and dealings the new RKO Corp. of Delaware, common stock, $1 par value, and the six per cent preferred. Coincidentally the old common of RKO Corp. Maryland, will be struck from the list, as well as the 10-year six per cent debentures, due Dec. 1, 1940, canceled and unstampd, and part paid certificates of the 65 per cent for 10-year six per cent de-

Turtle Derby Aug. 3

Dallas—Dallas Variety Club will hold a turtle derby on Aug. 3 with the proceeds going to charity. About a thousand terrapins will be entered in the race. The John Menzolini chief barker of the Dallas turtle race, said the proceeds from the National Turtle Races, as the event will be known, will go to Sullivan Park swimming pool, First National Bank, Hope Community, and the boys’ camp maintained by the Variety Club near Belton.
‘Neely Bill Not Dead By a Long Shot‘--Col. Cole

End of Block-Booking and Theater Divorcement Will Be Main Convention Topics

(Continued from Page 1)

I can assure you that the subcommittee—known as the block-booking bill—will report some kind of a measure," he stated.

To Discuss Suit Settlement

Higher film rentals and the pending settlement talks on the equity suit are among other issues to be fleshed out at the convention, problem of triple features, currently prevalent in Chicago, also will be considered.

Opposition to the proposed theater tax amendment for the defense budget is expected at the Allied sessions. Jack Kirsch, convention chairman and president of Ill. Allied, in committee on the bill, ax bill, said: "We are as patriotic as anybody and are willing to play our part to help out. The bill originally proposed a tax which would impose a 10 per cent tax on all tickets from 31 cents up, but we are gaining the amendment which places levy on lower price scales because it discriminates in favor of theaters with higher admissions."

First Biz Session Tomorrow

First business session is scheduled for 2 P.M. tomorrow, preceded by a directors’ meeting at 11 A.M. Featuring will continue through Fri- day, climaxing by a dinner dance at the Terrace Casino of the Morrison. Party equipment and other industry companies have reserved booths for exhibits.

First day’s program calls for registration at 1 o’clock, directors’ meeting, business session and a hambu party at the Colony Club. Registration continues Thursday morning with the same business program.

MONOPOLY OKAY ‘IF’--COL. COLE

F' Instance, There’s the Cole Brothers’ Theater Situation in Bonham, Tex.

Chicago.—Col. H. A. Cole, national Allied president, has been here yesterday that he was not opposed to monopoly in every respect. He brought out the interesting fact that his brother, with whom he is partner in the operation of the only three theaters in Bonham, Tex., is opposed to the monopoly in that town.

"I, too, am in favor of monopoly when it is manifested through service to the public and not through artificial restraint," Cole explained that he meant that if an exhibitor ran the finest theaters, gave the public shows and otherwise served the patrons well that he felt competition would never attempt to come in. If it did, Cole. Cole proposed not to keep competition out through buying all the product and obtaining long clearances, but by superior service.

In explaining Allied’s attitude toward legislation, Cole said: "We have been approached by the Man and after five years of fruitless negotiations, we have been compelled to do so.

MacDonald Will Erect $125,000 Film Theater

Columbus, O.—C. A. MacDonald started work yesterday on a new $125,000 film theater, the Boulevard, at Grandview, local suburb, House will have 1,000 seats on one floor and will be ready by Nov. 1.

Pari-Mutuel Committee Names Penny Chairman

Albany—As predicted by FILM DAILY (June 12), members of the joint legislative committee to investigate the operation of pari-mutuel horse race betting in its first year of New York state operation, elected Assemblyman Norman F. Penny of the Eighth District, chairman. Paul A. Condon of Yonkers was elected vice-chairman and Assemblyman E. C. Gillen of Brooklyn, secretary.

Ellisburg Forms New Firm

Chicago—Herbert Ellisburg, for several years district manager for the Essaness circuit has resigned and organized the Studio Theater Co., with offices at 62 E. Van Buren St. The new company will take over the former theater in the Loop and rename it the Studio theater. Alfred Magnusson and Belle T. Simon are associated with Ellisburg.

Four New Exhibition Firms

Albany—Crawford Corp., Utopia Amusement Corp., New York, and Marcus Theater Corp., and Kent Theater, Ltd., Brooklyn, have been chartered to exhibit films.

Maurice Kinzler With PDC

Cleveland—Maurice Kinzler, former Universal representative in Belgium has been added to the local sales force by the ablest the Kinzler succeeds Carl Scheuch, resigned.

(Continued from Page 1)

and the members go into the field this summer to get first-hand knowledge of the problems, particularly of the small exhibitors.

There is also some sentiment to draft a comprehensive bill for introduction next session striking a practical solution of the industry’s problems, and written in view of developments in the New York equity suit and other developments.

The sub-committee will not hear further testimony, it was learned. The final proofs on the hearings have been checked and sent to the printer. The sub-committee is not expected, it was stated, to proceed further until the printed record is received and can be consulted as they proceed. This will require several more weeks. Main concern of the sub-committee is to work out some sort of practical substitute for the synopsis provision, it was added.

NBC Reducing Size Of Its Tele Department

NBC is reducing the size of its television department for the summer at least, it was learned yesterday. More films and less of the more expensive dramatic shows will be televised and, in connection with that change, engineers are being shifted to other departments. It is also understood that a few members of the staff may be dropped.

Thalhimer Drive On

Richmond, Va., — Sam Bendheim, Jr., general manager of Neighborhood Theaters, Inc., has announced that the circuit is dedicating the three month period June 15 to Sept. 14, as the "Morton G. Thalhimer Appreciation Drive" in honor of the company’s president. Cash prizes will be given to the two winning theaters.

Three New Distribution Co.’s

Albany—Academic Film Co., Academic Productions, and Tri Foto, all of New York City, have been incorporated here to distribute films.

STORKS!

Richmond, Va.—A nine and a half pound baby boy, George Marvin was born to Mrs. George Hester, wife of the State doorman.

Cincinnati — Howard Hummel, representative for the Midwest Theater Supply Co., is the father of a new baby girl.
Three Studios Start Eighting

West Coast Bureau of THE FILM DAILY

Hollywood—Eight new pictures are scheduled to go into production this week.


At Universal: “Argentine Nights” with the Ritz Brothers and the Andrews Sisters; “A Little Bit of Heaven” with Gloria Jean and C. Aubrey Smith; “Hired Man,” starring Kay Francis and Max Terhune to be released through Monogram exchanges.

Sandquist Wants More Theater Tax Revenue

(Continued from Page 1)

warning any attempt by the Illinois legislators to add a state theater tax, at the next session will be vigorously opposed by the United Theater Owners.

“ATAH” Set to Open at Music Hall July 4 or 11

“All This and Heaven Too” will open at the Music Hall on July 4 or 11, instead of at the Center Theater on June 27 as was previously reported.

Start “Bittersweet” Soon

West Coast Bureau of THE FILM DAILY

Hollywood—Metro expects to start filming “Bittersweet” by Noel Coward, within three weeks. Jeanette MacDonald and Nelson Eddy will be starred. W. S. Van Dyke has been tentatively set to direct. Lester Samuel’s script, “Bittersweet,” was filmed once before.

Irving Bacon for “John Doe”

West Coast Bureau of THE FILM DAILY

Hollywood—Irving Bacon and Elizabeth Risdon have been signed for Frank Capra’s “Life of John Doe” at the Warner studios.

“Fight for Life” Ends

“The Fight for Life” closed its run at the Belmont Theater on Sunday after a 16-week run. The Belmont has closed for the summer.

Conrad Veidt for “Escape”

West Coast Bureau of THE FILM DAILY

Hollywood—Conrad Veidt has replaced Paul Lukas in Metro’s “Escape.”

Korda, Phonovision File

Albany—Alexander Korda Film Prod., Ltd., of England and Phonovision Corp., of America, of Los Angeles, have filed to do business in New York state.}

WHO’S WHO IN HOLLYWOOD

G. W. Weeks

Introducing Interesting Personalities


Balkan Theater Biz Slump 30 Per Cent

(Continued from Page 1)

part of the rest of Europe, although theater business has slumped about 30 per cent, Thanas Skouras, theater operator and distributor in Greece, reported yesterday. Skouras is here on a business trip.

He stated that plenty of product is available in Greece for theater operators, and that further shipments can be made through Persia in the event that no other avenue is open. He said that first-run houses, all of which close for the summer with one exception in Athens, commanded first-run on all product by law, with open air theaters operating in the summer playing product which has already had first-run.

Skouras reported that new tax measures have hiked the admission tax to 35 per cent and further costs have mounted for the film industry in increased import duties and freight charges due to war conditions. Of the 225 or more pictures that will be released in the country this year it is expected by Skouras that about 80 per cent will be American due to a complete shutdown of European production in many instances. French and German films formerly held about 50 per cent of the market, he said. He stated that more English versions of pictures have been distributed than ever before. Some 60 per cent of the imports in the country last year were American, he said.

Skouras expects to leave for Greece by Clipper via Lisbon on July 11. He operates eight first-run houses in Greece, four of which are in Athens, where about 55 per cent of the total business in the country is done.

Essenaa Circuit To Drop Premiums

(Continued from Page 1)

mium contracts, there will be no renewals on the part of the circuit.

Eighteen theaters featured premiums over the week-end while 20 advertised triples. B & K in four of its houses on the Northwest side, advertised triples; the Crystal, the Terminal and the Billmores played “I Take This Woman,” “Light of the Western Stars” and “Son of the Navy,” while the B & K Belmont, forest “Moulin Rouge” and the Oriental “Rebecca” and “Viva Cisco Kid.”

The Essenaa circuit gave patrons at the North Center theater three features, some shorts and a premium in a premium to boot.

The Gollos circuit has opened the renovated Sun Theater on the south side with a triple feature program while the Schoenstatt circuit tried an event in their old house, the “15 cent admission at the Hyde Park theater.

The South Side has had very few triple features and premium offers, due mainly to the fact that the Warner circuit and B & K houses have not gone in for this type of show.

Wehrenberg, Kaimann Circuits Merged

(Continued from Page 1)

but for the time being, will individually concentrate their personal activity.

Principal benefit of the merger is in booking for the larger number of houses.

Efforts are being made to bring the other independently-owned houses into a booking deal.

“Whispering Cup” to Metro

West Coast Bureau of THE FILM DAILY

Hollywood—Mabel Seeley’s “The Whispering Cup” has been acquired by Metro for Rosalind Russell.

Hollywood Speaking—

By RALPH WILK

—HOLLYWOOD

ING CROSBY, Bob Hope, Adolph Menjou, Humphrey Bogart, Henry O’Neill and Carole Lombard will have the audience of the Southern California amateur golf tournament.

The timeliness of Gene Markey’s new screenwriting piece, “Ten Flap to Die,” started hot bidding among the stars. Be on the achievements of Great Britain’s pro-crop of war birds, the Markay farm is to be listed in the national magazine shortly.

HOLLYWOOD heartbeats: A few years ago and a few days before Christmas a player was turned down for an assignment excepted. He was leaving the lot. He passed his dressing room and the star left and took him. The star took the bit player and brought him to the dressing room and gave him a sum of money. A few days later the player found himself a member of the studio’s professional staff. It is believed that the good office will now be made in full.

The star’s good deeds were motivated by the fact that he had accepted the job of a bit player and his wife had taken him during his lean days. Readers who have any interest in knowing initials of our hero are “C.C.”

ROBERT CUMMINGS, one of the most talented young actors in Hollywood, is playing important role in “Going Parade,” at Universal.

JOSEPH H. MENCHEN, the play broker, received the tracer bullet and has two inventions, one dealing with hand devices said that it is believed will interest the Government.


SILEY BURNTET has been named manager Studio City. A celebration will mark the inauguration of the Republican comedy.

OUIS KING will start the direction of Paramount’s “Moon Over Burro” at our studio. She will appear in both.

The cast is headed by Dorothy Lamour, Bob Preston and Preston Foster.

Three studies, 20th-Century-Fox and RKO will be asked Metro for Margaret Murphy’s services in forthcoming productions. The former was the lucky one to contact the actress who is Grable in Irving Berlin’s “Say It With Kisses” roles Murphy for a role in “Kiss a Boy Goodbye.”

SPAG “Recognition” Move Under Ampa Consideration

(Continued from Page 1)

day’s session which preceded the summer recess period.

Resolution authorizes the province of both Ampa and Sparc, reserving the social and other activities and professional affairs to the former and leaving the latter province of the industry “with an opportunity to protect and advance their economic well-being.”

Lapidus Farewell Luncheon

Pittsburgh—The local Univex exchange will give a farewell luncheon to Mabel Seeley. Seeley is at the Roosevelt Hotel in New York. For Jules Lapidus, who was recently promoted from branch manager of its office here to Eastern district manager.
ATLAS BLOCKED ON DIVORCEMENT FOR RKO

Balaban's Stockholders' Report Optimistic

op in Foreign Revenue Reduced; Second Quarter Turnings Over '39 Net

Despite adverse conditions abroad and a number of domestic obstacles, Barney Balaban, Paramount president, was able to present an optimistic report to the stockholders at their annual meeting yesterday.

Among other things, Balaban claimed that Paramount's decline in foreign business will not continue and that the company's future earnings will improve.

Settlement Talks Continue "Helpful"

A very helpful and fair attitude on both sides' has marked the initial discussions by major company attorneys and Government counsel to a settlement of the 60-day strike that ended Monday.

Avoiding new contacts with Warner Bros., and a Southern exhibitor agreement, the two major companies have been in discussions with the Government. The talks are said to be "helpful".

FCC Opening New Channels for Televised "Helpful"

Washington, D.C. — FCC yesterday issued new rules and regulations governing television which provides for opening channels to an increased number of stations on an experimental basis. The Commission announces tentative approval of 23 applications for television stations and announces it will consider 19 remaining applications and outstanding licenses in the immediate future.

The 19 cases held in abeyance, 16 are new applications and four are

 Warner Bros. Lineup Stresses Americana

Chicago — Realizing the almost complete loss of the foreign market, Warner Bros. product for this coming season is based almost entirely on themes of America, General Sales Manager Grady W. Sears informed the company's Southern and Western delegates at the sales meeting yesterday.

 Allied Sees Unit Selling Bid

Kirsch Predicts Counter Offer By Distributors.

Feel Need for Workable Plan to End Trade Ills

Effect of the war, the Government suit and other legislation on product is causing serious concern among exhibitors of the country and a need for a workable plan to solve the economic problems of the industry

Odlum Tells Judge Bondy Other Interests Opposed Inclusion in Reorg. Plan; Sees General Industry Acceptance of Idea Necessary for Its Success

Floyd B. Odlum, president of Atlas Corp., proponent of the RKO reorg. plan, in defending Atlas' application for an allowance, told Federal Judge William Bondy yesterday that Atlas had attempted to effectuate a divestiture of the exhibition and production activities of RKO during the period of reorganization.

The attempt was made, he said, in formulating RKO's second plan but was dropped in face of the opposition of other parties interested in RKO.

Atlas felt, Odlum said, that by creating two companies which would handle exhibition and production individually, RKO would have benefited.

Debate RKO's Ability To Pay Allowances

Thomas K. Simleton, special attorney for RKO, yesterday asked Federal Judge William Bondy to restrict total RKO reorganization allowances to the $600,000 figure suggested by Marland Gale, attorney for the FCC, at the previous allowance meeting.

Belmont Theater Suit Ends With 306 Defeat

In a decision awaited with unusual interest by the trade, Supreme Court Justice Carroll G. Walter dismissed the complainant's motion for a new trial.

Warner Nines Take To Mules for Game

A donkey baseball game, played by two picked nine-aside mules, will provide a bit of comic relief at today's opening of the Warner Club. Approximately one, 200 Wamerites will be on hand for the "mule-crazie" this morning. Ralph W. Budd is chairman of the arrangements.
Metro-Warner Row Over "Calamity Jane"

West Coast Bureau of THE FILM DAILY

Hollywood—Metro's announcement yesterday that it would associate Ann Sothern in a version of a story about Calamity Jane, to follow "Dulcy" in which Miss Sothern stars, has started a story conflict with Warner Bros. who some months ago announced that they would star Ann Sheridan in "Calamity Jane," later substituting Bette Davis for Miss Sheridan.

Warner states its scenario is ready and has been registered with the producers' association and that it will put the picture in work in the Fall.

Harry Revel Indicted: Faces Passport Charge

Federal Judge William Bondy yesterday unsealed an indictment charging Harry Revel, song writer, of the team of Gordon and Revel, with having written a false declaration. Revel's brother, William, is charged in another indictment with the same offense. According to the indictment it was drawn up in June, 1939, and first revealed, now alleged a passport was obtained in 1936 stating that he was born in the U.S. when actually he was born in England. Judge Bondy ordered issuance of bench warrants for both defendants.

Scully and Lightman Will Talk Malco Circuit Deal

Memphis—William A. Scully, Universal's general sales manager, and F. J. A. McCarthy, company's Eastern sales head, arrive here today to confer with A. Lightman of Malco on a circuit product deal, it was learned yesterday. They will have several conferences here before going to Chicago from Memphis, but McCarthy will return to New York.

"Mortal Storm" Held Over As Trade Seeks Tip-off

Metro's "The Mortal Storm," is being held off in Boston, St. Louis and Washington, it was learned yesterday.

Because of its anti-Nazi theme, trade interest in the picture's public reaction to the pictures has been unusually keen, with these in production no less than those engaged in distribution and exhibition on the anoxic seat. Success of the Metro picture, according to report, will affect Coast studio plans.

Checquing in the three cities where the picture holds shows that houses are doing above average business, with no small fear considering the war's effect upon the b.o.

Reopening in Spirit Lake

Spirit Lake, Ia.—The new Royal Theater has been re-opened after extensive remodeling.

Legality of Bank Night Again Before N. M. Court

Sante Fe, N. M.—For the second time in three years, legality of Bank Night is before the New Mexico Supreme Court. The case at hand was appealed from a Chaves county district court decision overruling the state in an action against J. E. Ed Jones and Wayne Patterson, operators of the Yucca Theater in Roswell.

In the earlier case, brought by the city of Roswell against Jones and Fred Morley, the Supreme Court held in a split opinion, handed down April 12, 1937, that "Bank Nights" were not lotteries.

Since then, Justice Hodge, who sided with Justice Zinn and Bikel in the majority opinion, has been succeeded on the bench by Justice Mabry. In the earlier case, Justice Sautter dissented and Justice Price did not participate.

GWTW Completes First Six Months at Astor

GWTW completes the first six months of its pace-setting engagement at the Astor Theater, today. During this period approximately 500,000 people have seen it there. Only four other picture have had runs of more than six months at the Astor Theater during the past 15 years. They are "The Big Parade," "Ben Hur," "The Broadway Melody of 1929," and "Goodbye, Mr. Chips." GWTW stays at the Astor indefinitely.

Empire, Brooklyn, Fights Move to Revoke License

Quinlai, Inc., operator of the Empire Theater, yesterday lost its fight yesterday in the New York Supreme Court against Paul Moss, commissioner of licenses, in which the plaintiff seeks an injunction restraining Moss from revoking its license. Suit stated that charges have been preferred against plaintiff for allegedly allowing children into the theater unaccompanied and permit them to sit in the balcony. Plaintiff denies these charges.

Maurice Moscovitch Dies

West Coast Bureau of THE FILM DAILY

Hollywood—Maurice Moscovitch, 68, character actor, a popular and, according to people who knew him, a popular and beloved member of the industry, died yesterday, following an operation. He had been ill since 1935. He was playing in RKO's "Dance, Girl, Dance," the role of a music teacher which he left unfinished.

Rebuilding in Huntington

Huntington, N.Y.—Contract has been awarded for rebuilding the Court Theater, by the Town of Huntington, which had been burned down the scene, died here yesterday, following an operation. He had been ill since 1935. He was playing in RKO's "Dance, Girl, Dance," the role of a music teacher which he left unfinished.

Downing to RKO Boston Office

Home office representative John A. Downing of RKO has been appointed official manager of the Boston exchange of which Roscoe Chapman is manager.

Cecil B. DeMille's Son

Mr. and Mrs. DeMille have announced that their daughter, Elizabeth, is expecting a baby any day now.

Wilhelm Hitler's Nephew

Berlin—Wilhelm Hitler, the 16-year-old nephew of the Fuehrer, has been awarded a scholarship to a university in Berlin.

FILM

Two of the most popular features of the season, "The Mortal Storm" and "The Big Parade," have been playing at the Astor Theater. The former is in its second week and the latter in its fifth week. Both are expected to run for the remainder of the year.
THE GREAT AMERICAN ROMANCE is HELD OVER for a 2nd Week at Radio City Music Hall!

"Far and away the finest picture to reach the screen this year" — Daily News

"One of the great pictures of all time" — World-Telegram

"This is not an ordinary picture. It is exciting...powerful ...and it gives one a passionate desire to enjoy the fullness of life" — Times

"It is sheer joy...perfection" — Sun

"In a class by itself...more deeply moving than the play" — Post

"Deeply moving...real...fascinating" — Herald-Tribune

"A great film" — Daily Mirror

"Superb entertainment. Far up in the list of Hollywood's greatest achievements" — Journal-American

SOL LESSER presents

OUR TOWN

from the Pulitzer Prize Play by Thornton Wilder

starring

WILLIAM HOLDEN and MARTHA SCOTT

FAY BAINTER · BEULAH BONDI · THOMAS MITCHELL

GUY KIBBEE · STUART ERWIN · FRANK CRAVEN

Directed by SAM WOOD ("Goodbye Mr. Chips")

Released thru United Artists
Strive to Strike Crescent Charges

(Continued from Page 1)

Davis, seeks to have the following items eliminated as “impatient and irrelevant”:

(A) Palace Theater, Rogersville, Tenn. — Defendant exhibitor built new theater, cut admission prices, showed almost double the profits and increased independent exhibitor difficulty in getting good pictures, forcing him out of business. (B) Owner unknown, Lake City. (Same distress method charged as in A). (C) Name and owner unknown, Oneida. Defendant exhibitor leased theater from under independent exhibitor and ran him out of business. (D) Roxy Theater, Union City, Tenn. (Same as A). (E) Roxy Theater, Earlham, Ky. (Same as A). (F) Empress Theater, Central City, Ky. (Same as A). (G) Kentucky Theater, Hopkinsville, Ky. (Same as A). (H) Cherokee Theater, Copper Hill. (Same as A).

"(1) Hendren and Parrott Amusement Co. Chain of 12 theaters in Tennessee. Independent exhibitors forced to sell for 50 per cent when defendant exhibitors threatened to build competing theaters in each city. (J) Lyric Theater, Guthrie, Ky. (Same as A). (K) Princess, Lawrenceburg, Ind. Independent exhibitors sold 25 per cent interest, freed threat of competing theater. (L) McKenzie Theater. (Same as A). (M) Bama Theater, Athens, Ala. (Same as A)."

State, Harrisburg, to Go Dark

Harrisburg, Pa.—The State Theater, one of Wilmer & Vincent's three downtown picture houses, closes after last show on June 26. John R. Rodgers, manager, blames scarcity of good product.

Buchanan to be the Belle

Detroit—The Buchanan Theater, operated by the Robinson Circuit, is to be renamed the Belle. House will be remodelled, including new front and marquee.

WEDDING BELLS

Des Moines, Ia.—Jack C. Carr, assistant manager of the Paramount Theater, was married to Jeannie Robinson Aug. 17.

Detroit—William Robinson, of Film Truck Service, and son of Harold C. Robinson, Chief Barker of Variety Club, was married at Grace Church to Betty Ann Lang.

Wheeling, W. Va.—Announcement has just been made of the marriage of John Griswold Osborne, son of J. R. Osborne, general manager of the five theaters in this town operated by the W. Va. Theatrical Enterprises, Inc., to Ann Louise Laupp, daughter of Mr. and Mrs. Hago E. Laupp.

ALONG THE MARQUEE

with PHIL M. DALY

YESTERDAY'S annual meeting of Paramount stockholders was not a mere company affair, but a large event of industry-wide importance, to say nothing of the recent and well-merited success of the 'Tell it to the Marines.'

BACk of that decision is the reason why the new product does not appeal to the public. There is the ability and there are the resources. Additionally, there is a pent-up enthusiasm because which is a harbinger that the objective will be achieved. That Paramount is ready for the new season's product is the story...in President Barney Balaban's report to the shareholders. With a calm which belies the vital nature of the pronouncements, he memorializes them that since the reorganization in 1935...over $70,000,000 of debt reduction has been effected...that interest has been reduced by about $1,000,000 annually...that all dividends on the First and Second Preferred Stock have been paid to date...and that a Common Stock dividend of 15c a share...has recently been declared...and is payable July 1 of this year. These are facts...of a company strongly on the march.

If money talks (and who can say why)...then the most convincing voice is that of Cash. Within the last five years, the company has invested over $15,000,000 in improvements and additions...to its property...and those of its subsidiaries...besides paying out dividends in excess of $8,000,000...Withal, the company and its subsidiaries have now on hand...approximately $1,500,000 in cash...and, in addition, non-consolidated companies in most of which Paramount has at least 50 per cent interest...have about $500,000 in cash...which means a total of some $8,000,000...a tremendous symbol of the Balaban regime's business acumen, yes, but also...it is symbolic of financial liber available for the financing...of screen entertainment.

POINTED paragraphs in the Balaban report:..."a small improvement in our business in the U. S. could offset any major additional declines in foreign revenue"..."The management recognizes its responsility to so manage its production and distribution departments...to make the results of its operations less dependent upon foreign revenues than in the past"..."The program planned for the coming season is upon a continuously increased level of entertainment value"..."While substantial economies have been effected at the Studio...they have not been brought about at the expense of quality...but rather, increased efficiency has brought greater entertainment value...to the product on the screen".

BALABAN'S tribute to the capabilities of Y. Frank Freeman..."and the latter's associates at the Studio,...rare with warmth and deep sincerity"...It was a tribute richly deserved...for the Coast and named "gone to town" handsomely in the past...and this corner knows with what zest...eyes and minds are fixed there...on things to come...
REVIEWS OF NEW FILMS

“Anne Of Windy Poplars”
with Anne Shirley, James Ellison, Henry Travers, Patric Knowles
KO 88 Mins.
SENTIMENTAL STORY IS ABLY PORTRAYED — SCREEN; GOOD ENTERTAINMENT — FAMILY TRADE.

The well known novel by L. M. Montgomery, pleasantly sentimental and refreshing as it recreates an age gone by, has been faithfully brought to the screen by KO. The story provides tears, drama, love and intrigue, but it is above everything else, a story that is understandable for the millions of inhabitants of small communities who have a “ruling” family. The cast is able, the direction good and the production value more than adequate. Anne Shirley is youthful, sincere and able in the lead role. James Ellison, Patric Knowles, Henry Travers, Slim Summerville, Elizabeth Patterson, Louise Campbell turn in good supporting characterizations, and the remainder of the cast is fine. Jack Hively directed, with Cliff Reid handling the production reins.

Anne, newly appointed vice principal, arrives in Princeton to take over a post in the school. The whole town is dominated by the Pringle family, headed by grim old Fester Pringle, Ethel Griffies. Anne has difficulty finding a room in a house where she can stay, her duties in the school are undraped from what she had expected him to be, and numerous other obstacles are placed in her path because the Pringle patriarch wanted the vice-principal’s job for an adopted member of the family, Louise Campbell. Anne is taken in at Windy Poplars by a family who have little regard for the Pringles, with Henry Travers the principal Pringle butcher. However, Anne makes friends with some members of the family, and finally an untimely end disposes of the chief cause of trouble and Princeton becomes a pleasant place in which to live.

CAST: Anne Shirley, James Ellison, Henry Travers, Patric Knowles, Slim Summerville, Elizabeth Patterson, Louise Campbell, Joan Carroll, Katherine Alexander, Minnie Duwee, Alma Kruger, Marcia Mae Jones, Ethel Griffies, Clara Blandick, Gilbert Emery, Wright Kramer, Jackie Moran.

CREDITS: Producer, Cliff Reid; Director, Jack Hively; Screenplay, Michael Kanin and Terry Cody; From a novel by L. M. Montgomery; Cameraman, Frank Redman; Editor, George Hively.

DIRECTION, Good. PHOTOGRAPHY, Good.

Mullen’s Mother Dead
New Haven — Sympathy of the trade went to Frank Mullen, Metro office manager, and Jack Mullen, Warner shipping manager, on the death of their mother, Mrs. Mary Mullen.

RKO Books “Exile Express”

Because of its timeliness and relation to fifth column activities, RKO has booked “Exile Express” over the entire New York circuit. Picture is being distributed by Fine Arts and stars Anna Sten.

Sack Takes “War Angels”
Screencraft’s “War Angels” will be distributed in 11 Southern states by Sack Amusement Co.

“The Carson City Kid”
with Ray Rogers, George “Gabby” Hayes, Bob Steele
Republic 57 Mins.
EXCELLENT WESTERN WITH UNFLAGGING ACTION. WILL CLICK ROUNDLY WITH OUTDOOR FANS.

Joseph Kane has really gone to town in his triple capacity of associate producer, director and producer of this action-packed western, which roars along from start to finish with heroes, gunplay, fistfights, and said romance. Roy Rogers plays the role of the famous outlaw whose heroics, shooting iron is as strong as his desire to avenge himself upon the murderer of his brother. It is a combination of elements which make this feature convincing and exciting, one of which is the screenplay by Robert Yost and Gerry Garaghy, based upon the pulsating original story from the pen of Kane himself.

It isn’t often that an author gets the opportunity to direct and produce his own opus, and maybe less fortunate writers are correct in their contention that such a situation would preserve fidelity. In Kane’s instance the results are exceptional. In addition to the fine job done by Rogers, the opus has the advantage of Bob Steele, a western star in his own right, cast as the heavy. Pauline Moore is an attractive and capable heroine, and the other players tip-top. Rogers, in his quest for his gambler quarry, goes into the latter’s employ incognito. A young prospector from Arizona is fleeced by Steele in a crooked card game. The boy, to make up his losses, impersonates “The Carson City Kid,” who, in reality, is Rogers. The latter, not wishing the youth to be hanged, saves him by holding up the trial, shooting Steele, and escaping. But he returns, still unidentified, to take the girl he loves away with him. This is one of the best westerns of the current season.

CAST: Roy Rogers, George “Gabby” Hayes, Bob Steele, Noah Beery, Jr., Pauline Moore, Francis McDonald, Hal Taliaferro, Arthur Loft, George Rosner, Chester Gan.

CREDITS: Associate Producer, Director and Author, Joseph Kane; Screenplay, Robert Yost, Gerry Garaghy; Production Manager, Al Wilson; Director of Photography, William Nobles; Editor, Helene Turner; Musical Director, Cy Feuer; Songs, by Peter Tintarin.

DIRECTION, Fine. PHOTOGRAPHY, Skilful.

WB Stanley, Pittsburgh, Dropping Stage Bills

Pittsburgh—Stage shows will be discontinued for the summer at the Stanley Theater here, a Warner Bros. house, following the engagement of the Orrin Tucker orchestra which is playing there this week.

“Primrose Path” to be Shown Later in Ontario

Toronto — While “The Primrose Path” has been temporarily withdrawn from exhibition in the provinces of Ontario and Quebec, said the picture will likely be released later.

AL STEEN

is in Chicago covering the

ALLIED CONVENTION

for readers of

THE NEWS OF FILMDOM

1501 BROADWAY, NEW YORK CITY
Balaban's Stockholder Report Optimistic

(Continued from Page 1)

cign revenue has been reduced so that now it is only 20 per cent off from the corresponding period a year ago.

B. Improvements resulting from the change in studio management have reflected substantial gains in net revenue.

C. Company assets total more than $30,000,000.

D. Results so far in the second quarter indicate that earnings will approach the $1,000,000-1,000,000 mark.

16 Directors Re-elected

Sixteen directors were re-elected by the stockholders yesterday. It was proposed by one of the stockholders at the meeting that the board next year be reduced numerically. More than 75 per cent of the total eligible votes were cast.

Balaban explained that since the start of the war last September, there was a drop of about 35 per cent in the company's foreign revenue during the five months following the outbreak, but that thereafter and to date, the decline has been cut down so that present revenue is only 20 per cent below that of a year ago.

The Paramount president said that all of Europe except England had been dropped out of the reports of the control department.

Pointing out that Great Britain is the most important customer for Paramount product, Balaban explained that it had provided for than 50 per cent of the company's foreign business. Having foreseen the political situation in England, Balaban said that between 600,000 and 700,000 pounds had been borrowed there before the war, but that excess cash which could not be brought to the U. S. can be used to reduce or retire these obligations.

"A temporary suspension of British operations or of the flow of cash from England to the company in the U. S. will not materially affect us," Balaban said. "This is the present situation. Of course, nobody can predict the future of our British market. But more than 30 per cent of Paramount's entire world gross

Once an Actor---"

A thespian of the old school and a veteran of Paramount stockholders' meetings, Balaban yesterday recited the proceedings yesterday when he recited one of his favorite anecdotes of the way bullets were being collected on the re-election of directors. The story, whose name could not be recalled by Paramount executives, has been singing an original song. Maybe it was a plug for "The Way of All Flesh."
Atlas Blocked on RKO Divorcement—Odum

Proposal Dropped from 2d Hear. Plan When Others in Company Disagreed

(Footnote continued from Page 1)

and to date, and that he still feels that dis- ment would be better for the in- as a whole. He pointed out that Atlas had taken its stand before the institution of the Government equity action. However, he added, divorces could not be carried out one by one, but to prove a pro f i t to table, would have to be adopted by the industry as a whole.

He was of the opinion that com- panies would find it more profitable, hence, he said, exhibition and pro- duction are two distinct branches of industry, with separate prob- lems and with each management of management. He also stated, one branch is always dominating the other.

"Sell Pictures on Merit"

Pictures, Odum declared, should be sold entirely on their merit, in- deed, he said, exhibition and pro- duction are two distinct branches of industry, with separate prob- lems and with each management of management. He also stated, one branch is always dominating the other.

among members of the trade pres- ent at the RKO hearing, Odum’s expressed sentiments are not unusual at Atlas Corp., it was pointed out, is financially interested in Paramount as well as RKO.

Fluorescent Chair Arms As Patron Aisle Guides

Oklahoma City—Penn theater, 500- seat, has opened with John Boyle and Nelson Clabbaugh operating. Clabbaugh is active manager. House is seated at 10-20.

The theater claims to have the first reverse seating floor plan in the southwest. Chairs are Heywood-Wakefield with fluorescent arms on the aisle seats to guide patrons. Fluorescent carpet is another innovation. The house has a pair of photograph projectors and Microphone Western Electric sound.

Inn Tellton Memorial

Stone will be unveiled this Sunday at 3:30 p.m. at Temple Emanuel, Jassic Lodge, Rochelle Park, N. J., a movement of the RKO Floors, who was president of Consolidated Theaters, N. J. Etelson was brother-in-law of S. Fabian.

WHO’S WHO IN HOLLYWOOD


Debate RKO Allowances

Three-Week Postponement Is Ordered

(Continued from Page 1)

hearing. Simlettner maintained that RKO could not afford to pay any dividends before March, and that RKO would only have $77,000 in available cash after paying $600,000. In view of the foreign situation, he said, this was an inadequate cash reserve and would create a danger of RKO requiring a new reorganization.

Judge Bondy took issue with that statement, telling Simlettner that he did not believe there was a likelihood of RKO being forced in new bankruptcy proceedings.

Court Says Suit Real Problem

The Court stated that in his opinion the greatest problem to RKO was the Government anti-trust suit. Simlettner disagreed, and contended that the “disruption of the foreign markets” was RKO’s most serious problem. Later, Judge Bondy stated that RKO could borrow money if it had insufficient funds to meet payments ordered by the court. Simlettner also told the Court that RKO had dropped $600,000 to $700,000 in its consolidated cash position in 1938 and 1939 and that this year would find its cash holdings even lower.

Simlettner discussed each application separately, although confining most of his remarks to the request of Atlas Corp. for 100,000 shares of common stock and $875,000 for disbursements and expenses. The RKO attorney contended that Atlas, with a tremendous investment in RKO, had taken an active interest in organization as a means towards protection of its investments and that its disbursements therefore should be borne by Atlas and not by RKO.

