New York, Tuesday, October 1, 1940

TEN CENTS

EXHIBITORS MAY CLASH ON ARBITRATION

Mich. Co-op. Says Decree Freezes Indie Evils

Filing Protest With House Commerce Com., Arnold. Federal Judge Goddard

Detroit—Co-operative theaters of Michigan representing 100 independent exhibitors is appealing to the House of Representatives' Committee on Foreign and Interstate Commerce, stating: "All efforts of independent exhibitors opposed to the Neely Bill at hearings before your committee, but Spring will be of no avail if Judge Goddard accepts and agrees to a 'consent' decree. Your committee knows this consent decree further freezes those evils the independent faces, adds additional burdens and relieves him of none of the deplorables."

(Continued on Page 3)

Neb. Ascap Hearing in Omaha Oct. 12

Omaha—Hearing will be held here on Oct. 12 to ascertain the character of the record which will go to the U. S. Supreme Court in the action involving Ascap and the State of Nebraska.

Louis D. Frohlich and Herman Finkelstein, counsel for Ascap, are scheduled to come here the latter part of next week from New York to insist formally that the record is

(Continued on Page 6)

C. C. Pettijohn on Mend Following an Operation

Charles C. Pettijohn, MPPDA general counsel, who underwent an operation Saturday in St. Agnes Hospital, White Plains, was reported yesterday as on the mend. Pettijohn said he has been relieved of work

(Continued on Page 6)

"Liberal" Film Draft Policy

Actors, Technicians May Get Deferments

Excess Profits Tax Bill Revision Seen Helping "U"

Revision of the excess profits tax bill is expected to result in a much more favorable status for Universal Pictures, although no definite opinion can be formed until a final text

(Continued on Page 6)

Reserved Seat Policy Dropped in St. Louis

St. Louis—Five-week trial of a new reserved seat policy at F D M's Ambassador, under which prices were advanced apparently didn't get the desired return, the house returning to a fixed price admission schedule this week. It still maintains the single feature bill with 'Spring Parade' current.

Goldwyn Amends His UA Suit Complaint

Samuel Goldwyn yesterday filed a 164-page amended complaint in his suit against United Artists for cancellation of his distribution contract with that company. The new complaint sets up an additional cause of action which seeks $216,000 damages for alleged interference with the distribution of Goldwyn's film, "The Westerner," in which the complaint claims cost $300,000.

The major part of the complaint repeats the charges made in the original one against UA, except that it reduces three causes of action of the original to two in the new. Additionally, Goldwyn charges UA

(Continued on Page 6)

Report Sterling and FWC in Seattle Selling Deal

Seattle — Important pooling deal involving the first- and second-runs of John Dank's Sterling Theaters circuit and the Hamrick-Evergreen Theaters, FWC affiliate, here is reported in the closing stages, follow—

(Continued on Page 3)

Kaimann Wants U. S. Probe of Union Row

St. Louis—Clarence H. Kaimann, owner of the Ollie's, the Baden, and the Salisbury, all in North St. Louis, has asked the D of J Anti-Trust Division to conduct an investigation into the circumstances under which Kaimann was unable to obtain union sanction for stage shows he had scheduled for the three houses Saturday night.

Kaimann claims that the cancellation was due to a dispute with the A F of L Theatrical Brotherhood No. 6 over the employment of stagehands. Attraction scratched was the "Midnight of July 14th and 15th" in "The King of Kings - The Love Story of Jesus Christ."

Will Huddle on the 1941 GWTW Distribution Policy

Policy for GWTW for 1941 distribution is scheduled to be set at this meeting week between David O. Selznick and Metro officials. Length of the picture, price policy and numerous other details are on the agenda for discussion.

It is expected that the picture will be distributed next year at an admission scale considerably below the current price.

(Continued on Page 3)

MPTOA to Go to Court If Decrease is Accepted

St. Louis—Ed Kuykendall, proxy of the MPTOA, speaking to the Motion Picture Theater Owners of St. Louis, Eastern Missouri and Southern Illinois at the Coronado Hotel yesterday revealed his organization

(Continued on Page 3)

Domestic Theater Biz on the Uptrend—Bobber

"Domestic theater business is definitely on the uptrend, and the film industry may have one of the best years in its history as the im-

(Continued on Page 6)

Rooney as His Own Opposition Scores

Mickey Rooney, playing opposition to himself, is doing okay at both Lane's State, where he's in "Take Me Out to the Ball Game," and at the Capitol, where he's on the screen in Metro's "Strike Up the Band." The State management reported yesterday that after the week-end, Rooney topped the Eddie Cantor record gross, while the Capitol showed that business for the first two days of "Strike Up the Band" was $350,250, the highest gross, with the week-end marked by $350,000 gross.

(Continued on Page 6)
Red Cross Drive to Have Producer, Distrib. Support

The Red Cross motion picture campaign, to be launched in theaters beginning the week of Nov. 10, "will be the greatest effort to date," according to H. G. Hays, president of Universal-Paramount Construction Co., and to LB. Thompson, the recently appointed executive director. Mr. Hays said yesterday that very few persons were on relief and that war orders had put considerable money into circulation. Therefore, no training camps are enjoying particularly good business.

Comedies are getting the biggest play in Canada, especially the English type, said Price, adding that anti-Nazi pictures, if not too extreme, also were well received. Generally, the audience is enjoying a good play, while "Pastor Hall" and "Beasts of Berlin" are being well patronized.

Dividends Due on Film Stocks Yesterday, Today

Dividends on several film stock company issues were payable yesterday and more are payable today. Issues payable yesterday include Loew's, Inc., common, 50 cents; Marcus Loew Theaters 7 per cent, $3.50; Twentieth-Century-Fox $1.50 conv. pfd., 25 cents.

Due today are: Consolidated Film Industries $2 pdf., 25 cents; Eastern Kodak conv., $1.50; Eastern Theaters 7 per cent, $3.50; Keith-Albee-Orpheum, 7 per cent conv., $1.50; Paramount common, 15 cents; Paramount 6 per cent first pfd., $1.50; Paramount 6 per cent, second pfd., 15 cents; Pathe File, 37 pfd., $1.75; RCA, 8.50 pfd., $1.25.

Betty Hildebrandt Dead:
Funeral Services Tonight

Betty Hildebrandt, star of Hal Roach's "The Campus Companions," was killed in a car accident on the way to the studio. Services will be held at 8 o'clock tonight in the Universal Church, 52nd St. and Lexington Ave., for Betty Hildebrandt, executive secretary to Hal Roach, the owner of the Warners and Associated Studios, who died Sunday in Midtown Hospital following a major operation. She had been with the organization for five years and had recently returned from a trip to the Coast.

U.S. Coast Guard offices will be closed this morning as a mark of respect.

Sir Edward Beatty Heads Associated Screen News

Sir Edward Beatty, former head of Associated Screen News Ltd., has been appointed the new manager of the company's operation in Canada, which includes Associated, Community, Washington, Seville, Essick & Reif, and Co-operative Theaters of Ohio. All these outlets have been closed, according to Manager Goodman.

Rivoli and UA to Fete Wanger Via Buffet Party

Management of the Rivoli Theater and UA's home office executives will jointly tender a buffet and cocktail party to Walter Wanger at the Rivoli at 5 p.m. today. Jimmy Dunn, manager of the theater, will act as host at the party.
Kaimann Wants U. S. Probe of Union Row

(Continued from Page 1)

night Ghost Show," which has been filling noble dates here.

C. Orville Newlin, secretary of the MPTO, told reporters that he had

made Kaimann's request for the

stagehands over to the union's ne-

gotiating committee, which he

claimed tried to arrange a meeting with Kaimann to discuss the request

but had not been able to do so. New-

lin denied the union had refused to

furnish stagehands.

Kaimann is interested in a circuit of neighborhood and suburban the-

aters with Fred Wehrenberg, presi-

dent of the MPTO of St. Louis, East-

ern Missouri and Southern Illinois.

He was one of the government's key-

men against John P. Nick and Clyde

A. Weston, former IATSE execs, who

recently convicted on Federal charges.

At the Department of Justice in Washington yesterday, it was said

that no complaint had been received from Kaimann. However, it was

stated it might have been filed with the St. Louis office.

MPTOA Will Go to Court

If Decree is Accepted

(Continued from Page 1)

contemplates filing amicus curiae

proceedings when the proposed con-

sent decree is presented in the Fed-

eral Court. He said this action would

be taken because the exhibitors had

not been consulted.

"I am not sure that the court will grant us a hearing," he continued,

"but I do know that if the decree does go into effect, which at present has

the objectionable five-picture block-

booking plan and the provision for

a non-trade arbitration board, this

fight is just beginning because it will

destroy the small exhibitors, the very

ones they pretend to protect."

The meeting went on record as

especially opposed to those two pro-

visions while recognizing the efforts

of the Department of Justice to eli-

minate some of the industry's chief

problems. The gathering also passed

resolutions opposing any change in

Schenck Retains Corbin

Harold H. Corbin, attorney of 18
Broad Street, was retained yesterday

by Joseph M. Schenck to replace the

late Max B. Steuer as counsel.

the existing clearance schedules and

slot machine movies.

Support was promised the Ameri-

can Red Cross roll call and the Gov-

ernment's national defense program.

President Fred Wehrenberg and

all other officers were re-elected,

while Louis Ansell was named as-

sistant to Louis Hahl, secretary and

treasurer. Frank Spero, Maury

Davis and Sidney Johnson, all of St.

Louis, were added to the board of

directors. All other directors were

renamed.

Mayor Bernard F. Dickmann and

other city officials and officers of the

Better Films Council of Greater St.

Louis were other speakers at the din-

ner meeting.

Report Sterling and FWC

In Seattle Pooling Deal

(Continued from Page 1)

negotiations in New York last

week.

In the Eastern talks, Sterling was

represented by William Forman, gen-

eral manager, and Hamrick-Ever-

green by Frank Newman.

Sterling has the Palomar, Roose-

velt, Colonial and Winter Garden in

addition to some third- and fourth-

run houses, plus a string of 12 sub-

urban theaters. Only the first- and

second-runs, however, are said in-

volved in the present deal.

Hamrick-Evergreen houses report

ed involved include the Music Hall;

Blue Mouse, Roxy and Orpheum;

first-runs and the Coliseum, second-

run. Danz recently gave up the Or-

pheum; house has just reopened after

being dark 40 days.


(Continued from Page 1)

able conditions the Neely Bill was

expected to cure. We would ap-

preciate your letting Messrs. Jackson

and Arnold know you feel toward

this unjust procedure of not con-

sidering exhibitors in arriving at

terms of a decree. We feel this as-

sistance from you is a last straw to

preserve our independent enter-

prises.

Co-operative is also sending a let-

ter to Thurman W. Arnold, Assistant

Attorney-General, and filing objec-

tions with Judge Henry W. Goddard.

Co-operative further says: "We

are worse off under the terms of the

decree than we were before buying the

'Big Eight' in open competition.

Do not penalize the real independents

in order to punish violating members

of producing and allied groups.

We independents prefer to continue

the fight as in the past rather than

be forced to buy under the terms of

the decree.

"While most offending producers

and distributors could not survive

very long under the terms of the de-

cree the few surviving would have

almost complete monopoly of produc-

tion because of the city. It is not fair.

Should this well-financed firm spend

enough money publicizing one or two

in each district, exhibitors must buy it

five in self-protection even though

three or four may be bad pictures.

"Answer to industry's problems is

in recommendations of the House

Committee at the Neely Bill hear-

ings."

"Sooner than have this decree we

would prefer straight 20 to 25

per cent cancellation privilege on

celluloid which would assure that

we may be assured of continuous

product throughout the year. Under

blocks of five, new added costs will

be passed on to the exhibitor and he

will not be able to recoup his loss

from his customers."

Art Theater to Open

Art Theater, Eighth St. and Uni-

versity Place, newest addition to the

foreign film houses, will open Oct. 7

with "Whirlpool," French piece, which

the New York Censor Board sought

to ban. Irving Ludwig will manage the

550-seater designed by Thomas W.

Lamb and built by Herman Wein-

garten.

Griffith Firms Dissolve

Dover, Del. — Griffith-Dickinson

Theaters, Inc. and the Griffith-Dick-

inson Theatres of Columbia, S. C.

have filed certificates of dissolution with the off-

ce of the Secretary of State.

STORKS!

Detroit-Henry Koppin, manager of the Mack Avenue Uptown The-

ater, is the father of an eight-pound

boy.
THE NATION WITH NEW ROCKNE

KNUTE ROCKNE ALL AMERICAN
STARRING
PAT O'BRIEN
GALE PAGE • RONALD REAGAN • DONALD CRISP
Directed by LLOYD BACON

4-THEATRE PREMIERE IN SOUTH BEND FRIDAY!

ALL 3 NETWORKS WILL CARRY NOTRE DAME'S TRIBUTE TO ROCKNE ON SATURDAY!

N.B.C., C.B.S. and Mutual will broadcast full description of the ceremony in tribute to Knute Rockne between halves of the Notre Dame-College of Pacific game. The cast of the picture and all celebrities who attended the premiere will participate, as will important State and Civic leaders. In addition sports-writers and photographers will cover.

FULL WEEK OF BROADCASTS BY KATE SMITH!

Every day all this week on Kate Smith’s noon-hour program! Climaxed by full-hour show FRIDAY from the South Bend premiere at 8 P.M. E.S.T. over 84 CBS Stations (and repeat at midnight)!

KNUTE ROCKNE WEEK HITS A BLAZIN'
WILL ROCK EWS OF KNE

TRIBUTE TO KNUTE ROCKNE AT 10,000 SCHOOL GAMES!

High Schools and Prep Schools everywhere are scheduled to dedicate an official game to Knute Rockne with attendant local publicity!

SIMULTANEOUS NATIONAL NOTRE DAME LUMNI RALLIES!

BOB HOPE AS M. C. AT PREMIERE!

A partial list of the celebs who'll be there:

PAT O'BRIEN
BOB HOPE
KATE SMITH
CHARLES RUGGLES
ROSEMARY LANE
LUCILE FAIRBANKS
IRENE RICH
DONALD CRISP
JANE WYMAN
FLORENCE RICE
F. D. ROOSEVELT, Jr.

ELIZABETH WHITNEY
POST GEN. FRANK WALKER
RONALD REAGAN
RUDY VALLEE
SONJA HENIE
DAN TOPPING
PARKS JOHNSON
WM. R. HEARST, JR.
WILLIE HOWARD
WALLY BUTTERWORTH
JOE CONNOLLY

And cars full of nationally syndicated columnists, sports writers, critics, government officials, radio commentators.

WASHINGTON SHOWMANSHP!
See 'Liberal' Policy For Draft in Pix

(Continued from Page 1)

ury' and other non-defense industries.

Major Battley explained that

drafting of a movie star or techno-

cian during the filming of a picture
might prevent its completion and

such persons might be deferred for
this reason. However, local draft

boards will have the final word but

Major Battley is recommending a

liberal policy in such cases.

Motion pictures will play a large

part in maintaining the morale of
citizens inductees into the Army under
the conscription law, the Army an-
nounced yesterday. A morale divi-
sion has been established which
will provide a motion picture tent for
each tent camp and a theater build-
ing for each cantonment. The divi-
sion has been allotted a total of $2,-
594,182 for all morale work. A good
portion of this is expected to go for
theater equipment and leasing of
films.

Will Huddle on the 1941
GWTW Distribution Policy

(Continued from Page 1)

that charged this year though it is
likely that there will still be some
b.o. increase.

Excess Profits Tax Bill
Revision Seen Helping "U"

(Continued from Page 1)

of the measure has been seen. This
was asserted yesterday by J. Chee-
cver Cowdin, chairman of Universal's
board, who said he had reason to be-
lieve that several parts of the bill,
as agreed upon by the Joint House-
Senate conference committee on
Sunday, would offer some relief as
compared with the provisions of the
original House measure.

"All we can do is guess as to the
final bill," said Cowdin, who has
been participating in Washington
conferences against the tax bill in
its first form. Cowdin argued that
the bill would increase Universal's
income by more than 41 per cent of its
estimated net income.

The revised bill is said to be of a
more liberal nature.

Harry Kalmine's Mother Dead

Pittsburgh — Funeral services for
Bella Minsky, mother of Harry M.
Kalmine, zone manager for Warn-er
theaters in the Pittsburgh territory,
who died at her sister's home in
Philadelphia, were held in that city
Sunday.

Neb. Ascap Hearing
At Omaha on Oct. 12

(Continued from Page 1)
to be handed up to the nation's high-
est tribunal contain exact stenogra-
phic transcripts of testimony and
argument.

Ascap, it is understood, contends
that the condensation prepared by
William J. Hots of the opposition
is unfair in that it fails to present
proceedings verbatim.

Washington-Ascap Case
Briefs Within 30 Days

Tacoma — Report of the Special
Master presented here on Saturday
at hearing on the Washington-Ascap
case asserted that the local Fed-
eral Court has jurisdiction in the
action, as determined by the U. S.
Supreme Court.

The litigants now have 30 days in
which to file briefs, and 15 days are
allocated for filing of answers.

Part of the work now engaged in
by the Association is the prepara-
tion of a budget of the annual costs of
operation of the arbitration system and the
date necessary to complete the bud-
get. This information will be sub-
mitted to Judge Goddard, and his approval of the proposed budget will be requested at the same time that the
decree is submitted.