Offers to Take All Stock

Floyd Odum, Atlas Corp. presby, in answering Simlettner, told Judge Bondy that Atlas had only asked for repayment of those expenses which were actually incident to the work of Atlas as proponent of the plan. Those expenses, Odum said, were absorbed by Atlas and RKO is not asked to repay them. Odum offered to accept common stock of the company instead of cash for its expenses as well as for its fee. In this way, he added, RKO’s cash position would not be affected. Judge Bondy was of the opinion that payment of Atlas disbursements in stock would be a change in the plan, requiring consent of all creditors.

Odum scoffed at the statement that RKO would be unable to meet allowance payments, declaring that the company is a “solvent, going concern without any debt and cannot be placed in bankruptcy.” He declared that the figure of $77,000 mentioned by Simlettner as the remaining cash reserve after allowance payments had been computed, as the reserve after deductions for payment of dividends of over $1,000,000 for the coming year.

A number of attorneys, including Hamilton C. Rickaby, Nathan Rosenberg, and Carlos Israels, spoke in support of their applications for allowances and contended that the applications had been kept to a small amount in view of the financial situation of the company.

Gale, of the SEC, contended that his statement of the financial position of RKO was, if anything, on the optimistic side, because no one could predict the effect of the war and what it may bring in the future. Judge Bondy reserved decision after allowing attorneys to file briefs in 10 days.

A formal three-week postponement was ordered to allow Simlettner to apply for an allowance for representing RKO at the hearings.

FCC Opening New Channels for Tele

(Continued from Page 1)

existing licenses under the old rules and regulations.

With the completion of these stations the U. S. will have far more tele broadcast stations than any other nation in the world, said an FCC spokesman.

Most of the stations, the FCC stated, will be permitted to furnish television programs to the public, and when the industry has developed uniform transmission standards offering a satisfactory level of performance these standards will be adopted by FCC as a basis for regular commercial broadcast operations.

Every tele station licensee will be expected to carry on research and experimentation on the different engineering problems and to assist in developing tele for widespread public service.

Feel Need for Workable Plan to End Trade Ille

(Continued from Page 1)

is making itself more obvious every week.

This view is based on observations made by traveling film men who do not wish to be quoted and by out-of-town exhibitors visiting in New York.

Feeling Is Country-wide

There appears to be a feeling throughout the country that litigation and legislation are hampering the possibilities for quality product, and that the war is to blame. Add to these factors the curtailment of revenue caused by the war and the outlook becomes darker. Many observers say that a move to bring about a better understanding between distributors and exhibitors is gathering momentum without an official driving force. Conclusions drawn appear to be individual and yet representative of the entire country.

It is reported that national Allied at its convention opening today in Chicago will launch a campaign for new National Motion Picture Organization kicked over the proposed code at its close last year in Minneapolis.

Would Renew Parleys

It has been reported reliably that many independents who were opposed to the adoption of the Code are now ready to renew negotiations, even though the outcome of the equity suit and the Neely Bill may change the order of the industry.
Kirsch, Convention Chairman, Calls on Exhibs. to Unite, Back Own Program

(Continued from Page 1)

Circumstances, Allied leaders look to the current convention as a hopeful key with which to open the way toward solving the more serious problems.

In a late pre-parley letter to independent exhibitors, Jack Kirsch, president of Illinois Allied and chairman of the convention, sounding the keynote, wrote:

“This year you will have an opportunity and one only to hear these grave matters discussed from the standpoint of the independent exhibiting industry by men who have given them serious study. You will have one opportunity and one only to debate those issues in an open forum and to exchange views openly and in private with other exhibitors and exhibitor leaders.

You will have one opportunity and one only to assist in drafting of an exhibitor program which can be successfully carried out.”

Problem of Fewer Pictures

The theory that there will be fewer pictures next season, for which higher film rentals will be asked, is one of the serious problems facing exhibitors, Kirsch points out in his letter, declaring that “if you think you can shoulder this added burden on the strength of your present earnings, you had better find out whether those earnings will continue.”

Continuing, Kirsch wrote: “The Allies have announced that they will increase their purchases of numbers in this country but that, in order to keep their trade in balance, they will reduce their purchases of other commodities. As a result, we may have a temporary war boom in some sections, a terrible depression in others.”

“Meantime,” Kirsch added, “the Loew Girls Win Opposition Contest

Here’s one for the book! The Malco Theater staged a beauty contest in Memphis to pick “Miss Memphis” for the Shrine convention. Mrs. Marie Sue Peacock won. When the M. C. on the program asked Mrs. Peacock about her secret to winning, she cashed in her “Loew’s Palace.”

The Palace is the Malco’s newest and hottest competition!

Pittsburgh Patriotic Groups Would Have Pa. Censors Ban Foreign Propaganda Pix

Pittsburgh—Public protests against the showing of foreign propaganda films have created a stir here and it is reported that certain patriotic organizations have petitioned the Pennsylvania Board of Censors to have approval seals to picture foreign films.

Recently attempts to show what was described as Nazi films at the Mosse Temple here were blocked when war veterans groups complained such exhibitions were similar to political intrigue. A group who prevailed to show the Moscow Temple auditions for ten meetings, at which German films were to be exhibited, but after a great many protests were received by the management, the leasing group was persuaded to cancel the lease and the shows in question.  

Bellmont Theater Suit Ends With 306 Defendant

(Continued from Page 1)

missed the complaint and denied the permanent injunction sought in the suit of Local 306, O.P.U., against the Parleys. Judge Rosenman in 1937, restraining the theater from employing any others except members of Local 306, and commanding them to pay the $275 to the union which has been raised 10 per cent to $302.50.

Trial of the case took place two weeks ago. Justice Judge Rosenman, in his decision means the injunction granted by Judge Rosenman is dissolved and the Belmont Theater will not be subject to the terms of the ITOA contract.

Paradise was represented by the firm of Dushkind & Ellis, with Emil K. Ellis trial counsel. Benjamin Mandelker of the Matthew M. Levy office represented the union.

Mr. Turel, Writ to Sherman

Baltimore—Following attention granted to Al Turel, president of the Md. chapter of the Sherman club, by A. V. Shreiner, editor of the Sherman, has been ordered to accept the order of refusal. His letter, which was received here yesterday, was written to Sherman because the ITOA refused to renew his membership for the last standing.

Bill to End Censorship

Washington—A bill has been introduced in the House of Representatives by Representative James V. Talton, D-N.C., to end the ITOA.
ALLIED FOR ‘RESISTANCE WALL’ ON RENTALS

Allied Leaders Charge Dearth of Good Pictures

U.S. OFFERS NEW CLEARANCE PLAN

Differences of Opinion on Definition and Scope Reported as Discussions Continue

With conferences between the Government and counsel for the majors continuing with a view to settlement of the Equity suit through a consent decree, it was learned yesterday that clearance proposals entirely different from those outlined in the D of C’s proposed decree have been presented to majors’ counsel for study by James B. Hayes, Special Assistant Attorney General.

Discussions on arbitration, leasing agreements, clearance and over-buying are reported to have clarified many of the points in doubt, but no definite, final agreement has been reached on these subjects, it was said.

L. HARRY A. COLE

And Femmes Prefer Films to Air Shows

Given a choice between seeing a show she greatly wanted to see and her favorite radio program, the choice to be shown only at the time

Irvinton, N. J.—Vice Chancellor Hahn has directed creditors of Kolo... (Continued on Page 9)

40 Theaters in Met. Territory Shuttered

With some 30 houses in the Metropolia area already closed for the Summer, 10 more were added to the list yesterday, with two of the 10 to remain open weekends. Houses closing this week or already shuttered are: Bijou, Clinton and Palace, Bell Circuit; Acorn, Consolidated: Playhouse, Casey and Wheeler; and the Strand, North Terrytowns, St. Marks, Belmont, Royal and Cine Roma, New York, The Royal and the Strand, Wheeler will open next week. Shuttering for the Casey and Wheeler Playhouse in Rye marks the first time the theater has ever been closed for the Summer.

Sees Industry “at Crossroads”

Freeman Asks Productive Aid by Exhibs.

Ohio High Court Grants Bank Night Case Review

Columbus, O.—The Ohio Supreme Court yesterday admitted right of review in the case of Andrew Attenweiler vs. the Troy Amusement Co., operator of the Mayflower Theatre in Troy, O., where Bank Night is a weekly affair. Review will... (Continued on Page 9)

Expect Allied to Propose Arbitration Plan At Convention Today

By AL STEEN

FILM DAILY Staff Writer

Chicago—Groundwork for a “wall of resistance” against the distributors’ drive for higher film rentals and extended playing time was laid yesterday at the opening of Allied’s annual convention at the Hotel Morrison. A plan of operation is being devised and will be presented to the delegates before the convention closes tomorrow night.

The consensus was that exhibitors... (Continued on Page 7)

Senator’s Tax Plan Draws Allied Fire

Chicago—Resentment against alleged Hays organization efforts before the Senate Finance Committee to obtain special consideration for the high-admission circuit theaters was expressed in a resolution passed unanimously yesterday at the opening session of the annual Allied convention.

Senator in revising the... (Continued on Page 4)

RKO Expects $25,000 Loss for Calendar Year

O. R. McMahon, controller, and Garrett Van Wagner, in a joint affidavit, filed in Federal Court yesterday, predicted that RKO would lose $25,000 in special consideration for the 1940 calendar year. The affidavit... (Continued on Page 8)

Music Hall Starts

ATAH Run July 4

Radio City Music Hall has definitely set ATAHT to start on July 4, it was announced yesterday.

Weakened by failing to pull under the regular Music Hall policy, it was said. Reports had been current that the Hall would advance its prices for the engagement.
DuMont Tele Station In Preliminary Tests

Preliminary tests to study the field strength of television signals in the New York area are to be launched immediately by engineers erecting the new Allen B. DuMont television station, W2XWV, at 515 Madison Ave., it was disclosed yesterday. A temporary 500-watt transmitter on the 42nd floor of the Madison Ave. building will be used in the tests and will begin flashing signals this week. When W2XWV officially goes on the air in the Autumn, it will be operated on 1 kW, with an effective range of less than 50 miles, it is estimated. The station has been assigned channel No. 4 in the 78-84 mc. band by the FCC.

DuMont also has a mobile transmitter of 450 kw that will be used in conjunction with the New York station for remote pickup of news, sports and other outside features.


Arthur W. Kelly, UA’s vice-president in charge of foreign distribution, yesterday announced the appointment of Sam Seideman as special Home Office sales representative.

Seideman is a veteran of UA’s foreign sales force, who has represented the company in Mexico and Central America for the past eight years. He is already en route to Argentina, his first stop, and will make his headquarters for the next few weeks in Buenos Aires.

Photo Employes Union, Vitaprint in Agreement

Agreement has been reached between the Photo Employes Union, Local 21314, and the Vitaprint Co., New York. Union expects to negotiate additional contracts in the near future.

Announcement by the union of the new contract also pointed out that the still work done by the companies it has signed pacts with in no way interferes with the jurisdiction of Local 230, sign painters union, which has jurisdiction in the large blow-up field.

Pa. Exhib. Will Appeal Bank Night Conviction

Beaver, Pa.—Convicted of conducting a lottery in connection with operation of Bank Night at two theaters here, J. C. Lund, of nearby Ali- quippa, has been sentenced to pay the costs and a fine of $500. The case was decided by Judge Frank E. Reeder, to whom evidence was submitted. Attorneys for Lund indicated they would appeal to the Supreme Court.

Blame Radio War News For St. Louis Closings

St. Louis—The war, brought to this city by the radio, is blitzi-krieging St. Louis theaters, with the result that a new high will be set for summer closings. It was said yesterday by Fred Wehrenberg, presxy of the MPPTO of St. Louis, Eastern Missouri and Southern Illinois.

Wehrenberg, who holds radio’s continuous reporting of war news in the movies responsible, says that closing of theaters has dropped 50 percent in this territory.

The Dakota theater here and the Normandy at Normandy will close late next week. A dozen more are considering the same step, according to Wehrenberg.

Audience reaction to Hitler and Mussolini footage in the newsreels is presenting him with a problem. One local house finally withdrew a Hitler-Mussolini clip following an audience reaction against the fact that the patron considered another did not bias the dictators with sufficient vigor.

Court Denies Injunction To Premium Promotion

N. Y. Supreme Court Justice Peter Schmuck yesterday denied an application of Premium Promotion Syndicate, Inc., for a temporary injunction to restrain Price Theater, Premiums Corp. from allegedly infringing upon the plaintiff’s scheme of selling encyclopedias to theaters, to be given patrons. The Court ruled that the two systems were not similar and that nothing other than a business rivalry appeared from the papers.

Murray, Missing in War Area 10 Weeks, Located

A sign of relief went up around the Fox Movietone News offices yesterday when it was disclosed that Bill Murray is safe in Amsterdam. Murray, ace cameraman assigned to war coverage, had been missing for about 10 weeks. Last heard from in the Hague, it was feared that he might have been one of a group of correspondents and photographers reported trapped and killed during the invasion of Holland.

United Jewish Appeal Receives $22,000 More

Total of $22,000 for the United Jewish Appeal was pledged at yesterday’s meeting of the ITOA at the Hotel Astor.

"Honeymoon for 3" Cast

Hollywood—Calling for a new film, "The Film Daily" Hollywood—Warner Bros. has cast Ann Sheridan, George Brent and Jefrey Lynn for the leading roles in the picture, "Honeymoon for 3." Lloyd Bacon starts directing on July 8. Olivia de Havilland and James Stewart were originally cast for the film.
Find Femmes Prefer Films to Air Shows

(Continued from Page 1)

of the program—the average woman would choose the picture, it is revealed in a survey conducted by Agnes McIIver, executive associate for Women's Walk. In all walks of life, they were interviewed by all the women's organization handled by Miss Mengel, who undertook the survey with a conviction that the industry is not tapping all the available potential service that could be rendered by the women of the country. Of the women queried, 96.8 per cent expressed interest in the picture.

Asked "Do you think that radio is used to furnish better entertainment from the woman's viewpoint than motion pictures?" better than 87 per cent voted "No," with most of them amplyfying their answers. A large proportion preferred films because they engage both sight and hearing, leave room for imagination, and are not subject to discussion. Absence of interruptions was another reason for choosing films.

Commenting on the results of the survey, Miss Mengel observed, "It is to be hoped that all the women's shows are planned in regard to women, which is that if they are approached in an honest and heart sort of way, they are not only perfectly willing, but actually eager, to help in any constructive effort directed toward making motion pictures a little nearer to their heart's desire."

Other questions asked the cross-section of American women were: "What kind of motion pictures are you prefer?" "How often do you go to the movies?" "Is the story or the star more important in choosing your film entertainment?" "If there are children in your family, do you object to their seeing films containing any of the following situations: Murder? Kidnapping? Robbery? Underwater racket exposures? Instant war scenes?" and "Do you like to hear your favorite motion picture star on the radio?"

Hillside, Chicago, Closing
Chicago — The Hillside Theater, under M. Goldberg management, will close for the Summer.

Del. Theater Starts Ambulance Drive

(Continued from Page 1)

which is being made a community project, with the Council donating and local merchants and residents contributing. The theater will contribute 50 per cent of last night's receipts. Goal is $4,500 to $5,000 to pay for the cost of equipping an ambulance which will be named the Community or Theater on its side. This method will definitely identify contributions made locally and show contributors where the money goes instead of into unidentified general fund as is usual in the case with cannister donations.

The idea is considered likely to spread nationally through chains and is already being seriously discussed by other showmen here.

Lesser's Courage, Skill Bring Wilder Tribute

New Haven — Thornton Wilder, guest of honor at a cocktail party at the Hotel Taft prior to the opening of "Our Town" at the Roger Sherman yesterday, praised the courage and skill of Sol Lesser in filming the play which "so many studios had rejected as unsuitable for the screen.

Hosts of the party were Lou Wechsler, UA branch manager; George Scher, UA exploitation manager for the territory, and John Hesse, manager of the Roger Sherman Theater.

Para. Casts Madeleine Carroll
West Coast Bureau of THE FILM DAILY

Hollywood—Paramount yesterday announced that "Gay Be Our Laughter," suggested by Madeleine Carroll's experiences while marooned in the Pacific war zone, will be a picture vehicle for Miss Carroll and Robert Preston. Allen Lamay and Jesse Lasky, Jr., will write the screenplay. Henry Hathaway will probably direct.

Filming Gloria Jean Pix
West Coast Bureau of THE FILM DAILY

Hollywood—Filming starts today at Universal studios on the new Gloria Jean picture, "A Little Bit of Heaven," with Andrew Marton directing. Stuart Erwin and Eugene Pallette have been added to the cast.

Burlesque for Mendon Theater
Mendon, Mass. — Burlesque has been introduced here in the Mendon Theater by Charlie Brent, operator of the house. Theater started policy a short time ago after using a straight pix policy for some time.

STORKS!

St. Louis—Joe Keating, manager of the Grand-Floissant, has a new daughter. Mother was formerly in the F & M account dept.
Senate's Tax Plan Draws Allied Fire

(Continued from Page 1)
House formula for reducing the tax exemption to 30 cents was blamed by Allied leaders on Charles C. Pet- tijohn and Spyros Skouras who reportedly influenced the Senate Committee to recommend a tax starting at 30 cents.

Urging Original House Plan
Pledging Allied's full co-operation to the Government in solving the tax problem to meet the existing emergency, the resolution advocated the original House plan. In part, the resolution read:

"to revise the Federal admissions tax, we feel that Congress should not depart from the general policy of placing the burden on those best able to support it, that the tax is demonstrates the fact that the average admission in independent the years is slightly over 20 cents, which will carry a tax in excess of 10 per cent whereas, the high admissions usually beeat the point to and will carry the flat 10 per cent; that the Senate amendment cast a serious burden on neighboring corpora- tional small town theaters and all child movie-goers."

The resolution then petitions the Senate and House to restore the House formula.

Tax Absorption Impossible, Assert Conn. Exhibitors
New Haven—Exhibitor members of both Connecticut MPto and Allied Theater Owners of Connecticut discussed the proposed new Federal amusement tax at meetings this week. In view of the present box-office slump, operators agreed that it would be impossible to absorb the tax.

Allied members expressed the opinion that this tax was conceded necessary at this time, it should not be levied on lower bracket alone, but on the arbitration question from those who could afford it least and make entertainment relief more difficult of attainment in times of stress.

Allied members also spoke of sin-

sulated. Stumbling block to the settle- ment of the arbitration question par- ticularly lies in differences of opinion
definitions, and scope of clearance, and the form of machinery to be set up.

10-Man Panels In 34 Keys
Latest proposal for the three-man administration board which would regulate the entire arbitration setup includes a representative of the unaffiliated exhibitors in addition to the representative of the distrib and D of C who would sit on the board.

General agreement has been reached that 34 panels of not less than 10 men to a panel be set up to cover the 34 key exchange districts. The appeal board of five men would be appointed by the Federal Court, with the chairman to be selected by the Court, and three men to constitute a quorum.

Hayes’ proposals for recommendations embody the principles set forth in the D of C’s consent decree regarding clearance, but differ in work- ing and definition. Stress was laid by Hayes on obtaining and, where means could be used to avoid it, but the majors consistently have con- tended that alleged overbuying by exhibitors is fallacious in the face of the double billing system practiced by most exhibitors, and that such practices, if true, are not the fault of the distributors in any way.

Critically Still at Issue
General agreement has also been reached, it was reported, that exhibitors should release all product, as soon as possible in order not to hold pick back from subsequent runs. On the overbuying question, it is said that proposals offered by the distributors to regulate it, where instea- cludes of such practice, were not rejected by the Government, although it did not indi- cate it would accept them in toto.

Although all majors are either sit- ting in on the huddles or following closely the development of the plan, those majors without theater holdings are holding back any commitment on their position as to whether or not they would accept a decree, if one is formulated, until talks have been concluded.

Meetings will be continued today.

New Features Added To RKO Golf Tourney
RKO’s golf tournament scheduled for the Westchester Country Club, Rye, New York, on June 27, will include tennis, John Farmer of the general committee said yesterday. A putting contest of nine holes also has been added to the competition. Entertainment will be provided by the Rodeo Ramblers, Jack Red- mond, famous trick-shot golfer, will put on an exhibition in the evening. The Club’s bars, which will be open to the RKO employees and guests.

Perfume Suit Dismissed
Complaint of Caron Corp. to re- strain the exhibition of “Primrose Path” by RKO was dismissed yester- day for local insufficiency by N. Y. Supreme Court Justice Lloyd Ch. Church. Plaintiff had claimed that the film had disparaged one of its perfume manufacturers by it.

6th Week for “Favorite Wife”
Seattle—“My Favorite Wife” is in its sixth week here, longest run of an RKO film in Seattle. “Snow White and the Seven Dwarfs.” It played two weeks at the Fifth Avenue and then was moved to the Town House where it is now in its fourth week.

Gangster” Stays in Chi.
Chicago—Gangsters of Chicago, which is current here under the title “Gangs of the City,” moves into its second week at Loew’s Criterion.

U. S. Offers New Clearance Plan
 Differences in Opinion on Definition and Scope Report as Discussions Continue

Local 306 Weighs ITOA Relief Plea

(Continued from Page 1)
branch managers and non-memb indie exhibits, as invited guests.

Brandt, who said that the ITOA appeared “receptive” to a request for special relief, which, he ITOA feels is needed to avoid many run- ning away, said that if any conces- sions were made, they probably would be on the basis of individual houses rather than via a blanket agreement. Total of closings that far was high, Brandt stated, as relief vital.

Critical of Senate Plan
The ITOA leader was critical of the Senate plan for theater admission taxes. No exhibitor, he contended, would be asked to a tax, but to raise funds for national defense, but he declared that the House plan was highly preferable to the ITOA plan as it was made. ITOA, the Senate plan, calling for a tax imposition to start at the dis- cessed level, was, Brandt asserted, a more onerous than the taxation which, he said, would be the burden.

Brandt also reported on a confer- ence with the License Department of the Tax Commission in preparing an agreement that merely send- ing youngsters to the balcony was not sufficient.

Local 54 Turned Down
Local 54, Building Service Em- ployes, has requested that the ITOA open negotiations for a new Collective Agreement scale after Sept. 1, Brandt disclosed. The ITOA has declined, on the ground that it is not in accord with the existing contract.

Brandt said that the ITOA would hold similar meetings, with members of the Film Board of Trade as invited guests, at three-month inter- vals. Organization, he explained, had aimed at a spirit of good fellowship between exhibitors and sales managers, plus the desire to “keep our busi- ness to ourselves and away from the whole form of outsiders.” He empha- sized the need for film people to run to the Government and courts to prevent the spread of the disorder.

Two who attended and were introduced were: Nat Cohen, Joe Felder, Max Cohen, Sol Trauner, Leora Levy, Henry Buxbaum, Robert Wolf, Byron Satt- ler, Henry Randal, Ben Abner, Charles Eiseman, Bill Moses, Joe Lee and Jack Brandt.
MUSICAL IN THE M-G-M MANNER!

We set out to make the finest musical entertainment that money and talent and inspiration could put on your screen. We are happy to tell you that our dream has come true. The public is hungry for this dream and never was an attraction so welcome to the showmen of America!

JEANETTE MacDONALD
NELSON EDDY

"NEW MOON"

with Mary BOLAND • George ZUCCO
H. B. WARNER • Grant MITCHELL
Based on
the Musical Operetta
"NEW MOON"

Book and Lyrics by
OSCAR HAMMERSTEIN 2nd,
FRANK MANDEL and
LAURENCE SCHWAB
Music by SIGMUND ROMBERG
Screen Play by
Jacques DEVAL and Robert ARTHUR
Produced and Directed by
ROBERT Z. LEONARD
An M-G-M Picture
Allied to Outline Arbitration Formula Today

Col. Cole Denies Allied Plans to Form a Film Buying Combine

(Continued from Page 1)

were paying as much as the film as they could afford in most cases and that extended playing time was impossible under the block-booking system.

Tentative plan is to compile statistics and information on company policies throughout the country and to make this information available to independent exhibitors as an aid to film buying. Several of the independent exhibitors service for their local situations, but it is planned to put it on a national scale.

Plan Propaganda Campaign

In addition, it is understood that Allied plans a propaganda campaign to offset distributors’ contracts that have higher rates than 12 months. This plan also is in an embryonic stage but is expected to be developed before the sessions end.

The meeting yesterday was closed to everybody but theater owners and managers, but it was learned that policies of several of the contractors were attacked. It was asserted that Paramount was asking $34 for fewer pictures on the new program as the larger block last year—a charge also directed at KOB. This policy was reported to have been criticized from the floor.

Although Allied planned to form a buying combine were denied by Col. H. A. Cole, president, who declared that the organization’s principal aim was to arrive at a basis for fair film rentals.

Arbitration to Come Up

The organization of arbitration did not come up at the first day’s session, but it was reported reliably that a plan will be presented for approval. Authentic sources declared that the best points of a number of proposals or arbitration will be combined in one formula and will be outlined to the convention. It is understood that Abram E. Myers’ proposals in a Code draft last year, the “department of Commerces’ proposals and the distributors’ arbitration provisions in the defunct Code will be salvaged and re-written into a workable plan.

While attendance is not up to expectations, approximately 200 exhibitors are registered.

Allied May Renew for Alexander Ad Films

Chicago — Allied and Alexander Film Corp. are negotiating to renew their contract under which Allied houses exhibit Alexander ad films and the organization’s treasury receives financial benefits. Plan was operative for several years but was terminated and not renewed a year ago.

J. Don Alexander is here for parleys with Allied leaders who are

M. A. "DOE" ROSENBERG, of Pittsburgh, showed up wearing 45 pounds less than he did at the last convention. "Doc" is spending more time getting his clothes cut down to fit him than he is in running his business.

The famous Martin Smith-Pete Wood combination is absent. Pete had to stay in Columbus to battle Governor Bricker’s newest tax proposal, and Martin in carrying on alone.

The Pittsburgh Allied unit is represented by 26 members. They chartered two special pullmans for the trip.

George C. Granstran of Minneapolis spent last week-end with Al Steffes at the latter’s camp in Northern Minnesota. George Reports Steffes looks and feels better during his recovery from the recent illness.

Dave Palfreyman of the Hays Office has a new cognomen. It’s Pancake Palfreyman, just because his lunch yesterday consisted of apple sauce, rolled up in a pancake 15 inches in diameter.

Rook Building Circuit Addition In Alabama

Montgomery, Ala. — A $50,000 building to house a film theater is being erected here by Charles T. Kook, veteran theater man of Oklahoma City. Opening is scheduled for Oct. 1. Expenditures for building, properties and furnishings expected to reach $100,000. Rook owner of a chain of 21 theaters in the West, will make his home here.


Delegates today are en route to their respective territories for individual meetings on the 1940-41 product.

Tom Mix in Ohio P.A.’s

Canton, O. — Tom Mix, with his horse Tony and a band of cowboy entertainers, is playing a three week stand at district movie theaters. Unit is scheduled to play the Kniekerbocker, Columbus, June 22 and 23.

Bob Hamilton Recovering

Norwich, Conn. — Robert Hamilton, manager of the Warner Palace Theater, is recovering from an appendectomy in the hospital, with J. Miklos of the Broadwa.
Griffith, Majors in Blanket Denial

Oklahoma City—Attorneys for the Griffith Amusement Co. and the major distributors have filed answers to Government pleadings with a blanket denial of conspiracy allegations in the Government's anti-trust suit against the theater circuit and film companies.

Baseball Schools. Camps. Luring Juves in Chicago

Chicago—It's just one thing after another, complain local exhibs, fighting for Summer patronage. Newest worry is in the guise of baseball schools and camps for kids, luring away juvenile patronage. Babe Ruth heads one school; the Chicago Cubs have launched a summer training camp for boys.

Showalter Heads Local 38

Detroit—New officers elected by Local 38, IATSE, are: President, Ray Showalter; first vice-president, George Daily; treasurer, James O'Dea; recording secretary, Ernest Holloway; financial secretary-treasurer, Lester Hamilton; business representative, Edward L. King; delegates to Wayne County Federation of Labor, E. Clyde Adler and James O'Dea; sergeant-at-arms, William S. Foster.

UDT Leases New House In Birmingham, Mich.

Detroit—Bloomfield Theater Corp. has been formed by Carl G. Krueger of Jam Handy Picture Service and Elbridge G. Newhall, Jr., of Birmingham to erect a new 1,000-seat house at Birmingham. The theater will be operated under 15-year lease by United Detroit Theater, Paramount affiliate, for which Krueger was formerly theater manager.

"Maryland" Debut Plans Set

Plans are now nearing completion for the premiere 20th-Fox will give "Maryland" at the New Theater, Baltimore, following a visit of Morris Mechanic, managing director of the house, to the company's home office to confer with Charles E. McCarthy, ad. and pub., director. Mechanic has returned to Baltimore. Eddie Solomon, 20th-Fox publicist, has also left for Baltimore to work on the premiere.

RKO Expects $25,000 Loss for Calendar Year

(Continued from Page 1)

The affidavit further pointed out that the parent company does not "reasonably anticipate" any net cash receipts from the producing company and that a number of subsidiaries, because of provisions in their charters, do not pay dividends to the parent organization. Finally, it stated, a total liability of $766,020 will accumulate for the payment of six per cent to preferred stockholders for the year. On the other hand, the affidavit concluded, K-A-O and Patho News are expected to earn more this year and to pay larger dividends.

Lockwood Moving to Hub

New Haven—Arthur H. Lockwood, Connecticut MPTO president, has sold his Middletown home and will move to Boston. Lockwood has theater holdings in Massachusetts and Connecticut.

Lions Honor "Heck" Everett

Charlotte, N. C.—H. H. "Heck" Everett, president of Everett Enterprises, Inc., was elected governor of district 31-A of the North Carolina Lions clubs.

Mohawks Moves Tomorrow

Mohawk Pictures moves into new New York offices at 723 Seventh Ave., tomorrow. Company has taken the entire eighth floor in the building.

"War Angels" to Kendis

Screencraft Pictures, Inc., has closed a deal with George Kendis to distribute "War Angels" in the Cleveland territory.

"Something for Nothing" Always Gets 'Em

Pittsburgh—An enterprising young film salesman, working for one of the major companies in this territory, recently called on an account to sell him the 1949-51 product. The exhibitor complained that he had lost money on his current contract with the "racket-type" pictures that he got a ton of. He said, "Every time we showed pictures because business was so bad."

"Oh!" answered the ery. "We have arranged to take care of that—that next season we are going to send the exhibitor a bottle of aromatic spirits of ammonia with every picture he plays."

Believe it or not, he secured the contract!

For Complete Coverage

It's The Film Daily all the day
Get Show Cause Order In Kolorama Reorg.

(Continued from Page 1)

rama Laboratories, Inc., to show cause Tuesday why plans for reorganization of the company should not be approved. Kolorama is specializing in color television experiments.

Herbert J. Hanoch, receiver, reported this week that the company had been purchased by his associates, George P. Skousen, Frank Damis, Anna M. Damis, Emil A. Kern, Bruna M. Kern and Stewart L. Clothier. They agreed to cancel their claims for $178,188.50. At the receiver's sale June 3, there bids of $4,928 for all equipment and 29 patients. Television broadcasting apparatus described as virtually new and costing $25,000 brought a bid of $130. Approval of the sale was suspended.

Donald Jacobs, president, this week told the court that since the receiver was named Jan. 11 all stock of the company had been purchased by his associates, George P. Skousen, Frank Damis, Anna M. Damis, Emil A. Kern, Bruna M. Kern and Stewart L. Clothier. They agreed to cancel their claims for $176,995.50, he said, and subscribe to additional shares and to pay the reorganization claim amounting to less than $5,000. They also agreed to pay all costs of receivership, the court was told.

Ohio High Court Grants Bank Night Case Review

(Continued from Page 1)

come up at the Fall session of the Court which starts on Sept. 15. Action indicates an error in previous proceedings and points to a reversal on the part of Ohio's highest court.

Hearing on application for a review was an outgrowth of a civil action against the Troy Amusement Co. by Andrew Attenweiler, a citizen of Troy, to collect $10.40 in weekly admissions for the past year, together with $100 exemplary damages. Attenweiler lost his case.

Ben H. Schwartz, Cleveland counsel for the defendants, yesterday told the court that Bank Night, inaugurated several years ago, was being operated in 400 theaters of the state, with a daily patronage of 500,000 people. He pointed out that the element of liability involved in the case and that the element of a consideration did not enter the case because no extra admission was charged on Bank Night.

At the same time, Michael E. Norris, Troy attorney for Attenweiler, cited a Supreme Court decision holding that courts of equity could not enjoin peace officers from enforcement of state laws.

Although the original petition for injunction made no reference to the matter, the First District Court of Appeals in ruling on the case, held that Bank Night constituted a lottery and in its brief filed with the Supreme Court, Norris asserted that the case also involves a construction of the lottery laws of the state.

$150,000 Lasker Project

Chicago—Jacobs Lasker Sons' theater circuit is going ahead with plans for a 1,400-seat theater in Berwyn, West Side suburb. J. J. Novy, architect, has designed the theater which will be at 3438 S. Harlem Ave.

Ben Lasker asserts the house will be named the Zephyr. Building and equipment will cost an approximate

Italian House for Detroit

Detroit—A new theater to be devoted solely to Italian pictures is to be operated on correctamente. According early this Fall, by Paris Bucci, who has been presenting Italian films at the Park Theater for several seasons.

Two More for Lichtman

Washington Branch of THE FILM DAILY

Washington—Dr. Lichtman is planning to open two new houses, one here and the other in Portsmouth.

Thursday, June 20, 1940

Canada War Revenue Drive Gets U. S. Pix

(Continued from Page 1)

The MPPDA board agreed make available, free, American pictures for special showings, admission to which will be Canadian "savi" stamps.

Nathanson, who personally appeared before the Hays board at a session which was considered a turning point in its history, explained Canadian's campaign to raise a war chest.

Nathanson Voices Gratitude

MPPDA Board's prompt action buying an expression of appreciation and gratitude from Nathanson, who received for the special showings in Canada will be worked out by the library of the Gregory Circle, at which the Hays directorate yesterday also heard the appeal for the lifting of restrictions which the Hays board is to remove.

Production outlets for film city—Schwartz, Passafume, civil service lottery manager, have been issued their save Certificates and Stamps.

"Our Constitution"

Academic Film Co. 20 mins., Excellent Two-Reelers

This is the first of a series of eight patriotic shorts being currently produced by Max and Arthur Alexander. "Our Constitution," first of the group, emerges at a time when it will carry the maximum appeal to the trade and the public alike. Where it is fashioned expertly is possessed of a script charged with inspirational value, smooth acting by a well-chosen cast, and technical merit. Its director, G. A. Duram, penned the screenplay. The result is that the footage is close-knit moving with rapid tempo. The photography by Elmer Dyer is top-flight. How our nation's Constitution sprang into being, emerging as an immortal document from the wisdom and ideals of its framers, is interestingly told. That emergence, as the film shows, was not without attending vicissitudes. Daniel Curtiss interprets the role of George Washington; John Elliott that of Benjamin Franklin; Marc Loebell, James Madison; Alan Connor, Alexander Hamilton; while Alex Callan, Michael Valion and Phil Dunham essay the parts of Governor Morris, William Randolph, and a clerk, respectively. The picture's dialogue is made from excerpts from authentic historical documents. Milton J. Salzburg and Harold Baumstone are the associate producers, and Charles Hendel the editor. Effects are by C. Graber. Film, outlets everywhere should enthusiastically welcome this two-reeler and its seven sequels, not only from the standpoint of showmanship, but as a profound public service.

What more can we say about it!

Write, Wire or Phone

ACADEMIC FILM CO., Inc.
1650 Broadway New York
Tel. Circle 5-7090

N OW A VAILABLE
FOR INDEPENDENT STATE RIGHTS TERRITORIES

Two-Reel Short
Entitled

"OUR CONSTITUTION"

Read What THE FILM DAILY Had to Say About It:

"Our Constitution"

Academic Film Co. 20 mins., Excellent Two-Reelers
Freeman Urges Exhibs. to Build Up Attendance

Gordon Douglas. Born in New York—on upper Broadway. Made his entrance in motion pictures at Paramount's Long Island Studios, but in his school days he set out to acquire letters on baseball, football and track, rather than histrionics. Worked as a “Glorifying the American Girl,” and a series of shorts. Made trip to California on board a freighter—not as a passenger but as one of the crew’s “End.” He did a trick fall in that picture and was promoted to a bit player. Joined Hal Roach as a staff player in the “Boy Friend” series, playing the role of the “heavy.” Was put on the writing staff at Hal Roach Studios and in 1936 became a director of “Our Gang” comedies. Later was promoted to direct feature-length pictures and directed Laurel and Hardy in “Saps at Sea,” their last feature for Roach. He also added new sequences to extend the length of “A Champ at Oxford” (1928). A re-creation, “Road Show,” will feature Carole Landis and John Hubbard.

Rochester Exhibs. Battle Opposition

Rochester—Nothing but opposition here this Summer, is the exhibitors’ cry. Two Sommer street exhibitors, Jack Co. and the Rochester Summer Theater, have opposed for the proposed double feature plan. The two events are scheduled to open Sunday at Manito Beach. Then, too, there’s the matter of International League baseball.

Greater Domestic Revenue Needed to Keep Production Machinery Functioning

(Continued from Page 1)

hbitors of the nation have it in their power to save the situation.

He declared that members of the exhibition field could do this by "going out and exerting more effort to build attendance," because the creation of larger audiences is the key to keeping the film industry machinery functioning in the face of exceedingly trying circumstances. Producers can no longer, he said, afford expenditures to put big campaigns back of product as they did before.

Speaking broadly of the aid exhibitors could give, Freeman cited that much of the strain would be relaxed if showmen everywhere would swing into action, and, were they to get behind their supplied product with campaigning and device, at least one productive idea per picture—it is readily conceivable that 50 additional dollars per outlet could be realized. He envisioned how far more per booking would aid in the making of product at this point.

Every $5 More Helps

Freeman also pointed out that statistics furnished to him indicate that annual bookings in the U. S. total some 15,000,000 and that these are individual and separate bookings. If these were increased by five dollars each, he said, the accruing $75,000,000 would go far toward alleviating the Hollywood strain.

Freeman stated that it is impractical to expect any boost in revenue to come from the foreign field, but that it is practical to hold that the domestic marts can furnish it if operation is extended. In addition to the building of attendance, admission jumps can be employed in connection with the advertising campaign. If the latter were created it would in a large degree suffice.

In a letter to Barney Balaban, Paramount’s president, was the view that a slight advance in scales would be advisable. A factor in consideration of this, he said, is the wider employment currently in the nation, together with the promotion of individuals’ purchasing power, resulting from the demands by industry for manpower as the result of the program already initiated for national defense. Many exhibitors, he feels, in face of the imposition of new Government taxes on tickets, would find it possible to partake under the proposed Senate scale, to advance their prices. Even this jacking up of film entry costs would take some of the load off producers, and, at the same time, aid the exhibitor.

"A" Pit With Marquee "Names"

Discussing the Hollywood end of the problem, Freeman, whose responsibility it will be to turn out the 38 Paramount features for the 1940-41 season, expressed the hope that in abandoning the so-called "B" picture entirely, that the studio is effecting “a step in the right direction.” This new policy calls for 38 attractions, whose titles and star names can confidently be placed by exhibitors on their theater marquees. Star names, the bigger the better, is, Freeman said, the main plank in the "platform."

Decision to abandon the "B" product was reached in the face of world conditions. One element was the realization that the taxes imposed on films sent into what remains of the foreign marts would be as great for a fair feature as for a big one, but the main motive behind the step was to enable the company and its customers to get the most out of every production—more bookings and playing time for the former, and more b.o. power for the latter.

Duals Cause Extravagance

Freeman said that duals cause Hollywood extravagance. With "B" pictures eliminated, an inducement was held out to theatermen to get away from double bills. He pointed out that even during the current season the practice of strengthening casts and hiring top directorial talent, despite the fact that costs were increased in so doing, brought the anticipated better results.

Some costs in Hollywood can’t come down, he asserted. Among these are salaries of stars, directors and writers. Executive salaries can be reduced, however, he contended.

Freeman declared that “you can’t have a b.o. picture without strong story, screenplay, casting and direction,” and that to invest in them is to take a chance.

Pre-Sold Stories Vital

Pre-sold story-hold asserts he is held vital, and such would be the case whenever possible. Such as the new Jack Benny-Fred Allen feature, he pointed out, could not be made with extant material. Accordingly, he contended, the story should be built up from the start, and not allowed to come later. If so, the situation could be turned into the writing of special gags and situations to "fit" the principals.

Freeman said that on the present admission structure, $2,700,000 is the top a picture can get, excepting very unusual circumstances, such as GWTW and "Snow White and the Seven Dwarfs," and that the average revenue accruing to an average top attraction is from $1,000,000 to $1,700,000. Hollywood must get 50 per cent minimum over production cost in order to be worthwhile. According to Paramount, the "name" circuit is putting down $319,761 will be spent at 10 o'clock Tuesday in Room 83 of the H. W. Helmam Bldg., before Special Master Reuben G. Hunt.

Tarten to Call Again

West Coast Bureau of THE FILM DAILIES—Hollywood—Application of Reuben Tarten for arbitration of a dispute between Tarten and the Screen Actors Guild is scheduled for July 1.

Flesh Deals Talked in Chi. Territory

Chicago—Deals looking to marked increase in the number of flesh in film holding. This October conflict is reported being discussed by the William Morris office.

Experiment with short sets by four F. Wisconsin houses is described as "fairly successful," with further flesh expected.

"Name" acts and bands are demanded for the larger Chicago theaters with Jones, Linick & Schafor scheduling Lou Bardo Lancer, Clinton and Sammy Kaye, in tune for the Oriental. Charley Hoffs who books the Warner Theater and makes booking acts with the Dollar Theaters' Stratford theater in Chicago and the Parthenon theater in Hammond, Ind.

St Getton Allowing Hearing

West Coast Bureau of THE FILM DAILIES—Application of Reubon Tarten, Kearyn & Duquet, counsel for Loyd Wright, Grand National tour manager, in seeking an increase in amount of $319,761 will be held at 10 o'clock Tuesday in Room 83 of the H. W. Helmam Bldg., before Special Master Reuben G. Hunt.

Hollywood—Metro will continue the Tarren series, with Maurice O'Sullivan and Johnny Weissmuller again teamed.

Flying Projectorist in St. Louis Drive-in

Hollywood—Leon Fleischer will work at the Lincoln St. Louis drive-in this summer—a job he was recently reported being discussed by the William Morris office.

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ALLIED WARS ON "A" PIX WITH MULTIPLES

"Still a Long Way to Go" in Settlement Parleys

mall Chance Seen for Any
Concrete Action for Con-
tract Decree by Wednesday

While the continuing conferences
looking to a settlement by consent
cree of the equity suit against the
majors are making some progress
at enforcing no serious "bargai-
se conference "still have a long way
g," it was said yesterday.

It was indicated that there was
the chance that anything in the
way of concrete action would trans-
sc by next Wednesday, when the
 resale comes up before Federal
(Continued on Page 3)

ol. 9 Months Net-
izes to $341,348

Columbia's net profit for the nine
months ending March 30, was $641-
81 after the deduction of a spe-
cial reserve of $300,000 for possi-
ble adjustments incident to war
ations. This compares with net-
s of $86,158.80 for the corre-
ponding 1939 nine months' period,
resident Harry Cohn announced
ight.

Columbia continues in a strong
(Continued on Page 3)
1,275,000 in Universal
onds Are Retired

Retirement of 12,750 shares of
universal 8 per cent preferred stock,
ith purchases made out of surplus,
as disclosed this week in an SEC
port. Retirement of the stock,
ich has a $100 par value, auto-
(Continued on Page 3)

Omaha Gets a Slant
on Hitler's Demands

Omaha—Editorial and headline treat-
ment given by the News-World to the
local premiere of Warners' AAD AT THE
Handel Theatre, it appears, connected
some fast-reading Omahans yesterday
that the title, "All This And Heaven
Too," describes Hitler's demands upon
France. At least, that's the story that
the United Press sent out under a local
data line last night.

Phladelphia Bids for 1941 Allied Meet;
Convention Expected to Take Action Today

Chicago-Philadelphia delegation is seeking next year's Allied convention
and there is a strong possibility that that city will be selected. In the past, the
convention city has been decided at the January Board meeting in Washing-
to, but the procedure has been charged to that the department can have an entire year to
prepare. Decision is expected today.

RKO Reports 13-Week
Profit of $535,088

Net profit of $535,088.10, after
provision for income taxes, accrued
 dividends and depreciation, is shown
by Radio-Keith-Orpheum Corp.,
the new Delaware corporation, which
succeeded the old company for the
13 weeks ended March 30.

Profit before depreciation and in-
come taxes was $1,148,402.43, with
$364,529.08 deducted for deprecia-
tion, $174,555 provided for income
taxes and $74,450.25 provided for
accrued preferred stock dividends
of a subsidiary company.

Figures are in part estimated and
subject to audit and adjustment at the
end of the calendar year.

Monogram Raises Six
Pix to Peak Budgets

West Coast Bureau of THE FILM DAILY

Hollywood—Monogram will give
six additional features top budgets,
raising the total in that category to
10, it was announced here yesterday
by Prexy W. Ray Johnston. Three
(Continued on Page 8)

 Extend Fabian Brooklyn Pool
5 More Years For Para.-Fox-Strand Tieup

"American Way" Filming
To Be Put Up to Public

Production of "The American Way" by Gordon & Goetz for RKO
release hinges on the results of a
public survey to be made by the
newly incorporated The American
Way Publicity Associates, Inc., un-
(Continued on Page 7)

Pledges Organization's
Support to Gov't on
Defense Preparedness

By AL STEEN

FILM DAILY Staff Writer

Chicago—Allied apparently
is determined to wage a cam-
paign against the booking of
"A" figures on double or triple fea-
ture programs. It is reported that
Allied today will petition the dis-
tributors to adopt a policy which
will prohibit top-bracketed features
on dual or triple bills. The petition
is expected to be made in the form of
a resolution, presented to the
eleventh annual convention of the
association, which will advocate
the total abolition of "A" pictures
from programs presenting more than one
feature on a bill.

"Flood of Suits"
Talked by Allied

Chicago—If the distributors think
they have been deluged with law
suits, they will see that the flood
hasn't started yet unless reforms
are instituted, either by the govern-
ment or the distributors themselves.

This belief appears to be prevail-
(Continued on Page 7)

Report Peasley Groomed
To Head Northwest Allied

Chicago—Reports in circulation at
the national Allied convention
here indicate that Ernest Peasley
will be elected president of Northwest
(Continued on Page 3)

Jimmy Walker to be
Allied Toastmaster

Chicago—Allied's 11th annual birth-
day dinner-dance in the Morrison Hotel's
Terrace Casino tonight will have former
Mayor Jimmy Walker of New York as
toastmaster for the evening. Walker arrives
in town today to fill the engagement. Dinner-
dance at 8 o'clock will be preceded by the
traditional President's cocktail party
at 6 p.m.
Outing Calls Columbia Personnel to Pine Brook

Columbia Pictures will hold its annual outing today at Pine Brook Lodge, Nichols, Conn. Entire personnel of the New York offices will attend, including Jack Cohn, vice-president; A. Schneider, treasurer; L. J. Bachman, assistant treasurer; M. Wormier, comptroller; A. Montague, general sales manager; Maurice Bergman, advertising director; N. Spingold and Louis Weinberg.

Invited guests include Mitchell May, Jr., and Charles Schwartz, of the law firm of Schwartz & Frohlich, Columbia counsel.

It’s the third consecutive summer that the Columbia get-together has been held at Pine Brook.

This is the first time in the history of the film industry to the best of the knowledge of the industry that meetings have been given a full day off for an outing of the Club. The local exchange staff will “hold the fort” on Film Row, doing business as usual.

Between 250 and 300 Club members and their wives and families will attend the event, which will include a golf tourney with many popular softball, handball, field sports, tennis and swimming. All Columbia executives who are currently in New York will be at the outing.

Place “Land of Liberty”

At Disposal of Schools

“Land of Liberty,” feature picture assembled by the MPPDA as the film industry’s contribution to the New York World’s Fair last year and which again is being shown in the exposition’s Federal Building, will be placed at the disposal of American schools without charge at the close of this year’s Fair in October.

Picture, it was said yesterday by Theodore T. Hayes, executive U. S. Commissioner to the Fair, would be used to supplement school history courses in particular.

Arthur Lee Concludes Deals for English Pix

Films produced in England by Associated British, Grand National Pictures, Ltd., General Film Distributors Ltd., and Associated Talking Pictures will be distributed in the U. S. by Arthur A. Lee as the result of deals just set, it was learned yesterday. Print of “Convoy,” Lee’s latest English acquisition, is en route here.

Because the handling of American rights to the British imports will require his entire time, Lee is deferring his plans regarding television.

It’s “The Man I Married”

Hollywood—Permanent title for “The Man I Married” is “The Man I Married.”

RKO Execs. Will Attend Boosberg and Lux Dinner

An RKO Radio Pictures delegation headed by Ned E. Depein and Andy Smith will plane to Buffalo Monday for the National Club testimonial dinner that night honoring Charles Boosberg, recently promoted from the post of Buffalo branch manager to that of east central district manager, and Elmer Lux, promoted from salesman to manager at Buffalo, Smith will be toastmaster.

Accompanying the sales execs will be Bob Mohr, Eastern sales manager; Harry Michelson, short subject sales manager; M. C. Poller, head of the playdate department and Bob Wolf, New York exchange manager.

Among those at the speaker’s table in addition to Boosberg, Lux and Smith will be Vincent McFaul, Charles Hayman, Bob Murphy, Bert M. Stern, George Roberts, Judge Joseph Kelly, Syd Saxman, John Nolan, J. Meyer Schine, George Lynch, Herb MacIntyre, Nick Dipson, Nick Basil, Moe Silver and Assemblyman Harold Ehrlich.

Warner Execs. Return Today from Chi. Meet

Warner executives return to the home office today from the second of the company’s two regional sales meetings held this week at the Blackstone in Chicago.

Those returning are: Gradwell L. Sears, general sales manager; Charles Einfeld, director of advertising and publicity; Carl Leserman, assistant general sales manager; Roy Haines, Eastern and Canadian sales manager; Ben Kalmenson, Western and Southern sales manager; and Gil Golden and Sid Rechetnik of the advertising and publicity department.

Mort Blumenstein, in charge of advertising and publicity in the East, returned to his desk yesterday.

Levy, Castle on Board Of Health Foundation

The Associated Health Foundation, Inc., the only non-profit medical service group licensed in Greater New York, announces the election of Jules D. Levy, Warner Bros. executive, and Eugene Castle, president of Castle Films Co., and Dr. Shirley W. Wynne, former health commissioner of New York City, to its board of trustees.

“GIVE ME City”

Pick up your phone and express the preference of discriminating advertisers who appreciate fine craftsmanship.
Brooklyn Pool Extended 5 Years

(Continued from Page 1)

...been in progress for some weeks. Present agreement became effective July 1, 1936. Understood at net 7%, contract continues the leasing pact virtually unchanged.

Columbia's Nine-Months and Risest to $341.348

(Continued from Page 1)

A quick asset position. Current sets as of March 30 last were approximately $12,477,000 and current liabilities of $1,611,000 making a working capital of $10,866,000. Columbia is endeavoring to maintain such control over its production activities as is possible with the object of being able to adjust me to changes which may be necessitated by the present disturbed world-wide economic conditions, the company stated.

1,275,000 in Universal Bonds Are Retired

(Continued from Page 1)

...cutionally reduces the capitalization of the company by $1,275,000. It was also disclosed that the company has extended its revolving credit agreement with the Irving Trust Co., and Commercial National Bank & Trust Co. for one year. Extension is to Oct. 15, 1941. Under the extension agreement, the company's credit is also increased from $5,000,000 to $3,500,000, with latter the maximum.

Remote Peasley Groomed for Head Northwest Allied

(Continued from Page 1)

...ed to succeed A1 Steffes when that company convenes next month in Minneapolis. Ben Ash, attorney and theater man, is said to be slated for business manager and operating head of the unit.

along the Realto

with Phil M. Daly

—CHICAGO

...CERTAINLY one of the most important aspects of the Allied national conclave here...which conclave adjourns tonight...is the intense reciprocal interest manifested by the exhibitors in film theater equipment...and by the manufacturers of the equipment...in the welfare of the theatermen and the houses they operate...This mutual solicitude is too fervent and sincere...to be spectacular...but it's presence is potentially a highlight of the meeting...

...MAKE no mistake about it...and what we are about to say is not the product of simple sentimentalism...there are at convention a hetlussa lot of showmen...whose top hobby is...their theaters...By the same token...there are a hellusla lot of manufacturers of theater equipment at the conclave...whose hobby is their profession...and the real accomplishments which spring therefrom...There is a common denominator for both the theatermen and the theater supply forces...By inspection it's the word "theater"...It spells profit for both...and accounts for these "allies" moving along in concert...at the Allied National Convention...

...VISITING the equipment exposition in the Hotel Morrison...scene of the convention proceedings...one finds RCA Mfg. Co. represented by A. E. Klein, Ed Auger and H. B. Snook...Adler Signs by Ben Adler and Virginia Richmond...DeVry Corp. by M. D. Olsen, P. B. Stinson and E. S. Schweig...Universal Theater Premium by Ed Sayre...National Theater Supply by Bill Dassow...and National Screen-Advertising Accessories by Morton Van Praagh, Charley Casanove and George Dumbrow...


...BY all the close contacts which are being made at the Allied conclave...twist the aforementioned and the exhib....the trade will be enriched...So what the public...in whose interest, after all, theater improvements are effected...

"Long Way to Go" in Settlement Talks

(Continued from Page 1)

...Judge Henry W. Godfrey. Another week's adjournment at that time is regarded as virtually certain.

With reports persisting that Allied at its current Chicago national convention will reiterate its demand for divorcement, Government counsel here yesterday displayed a lively interest but refused comment.

Although it is understood that the D of J is prepared to withdraw its divorcement demand in favor of other regulatory means, to be embodied in the prospective consent decree publicly there has been no statement of such an attitude by Thurman Arnold, chief of the D of J's Anti-Trust Division and Assistant Attorney General.

"New Moon" Will Solo In Loew Dual Cities

(Continued from Page 1)

...announced so far, four of them for June 27, and four for June 28. The June 27 dates are: Loew's, Rochester; Ohio, Columbus; Midland, K. C.; State, Syracuse. The June 28 dates are: Loew's, Louisville; Loew's, Indianapolis; Loew's, Akron; State, Providence. All these cities normally play double features.

UA to Rush Chilean Film Into Latin-American Keys

(Continued from Page 1)

...United Artists is rushing plans for immediate opening of "Escándalo," Spanish talkie produced in Chile, in all Latin-American keys as a result of the b.o. showing scored by the film in its quadruple premiere Tuesday in Santiago, Chile. UA bought opening day records for both receipts and attendance at the four houses—Central, Santa Lucia, Continental and Cervantes, a condition to cable to Arthur W. Kelly, UA vice-prexy.

Suggest More Changes To Basic Agreement

Further recommendations for revision of the basic agreement between the League of New York Theateraters and the Dramatists Guild were received at the League's session this week, it was learned yesterday. They augment the 27 exceptions already taken by James F. Reilly, League secretary, and like the latter, are understood to bear upon the sale of film rights to stage plays.

Wedding Bells

Minneapolis Max Factor, head booker for Harry Field's Pioneer Circuit, marriage tomorrow.
Brighter Colors Feature Scientilite

Chicago—Introduction of a new powder fluorescent tubing under the trade name, Scientilite, which brings out brighter colors and has no fabrication problems, is under way by General Scientific Corp. Ten color combinations are now ready for the trade.

Company is also introducing Sun-Glo units, the perfected powder fluorescent tubing for interior illumination.

**NTS Detroit Branch Fills Theater Orders**

Detroit—Further orders, which have been placed with National Theater Supply Co.'s branch here by film theaters in this territory, include Simplex Type E-7 Four-Star sound, Simplex High lamps and National rectifiers for Howard Paul's Yale Theater, Yale, Mich.; Simplex Type E-7 Four-Star sound for the Southlawn, Grand Rapids; Simplex E-T projector, Simplex High lamps and National rectifiers for the Majestic, Monroe, Mich.; and Simplex High lamps and National rectifiers for the Center Theater, Marlette, Mich.

**Wait of a Service In New Calif. House**

Sacramento—Local cinema loving mothers don't have to worry about the walls of their infants disturbing movie audiences at the new Colonial Theater here. Charles Holt, operator of the house, has installed a sound-proof "crying room" on the mezzanine from whence the program can be viewed. Further, if the film is a weepy one, mother herself can freely emote without being heard.

**Work Underway on New Shime House in Laurel**

John and Drew Eberdon, film theater architects, report that work on the Laurel, Del., Theater has begun; house was designed for the Shime Circuit.

Work is going ahead on the Strand, Cumberland, Md., which is being completely remodeled from Eberdon's plans, which include air conditioning for the house.

On Wednesday night, the new 1,500-seat Astor, erected in Philadelphia by the Warner's from designs by John and Drew Eberdon, opened in that city with many civic dignitaries and notables attending.

**C. ROSS for MOTION PICTURE LIGHTING EQUIPMENT**

**RENTALS:**
A full line of modern equipment to equip any job large or small any time anywhere. Generators, trucks, searchlights and floodlights, for pictures and general lighting activities.

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Everything in the line of equipment for motion picture and photographic studies.

**SERVICE:**
We are prepared to offer the finest service, equipment and technical advice obtainable in the East. Your requirements taken care of to the last minute detail.

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Estimates Cheerfully Given

Let Us Enlighten You On Your Lighting Problems

**CHARLES ROSS, INC.**
244-50 West 49th St., N. Y. C.
Telephones: Circle 5-5470-1-2

**Londons Plan Three Theaters for Detroit**

Detroit—I. J. London, circuit owner, and his son, Burton W. London, announce an expansion program calling for nearly $500,000 in new theater construction here next year. Three houses are planned.

The Londons have bought a 120-ft. block of the Lincoln Theater which they now operate, and will construct a 1,200-seater on the site. This will be operated, it is understood, on a "de luxe grind" policy, 10 a.m. to 2 a.m., with 15-cents admission prevailing.

Option on an undeveloped lot about a half a mile west has been taken by the Londons for a new 1,450-seater to go up in 1941.

Third and largest unit in the expansion program involves the Rex, formerly operated by J. B. Mitchell. The Londons take this stand over on June 30, and plan to demolish the house, erecting in its place a new 1,400-seater, a bowling alley and market, at a cost of some $250,000.

**American Refrigerating Plants in 8 Houses**

Detroit—American Refrigerating Co. is completing installations in eight Detroit and suburban houses, totalling around $100,000 for the group. Houses are: Wayne, at Wayne and Shafer, in Garden City, for the Shafer Circuit; Harper and Davis, Detroit, and Calvin, Dearborn, for Wisconsin & Wetsman; Atlas, Detroit, for Stanley Oleskovich; Van Dyke, Detroit, for Doss Bros.; and Dawn, Detroit, for Ethridge Circuit.

**Two Nebraska Reopenings**

Omaha—J. W. Weiss, of Montana, has purchased, remodeled and reopened the Grand, Valley, under the name Gem Theater. Former owner was C. E. Byars.

With George J. Monroe's $25,000 rebuilt Empress about completed, he plans to open it by July 1. Earlier house was destroyed by fire.

**Install Rock Wool**

Tallahassee, Fla.—Rock wool insulation has been installed throughout the local Fritz Theater. Air conditioning has also been put in the house as a major item of the improvements schedule.

**New Rugs by Mohawk**

South Bend—Streamlining of B & K Colfax is complete. It was redecorated by Hans Telch of the Mohawk Carpet Mills. The new type of rug carpets for lobbies, from special designs developed by the circuit's purchasing department.

**Westinghouse Installation**

Manchester, N. H.—The Striker Theater here has installed a Westinghouse air-conditioning system. The installation was made by Automatic Heating & Cooling Co., Manchester.
Keeping Screens While Important

Wilmington, Del.—Importance of keeping screens white was stressed here by William Buchart, at Loew's Scenic Studio, New York, who recoated the screen of local Loew's Theater.

The Loew organization, Buchart pointed out, takes the view that, with large sums spent to obtain the best in projection equipment, it is best to prevent screens from becoming yellowed with consequent reduction in the clarity of screen images. Twice each year, the screen in each of the 114 Loew's theaters is recoated by Buchart, who uses a special paint preparation which is applied with a spray-gun.

Sharpness of the picture is greatly increased following the application, and contrast in the appearance of the screen before and after the operation is surprising. Few theaters, it is believed, equal those of the Loew circuit in attention to keeping screen as white as possible.

Gyro-Spray Units

Gyro-Spray units, installed in the following theaters, have been paid for and are in operation: Black Hills Amusement Co., Deadwood, S. D.; Brown Theatre, Story, Iowa; Ixtlan Theatre, Ixtlan, Calif.; Oklahoma City—Gyro-Spray air conditioning units, manufactured by U. S. Air Conditioning Co., have been sold by the Oklahoma Theater Supply Co. to the following theaters in this State during the past few weeks: Villa, Oklahoma City; Liberty, Quinton; Ritz, Duncan; S. P. Selle's house, Westville; Rainbow, Nowata; Ragto, Topton; and Star, Sand Springs.

The United States also were sold to Arkansas houses, among which were the Rialto, Siloam Springs; Ritz, Morrilton; Strand, Paris; and Palace, Booneville.

Basil Renew with Altec

Basil Bros. Theaters has renewed Altec service agreements for Basil house in Buffalo and Niagara Falls. A. J. Raemacher negotiated for Altec.

“GRAPEs OF WRATH”

Don’t risk “box office wrath.” Keep your patrons constantly satisfied by installing rich, colorful, luxurious Alexander Smith Carpet . . . the carpet you’ll find in most of the country’s successful theatres.

ALEXANDER SMITH CARPET
Theater Closings

ILLINOIS
Mt. Carroll — Majestic, 5-7-40; Owner: Floyd Albert.

MISSISSIPPI
Cleveland—Wesco, 4-15-40; Strand Enterprises, Inc.; dismantled.

OHIO
Shelby—Shelby, 4-30-40; Owner: W. C. Jepson; in process of changing hands.

NORTH CAROLINA
Windsor—Palace, (6-2-40) Owner: Roy Thompson; Renovation.

TEXAS
Crockett — Auditorium, 4-8-40; Owner: R & R; destroyed by fire, total loss.

UTAH
Salt Lake City—Paramount, month of April; Owner: Intermountain Theaters, Inc.; closed for Summer months.

WISCONSIN
Menominee Falls—Falls, (6-5-40) Owner: Ray Zahn; Burned down.

Theater Openings

ARKANSAS
McCrory—New, (6-7-40) Owner: C. N. Jenkins; House Manager: C. N. Jenkins.

IOWA
Homer—Pastime, 275 seats, 3-30-40; Owner: C. B. Burkart; House Manager: Herbert Locke; previously closed in January.

Bob Hope’s P. A. Heading For Cleveland Record

Cleveland—Nat Holt, RKO Great Lakes division manager, reports that Bob Hope and his Radio Show broke all opening records at the RKO Palace this week, and is heading for an all-time weekly record.
Executive session and the conferences will not be further down. It was believed that the House would accept the admission tax change without a fight.

Reports from Washington last night indicated that the conference were likely to eliminate the excess profits 'profit tax' upon all profits, an amendment to the Senate leadership had been offered to the Senate as amendments to the House measure. Both would affect industry corporations.

**Sen. Tax Provisions**

To end confusion, apparently existing in certain industry quarters as to the admission tax provisions of the Senate approved revenue measure, THE FILM DAILY hereafter prints the complete text:

Section 1700 (a) of the Internal Revenue Act is amended to read as follows, effective July 1, 1940:

"(a) **SINGLE OR SEASON TICKET; SUBSCRIPTION.**—

"(1) A tax on the amount paid for admission to any place, including admission by season ticket or subscription at the following rates:

"(A) For the period after June 30, 1940, and before July 1, 1945—

"Where the amount paid is $5 or less, there shall be no tax;" 

"1 cent where the amount paid is 10 cents or more and less than 20 cents;" 

"1 cent for each 10 cents or fraction thereof where the amount paid is 20 cents or more."

"(B) For the period after June 30, 1940—

"Where the amount paid is $5 or less, there shall be no tax;" 

"1 cent where the amount paid is 10 cents or more and less than 20 cents;" 

"1 cent for each 10 cents or fraction thereof where the amount paid is more than $5;" 

"1 cent for each 10 cents or fraction thereof of the amount paid for admission by season ticket or subscription, if the amount which would be charged to the holder or subscriber for a single admission is 10 cents or more."

"(2) Exceptions.—

"(A) In the case of persons (except bona fide employees, municipal officers on official business, and children under twelve years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected based on the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted."

"(B) No tax shall be imposed in the case of tickets or cards of admission to any spoken play (not a mechanical reproduction), whether or not set to music or with musical parts or instrumental accompaniments, which are to be held out for sale to persons who may be at the discretion of the manager of the place to two or more acts, the performance of which may be in two or more acts, the performance more than one hour and forty minutes in the case of tickets or cards of admission to any spoken play sold at the ticket office of theaters at reduced rates the tax shall be based on the price for which sold."

"(3) B WHOM PAID.—The tax imposed under paragraph (1) shall be paid by the person paying for such admission."

**Free Roof Dancing**

**At Loew's Apollo**

Innovation in Summer theater enter tainment has been accomplished by the Apollo Theater Roof Garden on the lower East Side, with the presentation of free dancing every night, except Wednesday, from 7 to 9 p.m. Buddy Corder and his Apollo Swing Band furnish the rhythms that accompany the breezes from the East River. Downstairs in the Apollo theater proper, business goes on as usual.

**Flood of Suits**

**Talked by Allied**

"Flood of suits" filed by Allied at the national Allied convention were being prepared for filing, pending the outcome of distributor-government negotiations or any new tax plan that may be offered by or to the industry.

**American Way**

**Filming To Be Put Up to Public**

**Wellman to Direct**

**St. John Pix for Para.**

At a special meeting of the Motion Picture Film Editors Guild of the Hotel New Yorker, the following officers were elected: President, John Michon of Hearst Metrotone News; Vice-president, Ben Loweyer of Fox Movietone News; Secretary, Joseph Castilone of Hearst Metrotone News; Treasurer, Jack Brad ford of The March of Time. Membership and public relations committees also were chosen.

**Rep. Shelove Indian Pix**

West Coast Bureau of THE FILM DAILY

Hollywood—Patron has assigned Roland Young to replace Frank Morgan as Uncle Willie in "The Philadelphia Story." Katherine Hepburn vehicle. Studio has added Robert Midlemass and Edna Parnell to the "Dudley" cast, and Jack Mulford, William"--youngest and Cyril Ring to "Bittersweet."

**Broken Dishes** Re-make

West Coast Bureau of THE FILM DAILY

Hollywood—Warners Bros. will re-make "Broken Dishes," first produced in 1930 and again in 1938 under another title.

**Expect House Will Accept Senate Tax**

(Continued from Page 1)

**Sen. Tax Provisions** (Continued from Page 1)

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"1 cent for each 10 cents or fraction thereof where the amount paid is 20 cents or more."

"(B) For the period after June 30, 1940—

"Where the amount paid is $5 or less, there shall be no tax;" 

"1 cent where the amount paid is 10 cents or more and less than 20 cents;" 

"1 cent for each 10 cents or fraction thereof where the amount paid is more than $5;" 

"1 cent for each 10 cents or fraction thereof of the amount paid for admission by season ticket or subscription, if the amount which would be charged to the holder or subscriber for a single admission is 10 cents or more."

"(2) Exceptions.—

"(A) In the case of persons (except bona fide employees, municipal officers on official business, and children under twelve years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected based on the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted."

"(B) No tax shall be imposed in the case of tickets or cards of admission to any spoken play (not a mechanical reproduction), whether or not set to music or with musical parts or instrumental accompaniments, which are to be held out for sale to persons who may be at the discretion of the manager of the place to two or more acts, the performance of which may be in two or more acts, the performance more than one hour and forty minutes in the case of tickets or cards of admission to any spoken play sold at the ticket office of theaters at reduced rates the tax shall be based on the price for which sold."

"(3) B WHOM PAID.—The tax imposed under paragraph (1) shall be paid by the person paying for such admission."

**Ampa Will Co-operate With Nat'l Book Week**

Ampa met yesterday at Dempsey's Eighth Ave. restaurant in a closed membership session and decided that when meetings are rescheduled they will be held at the hotel. The West Coast Bureau of the Motion Picture Relief Fund has also decided to continue to be held on alternate Thursdays. Preference for that day was expressed by a poll of members.

It was also decided that Ampa will co-operate with National Book Week next November. Joe Gould is now working on plans to determine the form and extent of the participation, one element of which will be concerned with the awarding of a plaque, or other form of symbol emblematic of the best film to be made from a book during the present year.

Approval was given to a resolution recommending that the following be added to the present council of "recognition and encouragement" to the Screen Publicists and Advertisers Guild.

At a recent meeting the following was scheduled for mid-July, at which time the directorate will discuss what form of aid can be extended by the guild to the Motion Picture Relief Fund in concert with Motion Picture Associates and the Motion Picture Pioneers.

"Broken Dishes" Re-make

West Coast Bureau of THE FILM DAILY

Hollywood—Warners Bros. will re-make "Broken Dishes," first produced in 1930 and again in 1938 under another title.

**Wellman to Direct**

**St. John Pix for Para.**

Wellman to direct "Storm Over India" for the reason that story deals with the unrest in India over British rule. Excess, feel that such a story is not timely. "Barnyard Follies" has been selected to replace it on the schedule.
Bitter Attack Made
On Distrib. System
of “Honorary” Sales Drives

(Continued from Page 1)

WHO’S WHO IN HOLLYWOOD
Introducing Interesting Personalities

JACK WILLIAM VOTON. Born Antwerp, Belgium, Oct. 11, 1900. At an early age, an ardent move fan felt a keen desire to emulate Maurice Costello. Always intended to come to the U. S. sooner or later. When 14, the war engulfed him. Joined up and saw service in front line trenches for the duration. Was youngest soldier of all armies to go right through the war. Badly wounded and severely gassed twice and disabled out of service, a physical wreck. Came to the U. S. after having graduated from the University of Brussels, receiving a Ph.D. in Consular and Diplomatic Science. Arrived in Hollywood to be an actor. He could then do was to become a losher, prop man, assistant director, assistant casting director and casting director for major studios. Went with Myron Selznick organization and was with it seven years, of which were spent in London, where he found a brilliant job. Paramount signed him and he became head of the talent department and also associate producer on several pictures. Always had a yen to make a series of Lonedale Overlies. Getting one to agree with him, he formed a partnership with Sam Gold and made them himself. The first one is just completed and is entitled “Freckles” as if he were in the producing business to stay.

Sales Information Bureau Authorized by Allied

Six Pix for a Nickel

Most of the session yesterday was devoted to double and triple bills. Jack Kirsch, Illinois Allied president, explained to the assemblage that through his unit’s efforts 17 independents abandoned triple features, but that B & K refused to co-operate. He told how the B & K Bel- lmont Theater in Chicago recently showed on one bill “Robber of the House” and “Viva Cisco Kid,” each of which, he said, were peddled in this area at 5 cent service charge. This means, he said, that the theaters were showing four and six pictures for 5 cents.

Sales Information Bureau

Allied News bureau yesterday was authorized to appoint a standing committee on information to keep abreast of all sales policies and practices and to disseminate legal information for the benefit of the members.

At the second day’s session of Al- lied’s annual convention, delegates agreed to furnish the central bureau with all information on sales policies in local areas where facts have been gathered against discrimination in the selling of produc- tions.