Officials of the Association are al-
so revising the panel of arbitrators
throughout the country to elimi-
nate all arbitrators who have had any
connection with the motion pic-
ture industry. A meeting is sched-
uled for today, during which the
arbitrators will report back to the
Government on the acceptability of
the decree as completed on Friday.

Goldwyn Amends His
Suit Complaint Against UA

(Continued from Page 1)

with violating the contract by allow-
ing London Film Productions, Ltd.,
and Alexander Korda, to have an al-
leged interest in HarfieldProduc-
tions, Ltd., of London, which pro-
duced "The Front Page," "No Man's
Land," and "The Ten Command-
ments," released by Columbia.

Second for Capra-Riskin
West Coast Bureau of THE FILM DAILY
Hollywood — Second production by
Frank Capra-Robert Riskin at the
Warner studios will be a mystery
comedy to be written by Riskin who
will start work on the untitled story
soon as editing of "Meet John Doe"
is completed.

Rodman to Rochester

Pawtucket—Hyde Rodman, man-
ger for the E. M. Loew circuit at
the Capitol, Pawtucket, R. I., goes to
the Embassy, Rochester, N. Y.
HIT PARADE OF 1941
A REPUBLIC PICTURE

KENNY FRANCES HUGH MARY ANN
BAKER · LANGFORD · HERBERT · BOLAND · MILLER

PATSY KELLY · PHIL SILVERS · STERLING HOLLOWAY · DONALD MACBRIDE · BARNETT PARKER · FRANKLIN PANGBORN · SIX HITS AND A MISS
BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS · JOHN H. AUER—DIRECTOR
JACK LONDON'S
FLAMING STORY OF
GAUDY GOLD RUSH
DAYS!

"MOST
ENTERTAINING
AND
BEST PRODUCED
PICTURE
MONOGRAM
HAS YET
RELEASED"
—HOLLYWOOD REPORTER

"SHOULD PROVE ITSELF ONE OF
MONOGRAM'S BETTER COIN
EARNERS"—VARIETY

"THRILLING, ACTIONFUL ENTERTAINMENT... APPROPRIATE WEEKEND BOOKING"—SHOWMEN'S TRADE REVIEW
WILL ASK FOR BRIEF DECREE HEARING DELAY

5-Block Substitution Offered by MPTOA Head Would Ban Licensing More Than 6 Mos. Ahead of Release

Cecil B. DeMille is Principal Backer Of New Coin Pix Producing Company

The Daily Newspaper Of Motion Pictures Twenty-Two Years Old

THE DAILY FILM

Kuykendall

Will Permit Exhibit Groups To Get Draft and Prepare For Presentation of Views

Postponement for a week or 10 days of the hearing originally scheduled for Oct. 7 before Federal Judge Henry W. Goddard, when the pros and cons of the proposed consent decree will be argued, will be sought by the Government and the five negotiating majors, it was learned yesterday.

The short delay will be required to allow distribution of the proposed decree to exhibitor organizations and to give them an opportunity to prepare for the hearing, it was stated. The decree draft itself will probably be finalized today, official spokesman said at the close.

Neely's Bill "Dead Issue," MPTOA View

St. Louis—The Neely bill may be regarded as a "dead issue," lacking any prospects of House passage, Ed Kuykendall, MPTOA press, here to address the MPTO of St. Louis, Eastern Missouri and Southern Illinois, declared.

Discussing the proposed consent decree in the New York equity suit, (Continued on Page 7)

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James F. Reilly, executive secretary of the League of New York Theaters, said yesterday that the 14-page amendment currently being drafted to the basic agreement covering sale of film rights to plays (Continued on Page 7)

Chi. 16 MM. Distsrs. Plan to Organize Chicago—Distributors of 16 mm. films plan a Chicago organization to combat illegal duplication and to boost cooperation among distributors.

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James F. Reilly, executive secretary of the League of New York Theaters, said yesterday that the 14-page amendment currently being drafted to the basic agreement covering sale of film rights to plays (Continued on Page 7)

Chi. 16 MM. Distsrs. Plan to Organize Chicago—Distributors of 16 mm. films plan a Chicago organization to combat illegal duplication and to boost cooperation among distributors.
$5 Monthly License Fee For Tele Looming Here

Because of the broad definition of motion pictures in the license law here, proprietors of taverns and restaurants will have to pay a license fee of $5 a month on installed tele equipment, and there is a possibility that persons having tele sets in their houses may be in the event that an amendment is made to the existing law, it is pointed out, and that such amendment would have to come via the City Council.

Definition of a motion picture is "a display, on a moving screen or other device, of pictures or objects in motion or rapidly changing scenery."

Monogram Stockholders Hold Annual Meet Today

Report on Monogram's status subsequent to removal of its home office to Hollywood will be submitted today to the company's stockholders at their annual meeting in New York.

Following the session, Edward Golden, general sales manager, will leave for the Coast where he will establish his headquarters along with the other departments of the company. The foreign department will remain in New York, however.

Sol Edwards Suing FA For Contract Settlement

Sol Edwards has filed suit against Film Alliance of the U. S. for a settlement of the balance of his contract, following the severing of the company. The foreign department will remain in New York, however.

No Advance Screening Of "The Great Dictator"

First screening of Charlie Chaplin in "The Great Dictator," official or unofficial will take place at the premiere of the picture at the Astor and Capitol Theaters on Oct. 15.

20th-Fox Sets Releases For National Holidays

Twentieth-Fox has set its holiday releases as follows: Armistice Day, "Mark of Zorro"); Thanksgiving, "Hudson's Bay"); Christmas, "Tin Pan Alley"); New Year's, "Chad Hanna.

Chi. Operators Delay Pact

Chicago—Negotiations between operators' union officials, circuit and independent theater owners over new operators' contract was adjourned until this morning. The operators want two weeks' vacation with pay, which is being blocked in the negotiations.

MP Associates Defer Variety Club Activity

Motion Picture Associates meeting in the Hotel Astor yesterday deferred until a later date the question of the establishment here of a Variety Club tent, and placed the matter in the hands of its Executive Board for discussion.

Nat Boler was named chairman of the entertainment committee to work closely with Moe Sanders in fashioning a show for presentation at the MPA Annual Dinner, scheduled for Nov. 20 in the Hotel Astor.

Roach to Shoot 2 Weeks On Penny's for Background

Hal Roach leaves today for Philadelphia to confer with officials of the Pennsylvania Railroad on his forthcoming picture, "Broadway Limited.

In a private ear furnished by the Roach and Co., the film will spend two weeks shooting background material between here and Chicago.

Trade said yesterday that the recently announced "Tanks of a Million," will replace "The Unholy Horde" on this season's program.

Court Orders Local 306 To Arbitrate Law Suit

Local 306, Motion Picture Operatoors was restrained yesterday by N. Y. Supreme Court Justice Aron Steuer from pressing its suit against People's Cinema, Inc., owner of the People's Cinema, Brooklyn, to enforce a union contract unless the union consents to arbitrate its dispute.

The court refused an injunction to restrain picketing, because of insufficiency of the pleading.

Appoint Dee Lowrance Para. Fashion Contact

Dee Lowrance, formerly of the N. Y. Herald-Tribune and the Manhattan office of United Artists, has joined Paramount's publicity department as assistant to Dave. Lowrance, an editor and writer for the New York for conferences with Al Wilkie and Alene St. John Brenon, magazine contact of the New York office, and magazine editors, she will return to the Paramount West Coast studios next week.

Photographers to Ask 5-Day, 40-Hour Week

West Coast Bureau of THE FILM DAILY

Hollywood—Officials of International Photographers, Local 699, announced that they members seek a five-day, 40-hour week and will ask a conference with producers when the wage-hour division makes known its final definition of potentially large employers' classifications in the industry.

"Mozart" for Carnegie

"Mozart," English production, has been booked into the Little Carnegie Playhouse for its American premiere tomorrow, according to I. E. Lo- pert, who is distributing the film nationally.

COMING and GOING

BUSTY BERKELEY and his wife are here from the Coast and stopping at the Sheraton-Beach Hotel. On Thursday night Berkeley will be guest of honor and principal speaker at the Publicity Club of New York.

MAX WESTBELL, managing director of RKO's Holland office, sails today on board the Ex- cursion for New York, arriving here October 1st. He is expected here.

DESI ARNAZ plans from New York to Holly- wood yesterday to attend the preview of "Too Many Girls," the George Abbott production for RKO, in which she appears.

DEE LOWRANCE, new fashion contact for Paramount in Hollywood, is a guest at the Warwick.

JOE NOLAN arrives back at the Coast today from his farm in Connecticut where he spent a week following contests with RKO execs.

CHARLES GRAPEWIN leaves the Coast for New York upon completion of his role in Columbia's "Ellery Queen" film.

SAMUEL WECHSLER, v. p. of Playmarket, Inc., left the Coast yesterday for New York on several weeks' biz trip.

EDWARD H. GRIFFITH, after completing Pan's "Virginia," this week, will leave for a four-week Honolulu vacation.

NORMAN TAURUG is back at the Coast after shooting New York background shots for "Gay White Way.

HAL ROACH and HAL ROACH, Jr., arrived here from the Coast yesterday, for background shots for "Broadway Limited.

They leave today for Philadelphia. "Gay White Way.

F. J. A. MCCARTHY will last night for Okla- homa City and Dallas; he returns in a week.

Ebersohns Prepare Plans For Fabian Cohoes House

Fabian Theatres have delegated John and Drew Ebersohn, film the- ater architects, to prepare plans for a new, 1,200-seat house to be constructed at the corner of Remsen and White Sts. in Cohoes. Building is to be fireproof.

General layout, together with ba- sic specifications, are under the per- sonal supervision of Jacob Fabian, dean of motion picture theater plan- ners. Work is to be commenced immedi- ately so that foundations can be completed before the Winter weather sets in. Project is to be completed and ready for occupancy by next Spring.
Right out of the family album and into your heart!

With Gloria Jean bringing Hollywood’s greatest names of today and yesterday... in the most warmly human picture of the year!

UNIVERSAL presents

A LITTLE BIT OF HEAVEN

starring GLORIA JEAN with

ROBERT STACK • HUGH HERBERT • C. AUBREY SMITH
STUART ERWIN • NAN GREY • EUGENE PALLETTE
BUTCH & BUDDY • BILLY GILBERT and Gloria’s “uncles”

FRANK JENKS • NOAH BEERY Sr. • MAURICE COSTELLO • CHARLES RAY
FRED KELSEY • MONTY BLUE • TOM DUGAN • WILLIAM DESMOND
EDGAR DEERING • KENNETH HARLAN • PAT O’MALLEY • DAVID OLIVER

Screenplay by Daniel Taradash, Gertrude Purcell,
Harold Goldman - Original Story by GROVER JONES

Directed by ANDREW MARTON • Produced by JOE PASTERNAK

A JOE PASTERNAK PRODUCTION NATIONAL RELEASE OCT. 11th
RECORD HIGH BOX-OFFICE
-in scores of theatres, including big
cities, small towns, in-betweens!

THE FIGURES ARE SO SPECTACULAR THEY'RE
ALMOST FANTASTIC! . . . But every figure's
provable, and the dollar details are yours on
request! . . . It's actually DOUBLING and in
some cases TRIPLING previous highs of top
box-office shows of the past five years! . . . In
one Exchange territory alone—Memphis—30
PRINTS ARE WORKING EVERY MINUTE, and
throughout Arkansas, Missouri and adjacent
localities, theatres are reporting the biggest
crowds they ever had on ANY picture . . .

A BIG MONEY OPPORTUNITY
NO MATTER WHAT THEATRE
OR CIRCUIT YOU BOOK FOR!

LUM AND ABNER
Dreaming Out Loud

WITH
FRANCES LANGFORD • FRANK CRAVEN
BOBS WATSON • PHIL HARRIS

A VOCO PRODUCTION • PRODUCED BY JACK VOTION & SAM COSLOW
DIRECTED BY HAROLD YOUNG • Screen Play by Howard J. Green, Barry Trivers and Robert D. Andrews
Pa. Court Upholds "Ramparts" Ban

(Continued from Page 1)
to remove the German sequences.

The Court refused to set itself up as a super-board of censors, declaring the State Board to be "well qualified by education and experience to act as censors, and to know what are the common standards of morality which the act seeks to protect."

The judges failed to see abridgement of freedom of speech in the board's decision, and rejected the appellants' contention that the film is a newsworthy. Furthermore, the Court held, "to depict a man in the character of a German hating insults at our American citizenry could only serve as a Gert of hatred, in contrast to our God of love, it would tend to stir up strife and resentment, resulting in possible attack upon some innocent American citizens of German descent."

The "Hitler pagan propaganda" was denounced by the Court as a way of life "entirely egocentric and therefore completely selfish" and opposed to "our American way of life, which is a cult of altruism, succeeding of the weak, recognition of the brotherhood of man and the Fatherhood of God."

The Court felt that the Board acted "within the reasonable scope of its power and discretion," and that the burden "is on the appellants to show affirmatively that its decision was made on a ground not involving the exercise of its discretion."

The appellants, RKO Pictures, Inc., and Time, Inc., filed in the words of the Court, "to meet the burden placed upon them to show that the decision of the board was upon ground not within the exercise of its discretion or that it abused its discretion arbitrarily or capriciously."

Canadian Clearance Board Reps. Are Named

(Continued from Page 1)
provinces is H. Freedman, and for the West, Nat Taylor.

These proxy members may be replaced at later meetings of individual organizations.

Happy Birthday to You

From THE FILM Daily
A. Langan
P. A. Parsons
Rita LeRoy
C. W. Bunn

Rodgers Asks End Of Petty Jealousies

(Continued from Page 1)
dealt chiefly with the increased policy on "Boom Town," with Rodgers expressing his sentiments similar to those revealed last week at the N. Allied convention in Atlantic City.

He said that the "Boom Town" policy had been too liberal before being offered exhibitors, and that in his opinion increasing theater admissions generally was not practical.

Rodgers asked for cooperation, and said that Metro's reputation of being the "little and everyone's" would continue to be upheld. He reiterated that exhibitors who didn't go along on the "Boom Town" policy would still get the picture as available. Rodgers also praised H. M. Richey, who recently joined the company, and added a note of sentiment.

Brief talks were also made by Tom Connors, Western division chief, and Bob Lynch, local Metro manager.

WB. NSA Both to Handle Warner Pix Accessories

(Continued from Page 1)
Vitagraph has withdrawn the suit pending against National Screen Service, Inc.

"Under the terms of this agreement," says the statement, "National Screen will offer to exhibitors a full line of advertising accessories and a weekly service as hereafter, while Warner Bros. will continue to maintain its own poster sales rooms and will also offer to exhibitors its full service and complete line of advertising accessories as heretofore, including the manufacture and distribution of its own trailers."

Sears said he believed the co-operation of the two companies would result in a higher standard of accessories and in greater efficiency in their distribution.

Coincidentally, Warners said that ad accessories sales had reached an all-time high for "The Sea Hawk," running 20 per cent above the mark set by "Robin Hood."

Leo Blank Returning?

Chicago — Leo Blank, formerly prominent in film theater management, is at the Blackstone Hotel. Reports are that he will return to the theater field.

WEDDING BELLS

Engagement of George Both, of the Harry Goetz office, and Vivian Scadron is announced.

West Coast Bureau of THE FILM DAILY
Los Angeles—Kay Stewart, film actress, and Langden William Proc- tor, of Pasadena, have obtained a marriage license and will be married on Oct. 9.

Cleveland—Irving Ruben, assistant manager at Warners' Colony Theatre and Dorothy Poyo of this city, have taken out a marriage license.
Kuykendall Offers 5-Block Substitute

(Continued from Page 1)
Kuykendall's bulletin "tore apart" the consent decree and asserted that MPTOA proposed to "exhaust every resource at its command to get the block-of-five restriction changed" to a required cancellation provision.

Commenting on a reported arbitration system, Kuykendall said that "one thing that stands out is the company's first effort to mediate complaints and adjust grievances by mutual agreement and by organized consultation before it is necessary to resort to arbitration. This, we believe, is a grave defect in the system proposed. Arbitration should come last, resort, not the first step. Yet it appears that we are expected to plunge at once into a legal proceeding that leads to an arbitrary decision to settle the dispute or grievance."

Kuykendall said he had doubts about compelling an exhibitor who has clearance and product to arbitrate and force him to comply with a decision that would benefit his competitor. He also rapped the proposal which would place the administration of the arbitration system in the hands of those unfamiliar with the business.

Restrict Theater Campaigns To Red Cross Drive Towns

Such campaigns should not be undertaken in towns or communities where no Red Cross membership drive is starting Nov. 11, Prexy Ed Kuykendall advises in a current MPTOA bulletin. This is because the plans call for co-operation with the Red Cross drive, not for a special campaign to raise funds, it is pointed out.

In places where co-operation is expected, exhibitors should establish a committee to organize the drive in theaters and work with the local chapter of the Red Cross, Kuykendall says.

A special trailer has been prepared for showing during the first week of the campaign and another will be shown during the second week.

"Band" Held in 15 Keys

"Strike Up the Band" has been held for over a second week in 15 of its key city engagements, M-G-M reported yesterday.

Kuykendall Warns of Increased Taxation; Sees New Levies to Continue for Years

Warning exhibitors that increased taxation is growing right along, Ed Kuykendall, in an MPTOA bulletin yesterday, said that this is due to the call for strong federal and state taxation of the movie industry.

The increased taxes, he said, will be "just another thing" for us for many years to come and that the heavy taxes on the general public will have a direct effect on the box office.

150 Notables to Attend "Knute Rockne" Opening

(Continued from Page 1)
In the variety of festivities scheduled for the celebration of National Knute Rockne Week, Climax will be the four-theater premiere of Warners' "Knute Rockne—All American." The two meets in Chicago tomorrow afternoon and will be hitched together proceeding to South Bend as a single unit.

Headed by Jack L. Warner, the Western delegation includes: Mr. and Mrs. Charles Helm, Mr. and Mrs. Robert Buckner, Mr. and Mrs. Donald C. Young, Page Dungan, Miss Lucile Fairbanks, Mr. and Mrs. Bob Hope, Miss Rosemary Lane, Mrs. O'Brien, Sr., Mr. and Mrs. Bill Vaughn, Mr. and Mrs. Mike Reagan, Miss Florence Rice, Miss Irma Rich, Robert, Mr. and Mrs. Elizabeth Whiting, Miss Jane Wyman, Miss Gale Page, Miss Sheridan, Mr. and Mrs. Mack Miller, Arthur Ungar, Mr. and Mrs. John Canfield, William Kerr.

More Berlitzstock will head the Eastern group, which includes: Postmaster General Tom C. Waller and Mr. Walls, Franklin D. Roosevelt, Jr., Rudy Valley,すべ ふうの子, who plays Gus Dorais in the film; Allen Lorki, representative for Columbia; Walt Butterworth and Parks Johnson of the Von Bok Company; and Mrs. Don Albright and Mrs. Don Albright (Sonia Henie); Willie Howard, who has a part in the picture, and it includes newspapermen from many Eastern cities, is topped by Tom Howard of the Chicago Sun, Mr. and Mrs. Donald A. Reynolds, William Randall Hearst, Jr., Jack Lait, Damon Runyon, Edmund Sullivan, Dan Parker, Bill Corum, Lee Mortimer and Louis Sobotka.

Representing Warners are: From the home office, Mitchell Rawson, Harry Goldberg, Sid Reesenberg and Ralph Budd; Joe Feldman from Pittsburgh, and Manny Feinstein from Cleveland.

Basic Agreement Changes to Be Completed Friday

(Continued from Page 1)
will be completed on Friday, and that copies will then be dispatched to theater managers, film companies and other interested parties for consideration of all three groups.

The Dramatists Guild Council is scheduled to meet on Friday and stand of that body is anticipated by the end of the following week.

Representatives of Warners, Metro and Paramount have been acting as observers for film interests generally in recent conferences on the amendment.

"Chemineau" at 55th Street

Robert Mintz, who owns the French film, "Le Chemineau," has signed a contract with the Philadelphia Herald for the initial run of the film, which will be released as "The Open Road."" Fix opens Friday.

Hyde-Beahan Sell to Shea

Pittsburgh—The M. A. Shea Theatrical Enterprises, Inc., of New York, has bought out the interests of Hyde & Behan in the Fulton Theater here. Theater will be extensively improved.

500 Industry Films Now Used in Schools

(Continued from Page 1)
pictures' indebtedness to the D.A.R. and other civic, patriotic, religious and educational organizations, which throughout the years have been co-operating with the industry. He described this development as "one of the most remarkable enterprises in the field of co-operation ever undertaken."

Too much emphasis cannot be placed, he continued, on the state of mind brought to bear on the co-operative endeavors required these days. "In dictatorialism," he declared, "independent, or upholder, thinking is punished. The thought pattern there follows a single line; a man's thought is simply what a boss says it is. A director says it is, and woe to him who might call white men white when the despots says the Dallas is black."

America should be made not only impregnable to war but, "strong enough to compel any whose pagan doctrine is violence to respect our peace," Hays stated, adding, "there is no argument or question concerning America's need and hurry for defense."

Neely's Bill Dead

Issue, MPTOA View

(Continued from Page 1)
which the MPTOA plans to oppose when it is presented to Federal Judge Henry W. Goddard on Oct. 7. Kuykendall pointed out it was the outgrowth of contentions, quarreling and disagreements.

"The argument for the producers and the Department of Justice just had something too hot and were looking for some place to lay it," he said. In regards to the five-picture block units he said the producers would simply set in three "clucks" with a couple of good pictures and then "crum the entire lot down the throats of the people." Kuykendall declared that it eliminates exhibitors' present cancellation privileges and that the references as to clearance were so vague and hard to understand it was doubtful if any of the exhibitors would benefit thereby.

Wanger Speaking in Dallas

Dallas—Civic leaders, clergy, service club heads and citizens will participate with Dallas Variety barkers in entertaining Walter Wanger when he addresses the Dallas Red Cross tomorrow, Bob O'Donnell, chief Barker, is making it a community event.

Roxy Shows Start Thursdays

Roxy, starting this week, switches to Thursday openings; Friday openings have ruled in the past.

To Ask Brief Delay in Decree Hearing

(Continued from Page 1)
of a lengthy session held yesterday at the Bar Association building.

The decree will be taken to Washington by Sher, attorney for the thinny General Robert Sher tomorrow. Sher may be accompanied by a number of the major company negotiators for the express purpose of having these company attorneys answer any questions raised by Assistant Attorney General Thurman W. Arnold.

Government officials yesterday reiterated their previously expressed intention of inviting all exhibitors interested to attend the court hearing. The spokesman discounted the efficacy of any opposition to the decree which may be raised by the three non-participating companies.

Pa. Bank Night Appeal Before Superior Court

(Continued from Page 1)
given by patrons entering the theater, according to Sher, and patrons paid to see entertainment, but it was argued by opposing counsel that payment of the admission to the theater on Bank Night was with the knowledge that there would be a drawing, and that therefore, was considered a presentment.

Decision was reserved.

Major Companies Reserve Quigley Luncheon Tables

Ten additional tables, making a total of 31, have been reserved by major companies for the Amra luncheon to be held Saturday at the Hotel Edison honoring Martin Quigley on his 25th Anniversary as the executive editor of the Daily, Leon Bamberger, Amra president, announced yesterday.

Among the companies that have secured tables are these: RKO—L.M.G. U.A, National Screen, RKO- Radio and RKO Theaters. Tables have also been reserved for National Theaters, Skouras Theaters, Loew Theaters, Altec and Jules Broutal, Inc.

Kansas-Mo. Exhibs.

Call Decree “Disastrous”

(Continued from Page 1)
eral Court rules on Monday. It goes to the Circuit Court of Appeals, Assistant Attorney General. Signers are Frank Cassil, St. Joseph, Mo.; Presi- dent Fred Meyn, Kansas City, Kan.; secretary-treasurer Paul Hart- mann, North Kansas City; Homer Strowig, Abilene, Kan.; R. B. Bieh- le, Kansas City, Kan.; Guss Diamond, Salina, Kan. No other business was transacted.

Second Week for “Howards”

"The Howards of Virginia," will be held over at Radio City Music Hall for a second week.
There's great show news here and we've already started the shouting! **Two** ads in successive issues of the Sat. Eve. Post! **Two** steady months of advertising in all fan mags! To be followed by a national newspaper ad campaign! All yours from **WARNERS!**
**GOV'T MAY APPROVE DECREES TOMORROW**

**AID Issues Statistical Report on Film Buys**

**U. K. "DICTATOR" TERMS FLEXIBLE**

Sales Policy, in England to be Adjusted to Fit Prevailing Conditions, Says Kelly

While "The Great Dictator" will be sold at top terms in the U.S. and 70-30 will be asked for it in South America, the sales policy in England will be flexible, Arthur W. Kelly, head of UA's foreign department, said yesterday.

London premiere of the Charles Chaplin satire will be held between Nov. 7 and 16 at the Odeon and Gaumont theaters. A majority had been specially prepared by Chaplin to Service British Theaters, Kelly said, and this will be ready for shipment in about 10 days. Odeon, Leicester Square, is expected to run the pic on a continuous perform.

(Continued on Page 3)

**Mo.-III. MPTO Will Battle Automatics**

Milwaukee — Opening session of the ITPA of Wisconsin and Upper Michigan at the Schroeder Hotel here yesterday was concerned primarily with an open discussion on the consent decree with Sidney Samuelson, business manager of Allied Theaters of Eastern Pennsylvania, answering questions.

W. L. Ainsworth, president of the ITPA of Wisconsin, declared the association has the greatest number.

(Continued on Page 12)

**Consent Decree Before Wis. ITPA**

Walt Disney's "Fantasia" will have its world premiere at the Broadway Theater, New York, on Nov. 13. Because of the special equipment.

(Continued on Page 7)

**Warner Libel Suit Dropped by Bund**

Discontinuance of the $5,000,000 suit brought in May, 1939, by the German-American L. I. B. against Warners for alleged defamation of the Bund in "Confessions of a Nazi Spy," was permitted yesterday on the consent of Warners' attorney, Stanley P. Friedman, Fritz Kuhn.

(Continued on Page 4)

**400 Simultaneous Dates Follow "Rockne's" Bow**

More than 400 simultaneous engagements on Warners' "Knute Rockne—All American" have been set to follow the four-theater world.

(Continued on Page 4)

**Those Free P.A.'s In Night Clubs Off**

Impromptu personal appearances of film players in public places, such as nightclub and theaters where it has been the custom to have them "say a few words" (without compensation) and take a bow before physical audiences or into radio mikes, is to be tolerated no longer. The executive committee of Theater Authority, Inc., is stepping on the practice, and all its affiliates, including SAG, are ditto-ing. Commenting on the move, there will be a fine of $1,000 levied on performers violating the dictum.

(Continued on Page 5)
Weilman Heads Committee For Ball’s Entertainment

Robert M. Weilman, manager of the New York Paramount Theater, has been appointed chairman of the Entertainment Committee for the Cinema Lodge’s first annual banquet and ball at the Hotel Pennsylvania on Oct. 28.


In addition to acts appearing on the stage at all Broadway Theatres, Weilman and his staff plan to have entire casts from many legitimate shows attend the Cinema Lodge banquet and Ball at the Pennsylvania.

Pre-Release Abbott Pix In Many College Towns

RKO Radio’s “Too Many Girls” from the George Abbott musical play will be pre-released at an early date in several scores of college towns, including Champaign, Ill.; Pullman, Wash.; Moscow, Idaho; Madison, Wis.; Chappell Hill, N. C.; Albion College, N. Y.; Austin College and State College, Pa. The picture’s theme is that of college life.

Coast Not Considering “Greater Movie Season”

West Coast Bureau of THE FILM DAILY

As far as the Coast is concerned, there is no truth in the report that plans are being considered for another “Greater Movie Season.”

New S-W Drive Under Way

The Stanley-Warner Zone in Philadelphia has started a new drive titled “The Stanley-Warner Meet the Emergency” in which 105 managers in nine districts will participate in a civic campaign which extends to Aug. 31 next, is based on the greatest gross increase at each competing theater, according to Zone Head Ted Schlanger, with quarterly cash prizes for the leading district.

Tuttle Acquires Three Stores

West Coast Bureau of THE FILM DAILY

Hollywood—Newly organized Frank Tuttle Productions has taken option on three stores, “Grand Central Market” by Vicki Baum; “Honolulu Holiday” by Ralph Cedar and “How to Know a Woman” by Arthur Bright Tuttle, is now working on releasing arrangements.

Gregory Johns Springer

Francis F. Gregory has resigned as manager of AudibleVision, Inc. to become associated in the production of motion pictures, television and industrial television in Detroit and New York. Gregory will make his headquarters at 551 Fifth Ave.

New Theater Construction Upstart In Mid-West

Chicago—Theater construction in the mid-West presents the brightest picture in two years, according to Mason G. Rapp, C. W. and George L. Rapp, local architects active in the film house field. Firm has plans for a number of nabs in territorial cities and towns, too.

Exhibit, interest in building, Rapp says, results from the tremendous increase in home construction during the last 18 months, together with anticipated indirect effect of the vast Government defense program.

Stipulation Settles Suit Against Harold Auten

A stipulation was filed yesterday in N. Y. Supreme Court settling the accounting suit brought by Mauser Maurer and Marcel Coulain, as receivers of Societe Pathè Cinema S. A., against Harold Auten. The defendants agreed to pay $20,000 and return all negatives and prints of a number of films belonging to the plaintiffs. The suit involved a contract made in April, 1935, granting Auten sole U. S. distribution rights.

“Band” Biz in 44 Keys

At 131%-218% of Normal

First 34 key cities engagements of M-G-M’s “Strike Up the Band” have resulted in business ranging from 131 per cent to 218 per cent of normal intake, M-G-M announced yesterday. Picture recorded 233 per cent of normal in Detroit; 216 per cent in New York and Norfolk and 207 per cent in Harrisburg, according to latest reports.

Ed. O’Toole, Colonnade Pictures Exec., Dead

Mimi—Edward O’Toole, 74, secretary and treasurer of Colonnade Pictures Corp., died suddenly yesterday.

Schenck Trial Nov. 15

Trial of the Government action against Joseph M. Schenck was set for Nov. 15 by Federal Judge John W. Clancy yesterday. The Government agreed to notify Schenck by Oct. 15 as to the indictment which it will try first.

Inderbitzen Back as Exhibit

Buffalo—Byron A. (By) Inderbitzen, who gave up the exhibition field to home offices of his company when he develop- ment, is back in show business again, having acquired the Central Park Theater, North Buffalo, operated by L. M. K. Inc., and the Midtown Theater, Buffalo.

Studio Publicity Parley Delayed

West Coast Bureau of THE FILM DAILY

Publicity heads scheduled for yesterday has been postponed and may be held next week.

MARK HELLINGER and his wife, GLADYS HELLINGER, will arrive tomorrow via the Panama Canal for New York.

ELEANOR FOWELL, Metro star, arrived here yesterday from a trip she had been spending her vacation.

HUNT STROMBERG, after a visit with relatives here, is in Cincinnati to attend the World Series.

JACK OAKIE, the Napoleon in Charlie Chaplin’s “The Great Dictator,” will come east for the world premiere of the film on Oct. 15.

GLADYS GEORGE and her husband, LEONARD PENN, have arrived here from Hollywood and are stopping at the Warwick.

ROBERT ALLEN, 20th-Fox featured player in “City of Chance,” arrived in New York yesterday and is staying at the Grand Central Hotel. He is considering stage offers.

CHARLES SPAAK, Belgian scenarist who did “Two Women” which Paragon Pictures is releasing, “Great Illusion,” “Un Carnet de Bal” and other French pix, will come to this country to write scenarios in Hollywood. Last heard from he was in Lisbon awaiting passage.

GEORGE ANTHEM, composer, having completed his musical score for Columbia’s “Angel Over Broadway,” has gone to St. Louis where he will address the Kentucky Institute tomorrow.

JON BIRDWOOD has left the Coast for New York to confer with Murray Silverstone on “The Thief of Bagdad” premiere here.

SCHENCK TRIAL will be back at the Coast today from the East.

JUDY CANOVA arrives here tonight from the East Coast route to the New England and New York markets.

ANN RUTHERFORD leaves the Coast shortly for Greenville, S. C., where she will be guest of the annual Cotton Festival.

CONSTANCE BENNET left the Coast yesterday on a seven-week vacation. Destination was not announced.

GAIL PATRICK is in Chicago to appear at the Tribune’s annual fashion show, following which she goes to South Bend for the premiere of Warners’ “Knute Rockne—All American.”

ANDY W. SMITH, JR., RKO sales manager, is in Chicago.

ANDY SMITH, RKO sales manager, is on a business trip to Chicago.

FRANCES LANGFORD and JON MALL are coming east for p.t. at the Paramount Theater Oct. 16.

Griffith, Martin Deals Closed by RKO Radio

The E. R. Griffith and R. E. Martin circuit, which have signed for RKO’s 1940-41 program, have announced today, Griffith operates 118 theaters in the Southeast and Middle West, and Martin, 49 theaters in Georgia, Florida, Alabama and Tennessee.

MALE SECRETARY

Capable Secretary and Assistant, with unlimited qualifications and thorough knowledge in all phases of the motion picture industry, desires connection where his merit, integrity and stick-to-it-iveness will more than warrant the complete confidence of his employer. Affi- davits and recommendations—out of the ordinary—are expected in taking charge of an office and all its details to the very minute. Salary to be determined by the applicant. Box 1910, THE FILM DAILY, 1501 Broadway, New York, Y. C.
Flexible U. K. Terms
For Chaplin's Film

(Continued from Page 1)

ance basis at popular prices while the Gaumont, Haymarket, will have reserved-seat policy.

The sales policy in England will be adjustable to fit prevailing conditions. This means that for the first time the rental or percentage may be determined after the picture has played a theater, inasmuch as nobody can predict what effect the constant air raids will have on patronage.

Kelly said the admission prices would be increased for the London engagements, amount varying with the area.

Kelly pointed out that Chaplin has always been the greatest individual box-office attraction in Great Britain, and it is believed by UA that in spite of the difficult war conditions, "The Great Dictator" will establish new records in gross, attendance and length of run.

PRC Franchise Holders
Sell 50% In Six Weeks

West Coast Bureau of THE FILM DAILY

Hollywood—During the first six weeks of its release campaign, the 24 franchise holders which Producers Releasing Corp. have in the aggregate, reported contracts for nearly 50 per cent of their total sales requirements for 1940-1941, according to Harry Rathner, president.

Outstanding among the PDC branches is George J. Gillis' Washington, D. C. exchange, which has exceeded its total sales requirements by a large margin, to heavy circuit bookings there.

I & I Closes With 5 Majors

Chicago—The Indiana and Illinois Theater Owners' Convention for the new season, to be held in Rockford, will be held in cooperation with M-G-M, 20th-Fox, Warners, Universal and Columbia.