It is understood that the information plan at first did not get the full endorsement of the directors and units, but as a result, interest in the plan has been increasing as many theater owners did not want to reveal their own deals. However, under the plan the information of persons supplying information will not be disclosed. There will be no assessment or fees for the service, it was pointed out. When it was learned that these conditions would prevail, those who were holding out agreed to approve the proposal.

Pledges Preparedness Support

In a formal resolution, Allied pledged its fullest co-operation and support to the United States Gover- nment in its preparedness campaign. All personnel services of the screen in carrying out the defense program and in disseminating au- thorized information to the public were pledged. Allied headquarters in Washington was designated as the agency for receiving from the Gover- nment expressions of its wishes from time to time and for conveying them to the nation’s independent exhibitors. The resolution was sent to President Roosevelt and all depart- ments of the Government.

To Fight Honorary Sales Drives

Bitter resentment of company sales drives in honor of executives was expressed in a resolutions describing these drives as “rackets,” the convention resolved that exhibitors should do all in their power to resist these drives and stamp out the practice.

Reports that the current con- vention was mothers of industry ethics has not materialized as yet. Arbitration has not been men- tioned. It is understood that and producer has no plans for any fireworks or sensational developments are to come out of the convention, they must come today, other- wise they will be lost.

In the record books, the records as a routine affair despite the serious problems confronting the industry, were not hard to find, reported said that the status of the Govern- ment suit and the inevitable outcome of the Neely bill are factors building back official action by Allied, due to the swift changes in conditions.

Casanova on Accessories

Charley Casanova spoke to the delegates yesterday on behalf of Ad- vertising Accessories, Inc., telling them the centralization of standard accessories was inevitable. He got a great hand from the audience.

This is the first convention since the founding of Allied at which Al Steffen did not attend, because of his recent illness. However, the con- vention passed a resolution extend- ing everybody’s best wishes and thanking him for his past activities.

Allied boys who appeared before Congressional committees were thanked in the form of a special resolution. Included in the resolution was a blast at those who allegedly attempted to “censor” Allied leaders for their efforts in the organization’s behalf.

William F. Rodgers, Metro general sales manager, arrived yester- day morning but did not make an ap- pearance at the convention. He is slated to talk today.

Deep appreciation for Jack Kirsch’s work in putting over the convention was expressed in a resolution yester-

Building in Andalusia

Andalusia, Ala.—A $50,000 1,200- seat theater is under construction here to take the place of the Para- mount, destroyed by fire in recent months. E. M. Stvin and Mrs. E. D. Stidstill, owners.

Monogram Raises Six
Prix to Peak Budgets

(Continued from Page 1)
of the 10 will be made in natural color, it was stated.

Johnston said that the decision was made possible by the fact that Mono’s income has been and de- rivied chiefly from the U. S. market.

Now in the special class, as a result, the shift is:

Q U I E T L Y

My Captain "Waits," an 85- length novel by Evelyn Eaton pur- chased from galley proofs by Warner Bros. several months ago, is being put on the stands by Harper Bros. next week.

E D D I E A L B E R T, currently appearing in "High Hat's, Dance, Girl, Dance," the week received a note from George Harms New York producer, that Trues is wanted for the lead opposite Helen Broderick in the new Miss Hart-Greg Kaufman play going into the Music Box. Trues who has starred and played leads on Broadway for the past thirty years accepted the offer last week and Considine will leave as soon as he finishes his file assignment.

O N E of the most unusual gifts an actor is one George Murphy just re- ceived from a fan in Brazil. It is a pair of jade cuff links and shirt studs, each shap- ped into a miniature dancing pug. The fan, Enrico Matties, wrote that Murphy was his favorite dancing actor.

L O U I S E C A M P B E L L, who plays one of the supporting roles in RKO Radio’s “Anne of Windy Poplars,” which co-stars Anne Shirley and James Ellison, plans to spend the summer at Skowhegan, Me., where she will co-star with Vincent Price in stock with the last thirty years, accepted the offer last week.

En route Miss Campbell will make a guest appearance in her home town, Ivy- ton, Conn.

C H A R L E S T E D F O R D is writing “The World Master,” an original screen play, for Warners.
enlarge Studios May be Utilized if John Maxwell Determines on the Move

By RALPH WILK

Bent Coast Bureau of THE FILM DAILY

Hollywood — Associated British pictures, headed by John Maxwell, seriously considering production activities in Canada, it was disclosed Friday.

Upon cabled instructions from Associated British, Fred Brisson, agent, making a survey of technicians and directors of British nationality

(HQ News, continued on Page 3)

entral Casting irike End Near?

Bent Coast Bureau of THE FILM DAILY

Hollywood — No action was forthcoming Friday from union representatives to the counter proposal made by the producers in an effort to settle the strike of Central Casting Corp. employees, but producers were reporting a favorable answer very soon.

One report was that the unions would recognize two new locals, one to represent casting directors and other office employees of Central Casting. Producers refused to divulge details of their counter proposal.

Goldwyn Heads Film Division in Red Cross Drive

Bent Coast Bureau of THE FILM DAILY

Hollywood — Red Cross announced that Samuel Goldwyn has been appointed chairman of the Red Cross motion picture industry

(Name Four for Allied Product Survey Com.)

Hollywood — Committee to handle national Allied's product survey and information bureau will go into action in about two weeks. Named to the committee at the convention here Friday were Sidney Samuelson, Philadelphia; Pete J. Wood, Columbus; Don Roesser, Indianapolis and

(Continued on Page 3)

Allied Stands By Guns On Admissions Tax

Chicago — The Allied convention Friday rejected Suppyo Slouros' telegraphed explanation of his reported participation in the Senate's action in revising the admission tax bill. In a resolution passed at the

(Continued on Page 33)
The Broadway Parade

Picture and Director
Brother Orchid (Warner Bros. Pictures)—3rd week Strand
Our Town (United Artists)—2nd week Roxy
The Doctor Takes a Wife (Columbia Pictures)—2nd week Rialto
Seven Days Leave (M-G-M)—2nd week Capitol
Smoke Iron (Paramount Pictures)—2nd week Paramount
The Mortal Storm (M-G-M-Mayer Pictures)—2nd week Capitol
Safeti (Paramount Pictures)—2nd week Paramount
Not Steel (Universal Pictures)—2nd week Capitol
Ladyslew (Col.: 12/19)—3rd week Fox
Prarie Law (RKO Radio Pictures)—2nd week Rialto
Land of the Smudg Man (Monogram Pictures)—2nd week Central
Sandpiper (M-G-M-Mayer Pictures)—2nd week Capitol
The Dark Command (Republic Pictures)—3rd week Palace

Two-A-Day Runs

* The Ghost Breakers (Paramount Pictures)—June 3
* The Man Who Talked Too Much (Warner Bros. Pictures)—June 28
* Strand
* Tom Brown's School Days (RKO Radio Pictures)—June 27
* Music Hall
* Susan and God (M-G-M-Mayer Pictures)—(c)
* Capitol
* Sailors' Lady (Twentieth Century-Fox)—(c)
* Paramount
* Phantom Raiders (M-G-M-Mayer Pictures)—June 27
* Criterion
* Lost Horizon (Columbia Pictures)—June 29
* Globe
* Torrid Love (Warner Bros. Pictures)—June 28
* Palace
* Sandy is a Lady (Universal Pictures)—June 27

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Revival.

FOREIGN LANGUAGE FEATURES
The Baker's Wife (The Baker's Wife Co.)—17th week World

FUTURE OPENINGS

Seeking an injunction to restrain the use of words "fifth column" in a motion picture title, Ernest Hemingway, Benjamin P. Glazer and Theater Guild, Inc., filed suit Friday in N. Y. Supreme Court against Film Alliance, of the U. S. Inc., and the Midtown Theater Corp., operator of the Rialto.

The complaint stated that the value of the motion picture rights to Hemingway's play, "The Fifth Column" is between $100,000 and $150,000. Pending negotiations for its sale, the suit states, are jeopardized by the use of the title "Fifth Column Squad" by the defendants for an English-made picture, originally titled "Spies of the Air." The latter picture, the plaintiffs claim, which is now being distributed throughout the country and shown at the Rialto, has illegally appropriated the words "fifth column" and is unfairly competing with the Hemingway play.

Bingo for Charity Must Pay New Kentucky Levy

Frankfort, Ky.—Charity institutions operating Bingo games must pay the new 15 per cent State tax on all prize awards, Asst. Atty. Gen. Jesse K. Lewis said in an opinion. The State law, providing the tax on Bank Night awards and other prizes offered at any amusement, became effective June 15.

"Bingo" is defined in a previous opinion that Bingo games are in violation of the Constitution's prohibition against 'any lottery or gift enterprises.'
Game Four to Allied Product Survey

(Continued from Page 1)

Arthur Howard, Boston, headquarters of the committee will be in Philadelphia.

Product survey cards, to be filled out by exhibitors in all territories, will seek information as to percentage and flat rental deals, whether exhibitors are paying more or less money this year than last and whether companies are selling fast enough in each area.

Purpose of the plan is to guide and advise exhibitors in their product deals and to eliminate discrimination by the distributors.

3 of 20th-Fox's 52 Already in Preparation

(Continued from Page 1)

Hollywood—At the week-end, 20th-Fox had productions for next season in various stages of preparation, with eight features in the cutting rooms. Six more pictures will be started this month. It was also learned that Darryl Zanuck has abandoned plans to make "Man Hunt" this season.

Norman Walker, sales head, who has been last year conferring with anuak, stated that the company's "Man Hunt" will be one of the 52 pictures still to be continued for 1940-41. Walker stated that the negatives of four British-made films have already been received in New York.

Col. Signs Heavyweight

Hollywood—Columbia has signed a lightweight heavyweight, Jack Hugan, to a mobster role in "Before I Die."

WEDDING BELLS

Marriage of Jewel Hart, daughter of Mr. and Mrs. L. Schwartz, to Joseph Hohn, son of Jack Hohn, Columbia vice-president, and Mrs. Hohn, was solemnized yesterday afternoon, at the home of the bride, with Supreme Court Justice Fink and Pecora officiating. Bride is well known on the stage, groom is associated with the law firm of Schwartz & Fink.

Miss Hart was attended by her sister, Shirley, as maid of honor, and by Mrs. Ralph Kohn as matron of honor. Luster is the wife of the room's brother, Ralph Kohn, Columbia associate producer who came to New York for the ceremony. Best man was another brother, Robert John.

Newlyweds have left for a wedding trip to Havana.

Richmond, Va. — Robert Taylor, East End Theater staff man, was married Saturday to Geraldine Van Giffin.
**GOP Coverage Gives Tele Greatest Task**

Philadelphia—Television coverage of the Republican convention, which starts today, is “far and away the most intricate and extensive task yet undertaken in television history,” according to NBC’s television staff. The event—the first of its kind—will be covered by NBC, in cooperation with the National Broadcasting Laboratory and by the Philco, in cooperation with NBC.

NBC will use two experimental wire circuits and a 19-mile stretch of coaxial cable from Philadelphia to New York’s Empire State building where the images will be transmitted by W2XBS. Philco, in collaboration with Mutual, will transmit its images over W2XBS, Philadelphia. Philco-Mutual television controls will be located in the Mutual control room, overlooking the convention floor.

Tests have been conducted for several weeks to insure full tele-coverage of the convention. In addition to the pick-up network for cameras, there will be a pick-up and relay of programs. The engineers have supervised installation of numerous cue channels, circuits for NBC program men and engineers, television channels and talk circuits to parallel the lines of the pick-up network. The combined length of these channels will probably be two and three times as long as the pick-up network.

**Father of Lanny Ross Is Stricken in London**

London (By Cable)—Dooglas Walter Ross, 62, actor, stage director and father of Lanny Ross, died here.

D. W. Ross appeared on the New York stage, and was drama coach at Carnegie Institute of Technology and later at Yale.

In addition to Lanny, he leaves another son, Winston, also an actor and radio singer; two brothers, Patrick W. T. Ross, of New York, a teacher of Greek and Elizabethan stage literature, and Lancelot C. Ross, of Jackson Heights, Queens, and a sister, Miss Evelyn Ross of New York, an actress.

**War No Damper on Stocks, Although Pix Hurt**

The war, which exhibits, complain has kept patrons at the side of their radios to the detriment of the box-office, has failed to put a damper on stawh theater, according to Actors Equity, which reports 69 summer seasons already registered.

Fifty-nine are listed for Class A, six Class B and four Class C with modifications.

This summer season is keeping a record of the salaries earned by all its members on the rural circuits, object being to determine the economic prospects of the industry which has grown so rapidly.

**REVIEWS OF NEW FILMS**


STANDOUT ATTRACTION WAS POWER AND APPEAL MEAN CERTAIN ACCLAIM BY ALL PIX FANS.

It was Winston Churchill who recently praised the phrase,—“In God’s own good time.” That phrase has now come to be a popular saying in England. The picture is a wonderful and perfectly staged picture. The sound is the best I have seen in a long time. The sound is so clear and easily splashed care. It has finally come to pass, namely, the screen version of Thomas Hughes’ novel, in which predecessor generations revered.

If “Tom Brown’s School Days” was tardy in arriving on screens, no matter. It has arrived in rugged condition, which is the interest of exhibitors, and their public. So rugged it is that it must be set down promptly as a b.o. natural. If the picture is not completely fantastic, care of the book, nobody should quibble, because it’s very much for the best.

The adaptation and screenplay were handled by Walter Wanger, with whom the producers, Gene Towne and Graham Baker, collaborated, and drew the picture under the direction of Robert Stevenson, to furnish the additional dialogue.

This attraction, in briefest and clearest description, is the second fine picture to grace screens in relatively recent weeks with its story recouping school life in England. The first was the thunderously successful “Good-Bye, Mr. Chips,” attachment of Freddie Bartholomew, his room-mate. Essentially around the former move the stirring experiences which lead to an opportunity for a son of a Rugby trustee is sent to that school, which is rampant with lack of juvenile morality, and long on bullying and lack of discipline.

Young Jimmy Lydon stands up to the machinations and abuse of the rowdy element, led by Billy Halop, and succeeds, through his many example and good human qualities, in converting the school to high standards of student behavior. But the way is hard, and to audiences, it will be exciting, surcharged as the footage is with hazing, outrages, fistfights, and even torture.

Josephine Hutchinson is excellent as the headmaster’s wife, as are the performances of her fellow principals, players, too, contribute greatly to the solidify of the film. These are Polly Moran, Hughie Green, Ernest Cossart, Alec Craig, and Storm. In summation, this Cossart is immensely valuable to all outlets, for it is finely made, roundly acted and certain to be a success. The producers, who come to the producers, to Director Robert Stevenson, and all who had a hand in its fashioning, deserve credit.

CAST: Sir Cedric Hardwicke, Freddie Bartholomew, Jimmy Lydon, Josephine Hutchinson, Billy Halop, Polly Moran, Hughie Green, Ernest Cossart, Alec Craig, Gale Storm, Barlowe Borland, Forrest Harvey.

"Wagons Westward" with Chester Morris, Anita Louise, Buck Jones, Ona Munson, Republic, 70 Mins. Title: “A” WESTERN MELLS PLENTY OF ACTION, A FINE CAST AND GOOD AUDIENCE APPEAL.

Audience should be well pleased with this film. We come to an admirable amount of imagination, a plausible story has been concocted with plenty of action and pace, and an extremely astute and capable cast has gathered together to put the picture over. Director Lew Landers keeps the film moving rapidly at all times and keeps his story and players well in hand. The picture is plentiful and spectacular, with a ruling climax.

Chester Morris does a nice job in a dual role, Ona Munson and Anita Louise ably fill two strong female roles, and Buck Jones, a rugged gunfighter, joins the action. Morris plays the part of two twin brothers, one bad and the other law abiding. Their father is killed while they are young, and Tom, the good brother, the man of the family, goes West under the care of Hayes, who has promised his father to try and make something of himself. Hayes’ efforts are to no avail, and he turns to crime. Morris as the other brother, David, joins the Government law forces and helps to trap his brother, hoping to trap two other gang leaders in the area where his brother had been operating.

Morris returns with Hayes coaching him, masquerading as his brother. Morris gets involved with Miss Munson, whom he cares for, as well as Miss Louise, whom he is supposed to care for, and the suspicions of Jones, his right hand man. Finally he has to marry Miss Louise, even though Miss Munson knows his true identity, but when a trap he plans is uncovered, Jones and the others catch him by the tail.

Meanwhile, Tom has escaped from jail and returned to his old headquarters, murdering Miss Louise for unfairness. Morris is rescued by Indians and he and Hayes not only break up the gangs with the help of Government soldiers and the Indians, but Morris also polishes off his brother with Hayes firing the fatal shot.

CAST: Chester Morris, Anita Louise, Ona Munson, Buck Jones, George “Gobby” Hayes, George Williams, Douglas Fowler, John Gale, Judd, Virginia Brissac, Trevor Bardette, Selmer Jackson, Charles Stevens, Wayne Morris, Helen Hull.

CREDITS: Associate Producer, Armand Schaefer; Director, Lew Landers; Original Screenplay, Joseph L. Mankiewicz, Harrison Jacobson; Cameraman, Ernest Miller; Editor, Murray Salden.

DIRECTION, Good. PHOTOGRAPHY, Good.


CREDITS: Producers, Gene Towne, Graham Baker; Director, Robert Stevenson; Actor, Alec Craig; Walter Forsey, Frank Cavett, Gene Towne, Graham Baker; Author, Thomas Hughes; Additional Di- alogue, Robert Stevenson; Military Scene, Walter Wanger; Music, Harry Cohn; Sound, Victor Feldman; Songs, Louis F. Gottlieb; Title Music, Victor Young; Title Song, "A Star is Born," Old J. Ehlers; Director of Photography, Fine.

**Stereophonic Sound For 1940-41 Films**

West Coast Bureau of THE FILM DAILY

Hollywood—Stereophonic sound recording will get a try in 1940-41 product, it was indicated at the week-end following the demonstration by a group of Academy sponsors in co-op with SMP Telephone Labs, Walter Wanger, Academy presid, president, Demonstration paralellled one held in New York more than a month ago.

Producers, directors and techni- cians, who were included in the local audience, generally appraisal stereo phonic as a potential tool for expansion, via films, and plans already are under way to utilize the device.

**British Pix Gain at U. S. Expense in Australia**

Washington Bureau of THE FILM DAILY

Washington—American distributors lost ground slightly in the Australi an market during 1939 with the British motion picture industry improved its position, Consul Wilson C. Flake at Sydney reported through the Commerce Department Satur day.

The U. S. supplied 80.3 per cent of all feature films imported in Aus tralia in 1938 against 86.3 per cent in 1938. The share of the United Kingdom was 15.3 per cent in 1939 compared with 13 per cent in 1938, while the share of "other countries" increased to 4.4 per cent in 1939 against 0.7 per cent in the preceding year.

**Charley Chase Chases At Coast Saturday**

West Coast Bureau of THE FILM DAILY

Hollywood—Charley Chase were held Saturday morning at Wee Kirk of the Heather. Christian Science services were read. The audience attended the burial at Forest Lawn.

Chase, in pictures since 1914, died of a heart attack, following several months of failing health. A native of Baltimore, he made his screen de but in Mack Sennett’s old Keystone Kope series. He later was signed to work in Hal Roach productions and remain under contract for seventeen years.

He leaves a widow, known professionally as Bebe Eilting, and two daughters, Mrs. James Preshow and Mrs. Donald Hargis, both of Holly wood.

Nicholas Musuraca; Special Effects, Vernon Walker; Art Director, Van Nest Polglase; Associate, L. P. Williams; Costumes, Ed ward Stevenson; Set Decorations, Darrell North; Recording Director, Richard Van Ness; Hessen, James G. Stewart; Editor, William Hamilton; Assistant Director, Sam Romani; Technical Director, Ian Fallon.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.
WHY GIRLS Leave Home ... and MEN Follow

They want ENTERTAINMENT!

PARAMOUNT PICTURES FOR 1940-41
THE WORLD'S GOTT ONE
HEAVEN, THE U.S. CAN SMILE.
AMERICA SMILING... LET
LECTURES. WE'LL CONTINUE TO BUCK
WITH "BUCK", BING AND AN
SIGNIFICANT DRAMA WRITE
HEART THROBS — WE'LL GIVE THE
'EM WHAT THEY NEED AND WANT...

THE PARAMOUNT PRO
44 FEATURES - $25,000,
An average production budget increase of
AN HONEST PROGRAM
WHALE OF A HEADACHE — THANK

ILL SMILE — OUR JOB IS TO KEEP

THE PROFESSORS GIVE THE DRY

THE TIDE OF HEAVY STUFF

WOB... WE'LL DUCK THE

WE'LL GIVE THE GIRLS

ENTS ACTION

ENTS ACTION

WE'LL GIVE

MUSIC AND LOVE AND LAUGHTER

GRAM for 1940-'41:

DOO IN ENTERTAINMENT...

more than $100,000 a picture over previous years!

— WITH NO "B" PICTURES!
we're not counterfeiters ... but we can turn MUSIC notes into BANK NOTES

RHYTHM ON THE RIVER

LOVE THY NEIGHBOR

"ROAD TO ZANZIBAR"

"KISS THE BOYS GOODBYE"

"DANCING ON A DIME"

"Second Chorus"

THERE'S MAGIC IN MUSIC

A big musical starring ORRIN TUCKER
the "Oh, Johnny" band and Bonnie Baker
The picture you've been asking for... another "Trail of the Lonesome Pine."

"SHEPHERD OF THE HILLS"

IN TECHNICOLOR!

with an All Star Cast including

ROBERT PRESTON
BETTY FIELD
LYNNE OVERMAN

Screen Play by Frederick Harling Bronson - Based on the Novel by Harold Bell Wright
Produced by STUART WALKER - Directed by HENRY HATHAWAY

"RANGERS OF FORTUNE"

FRED MacMURRAY
PATRICIA MORISON

Albert Dekker - Gilbert Roland
Dick Foran - Joseph Schildkraut
Betty Brewer

Original Screen Play by Frank Butler
Produced by DALE VAN EVERY
Directed by SAM WOOD

The Strongest Line-Up of Big Box-Office Action Pictures
and Spectacular Out-of-Door Romances Even PARAMOUNT
Has Ever Offered!
Here's Director Henry Hathaway with another "Lives of a Bengal Lancer"

Edwin Justus Mayer's grand drama of that immortal American frontiersman, Davey Crockett. Imagine an Indian with a Harvard accent, a gentleman swindler, a lady with an amazing past...a retired pirate and Davey...imagine that strange quintet struggling across the wilderness to join the heroes who defended the Alamo against Santa Anna's invading hordes.

Heart-rending drama of the teakwood forests with the emotional power of "Red Dust"!

"MOON OVER BURMA"

Screen Play by Frank Wead • Based on the Story by Wilson Collison • Directed by LOUIS KING

America's modern heroes of the air!

"I WANTED WINGS"

Producer Arthur Hornblow, Jr. scoops the field for Paramount with the first big action picture dramatizing the most interesting, most exciting, most nationally important subject in America's hearts and minds today...the training and building of America's great Air Defense Corps...the flying sons of the U.S.A.

Screen Play by Beirne Lay, Jr. and Michael Fessier • Based on a Book by Beirne Lay, Jr. • Produced by ARTHUR HORNBLOW, Jr.

"TEXAS!"

Here's a brand new kind of big time Western adventure picture!

starring

ELLEN DREW and JOHN HOWARD

with May Robson • Akim Tamiroff

Broderick Crawford • Anthony Quinn

With their horses in trailers the Rangers get their men...

Original Story and Screen Play by William R. Lipman and Horace McCoy • Directed by JAMES HOGAN
A WILLIAM A. WELLMAN PRODUCTION

"The City That Never Sleeps"
(TENTATIVE TITLE)

The best seller "F. O. B. Detroit" has been used by Producer-Director Wellman as the basis for this great human interest screen play!

A heart-stirring drama of love and adventure!

"BIRTH OF A HERO"

with WILLIAM HOLDEN • MARIA OUSPENSKAYA • ALBERT DEKKER

Screen Play by Charles Brackett and Billy Wilder • Based on a Story by Brian Marlow and Thomas Monroe • Produced by ARTHUR HORNBLOW, Jr. • Directed by MITCHELL LEISEN

The Amazing Drama of O. Henry's Life!

DOUGLAS FAIRBANKS, Jr. in

"The American Vagabond"

A Borros Morros-Robert Stillman National Pictures Corporation Production

One of the great westerns of all time...

"The Roundup"

A special presentation of the famous play with an all-star cast including DON WILSON as Sheriff Slim
Gambling Lady of the Old West!

CLAIRE TREVOR in

"THE SILVER QUEEN"

Story by Wanda Tuchock and Frank Melford
Directed by ALLAN DWAN

Paramount's 1940 football picture!

"Touchdown!"

with Wayne Morris • Virginia Dale • Lillian Cornell • Frank Fay
Original Screen Play by Robert Pirosh • Produced by ANTHONY VEILLER

HARRY "POP" SHERMAN Rides Again... with Two Big-Time Westerns!

"CHEROKEE STRIP"
(TENTATIVE TITLE)

The famous chapter in Western history... when the Oklahoma Territory was opened to the land-hungry, hard-fighting sons of the Old West. Bernard McConville wrote the yarn.

Peter B. Kyne's
"PARSON OF THE PANAMINT"

Aces among the writers of two-fisted Westerns, Peter B. Kyne never turned out a faster-moving adventure story of the Old West than this drama of the two-gun "Parson of the Panamint."
As experts we believe you can't beat this for ENTERTAINMENT!

Radio's most popular heart-interest program... becomes a grand screen drama!

"I WANT A DIVORCE"

starring

JOAN BLONDELL • DICK POWELL

with Gloria Dickson • Frank Fay • Jessie Ralph

Conrad Nagel

Screen Play by Frank Butler • Based on
a story by Adela Rogers St. Johns
Produced by GEORGE ARTHUR
Directed by RALPH MURPHY

Two great stars in a modern "Farewell To Arms"

CLAUDETTE COLBERT and RAY MILLAND

in

"ARISE MY LOVE"

Screen Play by Jacques Thery, Charles Brackett, Billy Wilder and Ketti Frings • Based on the story
by Benjamin Glazer and John Szkeley
Produced by ARTHUR HORNDBLOW, Jr.
Directed by MITCHELL LEISEN

Speaking of hearts....

FLUTTER this page!
SHE LOVES TO BE THRILLED by Paramount

Thriller of an ape with a human brain!

"THE AVENGING BRAIN"

with ELLEN DREW • ALBERT DEKKER

Screen play by Stuart Anthony • Directed by STUART HEISLER • Produced by JACK MOSS

Basil plays a "Jekyll" and "Hyde" role in this heart chiller!

"A DATE WITH DESTINY"

starring BASIL RATHBONE • ELLEN DREW • JOHN HOWARD

with Barbara Allen (Vera Vague) • Ralph Morgan

Screen Play by Howard J. Green • Produced by GEORGE ARTHUR • Directed by TIM WHELAN

Thriller of the sea . . .

"MYSTERY SEA RAIDER"

with CAROLE LANDIS • HENRY WILCOXON • ONSLOW STEVENS

Screen Play by E. E. Paramore, Jr. • Based on a Story by Robert Grant

Produced by EUGENE ZUKOR • Directed by EDWARD DMYTRYK
ELECTED FOR A 5th YEAR ON THE SUCCESS TICKET!

HOPALONG CASSIDY
The Western fans Choice!

6 HOPALONG CASSIDYS

"THREE MEN FROM TEXAS" (TENTATIVE TITLE)

"DOOMED CARAVAN"

"PIRATES ON HORSEBACK"

"TIMBER WOLVES"

"THE BUCKAROO"

"BORDER VIGILANTES"

Starring that great box office western star BILL BOYD with such Hoppy favorites as Russell Hayden in their doing and dying for that master producer of socko westerns, HARRY "POP" SHERMAN Andy Clyde will be featured in the above pictures.
Millions of Saturday Evening Post readers from coast to coast are
 Eighteen Forties, and saying it has the making of a glorious movie
 them. The Thelma Strabel story is ours for Mr. DeMille to give it
 wreckers . . . and sailor brawls as screen mates.

7,103,211 readers of The Saturday
Evening Post are reading this sensa-
tional serial . . . appearing currently!
DeMille

TIGST SUCCESS by THELMA STRABEL

WILD WIND

Filling this adventure romance of Charleston and Key West in the roaring
... And Paramount's great showman, Cecil B. DeMille, agrees with
and box office touch ... And when we say it has sea wrecks and
and all the color of a chapter of American history never before used
plus a deeply human love story ... well, get ready to reap plenty!

Greatest TRADE NEWS of This or Any Day!

In addition to "Reap the Wild Wind" Mr. DeMille has promised to
deliver for Paramount two other equally important pictures between
now and the close of the '41-'42 Season.
86 SHORT SUBJECTS

12 MAX FLEISCHER POPEYES
Tops in cartoon shorts...packed with a million laughs!

8 MAX FLEISCHER GABBY CARTOONS
in Technicolor
The millions who saw "Gulliver" made "Gabby" a star!

13 GRANTLAND RICE SPORTLIGHTS
Thrills in the world of sports...announced by Ted Husing!

6 UNUSUAL OCCUPATIONS
in Cinecolor
Peek into the private lives of people the world knows!

6 POPULAR SCIENCE
in Cinecolor
For the sixth year this ever-popular series continues to build audiences!

6 RAGGEDY ANN
A two-reel cartoon in color. Jammed with laughs and heart-interest...one of the biggest little hits you've ever played!

6 Paramount PARAGRAPhICS
The top-notch series from which came that Academy Award Winner, "Busy Little Bears!"

8 HEADLINERS
This series is hot—hot as the bands it brings you...hot as the songs they swing you!

4 Single Reel ROBERT BENCHLEY COMEDIES
A stand-out on any program...book it, advertise it...and watch the customers go for it!

10 MAX FLEISCHER ANIMATED ANTICS
New gears...new masks...new characters...twinsisters...and the Three Silks are featured in a few!

6 MERRY MODELS
in Technicolor
Starring those glamorous, amazingly human new little figures in plastic.

By Arrangement with King Features Syndicate, Inc.

PARAMOUNT NEWS
104 ISSUES
TWICE A WEEK
EVERY WEEK

Wherever the news is...whenever the news breaks...you'll find a Paramount News cameraman...Scoop after scoop has proven Paramount News "First in war...first in peace...first in the hearts of the exhibitors!"
The Week in Review

Allied Rentals War: Tied Up in France

By L. H. MITCHELL

DOMESTIC

ALLIED: Allied in convention in Chicago declared the "resistance wall" against any increase in rentals, charged dearth of good pick, predicted flood of suits if industry produced suit consent decree, protested use of "A" pix with dual or triple bills, and took stand against multiple bills in general. Expectation was voiced that distributors would offer a unit selling system to exhibits.

EQUITY SUIT: Settlement talks, continuing for 10 or Gov't and distributors, were characterized as "progressing" and "helpful" but still with a long way to go. "U. S. offered a new compromise plan and to differ from that advanced by the D of C. Parleys were said to cover eight points as a consent decree, with recommendations by majors to be forwarded to Washington for consideration by Gov't.

NEELEY BILL: Sub-committees considering revamping of the Neeley bill may become, it was intimated, a semi-permanent body and conduct a summary examination report back to full committee when survey is completed. Col. H. A. Cole opined that the Neeley bill was "dead by a long shot," and Senator M. M. Neely said that action on theater divergence waited on events.

ADMISH TAX: Sweeping revision of theater admission tax was advanced to the Senate Finance Com., with reports showing reductions from 10 to 25 cents; two cents on 26 to 49-cent tickets, and straight 10 per cent all except 10. It was expected to concur in Senate Com.'s sliding scale. Proposal drew fire from Allied.

RK0 RADIO: Discussion of RK0's ability to pay allowances asked in reorg. continued, with company announcing a 13-week profit of $358,068, but with expectation of about $125,000 for the 1940 calendar year. . . . Atlas, in claim for allowance, stated that it had been blocked on theater divergence for RK0 during reorg. proceedings.


THIS AND THAT: A F of M rejected an anti-Warner move at its Indianapolis convention, went on record as favoring the Neeley bill, and forecast a huddling of crafts (IATSE, Di, Parleys, etc.) for "inconsistency" in pix theaters. James C. Plterillo of Chicago succeeded Jos. Weber as proxy. FFC decided to open new tele channels, 25 applications having been tentatively accepted, with 15 more being considered . . . Newsreels decided to trim war shots in their prints. . . . Mary Pickford predicted a readjustment in film affairs as result of grave crisis in industry's history and stated that more indie production was likely . . . Barney Balaban's report to Para, stockholders was of net $1,605,012.15; a profit of $341,348 . . . "U" announced retirement of $2,750,000 in bonds and obtaining additional bank loan . . . Y. Frank Freeman saw industry "at crossroads," and urged productive help from exhibitors. . . . 96.8 per cent of women registering prefer films to air shows.

FOREIGN

FRANCE: U.S. Distribs. reported to have $500,000 tied up in France.

CANADA: Dominion's drive for war revenue, particularly in the tourist industry, MPPDA Agreeing to furnish free pick for special showings at which admh will be by war savings stamps.

Leydon Funeral Held

Funeral services were held at the head-end for William H. Leydon, 86, former head of Leydon, Skouras, Inc., and for the last 17 years chaplain of BPOE No. 1. Leydon had played for 45 years.

May Admissions Tax Tops 1939 Receipts

Washington—Admissions tax collections for May, 1940, amounted to $1,701,665.76, the Internal Revenue Bureau reports. The May, 1940, figure is $185,108.62 more than the $1,516,557 collection for May, 1939, being $206,062.18 collection for April, 1940.

Collections from the Broadway area show similar increase over May, 1939, and decrease compared to April, 1940. The May, 1940, figure is $511,700.26 compared to $492,012.15 in May, 1939, for a gain of $19,688.11. The May figure is $78,446.69 less than the $80,146.86 Broadway collection for April.

John Gatelee, Industry Labor Executive, Dead

(Continued From Page 1)

troubles the IATSE union leaders had.

He was one of the first motion picture operators in this state, and was business agent for the Springfield operators union for 28 years. For five years, he headed the Federation of Labor, retiring in 1930. This Summer he entered the medical field and was in charge of the air force hospital near Albany, N. Y. He is survived by his wife, a son and two daughters. Funeral will take place here today.

Tributes to Gatelee were voiced here by numerous industry labor representatives as well as IATSE officials and other union leaders. Pat Casey, Dogan's representative, said, "Jim Gatelee and Frank Phelps, Warner theaters labor adviser, praised Gatelee highly, and described his death as a loss to the entire industry as well as to union circles.

Form Co. to Produce Film for War Charities

West Coast Bureaus of THE FILM DAILY

Hollywood—Entente Film Production, Inc., has been organized with Sir Cedric Hardwicke as chairman and Albert Hitecock, Victor Saville and Herbert Wilcox as members of the board of directors.

Company will make "Octave of Jealousy" with the entire profits going to Allied war charities and some American Charities.

Alma Roville and W. P. Lipscomb will write the screenplay with A. J. Cronin, James Hilton, Aldous Huxley and John Van Druten contributing story ideas. Hitecock, Wilcox, Saville, Dalton, Alexander Korda, Ednaoud Goulding and Frank Lloyd will share the directorial work.

George E. Pratt Stricken

Washington, D.C.—George E. Pratt, 84, former head of the Motion Picture Bureau, Two of the sons, Ralph and Clyde, operate the State and Fox theaters here.