Negotiations are under way with RKO, Para, and UA.

Mrs. E. B. Willey Dead

Rochester, N. Y.—Mrs. Elizabeth B. Willey, 75, former owner of the Colonial Theater, now an Interstate unit, is dead.

Armed Forces

(Continued from Page 1)

as replying: "I am not interested in any exhibitor poll. I have reason to believe that an exhibitor poll will benefit by the decree as written."

Brandt is urging exhibitors to write letters to Federal Judge Henry W. Goddard, who will approve or reject the decree this month, and tell him their attitude on the matter.

Omaha Prosperity Club
Before Neb. High Court

Lincoln, Neb.—Supreme Court was asked here to make some finding in the case of City Solicitor W. W. Wenstrand against the Omaha Motion Picture Exhibitors association in the matter of Prosperity Clubs. Wenstrand was denied in municipal court in Omaha, and is after an injunction from the state body, charging it's a thinly disguised step-child of now outlawed Bank Night.

Silverman Takes Ogden

Milwaukee—The Ogden, East Side, now being operated by Manning Silverman, also he conducts the North Side Fern. House had been operated by R. J. Patterson, for the past month, and previous to that by Fox-Wisconsin.

N. M. Theater Biz Drops

Santa Fe, N. M.—According to figures just released by the New Mexico Bureau of Revenue for June, 1940, gross income reported from theaters amounted to $184,050, this being a decrease of $42,995 from June, 1939, revenue increasing from $257,800 to $267,800.

Sunday Vote in Livingston

Livingston, N. J.—Receipts of petitions bearing over twice the required number of signatures gave assurance this week of an Election Day vote on the Sunday movies question here. Municipality has assurance of its first movie house if the Sunday shows are approved.

Mona, in Chi. Circuit Deals

Chicago—Henry Elman, local Monogram distributor, has closed circuit deals with Great States, Van Nomiels, Eames, Alliance and Indiana- Illinois.

Ah, Such Rivalry!

Des Moines, la.—Harry Hollebegg of the Des Moines Theater and Eddie Dunn of the Paramount Theater, are not only competing with each other for business, but are trying to outdo each other personally. But when Eddie took up flying the other day, he figured he had his competing manager stopped cold. But Harry, ever a sportsman, he is going to practice parachute jump- ing next.
Gov't May Approve Decree Tomorrow

(Continued from Page 1) mine "once and for all" the fate of the decree. Arnold's, okay—and hence presumably of his superior,

Attorney General Robert Jack-

son—has been indicated. Formal D of a appeal by day tomorrow, it was said last night.

The officials said that "they would not be surprised at all if the Board of grips at the meeting would draw to it certain film top executives, such as Nicholas M. Schenck, H. M.

Warner and Sidney R. Kent, al-

thought the latter is scheduled to leave for Coast huddles today. If the decree is approved today, postponement of the hearing slated for Oct. 7 will be in order to permit ample time for preparation by all parties concerned.

Expect Consent Decree Conclave to Be Final One

Washington—What is expected to be final meeting on the consent dec-

ree between industry attorneys and the government in the case after-

noon in the offices of Assistant Attorney General, Thurman W. Ar-

nold, antitrust division chief.

Flanking Arnold at the inside con-

fer where final details are expected to be worked out will be the head of his division counsel; Holmes Baldrige, chief of trial section; Rob-

ert Sher and Robert Wright. The group may also say R. Paul, al-

liams, Government's courtroom head in the suit.

Wendell Berge told THE FILM DAILY that "the negotiations are making substantial pro-

gress." He would not be quoted fur-

ther but anti-trust insiders are alive with optimism with the forecast that another "consent decree triumph" is about to become Government industry history.

It is pointed out that at similar conferences in other industries last minute concessions are often sought by defendants but the D of J view-

point in the current matter is that the Department has conceded all that it can afford to concede.

It is learned that it is quite pos-

sible that the report on the confab may be laid before Attorney General Robert Jackson in time for an actual decree-settlement announcement before the end of the week—barring the always-possible hold-up.

"The Sportsmen" With Autry

West Coast Bureau of THE FILM DAILY

Hollywood—One of the busiest groups of "the Sportsmen" in Holly-

wood is "The Sportsmen.") Aside from their "other" work, they are constantly being signed for producer jobs. The agreement was with Gene Autry in his forthcoming production "Melody Ranch," where-

In the Sportsmen were a fea-

tured spot with Ann Miller.

400 Simultaneous Dates Follow "Rockne's" Bow

(Continued from Page 1) premiere in South Bend, Ind., to-

morrows, climax of the nationally-

observed Knute Rockne Memorial Week. Because of the increased playdate demand, 25 percent more than the usual number of prints were ordered for the Rockne.

Total of 45 dinners will be held tonight by Notre Dame Alumni Clubs over the country. Rob-

oncees the South Bend dinner which will be piped in to all the local af-

fers over the Mutual network. Hol-

lywood dinner, Warner execs and notables who are in South Bend for the premiere will attend the din-

And messages from the President to Mrs. Knute Rockne will be read at the South Bend dinner by Fred Roosevelt, Jr., who left New York last night with the Eastern home of-

curacy and guest contingent.

Seven more dinners will be fol-

lowed by a grand ball, to be led by Gale Page and Knute Rockne, Jr.

Alex Schreiber Honored

Detroit—Alex Schreiber, head of Associated Theaters, was elected president of the Fresh Air Society, unit of United Jewish Charities, which provided 2,324 free weeks at Crystal Summer for indigent children.

Times Square District Free of Sign Restrictions

Drastic restrictions on flashing electric and other large signs ap-

proved by the Board of Estimate last Summer have been caved by the City Planning Commission which has set up a Times Square District—the the-

atrical area—where such signs may be used.

District comprises, roughly Sixth to Eighth Aves., Thirty-ninth to Fifty-second Streets.

Warners Assign Writers

West Coast Bureau of THE FILM DAILY

Hollywood—Warner studio has as-

signed Heinz Herald to do a "Quietly My Captain Will Never Call," and Stuart Palmer will prepare the script for the "Smiling Ghost," while Charles Grayson will do the con-

trary "She Couldn't Say No."

Mary Anderson for Miss Bishop

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Rowland has assigned Mary Anderson to the cast of "Three Cheers for Miss Bishop" for United Artists release. Martha Scott will be starred.

Copyright Policing Steps Studied by Ascap on Coast

(Continued from Page 1) the event that an amicable solution is not arrived at between the organi-

zation and National Association of Broadcasters before Jan., when the contracts with NAB members expire.

William J. Powers, in charge of the district, presides as chairman of the convention, which opened yes-

terday and closes tomorrow.

Monogram Stockholders Re-elect All Directors

(Continued from Page 1) were approved as well as the min-

utes of the last board meeting.


Saenger Would Withdraw Registration Statement

Washington Bureau of THE FILM DAILY

Washington—Saenger Theaters Corp., New Orleans, has asked the SEC for permission to withdraw its pending registration statement. The SEC announced in a supplemental report that all securities of Educational Pictures, Inc., are deleted from exchanges.

Margaret Sullivan Assigned

West Coast Bureau of THE FILM DAILY

Hollywood—Margaret Sullivan has been assigned by Universal to the feminine lead in a re-make of Fannie Hurst's "Back Street." She refused to appear in "The Invisible Woman" but had agreed to act in another film. She will be available as soon as she finished her role in "Plotsam for Loew-Lewin. Assignment eliminates Joan Fontaine.

Frank Morgan for "Wild Man"

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Morgan will be the "Wild Man of Borneo," from an old play by Marc Connelly and Herman Mar-

kie with Philip Morgan in the title role. Billie Burke has been cast and June Preissner will be in the cast.

"Silver Blaze" to Astor

Astor Pictures has purchased U. S. rights to "Silver Blaze" by A. Conan Doyle, and will release it about Oct. 15 as "Murder at the Baskervilles."

Warner Libel Suit Dropped by Bund

(Continued from Page 1) former Bund leader, now serving a prison sentence for conversion of Bund funds, was granted until Nov. 15 to elect whether to continue his suit.

The complaint had attacked the picture because it depicted the Bund as being engaged in sabotage and subversive activities, Friedman stated that he was more than ready to de-


def the suit and could prove the truth of the film's purturbation. Warner Bros.' principal defense to the action, as outlined in its answer, was that the scenes and episodes and the activities of the German-American Bund portrayed in the picture were true, and that the Bund and its members were, in fact, active mili-


tants. The film's author endorsed and actively supported, and would impale and propagate in the United States, the totalitarian principles of Adolf Hitler.

Baldwin Selling the Tosa

New Haven, Conn.—Marcus & Sver-

noff, operators of several houses around the state, will take over the Tosa here Oct. 15 from Ross J. Baldwin.

The new operators plan exten-

sive improvements.

MTE Moves In New Haven

New Haven—Modern Theater Equipment Co. moves into new quar-

ters in the Film Building with Louis Phillips in charge.

Apollo, New Haven, Leased

New Haven—Max Post, former manager of the 500-seat Apollo, dark for the summer, has leased the the-


er from Fishman Theaters, Inc.

Will Show Local News

Athens, O.—Schines' Athens the-

ater has installed a De Vry 16 mm. projector to show local news, in-

cluding pictures of the games played by the Miami U. eleven.

Astor In Pam-O Deal Upstate

Eleanor parasites of Pam-O Film Exchange, Buffalo, has secured dis-

tribution rights for Upstate New York on a four Shirley Temple two-

reelers from Astor Pictures.

Chrisitis Opens Chi. Rex

Chicago—The Jim Chrisitis Circuit has opened the new 600-o. Rex as a second-run on the West Side.

STORKS!

Chicago—A. Conroy, manager of B & K's Southtown theater, is the father of a baby boy, born at Little Mary Hospital.

Will Briscoe, manager of the B & K northside Cine theater, has a new born, born at the Ravenswood Hospital.
LITTLE ONES

They Steal the Show!
ABOVE: Leo, Jr. is shown in the new “frozen motion” photography which is the basis for M-G-M’s revolutionary contribution to Short Subjects.

A STROKE OF SHOWMANSHIP
to launch M-G-M’s 1940-41 Season of Super Short Subjects

Introducing the Sensational Stroboscopic photography in PETE SMITH’s “QUICKER’N A WINK”

As usual it is M-G-M that breaks away from the routine! We know that showmanship demands new ideas to attract folks to your theatre. Again M-G-M does the unusual. Now, for the first time, movie audiences can see the unseen... action too fast for the human eye caught in “frozen motion” by Stroboscopic photography at the rate of 2,000 individual pictures per second... here’s the screen’s most sensational development since the advent of sound!
LEO, JR. MAKES BIG ONES OUT OF LITTLE ONES!

Here's His M-G-M Shorts Line-up For 1940-41

6 CRIME DOES NOT PAY—(Two-Reels) Timely, thrilling dramatizations, several based on nationally important racket investigations currently in the news, all produced with higher production budgets than average independent "B" features!

14 PETE SMITH SPECIALTIES—M-G-M's amusing and amazing sound-track wit and "unseen star" presents his own inimitable collection of credos and curios, and sundry human interest material highlighted with humor.

9 PASSING PARADE—John Nesbitt's extraordinary presentation of ordinary events pass in fascinating review. An excitingly NEW idea in short subjects--interesting as life itself!

10 MINIATURES—Significant documentaries of topical interest including Carey Wilson's absorbing "What Do You Think?" excursions into mental phenomena and the psychic unknown!

9 OUR GANG COMEDIES—For 20 years audiences have enjoyed the capers of this group of typical American youngsters. Now they're better than ever!

12 FITZPATRICK TRAVELTALKS—In Technicolor. Patrons will find a world of entertainment in next season's star-spangled panorama of the United States and America!

18 M-G-M CARTOONS—In Technicolor. Highly imaginative and thoroughly delightful animated drolleries created by Hugh Harman and Rudolph Ising and other cartoon geniuses.

104 ISSUES NEWS OF THE DAY—A real NEWS reel, now more than ever, with the largest camera and editorial staff in its brilliant history. Featuring JOHN B. KENNEDY'S Front Page, BILL STERN'S Sports Page, ADELAIDE HAWLEY'S Womsens Page!

YOUR FOLKS ARE WAITING FOR THE NEW METROSCOPIX
(It’s the improved successor to Audioscopix!)

In addition to the great line-up of '40-'41 Shorts outlined above, watch for M-G-M's Super-Special Attraction entitled:

"THIRD DIMENSIONAL MURDER"

How the public shrieked and laughed at M-G-M's Audioscopix Shorts. Now we bring them a new one, vastly improved, that tells a complete story. A real old fashioned mystery melodrama in third dimension that will lift audiences out of their seats with excitement. A howling success!
Above are the trophies the industry has awarded Leo, Jr. in recognition of his superior shorts producing skill—an average of better than four medals per year for the past ten years is his enviable record. Proud as he is of these medals, Junior is prouder still of the extra business his shorts have brought to your box-office!
AID Issues Report
On Picture Deals

(Continued from Page 1)

policy, 44 plus 16 westerns; two at 40 per cent, six at 35 per cent, 10 at 30 per cent, balance flat. No flat deals sold, either on selective contracts or allowed 20 per cent cancellation limits. This is the first time in three years the company did not force short rates but where they were bought, the amounts varied between 15 and 72. Where percentage deals were made, contracts were sold on the following basis: one at 40 per cent—balance flat; two at 35 per cent—balance flat. The report asserts that Columbia did not get any guarantees or preferred time.

Analysis of M-G-M Policy

M-G-M: Announced sales policy: Contract provides for a minimum of 44 and a maximum of 52 features. Each at 40 per cent, 38 at 35 per cent, 10 at 30 per cent and balance flat, according to AID. Report on this company says that the "majority of the Metro deals were made for four at 40 per cent, 10 at a high flat, 10 at a medium high flat, and 10 at a low flat." No all-flat deals were reported. Metro sold selective contracts and generally granted 20 per cent cancellation, according to the report. The AID committee claims forcing of shorts. Majority of exhibitors participating in the policy to get guarantee and bought with preferred playing time.

PARAMOUNT: Announced sales policy: selling 28 features; two at 40 per cent, eight at 35 per cent, 12 at 30 per cent, balance flat. The AID contends that Paramount deviated from its announced policy as indicated by the following deals: Where 52 were sold flat, two at 40 per cent and five at 35 per cent, with guarantees and preferred time asked and 20 per cent cancellation, whereas 26 were sold for 40 per cent, no guarantees, no preferred playing time and 20 per cent cancellation; where the entire 38 were sold flat, a 10 per cent cancellation was allowed. According to AID, Paramount sold many all-flat deals. On percentage deals, the report states, some were sold with a guarantee and some without—some contracts on preferred time and many without. AID contends, shorts and newreels were forced to be sold at all numbers to each account varying widely.

RKO Radio Analysis

RKO: Announced sales policy: 46 features, selling 28 westerns, two at 40 per cent, six at 35 per cent, eight at 30 per cent, balance flat.

The AID report alleges that RKO sold 28 features, selling 28 accounts flat and many bought selective deals. Shorts and newreels were sometimes forced. The cancellation rate was 10 per cent in some instances and 20 per cent in others, the report declares. The majority who bought

Japanese Exhibitors
Using U. S. Revivals

Tokyo (By Air Mail):--In an attempt to satisfy the Japanese film patron's appetite for American features, exhibitors are going in strong for revivals to overcome the severe restrictions on imports. Reprisal pictures move to recover dollar exchange.

"Fantasia's" Broadway Premiere on Nov. 13

(Continued from Page 1)
necessary for the showing of the picture. The Broadway will be the only New York house to present it. RCA Engineering Laboratories has given assurance that the first unit of the revolutionary sound equipment will be ready to install within the next two weeks.

"Fantasia" will be shown twice daily at reserved seats with the price scale ranging from 55 cents to $2.00, depending on the location of the seats.

Katars Drive-In Sold

Houston—Pete Kataris has sold his local drive-in theater to Underwood & Ezell, of Dallas, who have a drive-in in San Antonio. Understood that one of the reasons which led to the sale was Kataris' difficulty in obtaining food. Local drive-in playing only Universal and Monogram pix.

More Delay in Chi. Operator Pact

Chicago—Negotiations for a new operators' contract have been post- poned Tuesday, owing to the Jewish holiday.

Storm King to Brandt

Harry Brandt has taken over the Storm King theater, Cornwall-on- the-Hudson.

percentage, it continues, contracted for preferred playing time, but usually did not pay any guarantees.

TWENTIETH-CENTURY-FOX: Announced sales policy: 52 features, two at 40 per cent, eight at 35 per cent, 14 at 30 per cent, balance flat. The AID says that Fox deviated from policy and that the vast majority made all-flat deals. In this regard, the report reads:

"Fox granted from 10 per cent to 20 per cent cancellation, and in many instances gave an outright cancelling clause, varying from five to 10 pictures. They also wrote many selective contracts. Percentage contracts were sold without a guarantee or preferred playing time. Shorts and newreels were sold in most instances and forced most of the time. The cancellation rates were sold with two at 35 per cent, others with one at 40 per cent and four at 35 per cent. United Artists: This company did not change its sales policy, offering 22 or more pictures with a "very wide variation" in prices. Usually, its pictures were sold flat, according to the analysis.

UNIVERSAL: Announced sales policy: 45 features and 16 westerns;

West Coast Bureau of THE FILM DAILY

Hollywood—Current week's productions total 10. The roster:

Columbia: George Pal's production, "Penny Serenade," co-star-
ing Cary Grant and Irene Dunne; Robert Sherwood's production, "Leg-
end," with Jeanne Crain and Warner Baxter; "Ocean Gold."


At Paramount: Gene Markey's production, "You're the One," with Orrin Tucker, Bonnie Baker, Albert Dekker, Edward Everett Horton, Jerry Colonna and Lillian Cornell. At Republic: "Barnyard Follies" with June Storey, Mary Lee, Rufe Davis and Dorothy Harrison, radio personalities, including Mrs. Upington, the Cackle Sisters, Jim Jeffries and "Harp of the Rio," starring Don Barry with Julie Duncan, Ann Pennington and Arthur Lake.

At Universal: "Trail of the Vigi-
lante," with Franchot Tone, Brod

eck Crawford, Mischa Auer and Andy Devine; "Riders of Death Val

ey."

Richard A. Rowland's "Cheers for Marilyn" with Martha Scott, William Gargan, Edwinn Gwenn and Dorothy Peterson.

70 "Down Argentine" Dates

Twentieth-Fox sales department has set 70 advance dates for "Down Argentine Way," new Technicolor musical. Pix will have its first openings on Oct. 9 at the Alvin Theater, Pittsburgh, and in houses in Allen-town, Pa., Butter and Billings, Mont. four at 40 per cent, three at 35 per cent, balance flat.whatever many selective contracts and gave cancellation privi-

leds varying from 10 per cent to 20 per cent. This company did not force shorts or newsreels in the majority of cases, the report declares, adding that "they got a guarantee and preferred time on some contracts, but not in the majority of deals."

VITAGRAPH: Announced sales policy: 48 features, four at 40 per cent, eight at 35 per cent, eight at 30 per cent, balance flat. The following were listed by AID as typical deals: 48 bought—all flat with 10 per cent cancellation; 32 bought—all flat (selective contract); 48 bought—all flat, four at 35 per cent, with 20 per cent cancellation; 48 bought—46 flat, two at 40 per cent and no cancellation; 48 bought—46 flat, two at 40 per cent and no cancellation; 48 bought—all flat, six at 35 per cent (a selective contract).

At the AID charges forcing of shorts.

MONOGRA M and REPUBLIC: Product of these companies were "bought just about the way the exhibitor chose, with the exception of those in competitive spots," according to AID, which said that "some were allowed to spot book."
Melody and Moonlight
with Johnny Downs, Barbara Allen
(Vera Vague)
Republic
Hollywood Preview
FILLED WITH LAUGHS, GAGS AND MUSIC, FILM WILL SATISFY FANS AND GIVE THE B. O. A HYPO.

A sure-fire, pleasing, laugh-filled picture that will more than satisfy those who see pictures and those who play them. This gag-full, semi-musical, runs along at a fast clip with little loss of momentum until the necessary heart-interest sequence and from there again rolls on to a laugh-full ending.

Taken from an original story by David S. Siegelman, Bradford Ropes created a swift-moving, gag-filled, screenplay much to his credit. The direction of Joseph Santley takes this advantage of the story and is paced so as to extract the most in laughs, which it did at the preview. The cast, featuring Johnny Downs, Vera Vague, Jerry Colonna, Jane Frazee, Mary Lee, Frank Jenkins, Claire Carleton, Jonathan Hale, is a technical high in solid and delicately conceived. The result of the technical teamwork is a motion picture of quality and charm. Story is direct and finely wrought, the acting excellent and portrays into the spirit of the story and turns on some situations that keep the audience laughing throughout.

Downs, as a would-be hoofer on the downbeat, meets up with Jane Frazee, society deb, who is out amusing at one point with the various dime-store amours, as her last fling in resentment of her father’s tyrannical insistence. As the story progresses, and making the theatrical life she insists upon.

After winning a dancing cup at the emporium, becoming involved in a brawl which ensues, leaving home to escape the marriage, falling in love with the personable Downs, she starts a Dancing School of the Air, which is stopped before the broadcast by the tyrannical father (Jonathan Hale), who brings pressure to bear on the screeners, and the inevitable follows. Mary Lee, Downs’s little sister, who brings matters out into the open, warning matters up to every one’s satisfaction, the audience included.

Downs does some fine dancing accompanied by Jane Frazee, who dances surprisingly well. This couple with their smooth renditions, gives her a double appeal. Vera Vague proves herself a definite asset in the cast. With her inimitable comedic point of view, and coupled with the renowned Colonna, these two turn on a brand of comedy that will satisfy any audience.

Mary Lee, a new singing find, proves her audience-pleasing qualities in her “Top O’ The Mornin’” rendition. Here is a youngster that should, and will most likely soon hold herself following. Hale handles his role with his usual capable aplomb. Claire Carleton, Frank Jenkins in a small part, and Marlon Langdon add to the picture’s satisfaction through their portrayals.

Producer Robert North is deserving of credit for a finely turned out production. Cy Feuer, producer director; George R. Brown, Sol Meyer and Julie Stylne collaborated in the writing of the three musical numbers, “Tahiti Honey,” “Top O’ The Mornin’” and theme song, “Melody and Moonlight.”

Cast: Johnny Downs, Barbara Allen (Vera Vague), Jerry Colonna, Jane Frazee, Mary Lee, Frank Jenkins, Claire Carleton, Jonathan Hale.

Laddie
with Tim Holt, Virginia Gilmore, Joan Carroll, Spring Byington
RKO Radio
70 mins.
SOLID FAMILY PICTURE WITH ACCENT ON ROMANCE AND HUMOR INTERESTED IN ALL AGE-CATEGORIES.

Every inch a family picture, and one deftly made and acted, “Laddie” based on the Gene Stratton-Porter novel, is of the fiber which fans like. Its appeal is clean-cut, not to the spine but to the heart. Cliff Grant and Jerry Cady’s screenplay is solid and delightfully conceived. The result of the technical teamwork is a motion picture of quality and charm. Story is direct and finely wrought, the acting excellent and portrays into the spirit of the story and turns on some situations that keep the audience laughing throughout.

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Cast: Johnny Downs, Barbara Allen (Vera Vague), Jerry Colonna, Jane Frazee, Mary Lee, Frank Jenkins, Claire Carleton, Jonathan Hale.
**REVIEWS OF THE NEW FILMS**

**“Grand Ole Opry”**

With Leon Weaver, Frank Weaver, June Weaver

Republic

68 Mins.

PLENTY OF HILLBILLY MUSIC AND AN EARTH STORY SHOULD PLEASE RURAL FANS.

This picture is okay as an offering in rural and backwoods districts. It is filled with hillbillies, hillbilly music and those earthy homilies that you would expect from rustic picture. Thus picture is aimed at a definite market and should satisfy it.

Leon Weaver, Frank Weaver, June Weaver, Lois Ransom, Allan Lane, Henry Kolker, John Hartley and Loreta Weaver head the cast. In addition, Radio’s Popular Artists, Uncle Dave Macon and his son Doris, Roy Acuff, on the first leg of the O. B. M. Y. trip with Rachel, and George Dewey Hay, character specialists, help round out the cast. Frank McDonald was the director.

Kolker, a crooked newspaper publisher, and Ferris Taylor, lieutenant governor of the state that has become governor when the rightful officer holder is murdered, are locked up for speeding by backwoods judge Leon Weaver. The case attracts consider- able attention and through the efforts of Weaver and his friends a beneficial farm bill is passed as the governor and publisher are kept in jail. Weaver runs for governor, is framed, unframed, elected, and things take a turn for the better.

CAST: Leon Weaver, Frank Weaver, June Weaver, Lois Ransom, Allan Lane, Henry Kolker, John Hartley, Loreta Weaver, Purnell Pratt, Claire Carleton, Ferris Taylor, Radio’s Popular Artists, Uncle Dave Macon and his Son, Roy Acuff and His Smokey Mountain Boys with Rachel, George Dewey Hay.

CREDITS: Associate Producer, Armand Schumaher; Director, Frank McDonald; Original Screenplay, Dorrell and Stuart McGowan; Cameraman, Jack Marta; Editor, Ray Snyder.

**DIRECTION. O. K. PHOTOGRAPHY. FAIR.**

**Autry’s Coast-to-Coast Jaunt Starts on Sunday**

Gene Autry, it was announced by Republic’s home office yesterday, will leave the Coast on Sunday, immediately following his “Melody Ranch” pictures. His coast-to-coast jaunt will open with a world premiere at the Garden Theatre, which will appear at the World’s Champions Ro-deo. Star will bring his movie along with his Champion, with him. Republic’s East and West Coast publicity departments are receiving the co-operation of TWA and CBS to spotlight the Autry trip nationally.

Autry will make stops in Phoenix, Albuquerque, Oklahoma City, Tulsa, Kansas City, St. Louis, Chicago, Detroit, Cleveland, Pittsburgh and Washington, and arrive in New York on Tuesday afternoon.

**“Comin’ Round the Mountain”**

Bob Burns, Una Merkel, Jerry Colonna, Don Wilson, Pat Barrett

Paramount

80 Mins.

TRIFLING ENTERTAINMENT; TALENTED CAST IS HANDICAPPED BY TEPID SCRIPT.

What appears to be the outgrowth of an admixture of radio scripts and gags culled from various programs is labeled “Comin’ Round the Mountain,” with Bob Burns in- jected rather embarrassedly into the top authentic loudspeaker full of hillbilly tunes. There is a wisp of romance in the footage twist Burns and Una Merkel but even this is on the trystside. Burns assumes the town’s mayor succeeding a melodramatic villain and goes, and wins the fair lady at the final. But it’s all far too much.

CAST: Bob Burns, Una Merkel, Jerry Colonna, Don Wilson, Pat Barrett, Harold Peary, William Thompson, Richard Carle, Brenda Fowler, Olin Howard, Cliff Ams; Lure; Luke Cosprop; Leona Roberts; Zeffie Tilbury, William Demarest, Miranda.

CREDITS: Director, George Archainbaud; Story, Lewis R. Foster; Screenplay, Lewis R. Foster, Maxwell Shane, Duke Atterbury; Sound Mixer, George Dutton; Film Editor, Stuart Glimore; Photography, William Mel- lor; Art Directors, Hans Dreier, Earl Hed- rick.

**DIRECTION. GOOD. PHOTOGRAPHY. CAVABLE.**

**NWMP Set for 13 More Canadian Key Playdates**

Thirteen additional Canadian key cities have been set to follow the De Mille picture’s four-theater world premiere in Regina on Oct. 21. N. L. Nathan- son, PC, has added the Paramount home office. All are expected to have p.a.’s by cast mem- bers.

**SHORTS**

**“Britain’s R. A. F.”**

(Roent of March)

18 mins.

EXCEPTIONALLY INTERESTING.

With the Battle of Britain being watched by the American public with eager attention, and the exploits of the R. A. F. as the key to holding off the threatened Nazi invasion, this issue of the March of Time packs heavy interest for filmgoers of all ages. Not only is the topic timely, but a great variety of informative, and the treatment skillful, but there are numerous camera shots of such an exact nature that the public, together with the department's program.

Once seen, this picture leaves an indelible impression of the importance of the aerial arm in the current conflict, and, further, it imparts vividly the excellent physical fibre of the R. A. F.'s men and machines. Sequences disclose, abetted by fine narration, the vital co-operation of the Royal Air Force, the ground and naval forces. Coast defense and anti-aircraft guns are shown in action, as are the top types of fighter and bombing planes. There are peeps into Britain's air force factories, into her far-flung system of training personnel both at home and in overseas possessions, and even into Air Ministry's workings.

In preparing the most arresting of all are the scenes revealing a command aloft, re- sulting in the firing by Nazi aircraft of barrage balloons, and the destruction dealt to the invading squadrons of Goering by the indomitable pilots of Hurricanes and Spitfires. Britain's R. A. F. is worthy of making by all houses, and worth the price of a full program to see.

**“Popular Science JO-1”**

11 mins.

Good Subject.

A nicely diversified reel in Cinecolor, that should be enjoyed by every member of the audience. Opening sequence shows a new disaster truck in Portland, Ore., with con- currence of equipment for fighting fires and making res- cues. Then some shots of a short- legged horse and an aerial view of a horse and some views of carrier pigeon training in the U. S. Signal Corps. Mid-reel the Willy Wizard of Waukegan, a Popular Science gag, unveils his comical contraption for deburring radishes.

Siegel on "Sis Hopkins"

West Coast Bureau of THE FILM DAILY

Hollywood—Sol C. Siegel will produce Judy Canova’s next picture, “Sis Hopkins.” This will be his next assignment after he completes “Melod. Ranch.” Paul Yawitz has been signed to do the treatment.

(Continued from Page 1)

here this week, Prox Ed Kuykendall of the MPTOA touched on the slot machine movie problem in his address.

Kuykendall asserted he had dis- covered the matter with James Roose- well, associated with the Chicago Mills interests in developing the slot machine movie field, but added he had found Roosevelt "evasive."

According to the reports received here, slot machine movie promoters have already made provision for 15-20 subjects and may increase the length of subjects. Thus far introduced, however, have had a three-minute running time.

STATEMENT OF THE OWNERSHIP, MANAGEMENT AND CIRCULATION REQUIRED BY THE ACTS OF AUG- UST 1933.

Of "THE FILM DAILY," published daily serving as a weekly paper at New York, N. Y., for October 1, 1940:

State of New York

Secretary of State

Before me, a notary public, in and for the State and County aforesaid, personally app- ropriated to, and sworn in, I have been duly sworn according to law, deposes the facts set forth in the statement of facts of the "THE FILM DAILY," and that the following is a true statement of the ownership, management and circulation, etc., of the aforesaid publication for the month of September 1940, required by the Act of March 3, 1933, em- bazoned Section 357, Postal Laws and Reg- ulations, printed on the reverse of this form to wit:

That the names and addresses of the publisher, editor, managing editor, and busi- ness manager are:

Publisher, John W. Aleconte, 1501 Broad- way, New York, N. Y.; Editor, Chester B. Bahn, 1501 Broadway, New York, N. Y.; Managing Editor, Frank G. Cosgrove, 1501 Broadway, New York, N. Y.;


That the known bondholders, mortgagees and other security holders owning or holding 1 per cent or more of the total amount of bonds, mortgages, or other securities are:

York.

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For 4. That the two paragraphs next above, giving the names of the owners, stockholders, security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company, but also in cases where the bondholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corpora- tion for whom such trustee is acting, is given, also that the bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of the books of the company as trustee, hold stock and are listed as such and that the owner of a bona fide owner and this affidavit has no rea- son to believe that any other person, associa- tion or corporation has any interest direct or indirect in the said stock, bonds or other securities.

3. That the average number of copies of said daily papers distributed, through the mails or otherwise, to paying subscribers within the postal week ending the date shown above is 4,985.

4. That this is the 1st day of October, 1940.

(Seal) Florence Abramson

Business Manager.
Roosevelt to Produce Five Pix for Bronson

(Continued from Page 1)

Thursday, October 3, 1940

"Martin Eden," going into production in December. All pictures will be released through United Artists. Edward R. Hurston will act as production manager.

WE. Westinghouse Set Aid for Men in Service

Western Electric Co. employs a year or more, if called to military service, will receive a year's salary, while the company will make up the difference of Government pay and their former salaries for the first three months of service, it was announced yesterday by G. C. Stoll, president.

Upon discharging from service, former employees will 40 days to apply for reinstatement to their previous jobs or comparable spots, according to the plan. Employees who will receive full credit for their previous term of employment plus the present term of Government service. The company will make up the difference in death benefits between Federal and State coverage, the total provided for under its own plan.

Pittsburgh—A year's leave of absence and a month's pay will be granted Westinghouse Electric & Manufacturing Co. employees called under the Selective Service Act. Reinstatement upon discharge from Government service has been provided and "employment or promotion to fill a vacancy created as a result of granting the leaves will be considered temporary," according to a statement by W. G. Marshall, Westinghouse v-p.

Washington V. C. Gets $1,731 from Champ Bout

Washington Borough of THE FILM DAILY

Washington Club's annual meeting, held here, received $1,731 as its share of the Harry Armstrong-Phil Furr weight-championship purse. A fight held here Carter T. Barron, Loew's division manager and chairman of the sports committee, said the money would go to the welfare fund for charity purposes. The profits were split equally between the Variety Club and Joe Turner.

Barron said another match will be put on here.

Angros Opens the Sylvan

Coudersport, Pa.—New 600-seat Sylvan Theater, owned and managed by Joseph A. Angros, has opened.

Only Four Chicago Houses Use Triples

Chicago—Triples, once a menace, are virtually a ghost at this time. Checkup shows only four houses now using them. Book giveaways also have stopped; the reason is advertised currently. Premiums, however, are being used by 24 houses.

"Smuggled Goods" Racket Finds Victims

Galore Among the Trade in the Dominion

St. John, N. B.—The "smuggled goods" racket is being employed to "take in" scores of dealers in the Eastern provinces. Victim gets a call that he may expect a package of smuggled liquor or cigarettes, sent with a congratulatory "compliments." Accomplish, but with a delivery charge of $5. When it's opened, the liquor turns out to be water, the cigarettes, an empty box. The exact value of the package, plus false stamps, attains special targets. They're told the packages are coming from exhibits, as marks of appreciation.

Shapiro, Gen. Chairman, For Pa. AMPTO Meet

Pittsburgh—The AMPTO of Western Pennsylvania, Inc., has appointed for the following committees for the 20th annual convention to be held at the Roosevelt Hotel here Oct. 21-22:

General Chairman, M. N. Shapiro, Shapiro & Company; Committee Chairman, B. J. Palma, Palma & Company; General Manager, Harry Goldberg, Beaver Falls; R. A. Bausch, T. L. DiLei, Natalie Glo; William Gray, Monongahela; J. G. Carus, almond & W. J. Smith; W. J. Walker, Cranston; unto Fleischman, M. F. Rocke.