**Current Feature Releases**

**3-28-40**

- Gangs of Chicago, 66 mins.
- Earthbound, 67 mins.
- The Band from Snowy River, 66 mins.
- Going to Town, 68 mins.
- The Lawless, 59 mins.
- King of the Khyber, 52 mins.
- The Little Sister, 56 mins.
- Why Be Good?, 55 mins.
- My Man, 59 mins.
- Lady in a Million, 59 mins.
- Lady from Shanghai, 58 mins.
- Symphony of Six Million, 65 mins.
- The Great Dictator, 60 mins.
- Red Heaven, 69 mins.
- Madame Bovary, 70 mins.
- My Man Godfrey, 69 mins.
- The Blue Angel, 60 mins.
- The Bitter Pill, 60 mins.
- Mr. Deeds Goes to Town, 63 mins.
- The Truth, 65 mins.
- They Died with Their Boots On, 62 mins.
- The Great Vendetta, 66 mins.
- While They Sleep, 56 mins.
- The Sea Hawk, 60 mins.
- The Last of the Mohicans, 60 mins.
- The Big House, 62 mins.
- The Fugitive, 66 mins.
- The Pit and the Pendulum, 57 mins.
- Captain January, 59 mins.
- The Big Broadcast, 60 mins.
- The Big Store, 60 mins.
- The Big Country, 67 mins.
- The Big Night, 68 mins.
- The Big Parade, 68 mins.
- The Big Ten, 68 mins.
- The Big Sleep, 68 mins.
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Allied Silent on Any Action on Arbitration

Drama Create a Seller’s Market. Lowering Admission Prices. Allied Holds

(Continued from Page 1)
equal balance between seller and buyer relationship, resulting in the reduction of admissions at the box office by surfeiting the desire of the public for motion picture entertainment.

If any action was taken on arbitration or theater divestment, the delegations were keeping mum after the last session. It is understood that a workable plan is under consideration but Allied feels that until the Government suit is clarified it would be useless to try to put an arbitration system into operation.

Producers should take the lead in the crusade to eliminate double features, according to the ITOA, which, in a blast against what it terms the 1940 brand of b.o. poison, asserts that duals is a greater evil confronting the industry than even the loss of the European market.

Harry Brandt’s commentary is keyed to Sam Goldwyn’s recent reiterated pronouncement against double features, and its frankness is a propitious time for producers to lead this industry out of the wilderness.”

ITOA sees theaters, following the producer lead, with “a new era of prosperity” resulting. Case against duals is outlined this wise:

(1) With the elimination of double feature programs, producers could concentrate on artistic and commercially successful pictures, in contrast to the factory product, run-of-the-mill films, put on an assembly line and sent into the market merely to keep up with the requirements, self-imposed, of the double feature evil.

(2) Giveaways, running into the hundreds, are a drain on the exhibitor’s purse and comprising everything from rent night to money for books and insurance policies, adds the ITOA.

(3) That with a more selectivity in their choice of product in playing one picture instead of two, exhibitors will have the advantage of those pictures starring personalities who are no longer box-office attractions.

(4) A picture will fall or stand on its own merits. Playing a A and B on one bill is serving pressed and tripes with the same plate; playing two B’s is serving a double portion of tripe and playing two A’s is giving your public movie indulgence.

(5) Programs are now so long, there are fewer showings in our theaters and the fans are so saturated with films they don’t return for a long while.

Weigh Allied Influence On a Consent Decree

Defense counsel in the Government Equity suit weighed at the week-end possible undisclosed action by the theater divestment by Allied at its Chicago convention as a probable barrier to a consent decree. Other aspects of the defense proceedings which might have an effect on conferences between D of J and defendant representatives seeking grounds for a settlement of the suit received careful attention.

On Friday, talks continued on the practice of putting together the box office of settling down basic principles for agreement. Sources conversent with the settlement negotiations point out that the natural inter-relationship of one trade practice to another made the talks necessarily involved.

Conferences continue today.
Rule Today on Plan for Tax Collection
Deny Outside Influence in Settlement Talks

Only Consideration Said
To be Public Interest and
Betterment of Industry

Department of Justice officials in the New York office yesterday took
tacit cognizance of persistent reports that
settlement negotiations of the equity
action have been brought about by
financial interests closely tied up
with the motion picture industry.
These reports are a "pack of lies," it was emphatically stated, and no
outside influences, either financial or
otherwise, have been brought upon
Thurman Arnold or any other Gov-
(Continued on Page 8)

Mono. to Move Hqgs.
To the West Coast

West Coast Bureau of THE FILM DAILY
Hollywood — Commenting on the question of whether Monogram's
home office headquarters would be
moved to the Coast, President W.
Ray Johnston said plans are being
worked out to that effect and that
the change will possibly be made
within the year. Company's foreign
department would remain in the East.
Johnston denied published reports
(Continued on Page 6)

200 at Boasberg-Lux
Buffalo Testimonial

Buffalo—Charles Boasberg, pro-
\moted recently to be RKO-Radio's
Eastern Central district manager,
with headquarters in Cleveland, and
Elmer Lux, Boasberg's successor as
Buffalo branch manager, were given
a testimonial banquet in the Stat-
(Continued on Page 7)

Casting Corp. Strike
Negotiations Continue

West Coast Bus., THE FILM DAILY
Hollywood—Representatives of both
producers and laborers will meet again
today in an effort to settle the strike
of Central Casting Corp. employees, SAG
officials have notified extras that the
only strike recognized by it is that at
Central Casting, and that there is
strike at any studio nor is any studio
on the unfair list.

Telecast of GOP Meet Success
Clear Reception Along Eastern Seaboard

By GEORGE H. MORRIS
FILM DAILY Staff Writer

Philadelphia—Television took an
other important hurdle in its race
 toward perfection when, at the hands
of RCA-NBC, the visual science
yesterday brought to receiving set
owners along a considerable stretch
(Continued on Page 8)
Fox, Detroit, Playing Stage Shows Four Weeks

Detroit—Shifting to intensive vaudeville bookings, Fox has set stage shows for four weeks in a row—Glenn Miller currently, followed by Sammy Kaye, Cab Calloway, and Pony Gallant, later this week.

No stage bookings have been set yet for the opposition Michigan.

Two-day experiment in single feature bookings at the Fox resulted in some of the lowest grosses in its history; however, opened under the handicap of filling in two leftover dates after the public had a chance to see a stage show plus features for the same price the two preceding days. The program was strengthened by a total of seven short subjects, but no second feature.

New RCA-NT Agreement Covers 300 Theaters

National Theaters has signed RCA sound service agreements to include the more than 300 theaters of the various Fox divisions, according to W. L. Jones, RCA National Service Manager. The new contracts mark the fifth year the houses have had RCA's service. Circuits involved are the Fox Wisconsin Theaters, Inc., Fox Intermountain Theaters, Inc., Evergreen State Amusement Corp., and Fox West Coast Theaters Corp.

Pact was negotiated by Sporos Siouras and Frank Iby of National Theaters, and Edward C. Cahill, Manager of the RCA Photophone Division, and Jones.

New Time Referendum Move in Balto. Fails

Baltimore—Measure calling for a daylight saving referendum in the November poll has been killed by the City Council. The proposal, sponsored by the Junior Association of Commerce, was held in committee by a vote of 13 to four, after opposition by religious and labor groups, housewives and farm organizations. Legislative committee will not meet again until after summer recess.

Nizer to Discuss Neely Bill, Suit at Luncheon

Motion Picture Associates will hold a special luncheon Friday at 12:30 at the Astor on behalf of Louis Nizer, of Phillips, Nizer, Benjamin & Krim, will be the guest speaker. Nizer will discuss the latest developments regarding the Neely Bill and the Government suit.

Won't Organize Theater Candy Counter Girls

Chicago—Officers of the Chicago Operators Union deny the current report that candy counter girls in the theaters are to be organized by the Clerks Union.

50 Foursomes to Tee Off In RKO Tournament Thursday

At least 50 fouroomes are expected to be on the links Thursday when the twin Westchester Country Club courses in RKO's annual golf tournament.

Countries thus far include:


Labor Leaders Attend John F. Gatelee Rites

Springfield, Mass.—Funeral yesterday of John F. Gatelee, New England representative of IATSE, was the largest attended in that state, as IATSE and other labor groups, including the Funeral Parls, were followed by interment in Hillcrest Park Cemetery. The Rev. John V. Butler officiated.

Present at the rites, among others, were Nicholas P. Morrissey, president of Massachusetts Federation of Labor; Frank Fenton, national director of organization, AFL; J. Murphy, personal representative of William Grover, acting director of the Massachusetts association of electrical workers.

Among active bearers were Louis Krus, second vice-president, and Richard Walch, vice-president, IATSE; the honorary bearers, all of IATSE, were: Eds. Tinney, James Brennan, Thomas Green, Fred Newcomb, Thomas Murrin, Glen Humphrey, and Herbert Slater.

Foreign Depts. Finding Communication a Problem

Communication between foreign departments and branches in Europe is becoming increasingly difficult because of war conditions resulting from the particularly true of radio communication.

RKO's circuit between New York and Oslo has been discontinued, and Norwegian message now clear through Berlin or Gothenburg, Sweden, or through wireless to Czechoslovakia and Poland are transmitted by Berlin, radiotelephone. Communication between the U. S. and Holland or Belgium has been discontinued, as has such communication between the U. S. and German-occupied France.

COMING AND GOING

W. F. RODGERS, general sales manager Metro, returns to New York tomorrow after attending the Allied convention and visiting several branches in the Midwest. He was in Chicago yesterday.

WILLIAM A. SCULLY, Universal sales head, and W. J. HEINEMAN, Eastern division manager, arrived Thursday night in Time City.

JACQUES MERSEREAU has arrived from New York from Hollywood.

FRANK PHILPS, Warner Theatres lobbyist, will visit the studio in Chicago, according to the war-time ladies of the Allied Convention.

ALEXANDER KORDA has arrived on the Connaught.

HERBERT WILCOX returned to Hollywood on the week-end after a short stay here.

MORT BLUMENTHAL, who charges of advertising and publicity for Warners in the East, is now in New York.

ANA NEAGLE will make a p.m. date in Biltmore next Thursday, in the presence of those three girls.

IRENE CASTLE McLAUGHLIN is at the Waldorf Astoria.

AL STEEN of THE FILM DAILY and STEEN were in Detroit yesterday.

PATRICIA MORDONI is here from the Coast.

NORMAN LINZ, manager of RKO Palace, and ARTHUR PETERSSON, manager of RKO's Fifth Avenue, are touring New York City on vacation.

CHARLOTTE McGUIGAN, secretary to Harry Shaw, Low-Foil division manager, will report to Hamburg, Pennsylvania, and New Castle, New York on her vacation beginning July 3.

J. J. SMITH, business agent of the Chica Foragers Union, and NEAL BISHOP, vice-president, have returned from an extended Eastern vacation trip.

LOUIS KROUSE, RICHARD WALCH, JAMIE BRENNAN, THOMAS MURTHA, and others on the Chica Foragers Union, have been in New York for a week of vacation.

H. M. RICHIE of RKO returned yesterday from Allied's Chicago convention where he introduced former Mayor James J. Walker, toastmaster at Allied's closing banquet.

JOHNNY HURST of Allied's Eastern division is back here after a two-week vacation in the Catskills.

LUIS SILLCOCK, executive secretary of IATSE, leaves New York Friday for a two-week vacation in the Catskills.

H. M. RICHIE of RKO returned yesterday from Allied's Chicago convention where he introduced former Mayor James J. Walker, toastmaster at Allied's closing banquet.

JOHNNY HURST of Allied's Eastern division is back here after a two-week vacation in the Catskills.
You can't talk too much and you can't yell too much about a show that's packed with action—and that's what this gives 'em galore. Ready now!

Act Now and Act Fast to get it from WARNERS
Va. MPTO Will Add Tax to B.O. Prices

(Continued from Page 1)

following a general discussion, Proxy Ed Kuykendall of the MPTOA was the principal convention speaker. He predicted a severe shortage of product during the next five or six months and, additionally, forecast dangerous opposition from slot machines.

The convention heard a report by Col. Robert Barton, its counsel.

The board of directors voted to hold a mid-winter convention in Washington and elected Frank O'Brien chairman of the convention committee.

Guests yesterday at the convention, at which Proxy William F. Crockett presided, included William Sussman, Ted O'Shea, Jim Clarke, Leo Beresin, Edgar Moss, Jack Cohen and Clint Weyer.

Boller Realty Corp. Plans New House for Great Neck

Plans for a new 1,200 seat theater and store structure on Middle Neck Road, Great Neck, Long Island, to be built for the Boller Realty Corp. are now in Albany for approval, it was learned yesterday. House, if built, with announcement of its construction stating it would be ready for occupancy by Oct. 1, would be directly opposite the Shu- ras Playhouse. Amusement Supply Co., Inc., has been awarded the contract to design, construct and equip the theater.

To Appeal N. Y. Censor Ban on "Merry Wives"

Steps to appeal the N. Y. Censor Board's decision banning "Merry Wives" are being taken by Edgar E. Lloyd, distributor of the Czechoslovakian film. Picture, banned as "indecent, immoral, and tending to corrupt morals," won the 1938 Venice International Film Biennale first prize.

UA's Bert Stearn III

Cleveland — Bert Stearn, United Artists district manager is confined to his home with a "strept" throat infection.

Happy Birthday to You

From THE FILM DAILY to
Sam Resnick, Dorothy Shea, George Abbott, John Quinnan, William Mong, Al Selig

ALONG THE REALTO WITH PHIL M. DALY

PHILADELPHIA

- SHORTLY before noon yesterday...the Republican National Convention....which the local Evening Public Ledger....appropriately billed in its Page One streamer....as the "Big Show"....got under way.....—and a big show it was.....with all the crowds, excitement and glamour....inherent to conclave of this type.....Decidedly a feature of this 22nd pow-wow of the G.O.P. is the tremendous newsreel coverage.....with all five of the major reels lavishly represented....

- UNDER the aegis of Allyn Butterfield.....veteran newsreel exec. and in charge of this activity at the Convention.....in behalf of the Republican National Committee.....yesterday, which was opening day, found perfect provisions.....for camera and sound crews to strut their cinematic stuff.....for platforms were placed for this purpose.....high on either side of the Municipal Auditorium.....and commanding a swell sweep of the entire scene of action.....—and action there was.

- FOR fully two hours before the noon of National Committee Chairman John D. M. Hamilton's gavel....calling the conclave to order.....we stood on the starboard "flying" platform....watching the shirt-sleeved pix crews.....get ready to shoot.....undistracted ex-cept by a platoon of messenger boys.....filing into the huge auditorium.....their arms laden to capacity with red carnations for some of the delegates.....or by the first notes of the band.....which hit up the lively strains of——"Ma, He's Making Eyes At Me!".....which is an appropriate enough overture.....considering that Fate is shyly cast- ing glances.....at a whole bevy of candidates.....

- STANDING on the platform was Allyn Butterfield.....together with Lou Hatt and George Westbrook.....cameraman and sound man for Paramount News.....Roy Edwards, cameraman, and George Graham, sound, for Universal.....At Gold and Ben Boz, ditto, for Movietone.....Ted Rickman and James McKeon, News of the Day.....and George Dorsey and Brandon Wentworth of Pathé.....Contact representatives aboard were Gene Boyd and J. C. Brown, News of the Day.....Tony Muto, Movietone News.....William P. Montague, Paramount.....Jimmy Lyons, Universal.....and Joe Walsh, Pathé.....and roundabout were members of silent crews likewise set.....to grab from various stations.....scenes of the day's big doin's.....

- WITH the quiet satisfaction of Jove who has just husked his thunderbolts.....Charley Ross stood in the wings.....beside the great stage.....surveying the smooth workings of 4,600,000 candlepower lighting equipment.....he installed for the occasion.....and by whose light the newsmen's crews and those of the television cameramen will take all their scenes.....All the lighting equipment was manufactured by Mole-Richardson.....for whom Charles Ross is exclusive Eastern representative.....It's a grand illumination job.....

- FILMLAND'S most distinguished representative.....at the Convention.....is Will H. Hays, delegate from Sullivan, Ind., and former Postmaster General, whose name the official roster sheet spells "Hays".....after the manner of Rutherford B. of Cincinnati.....who was nominated and elected in 1876.....All in all it was an exciting political day for this corner.....We even rode between New York and here on a Pullman car named.....Susan B. Anthony.....champion of votes for women...

Canadian War Levy Of 2 Cents a Seat

(Continued from Page 1)

effort via special shows in all theaters on Sunday night, July 14, will be removed by various Provincial Governments, it was learned yesterday.

The special shows will utilize films furnished without cost by the U. S. industry in keeping with the MPPDA's promise to N. L. Nathan- son, FPC, proxy, made in New York last week. Admission will be by war savings stamps.

Single criticism of the special show plan has been voiced by the Lord's Day Alliance, through Secretary Wehr, who claims the plan is illegal in Ontario. How- ever, Attorney General Conant has indicated he would be reluctant to grant permission to prosecute such shows in Ontario in view of spirit and object of the plan. Webber is in charge of the special Sunday night shows suggested exhibits, devote a percentage of receipts from week night shows.

J. J. Fitzgibbons, FPC vice-precy, and O. R. Hanson, proxy of Empire-Universal, are in Hollywood in an endeavor to line up players for parts at the special shows. It is proposed to have them fly to Canada.

Haskell Masters of United Artists, N. A. Tayler of the Independent theater association and Leo Devaney of RKO-Radio are touring the West for the campaign, speaking in Van couver yesterday, Calgary today, Regina tomorrow, and Winnipeg Thursday. For Eastern Canada, Col. John A. Cooper and J. O'Loghlin of Twentieth-Fox spoke in Montreal yesterday and today appear in Saint John, while they go to Toronto to-morrow.

Louis B. Mayer has wired his readiness to co-operate in the Canadian War campaign.

Congress is Expected To Continue in Session

Washington Bureau of THE FILM DAILY
Washington — Congress, now recessed over the Republican national convention period, is expected to continue in session upon completion of its pending schedule of business. Effect of this attitude upon the chances of House action on the Neely bill remains uncertain.

Warner's Address Going to All Exhibs

West Coast Bus., THE FILM DAILY
Hollywood—Patriotic address by Har- ry Warner, delivered at recent mass meeting of studio employees, has been printed in complete form and will be mailed to nation's exhibitors, to Warner employees all over the world who were unable to attend the meeting, and to other interested groups. Pamphlet bears the title "We Unite to Survive, Divided We Fail!!"
Korda Not Planning To Produce in Canada

(Continued from Page 1)

...in Canada. He will make "Woman Hunt" and "Blazing the Dark" in Hollywood with Vivien Leigh in the former picture and Merle Oberon in the latter. He may direct one of two pictures.

Completion of these pictures will plans to resume production in England if conditions permit. At present he reports that Gabriel Pascal is producing "Major Barbara" and that other English producers who are active are going "full steam ahead" and that technicians are working in English studios.

National Korda Week, being arranged by United Artists and exhibitors, which begins on Thursday, will have as its first Korda picture to be shown "The Life of Henry VIII."

Hear Windsor, Ontario, May Have Film Production

Detroit — Rumors have started here that plans for establishment of film production at Windsor, Ont., across the river from Detroit, will be revived. A major deal that would have centered Canadian production there was under consideration by important companies a few years ago, but was blocked by the depression.

Windsor production would have the advantage of close proximity to the technical and staff resources of three large industrial film studios—J. H. Handy, Willing, and Industrial Pictures. In addition, Detroit is relatively close by air to Hollywood, making the exchange of talent feasible.

MBS Sets New Program Series With Film "Names"

Mutual Broadcasting System board of directors and stockholders at meeting in Chicago voted to stage a new series of programs, to start either in July or August, to feature a strong list of Hollywood "names." Shows will originate in Chicago through facilities of WGN. Possibility that one name or so will be used each time as a guest, but final details not yet set.

WEDDING BELLS

Laconia, N. H.—Peter Merrill, a projectionist at the Garden, married Evelyn M. Poirier, assistant manager of the same theater in the West Hempstead Methodist Church.

Cincinnati—United Artist's Helen Lederer will marry June 29 to John David, Jr.

Indianapolis, Ind.—Donald Cox, RKO Radio salesman, and Helen Ed-ridge were married Saturday at the Advent Episcopal Church here.

Santa in June Visit to Des Moines Exhibts.

Des Moines—There is a Santa Claus, and in Iowa, too. That's how local exhibitors see it, with the City Council in the Santa role. Council is preparing to slap a license fee on outdoor bowling alleys, mushrooming here as film theater opposition, comparable to that levied on indoor alleys. That means a municipal tariff of $25 plus $5 for each alley, and is counted upon to discourage outdoor bowling.

Jimmy Walker May Get Arbitration Post

(Continued from Page 1)

and film companies. It was emphasized that Walker's indie support was not restricted to Allied, New York's ITOA being especially mentioned.

Just where Walker would fit in the arbitration setup, as now outlined, was a subject of speculation. It was suggested that he might be the choice for executive secretary of the three-man board proposed to administer the arbitration machinery.

The possibility that he might be designated to that board itself was not excluded. The board is to be composed of representatives of the Department of Commerce, the exhibitor group and the distributor group. Conceivably, the D of C could name Walker.

It was recalled here yesterday that Walker, identified with both the MPTOA and Theater Owners Chamber of Commerce in New York in their early years, had played an important part in devising the industry's first arbitration setup.

Coast Studios Starting 10 New Productions

(Continued from Page 1)

"Death" featuring Boris Karloff; "Blazing The Oklahoma Trail" at Paramount; "Arielle My Love" co-starring Claudette Colbert and Ray Milland; "Moon Over Burma" with Dorothy Lamour, Robert Preston, Donald Gosling, and Albert Basserman.

At RKO: "Two Many Girls" with Richard Carlson, Lucille Ball, Ann Miller, Eddie Bracken, Desi Arnaz and Frances Langford.


At Universal: "Son of Roaring Dan" with Johnny Mack Brown and Fuzzy Knight.


Joe Lefko Dead

Cleveland—Joe Lefko, RKO sales- man, who has been ill at Charity Hospital for the past two weeks suffering with tuberculosis of the spine, is dead. He is survived by his wife and two brothers, neither of whom are in the film business.
“Private Affairs” with Nancy Kelly, Robert Cummings, Roland Young, Hugh Herbert
Universal 75 Mins.

AMUSING COMEDY WITH GOOD CAST HAS PLENTY OF LAUGHS FOR GENERAL AUDIENCES.

Audiences in general should be well amused with this release. The story is hokum and a great variety of funny aspects and the players do all that is asked of them. Roland Young and Hugh Herbert are amusing in their parts, and exhibitors also have some names to exploit on their marquees.

Director Albert S. Rogell has taken the material at hand and made the utmost of it, extracting every laugh in the script. Nancy Kelly, Robert Cummings, Montagu Love and G. P. Holton, Jr., ably assist the principals. Jonathan Hale, Granville Bates and Dick Purcell are also effective in supporting roles.

Young, black sheep of an ultra-ultra Boston family, has been a board boy in a New York brokerage house for years, with his daughter, Miss Kelly, being brought up in Boston by his cravvish father, Love. Young discovers in a paper that his daughter is engaged to be married, and after a celebration is saved from being held up by Herbert, a taxi driver. Young’s debt to Herbert steadily mounts and he finally makes him a partner in his affairs.

Miss Kelly makes a descent on New York to get Young’s consent to marry Cummings, the boy she really is in love with, instead of Huntley, her grandfather’s choice. Herbert and Young suddenly find themselves in the brokerage business in Boston, when Hale, a promoter, sets him up as the Boston office head to capitalize on the family name.

From there on, there is plenty of action and laughs until Young finally gets Nancy married to Cummings and prevents Hale from selling out his Boston customers on a shady deal.


CREDS: Produced by Universal; Director, A. S. Rogell; Screenplay, Leonard Spiegelgass and Charles Grason, Cameraman, Milton Krassen; Editor, Phillip Cahn.

DIRECTION, Good. PHOTOGRAPHY, Good.

S.O.S. Air Conditioning Chartered at Albany

Incorporation papers have been filed in Albany for the S.O.S. Air Conditioning Corporation, with headquarters here. It is understood that the principals and the officers of the new concern are the same as those of the S.O.S. Cinema Supply Company, under the management of Alfred W. Rin fret as vice-president.

Rin fret was formerly with U. S. Air Conditioning Sales Corp., and will be the Director of Sales for the new concern, while Maurice Rin fret has been placed in charge of the Engineering Department.

“Th e Leopard Men of Africa”

Select Attractions 65 Mins.

ROUSING ADVENTURE SAGA IS HIGHLY EXPLOITABLE, AND SURE-FIRE FOR ALL TYPES OF FANS.

Suplications of showmen for a genuine, high-powered exploitation picture are re- fused the public. “The Leopard Men” is ripping and fascinating an adventure saga as has come to the screen in many moons. Here is a blanket audience picture for mature and youthful fans alike, regardless of sophistication or naivete. That it will make the turnstiles click merrily is conclusive, because the attraction can be ballyhooed to limit inexhaustible even by a modern Barnum. Further, patrons will view its content with spines a-tingle, and head home with copious excitement and satisfaction.

Produced by Dr. Paul L. Hoefler, fashion-man man; moulded the Spinto, and prepared for the screen by the expert Allyn Butlerfield, with all the latter’s flair for assembling footage for full dramatic effect. This feature relates the trek into mid-Africa—by an expedition whose objective is the witnessing and photographing of the weird and savage rites of the “Leopard Men”—natives who hold torture and murder sacred in their rituals. The inspiration of these natives is that of the feline creature itself, the leopard, and to mimic the beast they use his head and hide as raiments during the pursuit of a human victim for the sacrifice.

Both the opening and climax scenes portray the tribe of “Leopard Men,” in both instances engaged in worshipful torture. By no means are these scenes the sole providers of thrills, for virtually equal to them in ability to provoke awe and suspense are the bulk of intermediate sequences showing man-killing lions and myriad other denizens of the veld. There are locust swarms which infest and devour the land; termite mounds; boulders; earthquakes; plagues initiated by the dread Tsetse-fly—short, Nature at her wildest and savages at theirs.

There’s Schopp to handle the Spinto splendidly, while the musical effects and the music composed by James Dietrich efficiently give full meaning to each dramatic moment. There’s gold in Africa, yes, and in “The Leopard Men” thereof. It’s a grand gross-grabber.

CREDS: Producer, Dr. Paul L. Hoefler; Prepared by Allyn Butlerfield; Cameraman, Herman Schopp; Special Effects, Howard Anderson; Music, James Dietrich; Recording Engineer, Peter Decker; Sound Editor, E. H. Schroeder.

Monogram Will Move Headquarters to Coast

(Continued from Page 1)

that he planned to take charge of Monogram’s studio operations, pointing out that his duties in handling production and exploitation work are sufficiently heavy. J. R. Dunlap’s contract continues to March 1945 and he will remain as top man at the studio; he is supervising the Monogram’s outside units. Dunlap will also personally produce all of the company’s top-bracket pictures.

“Last Alarm” with J. Farrell MacDonald, Polly Ann Young, Warren Hull

Monogram 61 Mins.

VERY HUMAN STORY OF A RETIRED FIREMAN HAS PLENTY OF PUNCH AS ENTERTAINMENT.

Handicapped by a lack of names that are exploitable, this picture on its own merits is an entertaining offering. The picture tells a very human story, and in addition has a lot of punch and quite a considerable amount of suspense. As a second attraction on the usual bills, the film should hold its own nicely.

J. Farrell MacDonald, Polly Ann Young, Warren Hull and Mary Gordon head the cast with MacDonald deciding to help out when an old pal in the department is killed in one of the fires. MacDonald breaks the case, but not until a fast moving climax, which sees the arsonist try to kill his wife and daughter for interfering, is foiled.


CREDS: Producer, T. R. Williams; Director, William West; Original Screenplay, Alan Martin; Cameraman, Carl Zint; Editor, Russell Schengarth.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Ban on “Lucky Strike” in Mass. is Appealed

North Adams, Mass. — “Lucky Strike,” a game which has been operating at E. M. Low’s Mohawk for more than a year, has not been declared by the Court to be an illegal game of promoting and conducting a lottery on three counts but placed a nominal fine of $100 for one offense and $10 for the others.

Three similar cases against Francis J. Faille, manager of the Paramount, were continued to July 6. During the Paramount was called “Ten-O-Win.”

“Take This Oath” with Gordon Jones, Joyce Compton, Craig Reynolds

Producers Releasing Corp. 67 Mins.

COPS - RACKETEER MELLAS HAS NO HUMAN SEED TO SERVE AS PROG. FILLER.

This low-budget release has a considerable amount of mystery worked into the story and it should serve o.k. in nabe houses. The players work hard and the direction of Sherman Scott is more than adequate.

The story itself, however, is somewhat unreal and is strictly formula in content. Gordon Jones, Joyce Compton, Craig Reynolds, J. Farrell MacDonald, Robert Homans and Mary Gordon head the cast.

A man, a police detective, sets out to get the higher up that is protecting a racketeer he has brought in several times, but is freed on each occasion on legal technicalities. In his son, Jones, takes up the cudgel when his father is murdered, just as he has completed his case against the people he is looking for and is ready to present it. Jones enters the police school and spends his nights looking for the people who killed his father, breaking the case open in a good climax.


CREDS: Producer, Sigmund Neufeld; Director, Sherman Scott; Screenplay, George Bricker; Original Story, William A. Unified; Jr.; Cameraman, Jack Greenhalgh; Editor, Hobbrook Todd.

DIRECTION, O.K. PHOTOGRAPHY, O.K.

They Take Gangsters Very Seriously in Harrisburg

(Continued from Page 1)

letter. Furthermore, Johnny got in a nice plug for “Gangsters of Chicago,” which opens on Thursday at his house.

The letter warning merchants that gangsters of Chicago “are planning to invade” the city resulted in the police station being swamped with telephone calls. Police began their search for Johnny at 9 a.m. to find out what it was all about, but failed to contact him until he showed up at the theater around noon—which left him plenty of time for rummaging and ap prehension.

The letter, signed J. F. Rogers, manager, on the State’s stationery, read:

“We have inside information that certain gangsters of Chicago are planning to invade Harrisburg within the next few days.

“If you are approached by any walking delegate trying to sell you any type of protection, or membership in any organization with which you are unfamiliar, protect yourself by notifying the local police of Chamber of Commerce immediately.”

Tuesday, June 25, 1940

REVIEWS OF THE NEW FILMS

West Coast Bureau of THE FILM DAILY

Hollywood — Warner Bros. has bought Leonard Spiegelgass’s story, “Miss Wheelwright Discovers America,” and has assigned Leonard Hoff man to prepare the script.
Expect Rule Today on Tax Collection Plan

(Continued From Page 1)

no change in admission price is made and others where the new levy effective July 1, will see prices revised.

Both are designed to relieve the theater operator of the burden of trying wholly new tickets to cope with the new tax, a point of considerable importance to exhibitors who measure, as amended by the House and Senate committees, was enacted.

Still subject to approval by the Commissioner, the set-up now calls for exhibitors merely putting up notices at the offices of the increased tax, where the admission price remains the same. Under this arrangement, the exhibitor collects the additional tax without overprinting or stamping his tickets.

However, where the admission price is changed the tickets will have to be over-stamped, Captain Bliss said. In this case, the Bureau has no discretion because the law provides that the established admission price must be on each ticket.

Captain Bliss pointed out that exhibitors were permitted to use rubber stamps for surcharging tickets when the last change in the scale was made. He declared that the Bureau had no complaints then.

The section chief also told The Film Daily, that he realized that a vast number of tickets were outstanding and it would be impossible to disrupt the exhibitors' operations.

Expect Signature This Week

The tax bill will receive President Roosevelt's signature this week, it is expected. The new admission levy, effective July 1, is for a period of one year.

Under the law, the patron, not the theater, must pay the tax. Its "absorption" by the theater, which should actually be a price cut in admission, is possible—this is on the assumption that an exhibitor might not want to alter his scale—but it is generally believed that the new levy will be passed along to the patron.

An educational campaign by exhibitors to interest fellow exhibitors to any possible adverse public reaction is understood to be contemplated.

Preston with Goddard

West Coast Bureau of THE FILM DAILY

Hollywood — Robert Preston has been assigned by Para, to appear opposite Paulette Goddard in Cecil B. deMille's "Reap the Wild Wind." The two players were teamed in deMille's "Northwest Mounted Police." Production starts in the Fall.

STORKS!

Evansville, Ind.—Oscar Pine, head of the Premier Theatre Circuit, is the father of a baby boy.

"Difficult to Know Where to Economize"

in Film Business, Wall Street Journal View

Film industry's readjustment problem stemming from the war "is a serious one that will probably take considerable time to solve," the Wall St. Journal declared yesterday.

"It is difficult to know where to economize, for example," and added: "Cutting of salaries from the top down would be one expedient but this is also difficult largely because of the organizations that have sustained the industry with high scales of wages, in nearly every branch. Star salaries depend to some extent on the success of their films but this exposure is very hard to adjust."

Discussing Leco's earnings, the Journal said: "No estimates can be made from the current tobacco period of the amount of stamping determined contingency reserves. It is probable that before these reserves profits will be clearly determined, but it is estimated in the last half year because of continued income from "GWTW" and well sustained foreign income.

200 at Bosqas-Lux Buffalo Testimonial

(Continued From Page 1)

In the last night. The Variety Club of Buffalo, of which both Bosqas and Lux are directors, sponsored the affair. More than 200 attended.

Andy Smith, RKO sales manager, was toastmaster. Robert T. Murphy, chief Barker of Buffalo Variety, and Syd Lehman, United Artists branch manager here, were in general charge of arrangements. A movie rib made from recent RKO pictures was a highlight of the program.

Ned D. Depinet, RKO distribution chief, at the dinner announced the winners of the 1940 Ned Depinet Drive. The Buffalo branch, which was headed throughout the Drive by Bosqas as manager, finished first and the other capital prize winners were Milwaukee, A. Schmitz, manager, second; New Haven, B. Fitkin, manager, third; New Orleans, P. M. Baker, manager, fourth; and Portland, M. E. Cory, manager, fifth. Awards ranged from four weeks' extra salary to a half week's salary.

The Buffalo branch has finished in the capital prize classification in major RKO Radio drives for four years in a row, being saved from five of which they won the honors.

St. Louis Projectionists Get Raise Via F & M Pact

(Continued From Page 1)

three years, extending to June 21, 1948.

The pacts provide an immediate 5 per cent wage increase, a 2½ per cent advance the second year and another rise of 2½ per cent the third year.

Signing of the contracts, plus agreement by F & M to the dismissal of two injunctions and damage suits against the union, brought a quick reopening of F & M and St. Louis Amusement Co., houses, closed by an operators' strike.

A number of independent houses are threatening to close if projectionists are not allowed to make demands upon them. Their contracts with union do not expire until Sept. 1.

Corey with Dietrich

West Coast Bureau of THE FILM DAILY

Hollywood—Universal's deal with Dietrich and Bacall will appear with Marlene Dietrich in "Seven Sinners" is reported near the signature stage. "U" has acquired Reginald Denny and Robert Cavanagh to "Hired Wife."
The Atlantic seaboard the opening day sessions of the Republican National Convention.

The telecasts were trail-blazing in several respects, chiefly because they involved the longest line relay of programs from field station to transmitter in television history, from this city to New York—and marked the debut of the science into political events.

Interior Shots Satisfactory

Despite adverse weather conditions, check-up of the area from the District of Columbia, North to up-and-down the Eastern sections of Massachusetts, disclosed that the images picked up by the cameras outside the Municipal Auditorium, just prior to the initial convention session at mid-morning, were of good definition on the receiving end, and that the interior shots of the conclave were satisfactory, although the intensity of lighting in the auditorium generally had the tendency to "wash out" faces of those upon whom the tele cameras were trained. Nevertheless, the broadcasts were definitely successful and herald a new and more important phase of television within the immediate future. General Electric's tele station in Schenectady and the Philco Mutual station here joined W2XBS New York in transmission.

In another respect the telecasts were history-making, namely that they marked the first occasion on which an event has been televised in one city for broadcast another on non-experimental basis.

Four Cameras Used

RCA-NBC used four television cameras for the coverage, three of which are of the Iconoscope type, the fourth an Orthicon camera, the latter containing an experimental pick-up tube developed by the RCA laboratories. Under normal conditions, the Orthicon is seven or more times as sensitive as the Iconoscope.

NBC's cameras are provided with lens systems treated with magnesium fluoride, giving them a further gain of about 30 per cent in the transmission of light to the pick-up tube's light-sensitive plate. These systems are the development of Dr. C. Holley Cartwright and minimize unwanted reflection.