Conventions:—R. A. Allison, Crescent, chairman; Harry Fleischman, Pittsburgh; Morris Roth, Chairman; H. H. Prank, Pittsburgh; Charles Wad, J. W. Walker, Carrier; Peter Antocapoz, East Pittsburgh; R. H. Gilbert, Westmoreland, resolutions; Geo. Corcoran, Monongahela; Harry Fleischman, L. Roth, Pittsburgh; F. E. Ziegler, Canonsburg; A. P. Way, DuBois; F. H. McManus, New Castle.

Social:—Publyk--Jerry Roth, chairman, H. I. Stemmer, and Jake Soles, Pittsburgh; Rudolph Navar, Verona; Harry Reichel, Sharpsburg, and R. F. Kingsenmich.

Dancers:—George and Mein, Joseph Gelman, dancer, chairman; Bennett F. and Harry Hendel, Pittsburgh; D. C. R. Hemen, Carnegie; C. R. Biss, Somerset; Wm. R. Yawson, J. M. O'Connor, Frank King, California; Oliver A. Kitchner, Jeannette; J. H. Lucks, New Castle; John K. Chadwick, P. H. Hart, Dutt Dobbler, New Kensington; Tho. M. Bowers, Mason; John O'Conner, Leechburg; F. J. Fabian

Convention program is to be outlined at a directors' meeting Thursday.

Bob Wills' Cowboy Band in Tex Ritter's Film

West Coast Bureau of THE FILM DAILY

Hollywood—Tex Ritter and his company leave next week for Keene's near Idyllwild, where they will film "Oklahoma Bound," an original Robert Emmet, formerly titled "The Parson of Devil's Camp." Ed-ward Finney will produce the picture for Monogram, with Al Herman directing.

Bob Wills and his Texas Playboys will be the first of a series of cowboy bands featured in Ritter's 1940-41 schedule for Monogram. Included in the cast will be Slim Andrews, Terry Walker, in the feminine lead; Carc Hackett, Donald Curtis and Gene Allace.

Stahl Opening In November

Pittsburgh—The new 506-seat theater being constructed in Munhall by John E. Stahl, who owns and operates the Stahl and Elite Theaters in Homestead, will open about the

Prize Winners in 'U's' Wash'n Award Contest

Washington—Prize winners of the recent Exhibitor's Appreciation Award Contest, from June 1 to Sept. 1, in Universal's Washington branch, announced by Bernard R. Kreisler, special representative of the home office, are:

For theaters:—First prize, $25, Leon Zelzer, Roxy, Baltimore; Second, $15, Bernie Deakin, Kiva, Martinville; Third, $10, H. O. Thomas, Lyceum, W. Va. Honor mention went to W. R. Tyler, Free State, Kenbridge, Va., and Joe Waldman, Monroe, Baltimore.

For bookers:—First prize, $25, H. J. Berman, Baltimore; Second, $15, Ivan Rosenbaum, Neighborhood Theaters, Richmond; Third, $10, Miss Sweeney, Bennington, Theaters, Washington. Honorable mention to Miss G. Ketchum, Dominion Theaters, Washington, and Morris Hendricks, Hicks Theaters, Baltimore.

Stage Show Competition On Detroit Come-Back

Detroit—Stage show competition is making a distinct come-back, with Midwest Theaters' Colonial, which opened a week ago as the only house with a permanent vaudeville policy, doing better than average business despite a bad weather handicap. Pharag, who headed the show, built business 25 per cent over his first house last year.

One United Detroit house, the Broadway Capitol, is booking in Aloma and Company, mental troupe, for a week, with the production of the stage for pit shows is being completed at both the Fox and the Michigan.

Muralistic comic story, the first in town in several decades, opens Oct. 12 at the Wilson for a 30-week season under direct management of J. H. Shubert.

Asks Chicago Raise Ban On "Beasts of Berlin"

Chicago—With "Pastor Hall" having one year to run, Chicago,double-banned by the police censor, Lient. Harry Costello, Henri Elman of the Capital Exchange has asked the Censor and as a result of the Bann "Beasts of Berlin" ("Goose Step").

W & V Solls to Yost

Harrisburg, Pa.—The Grand, a nabe house, has been sold by the Victory Realty Co. (Wilmer & Vin- tage annual), to Walter P. Yost, who operates the Penney.

Consent Decree

Before Wis. ITPA

(Continued from Page 1)

of membership in years past and as a result it was voted to increase the board of directors from nine to 12 members. Action on yesterday's discussion expected to be taken today at which time new officers will be elected and the convention will close with the usual banquet.

A cocktail party followed the yester- 

day afternoon session, which was open to members only. Guests in attendance included H. M. Rich, M-G-M exhibitor contact.

Cleveland Variety Club To Hold Election Party

Cleveland—The Variety Club, headed by Nat. L. Lepton, announces election meeting Nov. 5. Arrangements are in the hands of Bert West, UA district manager as chairman. A. M. Goodman, UA branch manager, has been appointed chairman of the Monday Night Stag, as successor to "Duke" Clark, now Para-

munt branch manager in Los An-

gles.

Detroit Council Kills

Schneider Parking Plan

Detroit—Plans of A. F. A. Schnei-

der, owner of the Stratford Theater, to relieve local parking congestion by constructing parking space inside the curb on the side street by the theater property were vetoed by the City Council. Reason given was a general veto against parking in the city, although it would apparently relieve congestion in this instance.

Death Benefit Under Group Policies for Chi. Draftees

Chicago—Equitable Insurance Co. has advised 1,500 employees of B & K, Alliance Theaters and Roseland State circuit insured under group insurance policies that, if called to mil-

tary service, death benefits will be maintained, but health insurance will be inoperative.

Lasker Building in Berwyn

Chicago—The Lasker Theater circuit, recently announced to open in 1941 on the Rock Island, Berwyn, will erect a new house in the west side suburb.

Another Paradise

For Film Salesmen

Albuquerque, N. M.—This should be a story of one of the other 56 cities. A lieu-}

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GENERAL PRICE BOOST MEETS OPPOSITION

Consent Decree Conference Off Until Tuesday

Counsel for the Majors and Company Top Executives Expected to Attend Parley

Washington Bureau of THE FILM DAILY
Washington—Taking cognizance of the Jewish holidays, Assistant Attorney General Thurman W. Arnold yesterday deferred the scheduled final conference on the proposed consent decree in the New York equity suit until next Tuesday.

At the Department of Justice, Arnold had been expected to arrive from the Coast by plane Wednesday night to participate in a conference originally set for yesterday. However, he telegraphed his office yesterday. (Continued on Page 9)

Set $200,000 Ceiling in Dramatists’ Pact

Tentative agreement reached between film companies and the Dramatists Guild regarding backing of stage plays and subsequent purchase of screen rights by film companies is reported to set a ceiling of $200,000 upon payments out of the gross of a play to the author and manager when backed by a film company. Any further payments are. (Continued on Page 4)

Select Attractions Will Release 8 Hirliman Pix

“Adolescence,” first feature to be produced at the Colonnade Pictures studio in Florida, will be released by Select Attractions through a deal just closed with George Hirliman, its producer, it is announced by E. L. McEvoy, Select’s general sales manager.

Hirliman will make a series of pictures through Select Attractions. (Continued on Page 4)

Broadway Theaters in Admissions Jumps

New price policy has been adopted by the Strand, Capitol, Roxy and Paramount by which morning admission have been increased from 25 to 35 cents and evening prices for Saturdays, Sundays and holidays have been “hiked” from 75 cents to 85 cents. bowling has also advanced its morning prices in line with the other houses. Taxes are absorbed in the new prices.

Atlas, RCA Increase RKO Stock Holdings

Washington Bureau of THE FILM DAILY
Washington—Report of RKO in the SEC’s semi-monthly summary of security transactions and holdings discloses that Atlas Corp. has acquired 3,228 shares of its $1 par common, 928 shares of which were received as a creditor. This brings Atlas’ holding to 594,318 shares and 268,200 through the American Company.

RCA also received 926 shares as a dividend.

“Rockne” Premiere Draws Thousands to South Bend

South Bend, Ind.—Attracted by the arrival of celebrities from both West and East yesterday for the quadruple world premiere tonight of Warners’ “Knute Rockne—All American,” highlight of the nationally observed birthday of the national hero.

NBC Tele for D.C. Assured

English Sectional Biz Holds Up Despite Raids

Picture business in certain sections of England continues to be good despite the constant raids, according to reports received by Arthur Kelly, vice-president in charge of United Artists’ foreign department.

Populations that have evacuated

(Continued on Page 4)

Exhibitors in Favor Out-numbered by Those Against Survey Tends to Establish: Theater Operators Split On Admission Increases for Specific Quality Product

The question of whether there should be a general increase in admissions or a tilted scale for certain pictures apparently has no uniform answer, judging by a survey conducted by THE FILM DAILY through its staff correspondents throughout the country. The only fact that stands out in this first presentation of exhibitor opinion in the lack of accord, although those opposed to a general price boost have an edge over those who favor the move.

The statement this week in Philadelphia by W. F. Rodgers, general sales manager of M-G-M, to the effect that prices should not be raised at this time probably will have a definite effect on opinions, although the general lack of accord is evident. (Continued on Page 9)

Tareyton Will Build Coral Gables Studio

A new two-stage studio in Coral Gables, Fla., is to be erected shortly by Southern General Service Studio Corp., recently formed by H. L. Tareyton of Coral Gables. Company has been incorporated for $250,000 and construction of the studio is scheduled to start next month.

Before returning to Florida Wed.

ITPA of Wis. Re-elects Ainsworth as Prexy

Milwaukee — W. L. Ainsworth, Fond Du Lac, was re-elected president of the ITPA of Wisconsin and Upper Michigan, closing the convention here.

(Continued on Page 4)

Connecticut Exhibs. Use Cooking School

New London—The Garde is trying the type-restaurant school for a matinee. Many houses in the state are using the idea, as an added attraction to patrons preceding the regular show.

Fortune Spotlight Will Turn on UA

Fortune magazine is preparing an article on United Artists, its personnel, producers, history and method of operation. Color photographs on “The Director” will be used, as will shots in color on the forthcoming opening in New York. Feature is planned for the December issue.
Kodak Co. Draftees to Get Job Back; Bonus and Divvy

Rochester, N. Y.—Eastman Kodak yesterday promised all employees its duty as National Guard, or by the draft that their regular share in any wage dividend payable in 1941 and bonus of four weeks' pay when they leave.

Company also promised “every possible effort to reinstate in active service on same or comparable jobs all employees called for military service upon their prompt application for re-employment after military duty.”

Absence in the military service, the Kodak Co. said, will not constitute a break in service and time so spent will be counted in determining eligibility for benefit plans such as wage dividend, sick allowance and veterans' group life insurance, total or permanent disability benefit continues in force for 14 months while the employee is in the service, and the company paying the workers' share of the cost.

Schenck Cruiser Wrecks As It Hits Submerged Log

Nicholas M. Schenck's 38-foot cruiser, Martha, struck a submerged log yesterday while bringing the Low president from his Great Neck home to the River House dock at East 52nd Street. The boat started to sink but Schenck and his captain, Charles Burd, remained on board until taken off by a tugboat. A police launch towed the cruiser to a nearby beach. A large gash was torn in the bottom of the boat.

RKO's Holland Manager Coming for Conferences

Max Weisbebe, RKO's manager in Holland, is en route to New York for home office conferences. Weisbebe sailed from Lisbon Wednesday on the Queen Elizabeth. Date of arrival here is not known.

For two months after the German occupation of Holland, Wesbebe had been reported missing.

"Blood and Sand" for Power

West Coast Bureau of THE FILM DAILY

Hollywood—Twenty-Twentieth Century-Fox has bought from Paramounts, group life insurance, total or permanent disability benefit continues in force for 14 months while the employee is in the service, and the company paying the workers' share of the cost.

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facilities are developed, to eventually cover Washington events of national importance for country-wide transmission.

Technical details still to be worked out will delay actual operation of the Washington Tele- tion, but, for about a year, it was said. The FCC recently granted the NBC a license for the station.

"We hope also to make Washing- ton the originating point of a tele- vision service that will link the Na- tional Capital with Philadelphia and New York City. An automatic relay system developed by RCA promises to pro- vide a satisfactory means for inter- connecting cities when such relays are established, we will be able to ex- periment with the problems of tele- vision program syndication. Then it will be possible for television in Washington, Philadelphia and New York to see events from any of the three cities," Trammell said yesterday.

Alfred H. Morton, NBC vice-presi- dent in charge of television, said that the Wardman Park Hotel site, overlooking Rock Creek Park, was chosen only after an extensive field survey. The major barrier to find- ing a suitable location, he added, was the existence of Cathedral Ridge, beyond which lie Wesley Heights and Spring Valley. The contemplated antenna tower, which will rise a sufficient height above ground, should be ample high to enable television's ultra-short waves to reach all receiv- ers in the Washington area, Mor- ton said.

NBC's plans call for the instal- lation of a 1,000-watt television station at the hotel location. Two trans- mitters will be included. One will broadcast the television image, an- other unit will transmit the asso- ciated sound. The main television studio is to be the present 60-foot tall Wardman Park Tower, which has a stage approximately 30 feet by 50 feet in size. A film scanning studio will also be built at the hotel loca- tion, it was said.

Chief reliance on live program material here will be placed on Gov- ernment activities, with the television unit to pick up events of interest outside the studio.

WEDDING BURSTLES

Richardson, Va.—George Farthing, secretary to Davis County, adv- mgr., Neighborhood Theaters, will be married to Frank Kohler of Roanoke here Saturday.

Richardson, Va. — Dorothy Shew- bridge, secretary to Sam Bendheim, Jr., general manager of Neighbor- hood Theaters, will be married to Gurn Allen Smith at Monument Methodist Church on Oct. 11.

Tareydon Will Build Coral Gables Studio

(Continued from Page 1)

Tareydon said that two pro- ducers had signed to produce pictures at the new studio. E. B. Derr, he said, had agreed to make one pic- ture, "The Shark Man," for Mono- gram release. Halperin Bros. plan to produce a series of six pictures at the proposed plant, Tareydon said.

Ten acres of ground has been pur- chased for the new enterprise. In addition to leasing studio space, Tareydon said a financing company would be formed to finance producers who would use the studio.

COLONNADE PICTURES

Colomnade Pictures Corp., of Miami, recently organized to lease space at its studio, is being reor- ganized. Arthur Sawyer has re- signed as president although it is reported that he has a 60-day op- tion to buy the property for $45,000. Ed O'Toole, who died Wednesday, was slated to have been president. Colomnade studio is now closed.

Godfrey Bergmann Will Manage Curacao House

Godfrey Bergmann has been named manager of the new 1,200- seat theater in Curacao, Dutch West Indis. House is owned by Mensing & Co. and will be operated by the Curacao Trading Co. It will open in mid-November. Bergmann sails Nov. 8.

STORKS!

Indianapolis—Don McLeod, M-G- M head booker is the father of a six-pound baby boy, born at St. Vin- cent's Hospital.
Atlas, RCA Increase RKO Stock Holdings

(Continued from Page 1)
creditor and now holds 317,256 shares. Under warrants for common Atlas holds 297,812 warrants and RCA holds 555,254 warrants. Atlas also acquired 1,400 shares of 6 percent convertible preferred, now holding 20,081 in that class, while RCA holds 44,767 shares.

Both Atlas and RCA hold their interests as beneficial owners.

Cowdin, Prutzman Acquire Additional “U” Securities

Washington—Semi-monthly SEC summary of security transactions and holdings, issued today, reveals that J. Cheever Cowdin has acquired 330 common voting trust certificates of Universal Corp. and now holds 4,850 certificates and 26,500 through Standard Capital Co., Charles D. Prutzman added 330 certificates to his holdings, bringing the total to 4,850. Under common voting trust certificates warrants, Cowdin reported no holdings directly but held 111,283 through Standard Capital while Prutzman held 5,000.

A June, 1940, corrected report for Samuel I. Posen filed under Universal Pictures Co. reveals he acquired 100 shares of $1 par common representing his entire holdings in that class and also holds 50 shares of 8 percent cumulative 1st preferred.

Loew’s, Inc., continued its acquisition of stock of Loew’s Boston Theaters by adding 38 shares of $25 par value to bring their total holding in the subsidiary company to 117,474 shares.

Abrams Resigns As “U” Shorts Sales Manager

(Continued from Page 1)
new affiliation in the industry. Prior to his becoming short subject sales head a year and a half ago, Abrams was manager of the New York exchange. He formerly was branch manager in New Haven, St. Louis and Kansas City.

15-Watt Public Address System Offered by RCA

Commercial Division of RCA Manufacturing Co. has announced a new 15-watt public address system for audiences up to 2,000. The newly designed portable unit designated as Type PG-180 replaces a 12-watt system, but is priced 15 percent lower.

Basic unit is the RCA amplifier, Mi-12202; two 10½-inch permanent field speakers are included, and the microphone is an RCA Junior Velocity type on a table stand.

Unit packs into a case 21 inches high by 17 inches wide and 11 inches deep, and weighs 48 pounds.