Equipment used by NBC at the Convention consists of two mobile television units, one of which is the new streamlined type, consisting of small units capable of transportation in an ordinary station wagon.

An important factor in the success of yesterday's telecasts was the co-operation of the Bell Telephone Laboratories whose coaxial cable performed the link 'twixt here and New York.

NBC Personnel of 23

Alfred H. Morton, NBC's vice-president in charge of television, heads company's television staff during the Republican National Convention. Personnel consists of 23 program men and engineers. Prominent in NBC ranks yesterday were also Thomas Hutchinson, program manager, and Lief Eid, television department's publicist. Network representative on hand included A. Schechter, in charge of radio broadcasting; William Kosta, in charge of the press department; Francis C. McCall, of NBC's New York press staff; Ken Frey, associated with company's news and special events department of the Chicago division; William McCandless, news contact in Washington; George McElroy, chief operating engineer; and George Milne, chief engineer of Eastern Division operations.

In the audible radio field, all three of the major networks collaborated in placing microphones in each section of delegates.

Not only will Station W2XBS in midtown Manhattan transmit tele programs during the Convention, but Philco Mutual's Station W3XE here will air at present special features. Mutual's staff, co-operating with Philco in the Municipal Auditorium includes Wythe Williams, Pulitzer Lewis, Jr., Quinn Ryan, Dave Driscoll, Arthur Sears Henning, and Miss Ruth Do Young Kohler. Gabriel Williams, vice-president, will participate in Philco-Mutual programs during the conclave.

CBS Representatives on Hand

Columbia Broadcasting System's representatives at the Convention yesterday comprised Paul White, director; Eimer Davis, Bob Trout, Albert Warren, and John Charles Dally, commentators; James Fleming, announcer; Ann Gillia, assistant to Paul White; Pat Lockridge and Miss Helen Saunders, of the New York office; Bill Slocom, from Washington; Louis Ruppell, publicity director; Henry Grossman, chief engineer, and the latter's assistants, Dave Davis and Sid Bergere.

One of the highlights of the Convention's opening day was the provision by Station WCAU of a public address system to carry the broadcasts from the Municipal Auditorium several blocks north to Broad St. outside of the Bellevue-Stratford, headquarters of the Republican National Committee.

Outside Influence Denied in Suit Talks

(Continued from Page 1)

Officials pointed out that Arnold's approach to settlement of the suit closely followed the pattern which had been instituted to punish all anti-trust suits. In each such action, it was said, the same considerations apply that of the public interest and the betterment of conditions in the Industry. If financial interests were allowed to be played a part in settlement, it was said, then all anti-trust suits would have been affected since there is no industry persecuted under the Sherman Act which is not closely allied to banking firms.

It was additionally stated thatArnold had at no time employed pressure on his subordinates to accelerate a settlement. No one believes this hold true for the past, officials said, but also for the present and the future.

It was learned that discussions to date have not considered the status of suits brought by the Government against independent circuits. The future course of the conferences will determine whether these suits are to be dropped or prosecuted further in accordance with the act.

If a comprehensive system is set up affecting circuits so as to remove what the Government considers a trade abuses, the suits against the defendants will be dropped since the purpose of these actions is to regulate the future conduct of these suits to government sources. It is denied that there has been any conscious regarding the prosecution of these actions to date.

The current proceedings against Balaban & Katz may not be affected by the settlement, it was stated since the proceedings have been in the nature of an action that contempts already committed, and not to regulate the future course of that circuit.

New Role for Sterling

West Coast Bureau THE FILM DAILY

Hollywood — Robert Sterling has been withdrawn from "Charter Pilot" by 20th-Fox and assigned to mail lead in "Yesterday's Heroes," opposite Jean Rogers.

Brown, Ohio Exhib, Named for Senate

Lorain, O.—Maurice Brown, manager of the house owned by Mrs. Nazera Zepich, has been nominated as state senator for the 27-29 district.
MAJORS TO ADD TAX TO PRESENT SCALES

20th-Fox Dutch Business at 60% -- Hutchinson

No Reason Now to Believe J. S. Distribs. Cannot Operate in Occupied Areas

By HOLLIS KENNAHAN
FILM DAILY Staff Writer

Walter J. Hutchinson, director of foreign distribution for 20th-Fox old The Film Daily yesterday that he had received word from the company's Holland office that business in that country was now about 90 cent of what it was last year the same time, and there was no reason now to believe that Amer-

(Continued on Page 6)

Mono. Dropping Plan for Canadian Setup!

While Monogram recently has given some thought to the establish-
ment of its own Canadian distribu-
tion setup, present indications are that the move is off, it was learned yesterday.

However, Monogram Pictures of
anada, Ltd., has been chartered
in an authorized capital of 50,000
o-par-value shares, should there be
reason for a change in decision.

Monogram now distributes through
local Films in Canada. Regal also
handles Metro.

Drop La. Bill to Limit Pic to Juves Under 15

Baton Rouge—Children over 15
cans can still go to the movies for
nickel, that is, if they can find a
movie at those prices. Anyway, there won't be a state law against
since a Senate bill to limit 5-cent
missions to children under 15 was
 withdrawn. Bill came from the for-

(Continued on Page 8)

Kirsch Drafting
Blast on Triples

Chicago—Jack Kirsch, Illinois Allied
prxy, is preparing an open letter to
the pic industry in which he will outline
his organization's stand against Triples. It is stated that he will attack circuits for their continued support of Triples.

Equity Suit Trial to be Further Adjourned to Permit Continuing Settlement Confabs

Trial of the Government equity action against the majors will be postponed until July 1, it was announced yesterday. Conferences on terms of settlement will continue today, it was said.

Special Assistant Attorney General James Hayes was designated to issue statements to the press to time to time on general developments of settlement discussions. The move was taken to prevent untold rumors of what progress the discussions make from circulating through the trade.

St. Louis Indies Ask $10 Operators Cut

St. Louis—Indie exhibs., including the Wehrenberg-Kalmann combo, have asked Local 143, Operators, to approve a $10 a week per operator wage reduction during the Summer months.

Operators in the nabs receive, from $45 to $80 per week. The $10 cut would save $20 weekly for each house.

The 05 indies employ 130 union projectionists. There are four or five unorganized small houses.

Some of the independent houses

(Continued on Page 3)

No Direct Industry Tax in New Canadian Levy

Montreal—No direct tax is im-
posed on the film industry under the budget taxation now effective. Film and newesel companies will, how-
ever, in common with all photograph-

er, be affected by the tax of 10 per cent imposed on cameras.

Indirectly, but possibly severely, theaters will suffer from the diminished spending power of wage earn-

(Continued on Page 8)

Begin 16 MM. 'Menace' Talks

"U", Mono. Said Ready to Restrict Licenses

Metro's French Office
And Staff at Lisbon

Removal of the Metro French office and entire staff to Lisbon from their temporary headquarters in Bordeaux was disclosed yesterday here. Staff comprised the Paris office. Landy Lawrence, European chieftain for Metro, was said to still be in Paris.

20th-Fox Spanish
Post Given Krier

Appointment of R. A. Krier as gen-
eral manager for Spain and Latin America was announced yesterday. Krier had formerly been the company's manager in Germany, and more recently, its assistant European manager under Ben Miggins.

Thee-Point Ticket
Plan Drafted by IRB

Washington Bureau of THE FILM DAILY
Washington—A three-point plan embodied in the recently announced New York plan, the same method as outlined to THE FILM DAILY by Capt. John Bliss of the Internal Revenue Bureau's admis-
sion tax section was announced yester-
day by Commissioner Guy Hel-

(Continued on Page 7)

Chicago Theaters to Pass New Levy Along to Patrons

Chicago—The new Federal admis-
sion levy generally will be passed along to patrons of theaters here, checkup disclosed yesterday.

The B & K and Warner circuits, Allied theaters and other leading

(Continued on Page 8)

Policy Expected to Extend To Out-of-town Houses; Brandt Plans Price Jump

Washington, D.C.—THE FILM DAILY
Washington—The national defense tax bill became a law yesterday. Presi-
dent Roosevelt affixed his signature to the measure which, among other things, provides for a 10 per cent tax on all theatre admissions above 20 cents. lace being provided in the law for five years.

reached yesterday. Consideration of the tax problem out-of-town was understood to be continuing, but it was learned that circuit execs. have

(Continued on Page 8)


**FINANCIAL**

*(Tuesday, June 25)*

**NEW YORK STOCK MARKET**

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**NEW YORK BOND MARKET**

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|Levered 2½% 100 1895| 101 102 102 102 102 |
|Para. B’way 3½%| 98 98 98 98 98 |
|Para. & B’way 3½%| 98 98 98 98 98 |
|Para. Picts. ex. 3½%| 65 65 65 65 65 |
|Warner Bros. 4%, 60 yrs.| 65 65 65 65 65 |

**NEW YORK CUB MARKET**

|Monogram Picts.| ½ ½ ½ ½ ½ |
|Sonora Corp.| ½ ½ ½ ½ ½ |
|Technicolor| ½ ½ ½ ½ ½ |
|Technicolor| ½ ½ ½ ½ ½ |
|Universal Corp. v.c.| ½ ½ ½ ½ ½ |

"**Jupiter Laughs** May Have Toronto Opening""
St. Louis — Receiverships come high—even for labor unions. This was indicated by the receivers’ final report for Local 143, Operators, accepted by Circuit Judge Ernest F. Oakley. Final report of the receivers showed that the Local’s assets decreased $27,133 during the 15 months of receivership. Cash on hand decreased from $50,658 to $12,025, while stock and bonds increased from $49,500 to $61,000.

Legal fees paid to Robert A. Rosssel, Flushing, and a group of members, Frank P. Aschenmyer, counsel for receivers, and James A. McKown, one of the co-receivers, amounted to $43,639—almost equal to the entire amount of cash on hand when the receivership was started. William M. Brandt, secretary of the Central Trades and Labor Union, and the other receiver, declined any fee. Rosssel was awarded $41,639, Aschenmyer, $12,000 and McKown, $5,000.

Cohen in Legit. Venture
First legit. play to be produced by Boyer Associates, in which Max Cohen is interested, will be “Bang-tails,” by Henry Mirro and Sol Rosen, latter editor of Daily Racing Guide.

Opera and Concerts
As Chi. Opposition
Chicago — The competitive pace is quickening for exhibits, here. Opera season started in Ravinia Park last night, and during the next six weeks, will pull North Shore theatergoers. The Grant Park concerts, which annually attract thousands, start Saturday. Latter are backed by the Chicago District Board and James Petillo, new A F of M presy.

St. Louis Indies Ask $10 Operators Cut

have concluded that they have been losing from $100 to $200 a week because of the terrific slump in business that has followed increased war activity in the radio business.

Robert Thomsen, business agent for Local 143, denied that the union had rejected the proposed Summer wage cut. He said the union had informed Fred Wehrenberg that the operators were willing to take a 10 per cent Summer reduction if the 5-25-1/2 per cent increases provided for in the new contract with the St. Louis Amusement Co. were accepted by the indies.

A parity clause was provided in the new contracts between F & M and St. Louis, which prevents a cut in the effect that those corporations would get the benefit of any wage cuts granted by Local 143 to the indies and would not have to grant increases if the indies did not.

F & M Policy Shift Seen Answer to Indie Merger
St. Louis—Fanchon & Marco has switched the policy for the St. Louis Missouri. The former replaced the Missouri as the subsequent run to follow the 5,000-seat Fox and the Airdome. For the second run, the showings will be 20-25-35 at both, furnishing stiff competition for the second and subsequent run houses.

In the trade, the rearrangement in schedules is regarded as the F & M answer to the recent consolidation of the houses operated by Fred Wehrenberg and Clarence Kaimann. The new Greater Independents Circuit has 25 units. Wehrenberg and Kaimann are budding with the owners of some 35 other independent houses in an effort to bring them into their combination.

Cumberland Amusement Buys Three Properties
McMinville, Tenn.—Cumberland Amusement Co., by the purchase of the Mecca and Palace Theaters in Crossville from William Garrison and the Dayton Theater, in Dayton, from E. M. Williamson, has completed ownership of movie theaters and buildings occupied by them in Sporta, Crossville, Dayton, South Pittsburg, Winchester, Tullahoma, Fairview, Pulaski, McMinnville, and Franklin.

This Sour Dough Pie Ain’t About Alaska
Paramount, via its new short, “Dangerous Dollars,” produced by authority of the U. S. Treasury Dept., is out to see that no “sour dough” goes over 8’ by 8’ b.o. counters. Company is holding special display meetings of the tab red hot today at 11 a.m. and 5 p.m. in its projectors, to lock up for cashiers of all Great White stands. Reel exposes counterfeit, forged and slugs, and reveals how to detect cockeyed coin. Subject will be released nationally next Friday.

Local 143 Receivership Costs Union $43,639

in favor of stopping the licensing of their product for 16 mm. opera-
tors, except when the pictures are for school shut-ins and strict-
non-competitive showings.

Exhibitors have been critical of Universal, Monogram, RKO and Paramount in the 16 mm. situation M-G-M and 20th Century-Fox do not license their product, it was said.

The Allied committee named to assist in solving the problem is com-
pised of Harold, of Indiana, Sidney Samuelson, of Eastern Penn-
sylvania, and Ray Branch of Michigan. They plan to set up the me-
chanics for the elimination of the practice and then hold conferences with distributors.

Harold said there were 120 situa-
tions in Indiana showing 16 mm. pictures for admissions, operating in direct competition to regular the-
aters. The menace, he said, was far greater than the industry realized.

(Continued from Page 1)
UNITED ARTIS
in co-operation with the

proudly announces NATI

A week devoted to the exhibition of notable pictures from the unbroken record of Korda- produced film successes. These showings will be held in all key cities of the United States in appreciative recognition of Korda’s extended production activities, which now include Hollywood as well as London. National Alexander Korda week begins June 27th.

KORDA’S GREATEST TRIUMPH “THE NOW BEING COMPLETED IN HO
National Alexander Korda week features this Blue Ribbon list of screen achievements:

The Private Life of Henry VIII
Catherine the Great
The Scarlet Pimpernel
Sanders of the River
The Ghost Goes West

Elephant Boy
Storm in a Teacup
Drums
The Divorce of Lady X

With these Korda screen stars and discoveries:

Charles Laughton • Merle Oberon • Vivien Leigh
Robert Donat • Elizabeth Bergner • Laurence Olivier
Wendy Barrie • Ralph Richardson • Binnie Barnes
Leslie Howard • Raymond Massey • Sabu • Paul Robeson
Gulf States Exhibs. Keep War Shots In Newsreels

New Orleans—Gulf States' theaters in all probability will continue to serve their audiences as many war shots in their newsreels as they can get, a survey of exhibits here yesterday showed.

Both important theater circuit executives and exhibitors declared that they had received no audience kick-back on either the horror or monotony of war scenes but, on the contrary, found that audiences were eager to see what was going on in the war.

One exhibitor pointed out that radio listeners were keeping tuned with radio stations and listening to news programs which were generally repeats of what had been said hours earlier, apparently not objecting to the rehashes.

"It's pretty much the same with films," he explained.

Pre-Release Dates for "Anne"

"Anne of Windy Poplars" has been set for pre-release engagements Friday, at the Oriental, Chicago, and Palace, Cleveland.

"The Captain is a Lady"

with Charles Coburn, Beulah Bondi, Virginia Grey
Metro
(HOLLYWOOD PREVIEW)
EXCEPTIONALLY WELL-PLAYED FILM BY RACHEL CROSTHER "OLD LADY 31."

"The Captain Is a Lady," based on Rachel Crothers' "Old Lady 31," directed by Robert Smart and under the supervision of producer Frederick Stephani, looks to be the first of a series of yarns about an old sea-dog, and his wife of thirty years, and the folk of their little fishing village. Charles Coburn and Beulah Bondi play the lead characters, and do an excellent job.

The story deals with the efforts of Capt. Abe Peabody (Charles Coburn), retired captain of a British sloop, to keep the town money lender from taking his home for non-payment of a mortgage. With stubbornness and a little bit of blackmail, he also has the interest in his boat for the second time and moves with his wife into a home for retired ladies, where he is promptly labeled "Old Lady 31."

In time his evil deed catches up with him. Only a storm at sea, and his salvage of a fishing vessel save him, and returns his home. The cast is exceptionally good. Helen Broderick, Billie Burke, Helen Westley and Marjorie Main are the ladies, home, give good performances. Dan Dailey, Jr., is a new face. He is very fresh and has that naturalness which stamps the good performer. Camera work by Leonard Smith and art direction by Cedric Gibbons are excellent.

CAST: Charles Coburn, Beulah Bondi, Virginia Grey, Helen Broderick, Billie Burke, Dan Dailey, Jr., Helen Westley, Marjorie Main, Cecil Cunningham, Clem Bevan, Francis Frelot and Tom Fadden.
CREDITS: Producer, Robert S. True; Director, Robert S. True; Based on "Old Lady 31" by Rachel Crothers and novel by Louise Forstund; Screenplay, Harry Clark; Photography, Leon Shamroy; Art direction by Cedric Gibbons; Associate, Harry McAfee; Editor, Frank Hill; Musical Score, Bronislau Kaper.

DIRECTION, Good. PHOTOGRAPHY, Excellent.

"Carmen"

(Spanish dialogue, English titles)
Aztec
DAILY NEWS: For and away the best picture the 48th St. Theater has had from Spain.
NEW YORK TIMES: Imperio Argentina, outstanding actress of the Spanish screen, is more captivating than ever in this film.

CAST: Producer and Director, Florian Rey, PLAYERS: Imperio Argentina, Rafael Rivelles, Manuel Luna.

Kutikis House Completed

Morris Kutikis' new Beacon theater at 40th Ave. and 100th St., Long Island City, opens tomorrow, one month ahead of schedule. Amusement Supply Co., Inc., had the construction contract, also supplied all decorations, furnishings and projection equipment.

James Home Hospitalized

Portland, Ore.—James Home, secretary of the MPTO of the North-West, has been remanded to the hospital for observation.

"Mad Men of Europe"

with Edmund Gwenn, Mary Maguire, Paul von Harned
Columbia
73 Mins.

STRICT INDEMNITY OF NAZISM POSSESSES HIGHLY EFFECTIVE MELODRAMATIC PUNCHES.

As timely as Page One of today's newspaper and a possibly unhappily forecast picture of the shape of things to come, this English offering is a strong indictment of Nazism. From the exploitation standpoint, where local sentiment is not anti-war, the picture is a natural, permitting striking campaigns.

The players are able, and get the most out of the tense melodramatic story which concerns an invasion of England by bombers, paratroopers and tanks. Mary Maguire, Edmund Gwenn, Paul von Harned, Richard Arlen, Desmond Tester and Geoffrey Toone are prominent in the cast. Albert De Courville directed.

Hurrend, a spy, establishes a radio station in the attic of Miss Maguire's home for the purpose of giving her husband, Desmond Tester, build an amateur set. She falls for him and is about to give up her fiancé, Toone, when her father, Gwenn, and her brother, Arlen, take preventive steps.

Shortly afterward, bombers swoop down on England and capture Miss Maguire's home. Toone rescues Mary and Tester later after her father has been killed and their home blown up.

CAST: Edmund Gwenn, Mary Maguire, Paul von Harned, Geoffrey Toone, Richard Arlen, Desmond Tester,卡尔嘉fe, Meinhard Mauer, Mavis Villiers, Mary Lester, Norah Howard, John Wool.
CREDITS: Producer, Neville E. Neville; Director, Albert De Courville; Screenplay, Ian Hay and Edward Knoblock; From a play by Guy de Maupassant; Cameos; Murry Greenbaum and Henry Davis; Editor, Walter Sturges.

DIRECTION, O.K. PHOTOGRAPHY, Good.

"U" Releasing "Fugitive"

W. A. Selley, general sales manager for Universal, announced yesterday the company is releasing "The Fugitive," for national distribution Friday. Picture, British-produced, stars Ralph Richardson and Diana Wynyard, and is a development of the Frederick Laurence Green novel, "On The Night Of The Fire." Direction was by Brian Desmond Hurst and Josef Somlo produced.

REVIEW OF THE NEW FILMS

"Mad Men of Europe"
with Jack Randall, Louise Stanley, Glenn Strange
Monogram
54 Mins.

"GUTINE WESTERN HAS SUFFICIENT Action TO MAKE IT INTERESTING.

Latest of Monogram's series with Jack Randall, this release has sufficient action and speed to make it interesting for the western fans. The story has nothing novel or new in the way of plot, but it has been kept moving at a lively pace by Director Raymond K. Johnston. Jack Randall is supported by Louise Stanley, Glenn Strange and Bud Osborne. George Chesebro and Steve Clark are the principal villains in the piece.

Randall buys a ranch near the Mexican border, expecting to live a peaceful existence. However, he soon discovers that his land is haunted from Mexico by this country across his ranch. Arrested by the gang on false charges, he is locked up, and Stanley and his pal, Strange, release him. Randall, and his pal, Strange, and the villain's son once he catches up with them, and the sheriff arrives in time to arrest the whole gang.

CAST: Jack Randall, Louise Stanley, Glenn Strange, Bud Osborne, George Chesebro, Steve Clark, Frank LaRue, Kenneth Dunn.

CREDITS: Producer, Harry Webb; Director, Raymond K. Johnston; Screenplay, Tom Gibson; Cameos, Edward A. Kull and William Myer; Editing, Robert Goldsmith.

DIRECTION, Fast. PHOTOGRAPHY, Good.

"Hot Steel"

with Richard Arlen and Andy Devine
Universal
61 Mins.

MILD PROGRAMMER WITH A STEEL MILL BACKGROUND AND COMEDY RELIEF BY ANDY DEVINE.

Against a background of assorted steel mill shots and boarding house comedy, Universal has concocted a drama that should appeal to neighborhood audiences. Slowly, and slowly, the film later is enlivened with a couple of murders, some double-crossing and some pretty good comedy by Andy Devine.

Richard Arlen is cast as a metallurgist who discovers a new alloy process which is stolen by the two-time wife of his former man and turned over to a competing steel firm. Arlen is accused of murder but, with Andy's help, is able to clear himself and recover the formula.

Best scenes are Andy Devine's horse-play comedy around his mother's boarding house.
CREDITS: Associate Producer, Ben Lipton; Director, Christy Cabanne; Author, Maurice Tomblag; Screenplay, Clarence Upson Young; Cameos: William Richner, Frank King.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Lyric, Bolivar, Damaged

Rochester—Fire of undetermined origin caused $15,000 damage to the interior of Samuel Gandel's Lyric Theater, in nearby Bolivar.

(Continued from Page 1)
Majors To Add Tax to Present Scales

(Continued from Page 1)

virtually concluded to extend the metropolitan tax policy to the field. Final action is anticipated today.

Jules Lapidus: Not Clear

Just what the tax attitude of indie x-y-z, and unaffiliated circuits will not clearly defined yesterday. A special meeting of the TOA directorate has been called for his meeting, and will consider the plan formulated by Pres. Harry Brandt for his circuit.

Of the some 85 Brandt theaters, only about four or five special situations will either add the tax to ex- ample price scales, or reduce prices in order to absorb the tax. The 80 or remaining houses, is, will add boost present prices and then add the Government levy.

Advance Amish Urged

The latter course has tremendous momentum in Washington at the moment. First, it is urged that the tax be absorbed by local business enterprises, and then the price changes would be to the industry in a position where it could not equi-go to the public later on and look from it a boost in prices. If this were done, it would mean that the fans who would have two successive scale boost imposed, and this might have a tendency to cut down attendance. The better policy, it is con-fined, is to give a jump in scale comparable with the new Government taxes taking effect.

Short "Educational" Campaign

With the new 10 cent levy about to be absorbed by all the major circuits, the AA is about to become effective on Monday, there was plenty of activity in circuit head-quarters here and state. While it is generally believed that the public will accept the national defense tax without complaint, the short time for an "educational" publicity and advertising campaign complicates the task.

Metro Assigns Borzage

West Coast Bureau of THE FILM DAILY

Hollywood — Metro has assigned Frank Borzage to the "Flight Command" with Robert Taylor. Rosalind Russell will likely play the leading feminine role. Scenario has been rewritten by the Borden-Walkin-Curtis team, and it is generally believed that the public will accept the national defense tax without complaint, the short time for an "educational" publicity and advertising campaign complicates the task.

RKO Revises Role

West Coast Bureau of THE FILM DAILY

Hollywood — Role that the late Maurice Moscovitch was to have played in RKO's "Dance, Girl, Dance," has been restored, and this role will be played by woman player and Maria Ouspenskaya has been engaged to play it.

MP Research Council Sees Neely's Measure Necessary to Curb "Totalitarian" Film Biz

Washington Bureau of THE FILM DAILY

Washington — Indicating that the Motion Picture Research Council has by no means abandoned its fight to put across the Neely bill, as passed by the Senate, Mary T. Neely, counsel for the Chautauqua Institute, which holds that the industry is now "practically totalitarian," the Neely bill, he said, was designed to reduce this threat.

The MPRC spokesman charged that producers and their backers determine what 85,000,000 people weekly shall have simultaneously in their movie programs which, he described as constituting "unified control from top to bottom."

3-Point Ticket Plan Drafted by Revenue Plan

(Continued from Page 1)

vering, to cover admission tax changes as it affects changes in tickets.

The official decision is: (1) In all instances where it is possible now tickets must be pro- vided or tickets on hand overprinted or overstamped; (2) In every case where the established price of admission has changed, either new tick- ets will have to be provided or tick- ets on hand must be overstamped; and 3) the old ticket price and (5) where the established price is not changed, the commission will permit, for a lim- ited period, until properly printed tickets can be obtained, the use of tickets now on hand without show- ing the new tax, provided the tax paid on the tickets is kept in a sum- marily posted at the outer entrance or near the box-office one or more signs accurately stating each of the established prices of admission and in the case of each such price the tax due and the sum total.

This official plan will be in effect as of July 1 and will continue until new tickets are provided.

Jules Lapidus Presented Luggage at Farewell

Pittsburgh—Farewell dinner held in the Urban Room of the William Penn Hotel in honor of Jules Lapi- dus, who was recently promoted from local branch manager for Universal to Eastern district manager, was attended by 254 exchange mem- bers and members of the Variety Club, which sponsored this affair. At the speakers' table were: F. J. A. McCarty, Eastern sales manager for Universal; Dave Miller, district manager; Pete Duma, who succeeded Lapidus year ago as manager of the Pittsburgh Variety Club, and Lawrence Lapidus, son of the late, J. R. Kaufman, Clevelan branch manager, and Harry Young, Colum- bus branch manager.

Labor and Producer Reps. Continue CCC Strike Talks

West Coast Bureau of THE FILM DAILY

Hollywood — Labor and producer representatives are continuing nego- tiations in the National Labor Relations Board's bid to settle the grievance of 125 players' militiamen, pending a ruling by the Board of the Labor Board that this grievance is being conducted in a fair and impartial manner. They are being conducted in a fair and impartial manner.

AGVA Trims Personnel

Retrenchment move has been in- stigated by AGVA to cut down monthly operating expenses, it was revealed yesterday. Harold KOLKHO has signed to the 50% of Barnes-Sheldon Balm

Action has been started in the New York Supreme Court by Louis Nizer, of Philadelphia, Nizer, Benjamin & Krim, on behalf of Guthrie Mc- Clintic against the management of Barnes and Edward Sheldon, plain- tiffs who were awarded a judgment of $105,531.81 in their plagiarism suit against Merto over the film "Letty Lynott."

McClintic, producer of the play "Dishonored Lady," authored by the defendants, had a 50 per cent movie right in the play. Paramount, through its association with Charles Frohman, Inc., co-producer of the play with McClintic, is also a plain- tiff. Suit seeks 50 per cent of the award to Barnes and Sheldon.

Halperins' Suit Settled

Suit of I. Hal Halperin and Max Halperin against the Sanitary Au- tomatic Candy Corp., was settled yesterday in Los Angeles, by Louis Nizer, counsel for the Hal- perins. Suit developed over a claim for salaries under a written con- tract, and the play had with the de- fendant. Settlement was effected through a revision of contract after conferences in Nizer's office.

"Swingin' in the Barn" Universal—9 mins.

"Curacao—Island of Destiny" Universal—9 mins.

Kate Smith to Use More Movie News

Kate Smith will use more news of film stars on her noonday broad- casts, it was stated yesterday. Film studios have been asked to furnish exclusive releases about their con- tract players for use on the daily shows.

Move follows a recent award to Miss Smith by Louella Parsons for her friendship with Columbia, and the friendly relations between the two industries.

Lorre's Columbia Film

West Coast Bureau of THE FILM DAILY

Hollywood — "The Face Behind the Mask" will be the first of Peter Lorre's two pictures for Columbia. Irmgard von Cube is the author. Columbia has changed the title of Jack Holt's next from "Tampered Evidence" to "The Great Swindle."

Keighley Replaces Curtiz

West Coast Bureau of THE FILM DAILY

Hollywood — Warner Bros. has announced that William Keighley is to direct "Four Mothers," replacing Michael Curtiz who directed other pic in the same series. Now busy directing "Santa Fe Trail."

Fishman Acquires Site

New Haven—Fishing Theaters Inc., has purchased for the purchase of a large plot of land on Post Road in Fairfield as a site for a second house there.
Tax May Cut Philly 25c Scale to 20c

(Continued from Page 1)
clarify the situation will be held shortly. Philly Allied, however, is not likely to get until Sidney Sumuelson returns.

Leven Pizor, UMPTO presy, was up-state yesterday conferring on the tax problem. Endicott, who may get 40 cents may raise to 45 cents.

St. Louis Area Exhibs.
To Pass Tax Along

St. Louis—Exhibitors generally in St. Louis, Eastern Missouri and Southern Illinois plan to pass the new Federal admission tax along to the cash customers. In only a few instances have theater owners indicated they will pass the tax on. Most exhibitors feel that with the war slump the new tax is too stiff for them to pass from regular gross receipts.

Film Scouts Will Catch
6 New Plays This Week

Film scouts are scheduled to catch six tryouts in summer theaters this week. One is “Two Weeks With Pay,” by Ted Fetter and Richard Lewine, which began a two-week engagement at the Ridgeway Theater, White Plains on Monday. “Mazeppa,” a play by H. M. Milner based on Lord Byron’s poem, opened at the County Theater, Suffern, also for two weeks. “The Astonished Ostrich,” the Archie Menzies comedy, is being tried out at the Ivoryton (Conn.) Playhouse for a week. Others are “The Man on the Word,” a one-man revue by and with Jimmy Savo, at the Ogunsquit (Me.) Playhouse, and “Post’s Corner,” a comedy by Vincent Price, who also appears in it, at Skowhegan, Me., and “No, No, a Thousand Times No!,” a play of unannounced authorship, will be presented Thursday evening at the Rochester Summer Theater.

Stewart Chaney and Arthur Han- na, operators of the Red Barn Theater in Locust Valley, L. I., will be visited by film scouts three times this season. “Les Parents Terribles,” by Jean Cocteau, is tentatively set to open July 8; “Port Andrew,” by R. L. Duffin, book reviewer and author, is slated for the week of July 22, and “Hang on to Love,” by Lynn Riggs, which Arthur Hopkins will stage, is set for Aug. 19.

Chicago Theaters to Pass
New Levy Along to Patrons

(Continued from Page 1)
operators told THE FILM DAILY that they proposed to follow such a course.
All ticket companies here are preparing for day and night service to the trade to supply new tickets.

WHO’S WHO IN HOLLYWOOD

Introducing Interesting Personalities

LAWSON HARIS. Born in Evansville, Ind., 1897, attended school in Evansville and Chicago. Attended Chicago Technical College, studying to be an architect. With the 454th Engineers, serving in Europe, for 18 months. Entered picture industry in 1920 in Australia. Under firm name of Lawson Hariis Productions, produced features for five years for Austral Super Films. Was engaged in Australian companies to use artificial light in the making of pictures. Joined Colonel W. M. Selig, making shorts and features. Went to England, where he made chiefly commercial pictures. For more four and a half years has been head of Cartoon Films, Ltd. in addition to its various theatrical cartoon subjects. Cartoon Films, Ltd., has produced 38 advertising color cartoons. Height, 6 ft.

Cinecolor Filling Color Reduction Print Orders

West Coast Bureau of THE FILM DAILY on April 25, 1940, New York, has placed large orders for 16 mm. color reduction prints of 19 different cartoons with Cinecolor, Inc., several already have been delivered.

The U. S. Motion Picture Co. has completed seven playlets by The Dr. Pepper Co. and has placed orders with Cinecolor for 150 prints of each. The prints are to be distributed before the end of the summer.

Ross Fisher, ASC, has photographed a short, to be processed by Cinecolor, for Luis Alberni in Mexico City. The short is to be followed by a series of feature films, also to be done by Cinecolor.

Howard Anderson, Hollywood photographer, has been in Manila four weeks making prints for 12 short subjects to be processed by Cinecolor. Equipment and film is now en route to Anderson abroad the President Taft.

Drop La. Bill to Limit
5c Pic to Juves Under 15

(Continued from Page 1)
title in mind of Sen. Nicholas Carabjial, who also thought that free phones in theaters would be just ducky. He later withdrew this thought.

All-RKO Radio Bill
On Music Hall Screen

All-RKO Radio screen bill has been set for the Radio City Music Hall, opening tomorrow. Feature is the Towne-Baker “Tom Brown’s School Days,” which has its world premiere. Also on the bill are the Walt Disney short, “Donald’s Dog Laundry,” an "Information Please" unit with Ruth Gordon as the guest guesser, and Pathe News in part.

Synd Keps Theater Ban, But May Okay
“High Order” Pic for College Students

Grand Rapids, Mich.—The Synd of the Christian Reformed Church in session here renewed its theater ban, but considered the possibility of providing an opportunity for students of Calvin College, located here, to see films of a “high order.”

Hollywood Speaking—

By RALPH WILKE

PARAMOUNT will send a company of 100, including cast and crew, to Charlottesville, Va., to film a large part of “Virginia” in Albermarle County. Pic will star Madeleine Carroll, now in Europe, and Fred MacMurray and will be photographed in Technicolor by Producer-Director Edward H. Griffith. It’s a modern-day story scripted by Virginia Van Upp. Troup leaves here July 10, arriving in Charlotte- ville in time for shooting to start July 15.

ACTUAL scenes of Gauchoes rounding up cattle and throwing them through the use of bolos instead of lassos, are now being taken by a special sound and camera crew. The director of the adventure “Down Argentine Way,” which Irving Cummings will direct for 20th Century-Fox.

EDWARD G. ROBINSON’s latest Warner picture will reach the screen under the title, “Dispatch From Reuters.” Picture is the working title, “The Man From Fleet Street.”

THE entire pack of hunting dogs of the Eastern Shore Huer Club, famous throughout the South, will be used by Edward H. Griffith in the hunt scenes of “Virginia,” which he will produce and di rect for Paramount studios.

PRODUCER Edward Fitch has completed casting on the next two Ritter musical westerns. “Arizona Frontier” and “Rainbow Over the Range.” Both of these pictures will be made entirely on location in Prescott, Ariz.

EVELYN EATON, author of “Quietly My Captain Waits,” novel purchased some time ago by Warner Bros. for $75,000, will arrive here from New York Aug. 1 to work on the screenplay.

AFTER many title changes, Republic’s current top-budget film, starring John Wayne, Sigrid Gurie and Charles Coburn, will be released as “Three Faces West.”

FOLLOWING a procedure he inducted long ago, whereby all screen casts under his directorial wing are balanced with one or two excellent stage players just brought into the business, William Seiter has signed Eugene Murphy for a role in “Hired Wife,” which Seiter is currently mechanizing for universal. Seiter discovered Murphy while the latter was playing with a road company of “Tobacco Road.”

LUCIA LaCERTE, New York commercial model recently signed by Warners to a term contract, has been re-engaged Lucie Carroll.

THEY KNEW WHAT THEY WANTED, original title of the late Sidney Howard’s hit seven play, has been selected as the final title of RKO Radio’s screen version starring Carole Lombard and Charles Laughton.
Some Circuit and Indie Houses Expected to Up Prices a Cent or Two

Stanley-Warner will make no cut in admission prices to absorb the new Federal admission tax in Philadelphia or anywhere else, but instead will add the tax everywhere to present admission scales. Joseph Bernhard, general manager of Warner Bros. Theaters, thus officially defined the Warner position yesterday. It was the first official announcement of policy by a major circuit operator.