“Continued Irregularity” in Film Interim Earnings During 1940-11 Seen by F & B

Fenner & Beece Industries Service sees “continued irregularity” in film company interim earnings reports during the new producing season although it added “some success have been made“ in the area.

As to the exhibition outlook, the Service reports: “The industry is practicing a bidding war to gain leadership in industrial employment, although the recent amusement tax increase minimizes possibilities of raising admission prices. On the whole, companies with extensive representation in the exhibition division may continue to make the more substantial showings.”

“Rockne” Premiere Draws Thousands to South Bend

(Continued from Page 1)
served Rockne Memorial Week, tens of thousands of visitors last night virtually had taken over this home of Notre Dame.

The Western and Eastern continents, the former headed by Charles Ziefeld and the latter by Mort Blumenstock, were joined in Chicago for the trip to this city. At Chicago, the presence of Hollywood stars, executives, and notables brought more than 5,000 to the city.

But the reception in Chicago was just a hint of what was to come here. Farewell ceremonies were reported 100,000 was on hand. Mayor Jesse I. Pavey, who had declared a civic holiday, welcomed the Warner visitors. Bob Hope introduced the visitors, presenting, among others:


At 6:30 p.m. the Vass Pop program was broadcast over the CBS network from the lobby of the Oliver Hotel where the visitors are stopping.

At 7:30, guests and officials attended a banquet in Notre Dame dining hall with proceedings broadcast over the Mutual’s 148 stations. Special pipe lines took the broadcast to 45 Notre Dame alumni dinners held simultaneously in cities all over the nation in celebration of Rockne Week. Heard over this broad-

Climax of Rockne Week takes place tonight with the world premiere in 4 local theaters, with p.a.’s of stars preceding each showing.

Astor Sets Minn. Amusement

Astor Pictures has closed a book-
ing deal with the Minnesota Amuse-
ment Exchangers. Reissue Company to con-
struct the theater building to be passed by the city council early in the Summer, but it specified that the construc-
tion be under the supervision of the Buildings Bureau and in ac-
cord with existing building laws.

Opposition to the theater project included a nearby church and local merchants.

John Maxwell, British Film Leader, Is Dead

(Continued from Page 1)
films, Ltd., indie distributor, which he brought to prominence as board chairman.

His next move was into production, with British International Pictures, Ltd., resulting. Latter was joined with Wardour and Associated Brit-

TIPA of Wis. Re-elects Ainsworth as Præxy

(Continued from Page 1)
new director at the Hotel Schroeder here yesterday. Others named are A. C. Frank Ainsworth, vice-presid-

Newhouse in Dramatists’ Pact

(Continued from Page 1)
said to be covered by a percentage of the profits arrangement. Final touches on the agreement—which amends that now in existence—are expected to be made today.

Further provisions of the agree-

DAILY 1940

Select Attractions Will Release 8 Hilarion Pix

(Continued from Page 1)
eight features for Select, with releases at six-week intervals, it was stated. “Adolescence,” which has Leon Janney, Eleanor Hunt and Esther Muir featured, will go out Nov. 1. Second Hilarion pix for Select will be “The Lady or the Tigress.”

Knopf A Magna Producer

West Coast Bureau of THE FILM DAILY

Hollywood — Knopf, until recently head of Samuel Goldwyn’s story department, is returning to M-G-M as a producer. During his former association with Metro, he was head of the story department.

P.R.C. Signs Geo. Houston for 6

West Coast Bureau of THE FILM DAILY

Houston, Calif.—P.R.C. Releasing Corp. has signed George Houston to star in six “Lone Rider” musical Westerns.

New House for Toledo

Toledo, O.—A project to include an 1,000-seat theater, bowling alley and a super market is rumored to be built here by Cleveland interests.
"ME MARRY YOU?...
YOU WHO MADE ME SO THAT I'M NOT FIT TO LOVE THE ONLY DECENT MAN I EVER MET?... NEVER!"

they say what they think,
in "They Knew What They Wanted"
CAROLE LOMBARD * CHARLES LAUGHTON

"They Knew What They Wanted"

Directed by Garson Kanin

With WILLIAM GARGAN • HARRY CAREY • FRANK FAY

Daring! Exciting! Sensational!

Super box-office all the way, in one of the finest dramas ever to come out of Hollywood! ... Inspired performances, great story, superb direction, magnificent production—IT'S THIS YEAR'S OUTSTANDING PICTURE!
Anna Neagle, in Herbert Wilcox's production of that record-holding musical comedy success, "No, No, Nanette," is now being scored and readied for editing . . . to take its place beside those other big ones from RKO Radio, like — George Abbott's sensational Broadway musical hit, "Too Many Girls" — Kay Kyser and his band in "You'll Find Out" — Ginger Rogers in "Kitty Foyle" — Orson Welles in "Citizen Kane."
General Price Boost Meets Exhibitor Opposition

Decree Conference Off Until Tuesday

(Coontinued from Page 1)

terday to defer the meeting until Tuesday. Counsel for the five major brands that are agreeable to the decree and probably the top execs. of the companies will come here for the conference. Arnold and an array of aides will represent the Government.

English Sectional Biz Holds Up Despite Raids

(Coontinued from Page 1)

menaced areas are boosting theater business. Some divisions, sections and in some instances, Kelly said, grosses have been equal to those of last year and in others business has been even better.

Sheltered and bomb proof theaters are being erected in or close to factories and munition plants so that workers will not have to go outside the grounds for their entertainment.

D. C. Operators to Be Limited to 8-Hour Day

Washington Bureau of THE FILM DAILY—WASHINGTON—Penalties for operators working more than eight hours in any one day are provided for in the revised operator regulations expected to be approved at the next Board of Commissioners meeting. License fee has been set at $10 a year in the new draft. Original draft would have required a fee of $15 for the first year’s license and $10 for subsequent years.

Regulations are recommended by the Board of Commissioners to meet the demands of operators working more than eight hours.

Walker Adds Two Theaters

Haltfex, N. S.—M. E. Walker has leased houses in New Germany and Barrington. He has operated the Galaxy here and the Imperial, Sackville.

in prices, but there should be very few of these AA pictures.

These comments are typical of the two schools of exhibitor thought here.

Essaness Prexy Favors Price Jump for Exceptional Films

Chicago — Emil Stern, Essaness circuit prexy, told THE FILM DAILY that the circuit is in favor of higher admission charges for exceptional films, but says they should be single-ticket feature so the program could be rounded out with shorts and newsreels.

Friday, October 4, 1940

General Price Boost Meets Exhibitor Opposition

(Coontinued from Page 1)

there are many who agree with Joseph Bernhard, head of Warner Bros. theaters, who, while opposing increases for specific pictures, said that prices should be advanced in territories that could stand an increase, a policy the Warner circuit had been pursuing for more than a year.

 Dispatches from the field follow:

Lightman Believes General Price Increase Impractical

Memphis—M. A. Lightman, former MPTOA member, is getting 28 and 28 downtown and six suburban theaters here and 61 other theaters in four nearby states, said he does not favor a general increase in admission prices.

"To begin with," Lightman said, "I do not believe an increase in admission prices alone would work out satisfactorily. Communities differ and admission prices must differ, too. Pictures are like all other commodities. Some pictures are good, some are bad. Some are expensive, some are cheap. I believe the admission prices should be fixed accordingly."

"I can see where a de luxe theater, playing all good pictures, might profit by a flat and permanent advance in admission. But a theater, playing to a variety of tastes, and using several types of pictures, will not find that plan a good one."

White Favors Bernhard Plan: Hess Doubtful for Suburbs

Cincinnati—Maurice White, president of United Theater and associate of Ike Liebn, controller of all major Cincinnati theaters, heartily favors a general increase in admissions, in line with the policy as advanced by Joseph Bernhard, of Warners.

"A concerted action is all that is necessary," White declared.

Wess Hess, president of Associated Theaters, all suburban houses, believes it will be impossible to raise prices in local suburban areas.

"Suburban prices in Cincinnati are already at their peak," he stated. "Theaters here charge 40 cents admission now, which is a good suburban rate."

Also, Hess commented, some theaters which had raised the price from 25 to 28 cents to meet the last tax, have had to reduce their price to 25 cents and absorb the tax to nurse business.

Milwaukee’s Exhib, Leaders See Small Chance for Raise

Milwaukee—Exhibitor leaders here are not inclined to work with approval on Joseph Bernhard’s statement relative to admission prices and generally favor a general admission increase rather than “hikes” for specific films.

However, few believe that a general raise in prices can be successfully accomplished at this time in this territory. They base their belief on the “hike” necessitated a few months back by the Federal defense tax and the reluctance or inability of movie fans to pay more money for their film entertainment.

Any “Hike” in Gulf State Tied to Economy Situation

New Orleans — Straight price raises are impractical at present in the Gulf States area, survey of the area revealed.

Last year at the same time showed that exhibitors are against special raises for so-called super attractions on the ground that it has a tendency to disrupt business. The circuits in this area apparently would like to put through a raise but are held back by economic conditions and are waiting to see if the money spent for national defense will be spread back into this area so as to give additional spending money to audiences.

"The situation is purely an economic one," Norman L. Carter, circuit manager of the Paramount-Richards circuit, declared. "In some instances here in Mississippi, where we get 40 cents top for better product, there is a 4-cent national defense tax and a 4-cent state tax. That's almost 50 cents right there."

Carter is against raises for specials.

"It's true we're in a different business every time we change a picture," he said. "But we're in a different business only insofar as the advertising is concerned. We have an audience coming to the same theater, the same air conditioning and other conveniences. To change prices for a run has the effect of throwing the routine comes out of gear."

Price “Juggling” in Smaller Towns Bad Practice—Wolcott

Eldora, Ia. — Speaking for the small town operator, Leo Wolcott, president of the Allied Theater Owners of Iowa, Idaho and Nebraska, declared “juggling” of admission prices is bad business practice as far as they are concerned.

"From years of experience," Wolcott stated, "our patrons resent advanced admission prices even on the occasional highly advertised feature. They feel they patronize us regularly and they are entitled to the occasional outstanding picture at the same price.

"If we have been making money at the present prices, it is profiteering to increase them. If we have not been making money, it is suicidal to increase them."
“Too Many Girls” with Lucille Ball, Richard Carlson, Ann Miller, Eddie Bracken, Frances Langford

EXCELLENT ROMANTIC COMEDY that RANKS AMONG THE BEST IN THIS PRODUCTION BRACKET.

One of the brightest leaves this Autumn is shown in this comedy, which is a parody of engrossing themes and a fact of life. The audience can see the world through the eyes of the characters, and in the end, the story is a resounding success. The acting is top-notch, and the film is a great addition to your collection.

“Down Argentine Way” with Don Ameche, Betty Grable, Carmen Miranda, Charlie Greenwood

20th-Fox (HOLLYWOOD PREVIEW) GILT-EDGED ENTERTAINMENT THAT CAN BE SOLD TO HEAVY RETURNS IN ANY TYPE THEATER.

Gay, colorful, exciting and tuneful, this musical comedy is gilt-edged entertainment that can be sold to heavy returns on any type theater. It is loaded with applause-provoking singing and dancing. In fact, it easily ranks way up front in the long parade of musical comedies the screen has known. It is in Technicolor, and is a feast for the eye and ear.

Irving Cummings has effectively blended the comedy, romance, songs and dances. To Harry Joe Brown goes important credit as associate producer. Carmen Miranda and Edward Fielding make a splendid screenplay, based on an original by Jann James and Ralph Spence. Mack Gordon and Harry Warren composed four songs with “Two Dreams Met” as the best of the quartet.

There is no better answer to a casting director’s dream. There is Don Ameche, so very effective in the romantic role; the shapely Betty Grable making a triumphal return to the screen as the love interest opposite Ameche; the dynamic, vivacious Carmen Miranda delivering songs in her own inimitable fashion. The ever-enterprising, elongated, Charlotte Greenwood. J. Carrol Naish is splendid in a character role, while Leonid Kinskey and Charles Judels are to aid the laugh score. Henry Stephenson gives another of his reliable performances as Ameche’s father. The dusky Nicholas Trial and his dancing are really show-stoppers.

The locale of the story is an Argentine outfit, long, dark and moonlit nights, Ameche makes a quick trip to New York to sell some of his father’s horses. He is warned not to make a sale to Charles Gilmore, a wealthy member of his family. He falls in love with Betty Grable, but when he learns she is Charlotte’s niece, he refuses to sell her a horse which she wanted to buy. He also returns hurriedly to Argentina, Betty follows, and of course, a reconciliation ensues. In the end Ameche’s father, Stephenson, drops his feud with Charlotte and blesses the young lovers.

“Diamond Frontier” with Joan Blondell, Dick Powell

Paramount

LAUGH-PACKED COMEDY WITH FINE DRAMATIC PUNCH AND SOLID STORY; WILL SCORE WITH ALL FANS.

Producer George Arthur’s initial contribution to the young 1941-42 season is thoroughly entertaining and human vehicle which is certain to make turnstiles click merrily for all classes of houses and patrons. Strength of the attraction springs from the fact that it is a melding of superior drama and comedy purveyed by a strong cast operating under the aegis of Ralph Murphy’s adept direction.

Not only has the footage power to spare in satisfying patrons, but it has the punch to bring ‘em in. Ability to draw the fans is first of all in the title’s magnetism, and secondly in the fact that the cast from top to bottom is crisp, exciting and attractive. Blondell and Dick Powell play the leads, and excellently. He is the young lawyer, who, on the eve of his bar exams, proposes marriage, but LeRoy, kayak Dickson, has just divorced Conard Nagel.

Although the tragedy of the latter’s legal standing stands out before the newswires as a danger signal proclaiming the unhappy consequences of divorce, the young couple are now safe in a major marital storm which causes them to separate. The film’s climax is their reconciliation, but only after the young wife’s elder, disconsolate over the re-marriage of her former spouse to another woman, commits suicide.

Story by Adela Rogers St. John is packed with tense situations and very human moments reflecting her skill, and understanding as to what film entertainment should be. Frank Fay does a fine character job and should be seen more in the current celluloid scene.

Paramount has a hit in “I want a Divorce” and theatermen’s tell will prove it.

CAST: Joan Blondell, Dick Powell, Gloria Dickson, Frank Fay, Jessie Ralph, Harry Davenport, Conrad Nagel, Mickey Kahn, William Frawley, John Qualen, Claude Gillingham, Sidney Blackmer, Louise Beavers.

CREDITS: Producer, George Arthur; Director, Ralph Murphy; Assistant Director, Ralph St. John; Screenplay, Frank Butler; Sound Mixer, Hugo Grenzbach; Film Editor, Lee Roy Stone; Art Directors, Hans Dreier, Ernst Fegt; Director of Photography, Ted Tetzlaff.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.

Lewellen, Hufmann’s Aide

Lincoln, Neb.—New assistant city manager’s chair was created this week in the Lincoln Theatres Corp. (J. H. Cooper-Paramount circuit) here, and W. C. Lewellen, formerly of Pueblo, Colo., has been moved in to fill it. He works directly under City Manager R. W. “Bob” Hufmann.

Kalmus: Associate, Morgan Padelford; Art Directors, Richard Day and Joseph G. Wright; Editor, Barbara McLean; Musical Director, Emil Newman.

DIRECTION, Excellent. PHOTOGRAPHY, Very Good.

Mutual Theaters Sets Deals for Up-state Michigan.

Detroit—Mutual Theaters, booking combine, has completed deals for all its up-state houses with all eight majors, as well as Monogram and Republic, manager Raymond E. Moon disclosed. In Detroit, Mutual has completed contracts with 20th-Fox, and has several deals already closed with Warners.

Neth’s Managers Realigned

Columbus, O.—Because of the resignation of John McCormick, due to ill-health, as manager of Neth’s State Theater, there has been a realignment of managers of the Neth theater houses. David Pence, now at the Cameo, moves to the Eastern. Darley Thompson goes from the Cameo to the Markham. Robert O. Glick, formerly at the Markham, succeeds McCormick at the State. Doyle Lucas, head usher at the Eastern, is promoted to manager of the Cameo.
REVIEWS OF NEW FILMS

"Before I Hang"
with Boris Karloff, Evelyn Keyes, Bruce Bennett
Columbia 71 mins.
CHILLER WITH A GOOD AMOUNT OF SUSPENSE SHOULD ENTERTAIN THE "ELLER FANS"

"The Mummy's Hand"
with Dick Foran, Peggy Moran, Wallace Ford
Universal 67 mins.
MODERATELY EXCITING HAIR-RAISER WITH ENOUGH COMEDY AND MYSTERY TO SATISFY THE FANS

"Going Places, No. 82"
Interesting Scene
Sun Valley, the Idaho vacation-land, is the subject of this interesting reel. Touching briefly on the well-known resort possibilities of the Valley, the film shows a number of other attractions in the region, including some of the largest sheep ranches, old towns and ranches, mountain ranges, rock formations, and ice caves.

"Stranger Than Fiction, No. 83"
Routine Subject
A half-dozen ordinary clips of unusual material make up this film. Leading off are some views of the Adams mansion in Quincy, Mass., home of two Presidents, John Adams and his son John Quincy Adams. Following are shots of a man who claims to be a fellow ghost makes inlaid gadgets from burnt matches, some views of a U. S. express rubber plantation, a youngster with a miniature tractor and a dog who spots balls on an Atlantic golf course.

"Going Places, No. 83"
Universal Good Travelogue
Here's a collection of Arizona scenes that should hold audience interest. From Tucson, the reel travels to the Cactus Forest, visits a boy's school, and the Rocky Mountains and ends with a trip across the border to Mexico.