"I consider it a patriotic obligation," (Continued on Page 6)

M of T to Remain
In Feature Field

The March of Time will definitely stay in the feature production field, and in the future will produce two features a year, it was learned yesterday. Executives are now working on several story ideas for their next production, with all piz to be based (Continued on Page 4)

4A Calls Burlesque Actor
Strike to Aid Theater Crafts

Possibility of a strongly united front in New York of all the theatricals loomed yesterday when the AAAA directed its member burlesque actors' union to give every possible assistance to the extent of (Continued on Page 8)

RepUBLIC Bookings 40% Ahead
Aiming Two Gene Autry Pix For "A" Stands

GWTW July Withdrawal
Decision Not Definite

Projected plan of Metro to withdraw GWTW at the end of July with a view to re-releasing the picture in January resulted from numerous conferences that showed the picture is nearing the saturation point on (Continued on Page 8)

"Defense Tax" Okay
On 21-40c Tickets

Washington, D.C.—THE FILM DAILY—Washington—The IRS has approved the words, "Defense Tax," for printing on theater tickets covering admission in the 21-40 cent price range. It was explained at the bureau that the defense tax represented only this division and that the regular U.S. tax started with the 41 cent classification.

It is the defense tax that is supposed to be imposed to be used to retire the bonds for the liquidation of the $4,000,000,000 treasury certificates issued for defense purposes.

Chaplin Would Impound "The Dictator" Stills

Application will be made on July 2 by Charles Chaplin and Charles Chaplin Film Corp. for a Federal Court order impounding various stills of the picture "The Dictator" now (Continued on Page 8)

Fed. Tax Won't Hurt
Attendance—Rodgers

Theater attendance will not be hurt by the new admission taxes as the public fully appreciates the defense situation, according to William F. Rodgers, Metro sales chief.

Reviewing the tax measure yesterday, Rodgers said that he expected admissions would be advanced in a number of cases to meet the increase in (Continued on Page 8)

Certain Features Reported
As Being Adopted in Move
For Film Consent Decree

The Trade Practice Code formulated by the industry but spurned last August by the Department of Justice to the accompaniment of a warning that its adoption would bring new Federal litigation is being re-examined in connection with present moves to settle the New York equity action via consent decree.

Certain features of the Code, it was reported the other day, are being adopted by the conferences as they seek to evolve a form acceptable to both the Government and the industries. Disclosure that the scope of the conversations had been broadened beyond the Department of Com- (Continued on Page 7)

M & P to Pass On
New Federal Levy

Boston—M & P theaters will pass the new admission tax on to the public and not attempt to absorb the levy by hiking the admissions. There had been some talk of a plan whereby theaters now charging 35 cents (Continued on Page 7)

Poole Urges Newsreels
To Explain Tax to Public

West Coast Bureau—THE FILM DAILY—Hollywood—B. H. Poole, executive secretary of PCC of ITO has, written the sales managers of all distributing companies suggesting that the screen's news weeklies carry an explanation that the tax is not passed on to the public (Continued on Page 6)
“MORTAL STORM” BIG!
Held Over 2nd Week Capitol, N. Y. Also St. Louis, Boston (playing two theatres day and date) Cleveland, Columbus, Hartford, New Haven, Philadelphia, Washington, D.C. and more every day!

Margaret Sullivan and James Stewart thrill the fans!

Jeanette MacDonald and Nelson Eddy are together again!

“NEW MOON” PREVIEW GREAT!
It’s everything you hoped for. A magnificent musical in the M-G-M manner that’s headed for hold-over business. Just what the public wants right now!

Remember this!
“PRIDE AND PREJUDICE” IS A SURE-FIRE HIT!
Start now to tease it in lobby and program and publicity. The Preview guarantees audience joy. They ate it up! Greer Garson (Mrs. Chips) Laurence Olivier (Mr. Rebecca) and a brilliant money cast! A swell show.

Cheer Up America!
“ANDY HARDY MEETS DEBUTANTE!”
Thank you Lewis Stone, Mickey Rooney, Judy Garland and all the happy Hardy Family for turning out the most sensational of all this gold-mine series. It’s the show that they’ll thank you for putting on your screen!

Mickey’s in top form and Judy Garland clinches the box-office draw with grand songs!

“ANDY HARDY MEETS DEBUTANTE!”

“PRIDE AND PREJUDICE” IS A SURE-FIRE HIT!
M of T to Remain
In Feature Field

(Continued from Page 1)

on the retelling of comparatively recent news events.

Release of "The Ramparts We Watch," company's first feature, is being rushed so that it can be put into theaters by July 10 or 11. Plans are being discussed for a possible showing of the film next week in Washington, but nothing definite has been decided. Next regular issue of M of T will be about the Dutch East Indies, it was reported.

Westinghouse Unfilled Orders Still Soaring

Pittsburgh — Unfilled orders of Westinghouse Electric and Mfg Co. have continued to rise to new high levels with incoming business in the current quarter maintaining roughly the rate of gain which was shown for the first three months this year, it is asserted by A. W. Robertson, company chairman.

On March 31, last, Westinghouse held $82,937,841 of unfilled orders and a month ago the total had risen to the record level of approximately $85,006,006, he said, and added that the rising tide of business, as shown in billings and bookings, has been accompanied by an increase in profits. Earnings for the first three months this year were $4,041,429 or $1.51 a share. Earnings peak for the company was established in 1929, at $27,002,911.

Usher in Korda Week
In N. Y. With 4 Pix

National Alexander Korda week, which United Artists is sponsoring, will start in New York June 29 with the 60th St. Playhouse showing four Korda productions during the dates between June 29 and July 2. "The Scarlet Pimpernel," "The Ghost Goes West," "The Private Life of Henry VIII" and "Elephant Boy" will comprise the program. The Filmarte, Los Angeles; Little Theater, Newark; Victory, Salt Lake City; Little Theater, Washington; and Plaza, Stamford, are among other houses which have signed up for the drive.

Along the Trail
With Phil M. Daly

* * *

- HOLLAND mills grind fast...yet exceeding fine...under the current urge of..."Off with the old (season) and on with the new"...On the Paramount lot...viewing of rushes of the Paul Jones production. "The New Yorkers"...has the studio solans in a dith of delight..."O'er the film's prowess and potentialities...so much so that they're reported going after it promotionally...with both barrels..."...Report has it...that when Gene Markey gets back to the Hollywood scene...from his current Eastern trek...several important musical comedy stars now appearing on B'way...will summonly coast Foward to appear in the yet unfilmed musical feature...which Gene will produce for Para..." ...D AVE Selznick ought feel right pleased...over the letter penned to a biz org. by Opie L. Shelton of the Atlanta C. of C..."The biz org. had sent a questionnaire re tourist trade to town councils, city governments and C. of C. big-wigs...to determine how vacationists and new biz can be attracted to communities...Back came questionnaires and missives asserting that when Hollywood smiles with its features on U. S. communities...the result is visitor and trade influx..."Mister Shelton said that since Mister Selznick made GWTW...and premiered it in Atlanta...the city, o'er a span of 10 months, has seen tourists requests pour into the C. of C...to the tune of an increase in excess of 400 per cent...The Shelton 'thiusiasm for Selznick and GWTW reached its crescendo in the following paragraph of the letter:..."We (meaning Atlanta) have a $5,000,000 picture going the rounds...advertising for us...without any of the 'you-alls'...and the rest of that 'southern drawl'...which no Southerner ever heard...outside of the movies...and we are reaping huge benefits"..." ...TWO more Warner pictorial shorts will soon emerge...in work is "Young America Fliers"...and "Service With the Colors" goes before the cameras this week..."...Leon Schlesinger maker of "Merrie Melody" curiosities...has received a request from Uncle Sam's Dept. of the Interior, National Park Division...asking for the privilege of using a series of mirthful scenes from the recently-produced Schlesinger subsect "Cross Country Detours"...in which a bear hits a tourist over the head with a sign reading: "Don't Feed The Bears"...Washington officials were obviously delighted with the scenes...which will be used as posters in National Parks...and featured in an educational campaign...pointing out the dangers of bear-feeding..." ...NEXT month brings into production on the RKO Radio lot...the new Kay Kyser starring and Dave Butler produced-and-directed vehicle, "You'll Find Out"...which is a sequel to "That's Right, You're Wrong"..."Said sequel, in addition to Kay, will have all the members of his org...plus Peter Lorre and the radio favorites, Ginny Simms, Harry Babbitt, Sally Mason and Ish Kabibble..." "Mexican Spitfire Out West" has been selected by RKO Radio as title of its next comedy starring vehicle...for Leon Errol and Lupe Velez...Cliff Reid is the producer...with Leslie Goodwins directing...This is also a sequel...the predecessor pix being "From Mexico" and "Mexican Spitfire"..." 

Fed. Tax Won't Hurt Attendance—Rodgers

(Continued from Page 1)

dividual needs of the theaters, but he does not anticipate any blanket increase policy to result.

Rodgers, who returned to the home office yesterday from a business trip to the Midwest, said that no reduction in the number of pictures RKO will make next season has been discussed or even contemplated due to current conditions.

The Metro exec, was optimistic about the ultimate upturn in biz, pointing out that although the first shock of the war had undoubtedly hurt theater attendance, every indication points to an improvement.

Philippine Army Officer Schooled in Production

West Coast Bureau of THE FILM DAILY

Hollywood — Lieut. Jacinto B. Chong of the Signal Corps of the Philippine Island Army has arrived in Hollywood from Manila, P. I., to take a short course in motion picture production under the auspices of the Research Council of the Academy of Motion Picture Arts and Sciences.

Lieut. Chong is one of several Philippine Army officers sent to the United States to study various phases of the operation of the United States Army, as part of the close program of assistance given the Philippine Army by the U. S. War Department.

At the conclusion of his course of training, he will return to the Philippines, where he will produce instructional films specifically for the Philippine Army, as well as handle the details of the use of U. S. Army Signal Corps Training Films for the instruction of the Philippine Army.

Wometco Will Build
New House In Miami

Miami, Fla.—The Wometco Theaters, Inc. has taken a 99-year lease on property at N. W. Seventeenth Ave., and will immediately erect another unit.

WEDDING BELLS

Springfield, Mass. — Edward J. Powers, assistant manager of the Art Theater here, and Miss Zelma A. Baker of this city will be married in St. Michael Cathedral Saturday. They will go to New York on their wedding trip.

Fort Worth, Tex.—Harold Eppes, manager of the Varsity Theater, and Dorothy Stanley will be married July 27.

Chattanooga, Tenn.—Frank Hamilton, operator at the Grand Theater, was married to Eulala Brown of Red Bank.

(Continued from Page 1)
REVIEWS OF NEW FILMS

“Millionaires in Prison”
with Lee Tracy, Linda Hayes, Raymond Walburn
RKO Radio 63 Mins.

HOLLYWOOD PREVIEW

INTERESTING AND ENTERTAINING DRAMA OF LIFE BEHIND THE BARS WITH TRACY SCORING HEAVILY.

This should please Lee Tracy fans. Tracy, who has been away from pictures for the past couple of years, has one of the best roles of his career in this modest-budget RKO release. The story, no doubt was taken from recent newspaper stories. The fertile pens of Martin Mooney, who wrote the original, and Lynn Root and Frank Fenton, who wrote the screenplay, have turned out an interesting and entertaining drama of life behind prison bars. Ray McCarey has done a swell job of direction.

Moments of comedy, heavy drama, and suspense follow one upon the other in smooth-flowing rhythm. The moments of comedy in which the millionaire convicts try to adjust themselves to prison life are exceptionally well acted and directed. The story concerns five millionaires who are sent to prison for various crimes. They are not criminals, but citizens who have run afoul of the law and have been sentenced to terms with murderers and convicts of all classes.

One of the wealthy prisoners is a young doctor who upon entering prison continues his researches under the supervision of the prison doctor. He is assisted by Lee Tracy, playing the part of the prison big-shot, Truman Bradley, as the doctor, despite his tendency to turn soft, does such good work in incarceration that eventually he and Tracy are paroled. The story also tells of the rise in the esteem of their fellow convicts of the unwelcome millionaires who, despised at first, prove themselves in the fold and are pleased to find themselves treated as equals by their fellow cons.

Linda Hayes as Bradley’s girl friend gives a good performance. Virginia Vale is excellent as Tracy’s moll. Also in the cast are such competent performers as Morgan Conway, Thurston Hall, Raymond Walburn and Paul Guilfoyle. The picture was ably produced by Howard Benedict, under the supervision of Executive Producer Lee Marcy. Camera work by Harry Wild, with special effects by Vernon L. Walker, was good.


CREDITS: Executive Producer, Lee Marcy; Producer, Howard Benedict; Director, Ray McCarey; Author, Martin Mooney; Screenplay, Lynn Root and Frank Fenton; Cameraman, Harry Wild; Special Effects, Vernon L. Walker; Art Director, Van Nest Polglase; Associate, Carroll Clark; Editor, Theron Warth; Musical Score, Roy Webb.

PRODUCTION, Swell. PHOTOGRAPHY, Very Good.

Johnson Pix on July 24

Columbia’s “I Married Adventure,” the life of Osa and Martin Johnson, will be nationally released on July 24.

“Prairie Law”
with George O’Brien, Virginia Vale.
Dick Hogan
RKO

LATEST GEORGE O’BRIEN STARRER FROM RKO HAS ABLE CAST AND GOOD ACTION.

The western fans should be pleased with this new George O’Brien release. It has an able cast, a plausible story and plentiful action. O’Brien is supported by a good cast that includes Virginia Vale, Dick Hogan, J. Farrell MacDonald, Slim Whitaker, Cyrus W. Kendall and Paul Everton, latter two the villains. David Howard directs the picture with a good tempo.

O’Brien, although opposed to farmers moving into the cattle country where his ranch lies because he knows they will run amuck on cattle, still assists them in any way possible. He meets Miss Vale, daughter of one of the farmers, Henry Hall. However, a land promotion scheme fostered by Kendall and Everton is bringing more farmers in all the time and they can’t make a living.

Hall is innocently aligned with the gang, not knowing what they actually are promoting. O’Brien’s cattle are rustled, his friend the sheriff, MacDonald, is murdered, but Kendall is acquitted of the murder by a packed jury. However, O’Brien figures out a plan to get them right, and he does, with plenty of action ensuing until everything is straightened out and law and order is restored.


CREDITS: Producer, Bert Gilroy; Director, David Howard; Screenplay, Doris Schroeder and A. V. Jones; Story, Bernard McConville; Cameraman, J. Roy Hunt; Editor, Frederic Knudtsen.

DIRECTION, Good. PHOTOGRAPHY, Good.

SHORTS

“Men and Dust”

Garrison Films, Inc. 16½ Mins.

GRIM DOCUMENTARY.

A powerful indictment of miners’ working and living conditions in the Kansas, Missouri, Oklahoma junction, where, due to a lack of protective measures, large numbers of the population suffer from silicosis and tuberculosis. Based on the findings of The Tri-State Survey Committee, the film, through use of flash shots and a four-volume commentary pleads an effective argument for protective mining equipment and a better living standard for the miners and their families. Too depressing for the run of theaters, the subject will find a field in the more informed audience type, in addition to the special groups now viewing the picture. Shelton Dick did the photography and commentary and Lee Dick was director of commentary.

MORE FUN . . . MORE MUSIC!

The Weavers set a new high for movie frolics with the gayest, singingest, laughingest of Republic’s inimitable hill-billy pictures.

WEAVER BROTHERS AND ELVIRY

GRAND OLE OPRY

LOIS RANSON

ALLAN LANE

HENRY KOLKER

And Radio’s Popular Artists

UNCLE DAVE MACON AND HIS SON DORKIS
ROY ACUFF and his ROCKY MOUNTAIN BOYS

GEORGE DWEY HAY THE SLOANE OLE OPRY

ROCK MOUNTAIN BOYS

A

PICTURE
S-W to Add Tax, Won't Drop Prices

(Continued from Page 1)

tion to help make the people dem-

comentous," asserted Bernhard's

Meanwhile, it became apparent that

country, generally, both on the

mechanics and circuit operators, was to pass along the new

theaters, patrons, no hard-

circuit operators.

Some Theaters May Up Prices

It was indicated that there prob-

likely be many instances where

circuits as well as indie the-

sters would find it desirable to add

or two to new prices for profit

poses. Thus, exhibs. now getting

ed, Monday, go to 36 cents plus four cents Fed-

eral tax.

In the instance of circuits, deci-

dion on such moves would be dis-

cretionary with zone or division and

district managers, it is anticipated.

Way, Illinois, Circuit-owners, in general, have not

pected merely to add the tax, it

said yesterday that decision as to the out-of-town situations in the

operators, but the two chains was yet to be determined.

Orders, however, are expected to go to all out-of-town house managers

Tight, if not already dis-

patched.

Brandt Just to Add Tax

In the face of conflicting reports

following yesterday's meeting of the

26-to board of directors, Prexy

Harry Brandt declared that its af-

iliated houses would simply add the

tax to present scales. Earlier, it

been reported Brandt planned to

federal tax.

In indie operating quarters, how-

ever, it was forecast that there

would be some jockeying.

Philly Exhibs. Generally to Adopt S-W Policy

Philadelphia -- Stanley-Warner's

position on the admission tax im-

posed under the new Federal law

will be generally adopted by exhib-

tors here. Meaning that there will

be no attempt to raise prices, only

the tax being added to present scales.

Pix Patrons of West Pa. To Bear New Tax Burden

Pittsburgh -- With possibly few

exceptions, theaters, both circuit and

indy, operating in Western Pennsy-

, will be along the new Fed-

eral tax to their patrons.

The AMPTO of West Pennsy-

nnia, Allied Exhibitors, is expected to

adopt such policy formally at a

special meeting Monday.

Gulf State Circuits Favor Pass-Along Policy

New Orleans -- Gulf States exhib-

itors apparently will pass the Fed-

eral tax along to the public, judging

from present exhibitor opinions.

Michigan Amusement Park Showing Feature Film Free as Fare; 1,200, Average Crowd

Detroit--Free movies have popped up in an amusement park 25 miles north of here, near Pontiac, playing every Monday night to a large audience at 9:15, run over two hours with a single feature.

The Palmer Park, managed by Leo Lipps, is operated as one unit in a circuit of seven spots, rest are understood to be commercially sponsored. Plans are been made to duplicate the free theater nights because of the biz attracted; an amateur show for another night is also planned.

Poole Urges Newsreels To Explain Tax to Public

(Continued from Page 1)

public is being asked by the United

States Government to financially aid

the country's defense through the

medium of a tax on theater admis-

sions. He said exhibitors are con-

victed it is not only a privilege but

an honor that their theaters are to

be the medium whereby this revenue

so greatly needed by the government will flow to it through them.

Poole pointed out that to get the

furse co-operation from patrons

without a detriment to the box office, the screen should be

ou to present the fact that the Gov-

ernment desires this new revenue and

that this would create in the

minds of patrons a real desire to serve

the Government and automatically

thies to the theaters.

The PCC exec, also suggests that

irst issues of news weeklies could

ar a statement from the Presi-

dent, on his behalf, to the

public for the support they will offer through their purchase of

theater tickets; the second issue could portray a Congressman making

the statement that theaters are

or otherwise paid this tax to the

public and not to try to absorb

it themselves, thus placing

responsibility for increased admis-

sions on Congress; the third issue

could show exhibitor leaders exam-

ing the new tickets and evidencing

a spirit of cooperation with the

Government in being a definite part

of the defense program; the fourth

issue could show lines of people buy-

ng tickets with both admission prices, including tax, with

bles of pennies heaping up and

that could dissolve into plots of

armaments and soldiers which would

be purchased by these tax pennies.

Independents are thought willing to

follow circuits in this respect and

principal Gulf circuits indicate that

the pass-along policy will be adopted.

A Paramount-Richards executive

told THE FILM DAILY, "we have

given the matter no discussion, but

less there is some particular rea-

on, I don't see why we should

defy our usum of passing on the

tax to the public upon whom it is intended that it should be placed."

Kentucky Fans to Pay New Admission Levy

Louisville -- Checkup indicates that the levy, plus the tax, will pass along the new Federal admission levies to their patrons. There is no sentiment for absorption here.

Present State admissions at all houses, including nabes,

Eighth Fort Worth House for Intersect Circuit

Fort, Worth, Texas--Intersect Cir-

ct, which now operates seven the-

aters here, has contracted for an-

other nabe theater in Arlington

ights. Theater, The Bowie, will be

uilt by the Frank Zeloski Estate, and leased by Interstate to be op-

alored along same policies as the

Parkway, Varsity, and Tivoli, the other Interstate nabes here.

Theater will cost $35,000 and will

900. Construction begins July 15, for completion in four months.

Benz Buy to End Minneapolis Dispute?

Minneapolis--End of the five-year

rnit between the Benz and

Amusement Co. is seen in the reported deal of George

Benz & Sons to purchase the Or-

pheum Realty Co. interests in the

RKO Seventh St. theater. Benz is

to equip the house to lease it to

ations, or to raze the building, its

holding in the Loop exhibition field.

Minn. Amusement May Close Twin City Situations

Minneapolis -- Minnesota Amuse-

ment Co. is reported closing one or

two of its downtown Twin City houses

 consolidate operations. Move fol-

low similar closings in other situa-

ions considered oversetated and is

aid to be a temporary measure.

Carbondale's Varsity Opens

Carbondale, Ill.--The Varsity, 900-

seat, latest addition to the Rodger's

Circuit, opened last night. George

Hayes manages.

run 10, 16, 22, 27, 33, 44 cents (in old pennies), which doesn't worry

either patrons or exhibs.

So, Calif., Houses Keep Prices, Pass Tax on to Fans

West Coast Bureau of THE FILM DAILY

Los Angeles--According to pres-

ent reports, all theaters in this

territory, circuit and inde-

ent, will not alter their present

prices, but will absorb the tax or

their patrons to pay the tax. For instance

where the present admission is 25 cents, fans will be charged 26

and an additional three cents to

cover the tax. Fox West Coast will

fix its ticket prices at the week-

while Robert D. Foley of the ITO of

Southern California and Arizona, has

called a meeting of all independent

ski on the matter.

Sees Tax Wrecking Availability Snares

Columbus -- ITO of Ohio, Allied

affiliate, sees the new Federal adm-

ission tax causing "havoc and

concentration among all theaters in

the admissions rate group ranging

wards 30 cents" and also as

wrecking "all existing availability

sets in the cities where 25 to

30 cent first- and subsequent-run

missions are the admissions excise

tax paid on the established price.

The ITO is urging exhibs, avoid

possible complications by deposit-

ing the Federal tax in a special bank

account. Wood warns that the IRB

will have access to the Ohio Tax Com-

mission records in order to check

state theater returns and adds point-

edly, "Don't do any fooling with

Uncle Sam in connection with any

part of this Federal tax."

Burke Resigns As DM

For Minnesota Amusement

Minneapolis--Barry Burke has re-

sponded as Twin City district man-

ager for Minnesota Amusement Co.

to go into business for himself.

Charles B. Stiff moves over from

South Dakota to succeed Burke. The

ntry's interests are being di-

vided into two territories under the

dent management of Al Anson

and Harry French.

Tucker Ork At N. Y. Paramount

Orrin Tucker and his ork and

Bonnie Baker will make their first

appearance in New York theater

Wednesday heading the stage show

at the New York Paramount. Screen

attraction will be The Ghost Breakers.

Pt. Meade House to Floyd

Pt. Meade, Fla.--The Fox Thea-

ter has been sold to the Floyd chain.

A. Premblee has been retained as

manager.
Re-examine Code in Settlement Talks

(Continued from Page 1)

merce's consent decree proposals aroused keen industry interest.

Special Assistant Attorney General, J. Stephen Doyle told Federal Judge Henry W. Goddard yesterday that "the subject matter in the Department of Commerce plan has been discussed in detail during settlement conferences between the D of J, representatives and counsel for the defendants in the New York equity action. The statement was made by Doyle in obtaining an adjournment of the trial of the suit until July 1, as forecast by THE FILM DAILY yesterday.

Doyle's complete report to the Court was as follows:

"The petitioner, with the consent of the defendants in the anti-trust suit, hereby moves for an adjournment of the trial until July 1. Con

versations between the litigants have continued each day at the Bar Association Building and it is believed that a definitive process has been made.

"The subject matter in the plan of the Department of Commerce has been discussed in detail at these con

ferences and sub-committees of the

representatives of the two firms have con

curred in the plan. Nothing has arisen to indicate that a final accord cannot be reached. The purpose of this application is to afford additional time to the litigants to continue their conversations."

Mills Projectors by Oct. 1: Globe Starting Coin Pin

West Coast Bureau of THE FILM DAILY

Hollywood—According to officials of Mill Company, the series of representatives of Globe, Mills auto

matic projector machines will be in operation October 1. The” series of one-reel 16 mm. pictures the last part of this week. The first subject is a musical and each reel covers eight subjects.

Vincent Dialoguing "Flotsam"

West Coast Bureau of THE FILM DAILY

Hollywood—James Vincent, dialogue director for Katherine Cornell for a number of years, has been engaged by David Loew-Albert Lewis Fuchs to direct the dialogue for "Flotsam." Producers are trying out a number of refugee players from Europe.

Fair's "Cinderella"

Miss Mary Jaeger, 19, of Phila

delphia was selected by the Judges at the World's Fair Cinderella test at the Glass Center as the winner. She will be officially crowned tonight.

Leonard to Direct "Third Finger"

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Z. Leonard will direct Metro's "Third Finger, Left Hand."

Three Feature Pix On Tele's Program

Three feature films will be broadcast next week by NBC. Station W2XBS

"Songs and Saddles" is set for Wednesday night, "A Husband's Vow," Thursday night of July 4, and "West of Nevada" for Friday matinees.

M & P Theaters to Pass Tax Levy on to Patrons

(Continued from Page 1)

would raise their scales to 40 cents and absorb the four cent tax, also getting one cent extra on each ticket.

This has been discarded.

It is understood that M & P and all other theaters and circuits belonging to the MPTOA unit have agreed to the same plan.

Independent exhibitors of New England, Inc., local Allied unit, meets today to decide on a similar course of action.

Wanger Praises ITOA's Anti-Dual Bill Policy

West Coast Bureau of THE FILM DAILY

Hollywood—Walter Wanger has commended Harry Brandt and Independent Theater Owners of America on their stand against dual features. He states a crisis in the double feature evil has been reached and believes all exhibitors agree that the very existence of the business depends upon immediate discontinuance of the dual policy.

Wanger points out that in his own case he abandoned a contemplated program of fixed pictures last January to concentrate on two attractions, John Ford's "Long, Jage Home" and Alfred Hitchcock's "Foreign Correspondent."

No War News With ATAHT, Des Moines Exhib. Rules

Des Moines, la.—War news is taboo during the showhouse engagement of ATAHT which opened at the Orpheum theater yesterday. Manager Emil Franke said all war footage is being deleted from the newsreels as an experiment.

Colgate Baker Dies

Colgate Baker, 65, retired newspaperman, critic and playwright, died Tuesday at the Bronx Home for Incubals following a lingering illness. He was long on the staff of the New York Review, a theatrical publication.

Archie Mayo Here

Archie Mayo, film director, and Mrs. Mayo have arrived in New York from the Coast for a stay of indefinite length.

Join 'Destiny' Cast

West Coast Bureau of THE FILM DAILY

Hollywood—Chill Wills, Drew and John Howard have been assigned by Para. to the cast of "A Date with Destiny."

"The Flag Speaks"

(M-G-M Special)

Superb Two-Reeler

Magnificent two-reeler, resplendent in exquisite Technicolor, pulsating with action, and inspiring to a degree rarely attained in motion picture annals... Because of its vast appeal and all-around excellence it is bound to be received warmly into the affections and theaters of all showmen, for it is a subject which richly deserves not only bookng, but protracted booking in every film house... It recounts with a vividness untrammelled by any modern medium the birth, evolution... of the Stars and Stripes... It is splendidly directed by David Miller, and narrated brilliantly by John Neshbit... cost of some 600,000.

"Declaration of Independence"

(Historical Technicolor)

Vitaphone Fine TIMEly Drama

A very dramatic and timely subject dealing with historical incidents connected with the session of the Congress in Philadelphia that led to the issuing of the Declaration of Independence... Main historical facts are followed... building fine patriotic fervor... John Littel as Thomas Jefferson does as fine a job as he did in the role of Patrick Henry in a previous Historical Technicolor... rest of historical characters are well portrayed, especially that of Benjamin Franklin... Directed with fine dramatic tempo by Crane Wilbur. Here is a timely short that carries a strong patriotic message at this critical period in world history.

Contact your local post or posts of the American Legion. Mailing pieces, made up by M-G-M, and mailed by the National Office of the American Legion to all of their 11,260 posts, have paved the way for co-operation of the organization with exhibitors. Newspaper mats on "The Flag Speaks" are available gratis at M-G-M exchanges. Over 40 radio stations have already played a five-minute radio transcription of an address by Raymond J. Kelly, National Commander of the American Legion in which he urges every patriotic American to see this film. Arrange such a tie-up with your local station. Contact U.S. Flag Association members for exploitation aid.

Patriotic groups and civic organizations should be contacted for active aid, including endorsements. Although school children are on vacation, an effective appeal for attendance of the younger generation, in addition to the creation of adult interest, can be made through the Boy Scouts and Girl Scouts. Stage a parade or pageant, tie up with the film. Ask your local newspapers for editorials. Excellent use can be made of available accessories which include a special one-sheet, four 8 x 10 stills, and four 11 x 14 lobby cards. To inaugurate the initial performance of the short, arrange a flag-raising ceremony at the theater.

EXPLOITETTES

What they are — Who has them — How good they are

REVIEWS

COLUMBIA

"Patrician Songs," "Inside the White House," "Inside the Capitol," "Washington, D. C."

M-G-M

"While America Sings," "Yankee Doodle Goes to Town," "The Story That Couldn't Be Printed," "Put a Feather in Your Cap."

WARNERS


RKO RADIO

"Uncle Sam, the Good Neighbor," "Air Armies of America's Youth, 1940," "U. S. Navy, 1940."

UNIVERSAL

"March of Time Issues."

* March of Time Issues.

PRODUCT SCHEDULE

"Patrician Songs," "Inside the White House," "Inside the Capitol," "Washington, D. C."

"While America Sings," "Yankee Doodle Goes to Town," "The Story That Couldn't Be Printed," "Put a Feather in Your Cap."


"Uncle Sam, the Good Neighbor," "Air Armies of America's Youth, 1940," "U. S. Navy, 1940."

"March of Time Issues."
Repatriation Bookings Said 40% Ahead

(Continued from Page 1)

commenced in mid-April, almost co-incident with the launching of the company's first regional in San Francisco.

Solid confidence is apparent in the Republic camp as a result of the organization's anticipated policy of making extra-budget attractions. According to the request of exhibitors, especially those in the top stands, Republic, which announced eight Gene Autry vehicles for 1940-41, will make two of this group in full-budget form for the "A" houses.

Jack Moffitt, well-known to the trade through his association with the Kansas City Star, is scripting both of the big Autry films, which will be released under the respective titles, "Melody Ranch" and "Down Mexico Way." Both of these titles, it is cited, have definite pre-sale value,—the former holds public attention because of the radio program, and the latter because of its lyrical identification with the composition "South of the Border.

Chaplin Would Impound "The Dictator" Stills

(Continued from Page 1)

allegedly in the possession of Life Magazine.

The suit brought against Time, Inc., publisher of Life; Henry Luce, president; Roy E. Larsen, editor; John Shaw Billings and Charles D. Jackson, charges the defendants with surreptitiously obtaining the stills and having printed a picture of Chaplin, uniformed as "The Dictator.

Federal Judge John C. Knox has issued a temporary injunction against Life Magazine.

Springfield's Council Blocks Park-in Move

Springfield, Mass.—Establishment of an open-air park-in theater at Loon Pond has been blocked by the City Council. A change of zone from Residence B to Business A, sought by Archer W. Davis of Longmeadow, owner of Joyland, was turned down.

French Film to Premiere

"Thunder Over Paris," French film with English titles, starring Eric von Stroheim, premieres at the Apollo, 42nd St., today.

Use Singles in Four Chi. "Arty" Houses

Chicago.—Four "arty" theaters here are now playing single feature programs. They are the Equire of the H & G Balaban circuit; the East Side Theater, recently modernized, the Cinema Theater of the Stern circuit and the World Playhouse, in the Loop, under (co)management.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities

HARRY GREY. Born in Brooklyn, N. Y., on April 1, 1905. Attended Manual Arts High School and New York University. Worked for Irving Berlin and others as a pianist in the music publishing business for three years. Left the publishers to accompany Maurice Chevalier, Harry Fox, and other vaudeville headliners. When vaudeville gave up its last struggle for the American and Brunswick Recording Co. Was active in radio during this period. Left the position of Director for Brunswick to go with Republic Pictures head of the Music Department in 1935. Was appointed associate producer on Gene Autry films in 1937. In 1938, took over production of the "Three Mesquiteers" series. Is now producing for Republic, handling various assignments including many of their major re-leases.

4A Calls Burlesque Actor Strike to Aid Theater Crafts

(Continued from Page 1)

a walkout to several crafts having contract troubles with three burlesque houses. The passing of the resolution by the AAAA instructing this move is the first instance where the actors' organizations have gone to bat for other crafts to the extent of being willing to strike if necessary. The three theaters are the Republic, the Eltinge and the Gaiety. The mass huddle of all theatrical crafts at the AAAA office yesterday had top representatives from every theatrical union in the field and all unions directly connected with the theatrical biz, including a strong delegation from the IA. Presence of the IA execs. was further evidence that the crafts and actors' unions have buried the hatchet and are striving for the closest co-operation.

If terms aren't reached with the three theaters by next Thursday a walkout of the actors has been ordered, which would be simultaneous with similar action by the crafts involved in the contract disputes.

Buffalo Summer Stock Cutting Into Film Biz

Buffalo—Roadside Players, in their second summer for the season at April Springs, nine miles southwest, are taking bites from city audiences, about 500 of an evening. Concessions on stage comedies—age consideration and broadness a decided virtue—they have topped their previous opening weeks.

In a couple of weeks, another summer theater, Green Lakes Gardens, fourteen miles away, in Oriskany Park, will resume operations for the eighth season. An open air house, operated by the Studio School of the Theater; it differs from the Roadside, which works on a community basis. Incidentally the Roadside has imported itself a Hollywood actor-director, Edward Woods, to stage its shows.

"Buddy" Moran to Manage Rep. Des Moines Exchange

Okahoma City, Okla.,—F. R. "Buddy" Moran, for the past four years office manager and booker for the Oklahoma City exchange operated by Sol Diamond, will go to the Exchange here, July 1 becomes manager of the Des Moines branch of Republic which recently changed from a franchise situation to a company-operated exchange.

Moran is succeeded here at Republic by Fred Lawrence, for the past seven years booker for Bader Bussy, Little Rock, Ark., franchise holder, which franchise was recently taken over by the Arthur Bromberg interests.

Nominated to Censor Board

Portland, Ore.,—Appointment of Mrs. Herbert Sichel, a member of the Portland Municipal Motion Picture Censor Board, is announced by Mayor Joseph K. Carson.

HORSE"... Back to Globe

"Lost Horizon," Columbia's Frank Capra production will re-open Saturday at the Globe, the Broadway house at which it had its world premiere.

HOLLYWOOD SPEAKING

By RALPH WILK

HOLLYWOOD—Rights to "Penny Serenade," a novel which will shortly appear in McCall's Magazine, Cary Grant will probably appear as the star, and George Stevens will act as Producer-Director. The story, by Martha Cheavens, is a romantic marital drama.

ROBERT Z. LEONARD will direct "Third Finger, Left Hand," starring Myrna Loy, who John H. Considine will produce for Metro. An early start is expected.

PAUL JONES, Paramount producer, now joins the ranks of Hollywood film folk who own publishing enterprises. He has taken delivery on a new Stearnam cigar job, and made its initial flight to Seattle where he carried a print of his latest production, "Untamed," for preview there.

WARNER execs have decided definitely to roadshow "The Sea Hawk." Present plans call for "The Sea Hawk," in which Errol Flynn is starred, to follow ATAH into the Carthay Circle, probably later in August. Pix also will have a two-a-day New York engagement during August.

CLARENCE BROWN will spend several days in San Francisco spotting new talent which he hopes to use in his next directorial assignment at Metro, the film as yet untitled. Some of the talent Brown will be looking at are now performers at the Frisco Fair.

RITA JOHNSON, now working in "The Golden Fleece" opposite Lew Ayres, has signed a new long-term contract with Metro.

OSA MASSEN, Danish actress who appeared in "Honeymoon in Bali," has been engaged by Warners from Warner for a leading role in "Honeymoon For Three." Charlie Ruggles also has been signed.

ONE of America's largest soap and shampoo manufacturers is negotiating with Charlie Ruggles for the use of his pot money key, "Schiemiel," in a series of twelve one-reelers, advertising a variety of products. "Schiemiel" will star in the films.

GEORGE MURPHY is building a sun house adjoining his Escondido ranch, which will be constructed entirely of a new type glass brick that diffuses the natural sunlight so that only the ultra-violet rays penetrate. Even the floor of the unusual building will be composed of these glass bricks.

MIS Wheeler Night Diversifies America," original screen story by Leonard Spiegelglass, has been purchased by Warners from Leonard Hoffman and Jack Lucas, who have been assigned to do a screen play.

WILLIAM STUCKY has signed a contract as a junior writer at Metro.
"Continued Substantial Sales Abroad Indicated," Standard Statistics View

"Continued substantial sales of American films abroad are indicated 'or the future' despite the war-time installment of foreign distribution according to Standard Trade & Securities' Motion Pictures Basic Survey just completed.

The Survey makes it long-term forecast "because of the demonstrated superiority of American feature films and the clear evidence that foreign audiences agree on this, except in those countries where both...."

(Continued on Page 8)

Majestic Stock Options to DuMont

To obtain the participation of Allen B. DuMont Laboratories, Inc., the direction of its affairs, Majestic Radio & TeleVision Corp., "will grant to Allen B. DuMont Laboratories, Inc., an option to purchase 100,000 shares of new common stock at $1 a share, exercisable in whole or in part, any time or from time to time on or before four years from...(Continued on Page 7)

First New York Deliveries Of DuMont Big-Screen Tele

First deliveries of DuMont's flexible 20-inch tube big-screen television receivers are being made in the metropolitan area this week. Said to provide the largest images on home receivers now available in the U. S., the tele-screens offer black... (Continued on Page 8)

Newsreels Plugging National Defense

Survey of the five new newsreel issues yesterday showed that nine separate clips on national defense were contained in four of the reels, following the recently announced policy of cooperation with the Government's defense program, and a reduction in picture footage. War news was largely confined to routine shots of defense and visits of the English rulers.

NO CANADIAN PRODUCTION--MAXWELL

Associated British Pictures Head Dismisses Hollywood Stories as "Utter Nonsense"

London (By Cable) - Associated British Pictures Corp. has no intention of transferring production activities from Boreham Wood, Elstree, to Canada.

John Maxwell, chairman of the corporation, so declared here when advised of Hollywood stories to the effect that he had authorized a Dominion survey on production possibilities and a Hollywood checkup on available talent.

"Utter nonsense" was the way Maxwell characterized the reports which occasioned considerable stir in the U. S. and something of a sensation when reaching trade circles on this side.

All Loew Theaters To Add New Levies

Loew's out-of-town theaters will follow the tax policy adopted for the circuit's houses in Greater New York, adding the new Federal levies to the existing admission prices, it was learned yesterday.

While in certain situations, it is anticipated that some affiliated circuit theaters will depart from general... (Continued on Page 4)

Korda to Produce Story Of Conquest of Mexico

West Coast Bureau of THE FILM DAILY

Hollywood - Alexander Korda's first American production for United Artists will be "The Conqueror," starring Merle Oberon, with shooting scheduled to start in the Fall. (Continued on Page 8)

Will Pass Along Tax in Cleveland

Cleveland - The Cleveland Motion Picture Exhibitors Association at a meeting yesterday involving the policy of subsequent runs on the new Federal admissions tax determined to pass the levy on to the public.

Inasmuch as these houses for years have absorbed the Ohio 3 per cent excise tax on gross receipts, there is a bare possibility that this... (Continued on Page 7)

New Haven Exhibs. Reject Price Boos in Adding Tax

New Haven - Calling a special luncheon-meeting at the Hofbrau Haus Restaurant, exhibitors in the New Haven district, including East Haven, Hamden, and West Haven, declared that the new admission tax...(Continued on Page 5)

Nazis Subsidizing Pix in S. A.?

Buenos Aires Paper Also Charges 'Dumping'

Metro's Biggest 1940 Ad Campaign Backing "Moon"

Metro is putting its biggest ad campaign of the year behind "New Moon," Nelson Eddy-Jeannette MacDonald co-star, set for national release today.

In the super-size nine feature ads... (Continued on Page 8)

Radio Coin Backs Appeal From Decision Holding State Act Unconstitutional

Lincoln - Appeal notice was made yesterday by Attorney-General Walter Johnson, taking Nebraska's anti-Ascap case up to the U. S. Supreme Court. Order granting the right was signed, and 40 days was period given Ascap to show cause why the lower court action should not be reversed.

After a four-day hearing in November, in which Gene Buel, E. C. Mills, and J. G. Parle, Ascap officials, testified, Nebraska's three judges—Gardinier, Donnahey, and Menger—called the Nebraska law...(Continued on Page 7)

ATAHT Road Shows End in Mid-July

Warner's ATAHT goes into regular release on July 15, it was learned yesterday.

This will terminate the roadshow presentation of the picture which has been successfully in progress during the last weeks. That policy, which paralleled Metro's current...(Continued from Page 1)

More Than 200 Attended RKO's Golf Tournament

Rye, N. Y. - RKO's Radio's annual golf tournament at two Westchester Country Club courses, held yesterday, drew an attendance of more than 200 company execs, employees and their friends. This was the biggest...(Continued on Page 6)

New Eng. Allied To Pass Along Tax

Boston - New England Allied (Independent Exhibitors, Inc.) yesterday voted to pass the admission tax on to the public.

Members, representing approximately 150 theaters, decided at a luncheon meeting to raise their admission prices so as to absorb the tax.

Special notice is being prepared to inform the public as to the reason for the tax levy.
Exhibs, Hall S1 Minimum For Harness Race Tracks

Albany—Establishment of a minimum, popular harness race standard to all races where pari-mutuel betting is conducted is hailed by exhibs, as keeping to a minimum the competition with theater box-office.

Previous to the organization meeting of the three harness race missionaries appointed by Governor Herbert L. Lehman, it was generally believed a 50 cent minimum would be established.

The most question of night racing for harness horses is still up in the air. Individual dates and hours will be authorized by the harness racing commission when licensing the various local bodies. To date, no licensees have been issued to the track or fair organizations.

Three Days of Premiers For Para's "Untamed"

West Coast Bureau of THE FILM DAILY

Hollywood—Independence Day weekend premieres, to be held on three consecutive days in three cities, is the opening Paramount has scheduled for "Untamed," according to Clifford New, studio director of advertising and publicity.

Spots and dates set are the Paramount Theater, Portland, Ore., July 2, when the horse-racing rate admission, Wash., July 3; and the Fox Theater, Spokane, Wash., July 4. Patricia Morrison, Ellen Drew, John Howard and Susan Hayward will make p.a.

Memphis Pix Critic May Head Newspaper Guild

Memphis—American Newspaper Guild's convention which opens here July 8 may name Harry Martin, film critic of the local Commercial Appeal, to be the presidency. Martin is now president pro tem of the Newspaper Film Critics of America, and the Memphis Press-Scimitar, of which Mr. Martin is an editorial writer, is the only daily paper in the South to have a staff critic. Mr. Martin is the only member of the city's board of directors who is a professional writer. The Guild's present presxy, but is not a candidate for re-election.

Technicolor Will School Cameramen in the East

Plan has been drafted by Technicolor to train a number of cameramen in the East in the use of color cameras. Technicolor executives have had a number of conferences with officers of local cameramen's union. Number of men to be trained has not been determined, but complete accord has reached between the company and the union, it was said.

GEORGE HACKATHORNE DEAD

Hollywood—George Hackathorne, 42, stage and screen actor, is dead here, following a long illness. Last screen appearance was in GWTW. A half brother, Bodie K., owner of North Hollywood, sur

Movie-of-the-Month Club Plan Clicking in Omaha

Omaha—Tri-States Theaters are underwriting a movie-of-the-month club giveaway plan in their two first-run houses here whereby patron gets a free ticket to a certain movie when be visits the club by buying a book of $2 in regular admissions.

Idea conceived by E. R. Cummings, Tri-States ticket manager here, and has been protected by copyright. Trailers and newspaper ads used to plug the scheme, which has been doing "good" so far and is expected to be "great" next fall.

Patron buys $2 booklet containing either five 40-cent (night) admissions or eight 25-cent (matinee) tickets. Free ticket in book is good for admittance to Movie-of-the-Month, which is regular show at one of the two houses, but is designated by Tri-States officials as the "Movie-of-the-Month."
The openings in Denver and Los Angeles are so sensational it is safe to predict that M-G-M's "New Moon" will be one of the biggest hits of the entire year!
All Loew Theaters
To Add New Levies

(Continued From Page 1)

eral policy and add a penny or two to present scales in addition to the tax. Loew's, it is understood, will adhere to a no-price-increase dictum for the present.

Major circuits, in the wake of yesterday's virtual disbanding any plans for so-called "educational" campaigns, believing it unnecessary to stress to their patrons that the new tax is a national defense measure. So special trailers, newspaper copy, etc., appear to be on the surface.

Disinflation in some quarters to use the new levies as a peg on which to hang a price increase is evidently based on the fear that the cry of "profitpeering" might be raised. There is a much better opportunity to make a price jump palatable later, it is contended.

" Foolish to Absorb Tax," Says Mich. Allied Leader

Detroit — "Exhibitors would be foolish to seek to absorb the new amusement tax," Edgar E. Kirchner, manager of the Family Theater and leader of Allied Theaters of Michigan, said yesterday. "We must expect to pay more for pictures next season, and we cannot in effect reduce the net admission price by absorbing this cost," he added.

Karloff, Lugosi, Lorre
Plus Kay Kyser

West Coast Bureau of THE FILM DAILY

Hollywood — RKO Radio would like to cast Boris Karloff, Bela Lugosi with Peter Lorre burlesquing their horror pix roles with Kay Kyser in "You'll Find Out." A. T. M. Scott has been assigned to write the scenario.

SAG To Send Out
R. C. Benefit Roadshows

West Coast Bureau of THE FILM DAILY

Hollywood — Officials of Screen Actors' Guild are working on plans to send out two or more Red Cross benefit roadshows using "name" players. It is planned to play one night stands with players comprising variable units. Only transportation and living expenses will be paid performers.

Guild officials believe more than $300,000 can be raised by these units which are expected to include Charles Chaplin, Betty Davis, Eddie Cantor, Joan Crawford, Edward G. Robinson, Adolphe Menjou, Joan Bennett, James Cagney and other stars.


Goldwyn will also meet with a public relations directors' committee to discuss ways and means for co-ordination of publicity activities for various Red Cross projects to be launched by the motion picture industry.

Conan Doyle's Widow Dies

London (By Cable)—Lady Conan Doyle, wife of the famous creator of Sherlock Holmes, Sir Arthur Conan Doyle, died yesterday at her home in Crawbrough in Sussex. She had been in ill health for some time. She survived her husband 16 years.

Joins "Spring Parade" Cast

Hollywood—Universal has added Reginald Denny to the cast of "Spring Parade."
REVIEWS OF THE NEW FILMS

“My Love Came Back” with Olivia de Havilland, Jeffrey Lynn, Eddie Albert, Jane Wyman

(SCREEN REVIEW) BRILLIANTLY DIRECTED ROMANCE SHOULD SCORE TREMENDOUS SUCCESS THE BOX OFFICE

Once in a great while Hollywood turns out a mid-priced picture, seemingly a chance shot that hits the nail squarely on the head, despite its nominal cost and not-too-different plot, a tremendous success artisticly and at the box-office. The release of “My Love Came Back” should prove that this is one of those rare films. It marks the American debut of Kurt Bernhard, former director of German-made films. It will undoubtedly establish him here.

The Warners will no doubt also cast a laurel wreath around the neck of associate producer Wolfgang Reinhardt. Ivan Goff, Robert Buckner and Erle Beddow have done a sterling job in developing the screenplay from the original by Walter Reisch. Two others in the technical division also merit praise for their efforts, which have contributed in no small degree to the picture’s success. They are Rudi Fehr, the Film Editor, and Ray Heindorf who made the orchestral arrangements which are heard throughout the film in featured spots, and are also heard as background in all scenes.

Olivia de Havilland is human and friendly as the misunderstood student of music. Jeffrey Lynn loosens up in this one, and shows the results of a year in pictures, giving the picture good professional performance. Jane Wyman and Eddie Albert are a natural comedy team. They draw howls with their bickering as the used-to-each other lovers. Miss de Havilland as Amelia Cornell, talented, scholarship student at the British Academy of Music in New York, finds herself unable to continue her studies at the Academy without outside assistance.

She is about to join a swing band but the unexpected receipt of an acting scholarship from a stranger permits her to continue. She meets the president of the school, Charles Otterson, who invites her to musical affairs from him. Winninger, a manufacturer of musical equipment, is unable to keep an appointment with her one evening and sends his factory manager, (Jeffrey Lynn) to notify her. The young couple fall in love, but Lynn believes she is the paramour of his boss, and until he finds she is not, he does not reveal his feelings.

During a meeting at a small cafe the whole thing is straightened out—they think. Complications set in when Winninger’s son, (William Orr) discovers that Lynn has been mailing company checks. Miss de Havilland is not realizing that they are being mailed at the request of her father, who is the secret investor, and that his investment is all in a seemingly impossible mess. However, through the double-crossing tactics of Joyce Haynes, Winninger’s room-mate, and her boy friend Dusty Rhodes, (Eddie Albert) they are all brought together under Winninger’s roof. Everything is planned out by Winninger’s wife, played ably by Spring Byington. The boy and girl presumably live happily ever after. Outstanding features of the picture are the realistic acting of the cast, the talent behind the screen, and the unique setting of a music school.

“Lucky Cisco Kid” with Cesar Romero, Mary Beth Hughes, Chris-Pin Martin

ONE OF BEST TO DATE IN CISCO SERIES; FILM HAS PACE, PUNCH AND ACTION

Cesar Romero and his faithful stooge, Chris-Pin Martin, ride gallantly through a series of new adventures in this release. The story is okay, the cast is able, and the action is well paced with a lot of punch in the climactic scenes.

Romero neatly fills the bill as the gay bandit who loves the ladies, and Martin is amusing as his rotund follower. Mary Beth Hughes and Evelyn Venable essay the principal female roles, and John Sheffield is effective as the young son of Miss Ven- able. Cesar Romero, as the Cisco Kid, and friend, is the Virginia Dare of the Old West.

“Cross-Country Romance” with Gene Raymond, Wendy Barrie, Hilda Hopper

Light comedy has lots of laughs, an agreeable cast and good pace.

Audiences generally should be well entertained by this release, and exhibitors should be able to sell it easily. It is light, airy, amusing and well paced. The story is fabricated around a situation, but the script and the players keep everything rolling along nicely. Director Frank Woodruff gets credit for an able job of megaphonizing.

Gene Raymond is capable as a young doctor. Miss Barrie, very attractive and personable, does nicely with a role of a spoiled heiress who flees her own wedding. Remi- nander of the cast is liberally sprinkled with capable players, including Hilda Hopper, David Bruce, G. P. Huntley, Berton Churchill, Tom Dugan and Cliff Clark. Screenplay credits go to Bert Granet and Jerry Cady, who have made the most of a small story.

Exhibitors have a good angle for selling this picture at the present time as its light and humorous aspects are good escapism entertainment. Raymond, a young geologist, is on his way to San Francisco to go to work under a scientist.

He parks his car and trailer in front of the apartment where Miss Barrie is supposed to marry Huntley in order to give her mother, Miss Hopper, a scroll from a hospital making her an honorary trustee. He leaves, only to discover later that he has a female passenger. He refuses to believe who she is, and accepts a phony name and story she concocts. From there on he tries to get rid of her until they get married, with considerable excitement and mixups ensuing in the interim. His discovery of her true identity complicates matters again, but finally everything is straightened out.


CREDITS: Director, Cesar Romero; Associate Producer, John Stone; Director, H. Bruce Humberstone; Screenplay, Robert Ellis and Noel Logan; Original Story, Julian Johnson; Based on an O’Henry character; cameraman, Lucien Andriot; Editing, Fred Alkai.

DIRECTION, Good. PHOTOGRAPHY, Good.

Film are the photography by Charles Rosher, and the musical background, which is heard throughout the entire film. Time will tell, but Warners should have a real money-maker in “My Love Came Back.”

“Pony Express Days” (Technicolor Production) Warner Bros.- Vitaphone 19 mins.

Fine Historical Episode

An action-filled dramatic festoonette telling the story of the colorful Pony Express, and how it saved California for the Union at the time of the Civil War. Opening with the organization of the Pony Express, the reel depicts how an effort by the Government to get a Government mail subsidy, it planned to get the news of Lincoln’s election to California before the state legislature had a chance to secede from the Union. Success, after an Indian fight financed by Southern representatives, is achieved by young Bill Cody who has been a stock tender for the outfit. Cast includes George Reeves, David Bruce, Frank Wilcox, J. Parrall Mac-Donal, Joseph King and Addison Richards with direction by B. Reeves Eason.

SHORTS

“The Valley” (Color Parade) Vitaphone 10 mins.

Alaskan Saga

Results of five years of labor by the several hundred Americans who left the dust bowl in 1925 to settle in Matanuska Valley, Alaska, is chronicled here. How the settlers cleared forests for fields, removed stumps, built a model community and started a co-operative to market products grown on their new farms is interestingly told. The Valley is hailed as a pioneering experiment and the beginning of a possible means for Alaska to feed itself. Written and directed by Ira Genet.

“Circus Today” (Merrie Melody) Vitaphone 7 mins.

Circus Cartoon

A funny burlesque of the various acts familiar to a circus. About everything: acrobats, actors try both fires, but in a manner that will amuse the average audience.

“Spills for Thrills” (Broadway Brevities) Vitaphone 19 mins.

Good Action Shots

A collection of thrill scenes done by professional stunt men in Hollywood with a little background on how they are arranged. A successful auto crashes, plane crashes, fights and dives from high places make this an attraction for thrill-minded ones. In the action stuff, the red introduces a couple of the stunt men and women and shows how a crash scene is planned to split-second execution.
U. S.-Argentine Pact Revival Predicted

Washington Bureau of THE FILM DAILY

Washington — Impetus given of late to the advisability of effecting the closest trade bonds between the U. S. and the Latin-American republics in face of “ism” threats has evoked discussion in well-informed circles here that trade agreement negotiations may soon be re-introduced between the State Department and representatives of Argentina, to the end that reciprocal schedules of commercial products, including films, would be exchanged.

Currently, the U. S. is not on Argentina’s favored nation list; this situation is an outgrowth of the breakdown of trade talks in 1939.

See U. S. Chance to Take Over Europe’s S.A. Trade

West Coast Bureau of THE FILM DAILY

Hollywood—If the United States will act promptly they have an excellent opportunity of taking over important European markets in South America, according to Dr. Emanuel A. Fresco, governor of the province of Buenos Aires who visited the Paramount studios.

If the United States will enter into a reciprocal trade agreement with the Argentine, permitting it to send only 100,000 tons of meat into this country annually it will open up Argentina markets for U. S. manufactured goods said Dr. Fresco.

“Jane Eyre” for Selznick?

West Coast Bureau of THE FILM DAILY

Hollywood—David O. Selznick is considering a film production of Charlotte Bronte’s most famous novel, “Jane Eyre,” when he returns to production some months hence. Joan Fontaine is reported under consideration for the lead. “Joan of Arc,” with Ingrid Bergman, is also on the Selznick schedule.

Carrillo with Berry

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has added Leo Carrillo to the Wallace Berry starer, “Bad Man of Wyoming.”

Sheriff on “Flight Command”

West Coast Bureau of THE FILM DAILY

Hollywood—R. C. Sherriff, British author recently engaged by Metro, has been assigned to prepare the scenario for “Flight Command.”

Bingo for Charity Ruled Still Gambling by Brooklyn Magistrate; Four to be Tried

Charity Bingo, a thorn in exhibition’s side in Brooklyn, went down for at least the count of nine when Magistrate James A. Blanchard interfered and announced that members of the game were liable to stand a trial on gambling charges.

The court denied motions by defense counsel to dismiss the complaints on grounds that all Bingo games received were used for charity work by the Chums Protective Club.

The four defendants were paroled for trial in Special Sessions. Arrests were made last May.

200 At RKO Golf Tourney

All Records for Turnout Smashed

(Continued from Page 1)

Carrillo

Duffy


Harry Zellos, Wm. Zimmerman.

Working Committee: Fred Lutkin, Saul Herman, Art White, Chas. Fresz, Jas. Mulhall, H. Holmes.


On and Off the Record

as RKO Staged Tourney

RKO got a break on the weather when Old Sol peeped out strong after four days of Noah’s Ark stuff.

Father and son combinations were Sam Rinziard and Harold (latter an 80) and Lou Frisch and son, all of the Randorf circus.

President George J. Schaefer did not tee off and had to take a lot of listening as foursomes checked into the locker room.

Harry and Billy Brandt saw to it that the goose hung high for the golfers.

Cress Smith flew in from Minneapolis to give them the perfect record of having attended them all.

Ralph P. Poucher of Consolidated and Frank Donovan of RKO Pathé News counted ‘em or didn’t just as they felt.

Bill Merrill, the ex-champ of the West Coast, arrived out too late to tee off. Bill had threatened to start in a tournament for the first time.

S. Barrett McCormick did as he predicted, broke 200—in fact Barrett was down to 128.

Charley Fresz, Henry Holmes and Fred Lutkin following the putting brigade around all day—a tough assignment, indeed.

John Farmer reached one 270 yard hole in one smack.

Jack Aldicoate didn’t know what to do with himself, what with no toastmaster assignment and sundry other duties.

Six-Day Radio Contest For “Susan and God”

COMPREHENSIVE is the word for the “Susan and God” campaign put over by Charles Taylor, advertising and publicity director of WJR, for the M-G-M film’s showing in Buffalo.

One of the highlights was a six-day radio contest played with WGR, local CBS affiliate, whereby the station would give away the best 100-word letter on the subject: “Do you agree that Joan Fontaine is the best-dressed woman on the screen?” The contest received an excellent response.

A tie-up with the local distributors of the beverage Canada Dry also proved highly effective. A “drink boat” was installed on the theater’s mezzanine, and ads, window cards and an advance trailer informed patrons that they were to welcome the “boat bar” for free drinks of Canada Dry.

Three pretty girls served as waitresses. "Canada Dry" signs were directed to the patron list of the Studio Theater School, which recently staged the world’s first Olympic play outside of Olympic itself, its artistic angle and its long Broadway play were stressed to attract this audience. In addition, dramatic clubs throughout the city carried bulletin board announcements for one week in advance of playdate.

All leading book stores, including book sections of department stores, co-operated with window tie-ups on the printed version of the play, with complete picture and theater credits prominently displayed.

Sixteen trucks of the Richter Periodical company, which covers the city and environs thoroughly, carried 49 x 50 banners on each side, announcing the picture and tying in with leading fan magazines. Seventy-five of the city’s busiest taxicabs carried special signs on frames on the backs of the cabs and theater and film credits in frames in the cabin of the car. Gondolas, too, were distributed 5,000 special heralds to stations in towns for 50 miles in all directions. Four thousand miniature herald blanks were inserted in Postal Telegram envelopes, inviting receivers to use “the best telegraph service and be sure to see the best picture in town, etc.”

Two of the leading five-and-dime stores plastered their popular weight machines with signs, to the effect that certain numbers on the tabs showing weight entitled bearer to guest tickets to “Susan and God.” Mayflower Doughnut shops located on the city’s busiest corner used window cards as well as place cards at each table. Forty newsstands along main street exhibited replica post cards of Crawford and Fredric March as well as complete theater copy. Several haberdashery and men’s luggage shops cooperated with displays of stills of March from the picture.

Agree on Union Pact

Agreement has been reached between the Photo Employees Union and Gimmo-Sileo, it was announced yesterday.

EXPLOITETTES

Six-Day Golf Tournament at RKO

Susan and God's Cast

Ray Milland, the gentleman hero in the new M-G-M feature, “Susan and God,” will be making personal appearances at RKO-Pearl Street theater this week to promote the picture.

His appearance is expected to add to the already great interest in the film, which stars Ray Milland, Miriam Hopkins, Ralph Morgan, Robert Young and Dean Jagger.

The picture, directed by Rouben Mamoulian, is an adaptation of the famous stage production by Elia Kazan.

Saturday, June 21, 1941
Neb. Takes Ascap Case to High Court

(Continued from Page 1)
passed in 1937, unconstitutional, judgment was rendered Mar. 28. Nebraska broadcasters association, which pays about two-thirds of the Ascap assessment of $68,000 annually in Nebraska, is putting up of the money by which this new approach to recognition of the law is being made.

Johnson feels even though the high court may rule against the constitutionality and uphold the lower court decision, it may result in some opinion from the bench which will give future legislatures something to go on.

Nebraska's legal and legislative contention is that only the monopoly phase of Ascap's business is under attack, but Ascap says the Nebraska law also would steal away the copyright holders' rights.

Warners to End ATAHT Roadshows in Mid-July

(Continued from Page 1)
handling of GWTW, not only materially boosted theater "takes" where used, but the attention it attracted to ATAHT is counted upon to send grosses up in houses which will play it after July 13.

In all probability, it is said, Warners will use the same setup for the forthcoming "Sea Hawk." Tentative national release date of the latter is Aug. 24, but it is expected that there will be a number of roadshow engagements prior to national release.

Omaha—ATAHT opened a roadshow engagement at the Brandeis theater here last night to SRO. Premiere locally was a benefit for the Fresh Air Fund, sponsored by the World-Herald, which went to town, giving the pix Page 1 breaks for the last week. Paper's affiliated radio station plugged it with 12 announcements daily. Theater itself ran an 11-day ad campaign.

Cleveland Exhib. Will Pass Along New Tax

(Continued from Page 1)
too, will be passed on. Nothing definite in this connection was decided.

Downtown Loew and Warner first- runs are going from the present 30, 35, and 45 cent scale to 35, 39, and 47, and holding to the present Saturday and Sunday 55 cent admission. Loew's two neighborhood houses, Park and Granada, are passing the tax on.

Nat Holt, RKO division manager, goes to New York tomorrow for a meeting on RKO policies, involving the Palace and Allen locally.

British Pool Gets
American Carbons

London (By Mail)—The Carbon Pool, in association with the CEA, has made arrangements to import American carbons for film theaters as a measure to insure an uninterrupted supply. Consent will be retained to exhibitors at ruling pool prices.

Majestic Stock Options to DuMont

(Continued from Page 1)
the date of the order confirming the plan.

This is disclosed by Majestic in a letter to its stockholders in which the court-approved plan of reorganization is outlined.

"It is contemplated that options on not to exceed 100,000 shares of new common stock may be granted to some or all of the key personnel of the reorganized company, at such times and upon such terms as the board of directors shall then determine," the letter adds. New board has seven members, with DuMont-Paramount interests reported in control.

Under the plan okayed by Federal Judge John P. Barnes, stockholders of record as of June 25, (or any person or persons to whom any such stock may be transferred prior to July 25) are offered the right to subscribe on or before July 25, at 30 cents a unit to one unit of debentures and new common stock. Each unit consists of 30 cents face value of 10 year 5 per cent sinking fund debentures and one share of new common stock, the letter adds.

Estimated unaudited statement of the company's net current position as of May 31, lists cash on hand and in banks at $97,073 and inventories at $143,675.

Samuel Zipkin Named
Local B-41 President

New Haven—Local B-41, exchange employees, has elected Samuel Zipkin, Universal shipper, president. Zipkin and other officers elected were installed by retiring president James Mullan, of Warner's. The new slate includes: Fay Spidoni, Universal, vice-president; James Mahan, Paramount, secretary; William Nutile, Paramount, treasurer; Edward Canel, Warner, sergeant-at-arms, and Robert Hoffman, 20th-Fox, business agent. The new executive board is made up of officers, Henry Bruegner, United Artists, and Anna Brownstein, Paramount.

Next business meeting is set for Sept. 9. A midsummer social and clam bake was scheduled for July 31, at Indian Grove, West Haven, with Zipkin in charge.

Cincy RKO House Dark

Cincinnati—RKO Shubert has closed for the Summer. Bud Sommers, manager, will substitute for RKO theater managers vacationing.
Foreign Competition With U. S. Pix Failing

(Continued from Page 1)

opinions and amusements are rigidly controlled." It is added that "revenues from these sales, however, will cease to be limited by foreign exchange fluctuations."

Elaborating upon its conclusions that the world market for American films "by no means lost, the Survey says:

"The producers of other countries will require a prolonged period of experience and much greater skill than they command at present in order to compete effectively on a broad scale with the U. S. product."

Serious Competition Retarded

"Moreover, the war will effectively postpone progress in this direction and may retard the development of serious competition for a considerable period."

"The domestic industry's unmatched scientific skill in producing a large number of films which have universal appeal for audiences throughout the world may be counted upon to sustain foreign sales at high levels, despite the adverse effect in certain countries of political factors which limit the showing of U. S. films."

Discussing the effect of the war on industry revenues, the Survey estimates that foreign returns, measures in dollars, have been reduced from 20 to 25 million, after taking into consideration losses of business in Scandinavia, the Low Countries, etc., it is added.

"While aggregate foreign currency receipts in Canada, Australia and Latin-America increased as a result of reduced competition from English, French and German films, adverse foreign exchange trends offset the gains and net dollar revenues from these countries remain about unchanged."

Further British Restrictions?

"As to the British market situation, the Survey declares: "Further restriction of English revenues is probable for the duration of the war, but this may be offset in part by gains in domestic and other foreign market revenues. Moreover, the industry is now rapidly adjusting production costs to smaller dollar revenues from the British Empire."

No Theater on Lyceum Site

Site of the old Imperial Lyceum, Third Ave. and 55th St., will be used for an apartment house rather than a new theater, it was disclosed yesterday.

Det. Exhibs. Tackle Tax Today

Detroit — Detroit exhibitors are meeting here today to decide on handling new "defense" amusement tax. It will probably be added to the admission price generally.

Foreign Competition With U. S. Pix Failing

(Continued from Page 1)

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities


Nazis Said Subsidizing Pix in South America

Senator Sanchez Orozco is president of the Institute.

The paper alleges that the German-made product, including those in which French actors are used, enjoy special subsidies from local Nazi quarters. The German Embassy is also mentioned in this connection.

One method of subsidizing the German films exhibited here is claimed to be the purchase of a fixed number of tickets daily.

The Tageblatt also is critical of the Buenos Aires censorship commission, and pointedly asks why Warners' "Confessions of a Nazi Spy" was banned while German propaganda films are passed.

Metro's Biggest 1940 Ad Campaign Backing "Moon"

(Continued from Page 1)

prepared for newspapers throughout the first-run territories, the salient facts are large heads of the stars, a yellow crescent moon carrying the name of the picture, and emphasis on the Sigmund Romberg score.

Opposition for Wilby

Montgomery, Ala.—Bids will be received here July 1 for a 5000 seat theater, the Charles, to be built by Charles T. Rook of Oklahoma. Theater will be the only independently owned house within the city limits, the five now here belonging to the Wilby chain. Architect is William J. Okei.

Shore on "Merry Wives"

Bernard Shore has been appointed by Edgar L. Ford to handle publicity on "Merry Wives," Czecho-Slovakian pix.

Hocker Leases to Jannsen

New Baden, Ill.—J. F. Jannsen, who formerly operated the Okaw in Flanday, has leased the local 350-seat theater operated by Fred Hocker.

First New York Deliveries Of DuMont Big-Screen Tele

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and white pix, 11¼ by 15 inches in size.

The 20-inch cathode-ray tube operates by electro-static deflection and is placed horizontally in the receiver for direct viewing. Five channels are marked for television reception in addition to a high-fidelity radio set that tunes both regular and short wave programs. Provisions are made for a phonograph attachment, the sound for which will emerge from a 12-inch dynamic speaker.

The new set has 30 tubes and its chassis is composed of six units; power supply, television RF tuning, video IF amplifier, television audio IF and high fidelity audio amplifier, cathode-ray sweep and modulation unit, and a broadcast and short wave tuner.

Like all DuMont television sets now in production, the Type 195X is capable of receiving programs on the RMA standards of 44 lines at 30 frames, as well as the proposed DuMont standards which are flexible and range from 441 lines at 30 frames to 875 lines at 15 frames.

Korda to Produce Story Of Conquest of Mexico

(Continued from Page 1)

Korda will send a unit to Mexico to shoot exteriors.

"The Conqueror" is described as a story of Mexico's conquest by Hernando Cortes. Miss Oberon will be seen as the Indian girl, Marina, who served as Gozzi's guide and interpreter. Frank R. Hamer will do the English playwright, will do the script.

Second Alabama Drive-In

Montgomery, Ala.—The new Auto Movies' drive-in theater, with a capacity of 280 cars has opened on Wetumpka highway, six miles from city. Wetumpka Drive-In is managed by Elmore Cavender, the first opening in Bessemer a year ago.

Hollywood Speaking--

By RALPH WILK

HOLLYWOOD—

GEOSE S. KAUFMAN and Miss Hart will check in on the Warner lot next week to begin preliminary work for development of "The Man Who Came to Dinner" which they will make for Warner release.

NORMA SHEARER was notified yesterday of her appointment as honorary colonel in the 510th Anti-Aircraft Artillery Regiment in Philadelphia by Col. Jess Brennan.

RKO has signed Zsa Zsa Gabor for a comedy role in Anna Neagle's re-make of "No, No, Nanette," which Herbert Wilcox will produce.

JIMMY GARRISON, Johnny Indrisano, Red Green, John Lester Johnson, Neil Cleary, Tommy Herman, Joe Glick, Joe Grey, Alice Faye and Willis and Whitaker, and Grandetta, all well known boxers, have been signed by Warners for boxing sequences in "City for Conquest," starring James Cagney and Ann Sheridan.

ANN MILLER, George White's "Scandals," beauty, is going to school to learn Spanish for her role as Pepe in George Abbott's picturization of his New York stage hit, "Too Many Girls," which he is producing and directing for RKO Radio. Under an assumed name she attends Spanish classes at Hollywood High School.

THEY removed particles of copper from the engine—skin to you—of Jon Hall in Cedars of Lebanon Hospital yesterday. Star got too close to an exploding bomb while on the "South of Pago Pago" set.

JACK MACKENZIE has drawn top camera assignment on the Cliff Reid production, "Wildcat Ben," which Director Frank Woodruff placed in production at RKO Radio.

BROADWAY can anticipate seeing Tyrone Power before the footsteps next season. Stage return would be subsequent to his trip East in October for the premiere of "The Californian," shooting of which starts July 20.

KATHARINE CORNELL, long a holdout against Hollywood's golden lure, is reported weakening. Gossip links her with the role of Jane Addams in "Jane Addams of Hull House," on Columbia's program via Charles R. Rogers.

A SERIES of poems written by Virginia Van Upp, ace film scenarist, has been put into form and will be published by a Philadelphia concern. The book's foreward was written by Madeleine Carroll. Miss Upp has starred in several Paramount pictures scripted by Miss Van Upp.

"THE LIFE OF JOHN DOE." Frank Capra's and Robert Riskin's production for Warner release, will have a shooting schedule of 60 days. Pix starts July 8.