"Film Life of Wm. Allen White"
West Coast Bureau of THE FILM DAILY
Hollywood—Metro plans to make a film about the life of the Emporium, Woman, newspaper editor and novelist, William Allen White. Spencer Tracy is listed to play the role of White. The film, however, has not yet returned from Emporium where he talked with White and his associates gathering material.

"Rep. Buys "Captain Marvel"
West Coast Bureau of THE FILM DAILY
Hollywood—Republic has bought "Captain Marvel," a cartoon strip to be used as the basis for a serial. It also bought "Alibi at Midnight," by George Carleton. Brown. George Yates will adapt. Bradford Ropes is writing "Song at Twilight" for Gene Autry.

"Sylvia Sidney"
West Coast Bureau of THE FILM DAILY
Hollywood—Columbia has cast Victor Jory and Iris Meredith for the leads in "The Green Archer" serial. Went into production yesterday with James Horn directing.

"WB Tests Sylvia Sidney"
West Coast Bureau of THE FILM DAILY
Hollywood—Columbia has cast Sylvia Sidney and Anna Sten for the second feminine role in "January Heights."

REVIEWS OF SHORT SUBJECTS

"A Class in Swing"
Universal 16 mins.
Fair Musical
Another of those swing sessions in which the studio sets out to introduce a number of so-so specialty acts. A bit corny but it might please the youngsters. In the cast are Florine McKinney, Peter Lind Hayes, Lorraine Page and her Modernettes, Hal Belfer and Darlene Walders, Karlton H. Brulle, and Arthur M. and Claude West, Bob.
AN OPEN LETTER TO EVERYONE
IN THE AMUSEMENT INDUSTRY:

On Saturday, October 26th, 1940, Cinema Lodge will hold its first Annual Banquet and Ball at the Hotel Pennsylvania.

It is the aim of the various committees in charge of arrangements and entertainment to make this event one of the most enjoyable in the history of the amusement industry.

Benny Goodman will furnish the music and we have been assured by the entertainment committee that the most important personalities of the Screen, Radio, Stage and Music will be there that night.

To insure the complete comfort of every one of our guests, we have definitely limited the number of tickets to be sold. Reservations are now being accepted. Subscriptions $5. per person.

A. W. Schwalberg,
President
**NEW EXHIB. PRESSURE TO ALTER DECREE**

**MPTOA To Co-operate on Decree Intervention**

**THE WEEK IN REVIEW**

**Final Decree Parley?**

By L. H. MITCHELL

**DOMESTIC**

**CONSENT DECREES: Final draft of consent decree in Gov't equity suit was under study of major counsel, with draft final in confab expected late in the week. However, Thurman W. Arnold postponed the parade until tomorrow.**

Allied was looking for a strong point of the decree as "the best obtainable" at this time. Mich. Corp. Theaters, however, protested that the decree would be a freeze of the evils of the independents, and Kansas-Missouri exhibitors termed it "disastrous." Proxy Ed Kuykendall said MPTOA would take the matter to court if the decree is accepted; he also offered as a substitute for the blocking of five pic's the banning of licenses for pic more than six months ahead of release. Likelihood of exhib. clash on arbit. program was foreseen... Arnold, it was reported, will ignore exhib. polls on the decree.

**EXHIB. UNITS: MPTOA of Missouri and Illinois will battle coin-in-slot pic's.**

Y. J. Allied met at Chicago to discuss the move against "picture snatching." William F. Rodgers warned Allied of the Eastern Regional that new revenue channels must be found, while he later asked 150 exhibs. in Philly to avoid petty jealousies... IPTA of Wis. and Upper Mich. discussed decree, 16 mm. menace and automatons... Allied Information Department issued its report on film buys... MPTOA stated that, in its view, the Neely Bill is a "dead issue."

**THIS AND THAT:** General admission price boost was seen meeting opposition in a film survey... NBC tel for Washington, D.C., assured but delayed for eight months by technical details. FCC execs. saw color teles demonstrated in New York. A sustained censor's ban upon the "Baptism of Fire" sequence in "The Rake." Cast of "Rampante We Watch." Cecil B. DeMille was announced as principal backer of new coin-in-slot producing firm. Actors' Equity condemned Reds, Fascists and Communists in the organization.

**Kuykendall to Speak**

On Decree at Three
Upstate N. Y. Meetings

MPTOA will co-operate with New York Allied (MPTOA unit) in the latter's move toward intervention in the consent decree. First step in the action will be a series of meetings in up-state New York cities this week, sponsored by New York Allied in conjunction with MPTOA of Western New York in Buffalo. Ed Kuykendall

**Western N. Y. MPTO**

In Expansion Move

Buffalo—Expansion of MPTO of Western New York to include exhibitors in the Syracuse and Albany areas starts this week in conjunction with the consent decree talks in both cities and in Buffalo. Organization is expected to be incorporated

**Bondy Orders Payment of All RKO Reorg. Allowances**

Federal Judge William Bondy Friday signed a formal order providing for the payment of all allowances in the RKO reorg. proceedings. The Court also fixed today as date for the hearing on the application of George L. Schein to reopen an allowance of $8,000 made to him on the ground it is insufficient.

**“Rockne” Premieres to Record Warners’ Bally**

South Bend, Ind.—Warners’ "Knute Rockne—All American" bowed in at four theaters here Friday night to the accompaniment of one of the greatest ballys in the history of the industry, the quadruple opening attracting staff men of every

**U. S. Coin for Spanish Pix?**

British Group Would Use "Frozen" Credits

3-Dimension Pictures Seen on Single Prints

**Racing, 'Name' Bands Batavia's 'Dual Bill'**

Rochester—To get more business for the Night Harness Racing Meet at nearby Batavia, promoters of the track are bringing in "name" bands to play between races and under the stands after the races. Dick Stabile led off with a six-night stand. George Hall, Ben Bernie and Russ Morgan are expected to follow. Are local exhibs. laughing?

**Michigan Allied May Battle Over Decree**

Jackson, Mich.—Veiled hints that Michigan Allied would not follow the national organization in accepting "graciously" the consent decree in the Government's equity suit were in circulation here last night on the eve of the unit's three-day convention which opens today at the Hotel Hayes. Formal action, however, may not be taken in order to avoid actual expression of disagreement. Regardless of what action is taken,

**No Pressure to Withhold Willie Reel—Schafer**

George J. Schaefer, RKO president, emphatically denied Friday that any pressure had been put on

**“Rockne” Acclaimed As Sure-fire B. O.**

"Knute Rockne—All American," given a quadruple premiere by Warners in South Bend, Ind., Friday night, assayed as a surefire football coach and great American which should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore. A splendidly conceived and written original screenplay by Robert Buckner has been skillfully peopled with flesh-and-blood characters who, under the deft and sure guidance of Victor Fleming, who directed "Bolts of Velveteen" and "Bolts of Cashmere," has created a football story..."
FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 4)

NEW YORK STOCK MARKET

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FOR RENT

Desirable space (approx. 750 sq. ft.), RKO Building on sublet until April, 1942 at EXTREMELY LOW RENTAL.

R. M. SAVINI

130 West 46th St.  |  Blayt 9-2457

THE BROADWAY PARADE

Picture and Distributor

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<td>The World in the Sun (United Pictures) - 2nd week</td>
<td>5th Ave. Playhouse</td>
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<tr>
<td>Before I Hang (Columbia Pictures)</td>
<td>Bryant</td>
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<tr>
<td>New Say Die (Paramount Pictures)</td>
<td>Loew's Orient,</td>
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<tr>
<td>The Golden Tread (Monogram Pictures) (a)</td>
<td>Central</td>
</tr>
<tr>
<td>Dollars and Sense (United Artists)</td>
<td>Palace</td>
</tr>
<tr>
<td>Hired Wife (Twentieth Century-Fox) (a-b)</td>
<td>Palace</td>
</tr>
<tr>
<td>Money and the Man (Warner Bros. Pictures) (a-b)</td>
<td>Palace</td>
</tr>
<tr>
<td>Mozart (Columbia Film, Inc.-E. L. Oppert)</td>
<td>Little Carnegie</td>
</tr>
</tbody>
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Here is Ireland (American Film Corp.) | Belmont |

TWO-A-DAY RUNS

The Baker's Wife (The Baker's Wife Co.) today and tomorrow in Central City |

FOREIGN LANGUAGE FEATURES

The Long Voyage Home (United Artists-Wanger) - today and tomorrow into Shadow |

FUTURE OPENINGS

The Baker's Wife (The Baker's Wife Co.) - today and tomorrow in Central City

Phonovision Machines

For Demonstration Soon

Phonovision distributors will have their machines for demonstration purposes in about three weeks. Frank Orsatti, executive of the company, said today. Plans for production have been completed.

"Zorro" Bow for Cinco

World premiere of "The Mark of Zorro" will be staged in Cincinnati by 20th-Fox, it was learned at the home of Tyro Power, star of the picture.

Goodman Ork for Ball

Benny Goodman and ork will furnish the music for the cinema Lodge's first annual banquet and ball at the Hotel Pennsylvania Oct. 28, 1940. Robert W. Wetman, chairman of the entertainment committee, announced.

NWMF Opens at $1.65-$1.10

Chicago.—U. S. premiere of Para.'s NWMF at the Chicago theater here Oct. 24 will be at $1.09-$1.10. Regular run with usual house prices starts the following day.

Loew's $1.62 Divvy on Nov. 15

Loew's board of directors last week declared a quarterly dividend of $1.62 per share on the outstanding shares, payable Nov. 15 to stockholders of record Oct. 29.

COMING AND GOING

SAM ROSIN of Rosen Film Deliveries, New Haven, is on a 10-day hunting trip in Canada.

JACK L. WARNER is due here from the Coast this morning.

A. L. FRATCHELL, general manager of Latin-American for Paramount, flew out Friday night for Mexico City.

FRANK OSATTI is at the Waldorf Astoria.

JAMES PETRILLO, president of the American Federation of Musicians, went to Chicago Friday.

WALTER BRENNAN arrived here Friday.

ELEANOR POWELL left for Hollywood yesterday.

RALPH BELLAMY was scheduled to arrive here Monday morning. Here are his home in Columbus, Miss.

LOU BROCK, RKO producer, returned to the Coast over the week-end.

PAULotte GODDARD has left the Coast for a trip to Europe, arrives here Oct. 13. She will immediately fly to New York to be on hand for the premiere of "The Great Dictator" Oct. 15.

CHARLES EINFELD, MONT BLUMENSTOCK, MITCHELL RAWSON, HARRY GOLDBERG, SIR RUDOLPH, RALPH BUDD, BEN COHEN, E. CONNOLLY and other Warner execs, arrived in New York this morning from South Bend, Ind.

Minnesota Theater Co. Fails: $610,000 is Owed

Minnesota—Minnesota Theater Co., owner of the Minnesota Theater here, has filed in bankruptcy, with liabilities of nearly $610,000 and assets of $5,327.89. Latter represents value of seats and movable decorations. Hearing is slated for today.

House has been dark since Jan. 1. Inability of the theater to successfully operate is attributed to difficulty in obtaining first-run product and high overhead.

Theater is expected to be remodeling as a parking ramp.

Essaness Drops Prices

In Outlying Chi. Houses

Chicago.—Essaness circuit has reduced prices in some outlying houses, new scales permitting patrons to avoid the Federal defense tax.

Circuit's Julian, heretofore devoted to foreign films, has turned to American pix; house now plays duals at 15-20c.
Paramount opens the Burma Road to the Box office!

Dorothy LAMOUR · Robert PRESTON · Preston FOSTER

"MOON OVER BURMA"

with DORIS NOLAN · ALBERT BASSERMAN · A Paramount Picture · Directed by LOUIS KING

Screen Play by Frank Wead, W. P. Lipscomb and Harry Clark · Based on a Story by Wilson Collison
AFTER 7-DAY CELEBRATION 'ROCKNE IS'

250,000 PEOPLE marched into South Bend, Indiana, trebling the university town's regular population of 101,000 for the celebration of Knute Rockne Week. Above is part of tremendous crowd that greeted the "South Bend Special" at the station for a reception that overshadowed any accorded the "Great Rock" following his most important gridiron victories.

WELCOME ROARED across the nation as every newspaper syndicated in the country, columnists from north, east, south and west and the three top radio networks told their millions of readers and listeners of the Hollywood stars and national celebrities who came to participate in the Knute Rockne week celebration.

WARNERS HIT SHOWMANSHIP PEAK 4-THEATRE PREMIERE REACHES E

MRS. BONNIE SKILES ROCKNE, who aided in the production of the film, hosted the stars in her South Bend home. Again left to right are Ronald Reagan, Mrs. Rockne, Elmer Layden, Pat O’Brien, Rosemary Lane, Gale Page, Anita Louise.

POSTMASTER GENERAL FRANK C. WALKER paid tribute to the memory of Knute Rockne. In the conventional order are Pat O’Brien, who portrays Knute Rockne in the film, Mrs. Rockne, Donald Crisp and the Postmaster General.
THAT ROCKS THE NATION RELEASED!!

ATE SMITH BROADCAST at the gala banquet that drew 4,000 people to the Notre Dame dining hall. The Mutual Broadcast System relayed the reception to hundreds of Notre Dame Alumni dinners.


MAYOR JESSE I. PAVEY, of South Bend, met the train and its celebrities. Left to right are Ronald Reagan, Rosemary Lane, His Honor the Mayor, Gale Page, Mrs. Pat O'Brien and Pat O'Brien.

AS NEWS OF SOUTH BEND CRY CORNER OF THE LAND

'KNUTE ROCKNE - ALL AMERICAN' with PAT O'BRIEN

GALE PAGE • RONALD REAGAN • DONALD CRISP

Directed by LLOYD BACON

Original Screen Play by Robert Rockne - Based upon the private letters of Mr. Rockne, and the reports of Rockne's immortal victories and famous 'A Warrior Born'. First National Picture

NAL'S ON as the stars make appearances at the film's fourrter world premiere. Standing: Peggy Diggins, Irene Rich, Gail Page, Anita Louise, Mrs. Rockne, Gale Page, Rosemary Lane, Jimmy Wyman. (Crouching) Charles Ruggles, Ricardo Cortez, Owen P. Jr., Bob Hope, Jimmie Fidler, Donald Crisp, Pat O'Brien, Rudy Vee, Ronald Reagan, Franklin D. Roosevelt, Jr.
New Exhib. Pressure For Consent Changes

(Continued from Page 1)

individual exhibitors joining in the chorus of protests against the decree as now framed realize that, in the face of the stand already taken by the major studio executives, Mr. Thomas W. Arnold, there is only a 100-to-1 chance of effecting changes, they are registering their objections "for the record,"Unless the unexpected happens, formal okay will come at tomorrow's capital meeting.

Conn. MPTO Protest Forceful

Exhib. units which earlier went on record as opposed to the decree's provisions have been following up with formal communications to Arnold. One of the latest went received by Arnold's office late last week from the Connecticut MPTO.

Written by Herman M. Levy, executive secretary, the letter stated to Arnold: "to consideration of the almost universal clamor that has arisen," and that the decree "be revised at the Government's instigation."

"When you undertook the Government's action against the film companies, the industry and the country at large understood that the Government was opposed to 'blind-selling,' 'blind-buying,' and exploitation. However, while the major studio executives have taken all the heat, there has been little or no protest from the independent exhibitors," the letter went on.

"It is the sentiment of this group that the proposed consent decree aggravates the problem of 'block-booking' to a decree which makes any advantage of the partial elimination of 'blind-selling' insignificant. What benefits it an exhibitor to be able to see pictures before he buys them, if he has to take all or none of the pictures he sees? When the only cancellation right he has is on 'religious, racial, or moral grounds'?" Pictures that fall into these categories are few and far between.

"There is, of course, no attempt in the proposed decree to bring about 'divorcement.'"

Foresee Increased Rentals

"While it is true that exhibitors will not have to take the pictures offered to them and while they will not have to take shorts, etc., if they do not want them, it is obvious that distributors will make up this revenue by increased rentals. The sum and substance of these provisions on the licensing of features is that another load will be added to the already existing onerous physical, mental and financial burden of exhibitors."

Section VII, which attempts to set up a procedure for the obtaining of film by an 'independent' is a reminiscence of the 1918 law, which agreed to pay double indemnity to its assured under a life insurance policy, provided that the assured was killed on a Thursday afternoon at 4 o'clock Eastern Standard Time between June 10 and July 10 while it was raining, and, provided further, the assured was driving a car of a certain model and year. The clause in each instance is so replete with conditions precedent and subsequent as to make it ineffective.

"While exhibitors are no party to the proceedings and do not even have amicus curiae standing, it would seem if they are to be third party beneficiaries, the consent decree finally adopted should be the most favorable for them and should not be too great a handicap on distributors."

To Ask Week's Delay

Special Assistant Attorney General, Stephen J. Doyle today will ask Federal Judge Henry W. Goldard to further adjourn the equity trial for one week because of the scheduled conference tomorrow.

It is understood that Judge God- dard will receive definite assurance that a formal statement will be made to him on the adjourned date advising him of the exact situation of the settlement negotiations. No opposition to the request for a postpone- ment is expected from the three non-negotiating companies, UA, Colum- bia and Universal.

Special Hold-Over Ad Campaigns for 'Rockne'

Warner's has completed plans for special hold-over ad and exploitation campaigns on "Knute Rockne—All American," which had its world premiere Friday night in four South Bend, Ind., theaters as the climax of nationally observed Knute Rockne Memorial Week.

Under the direction of Charles Einfeld, special ads have been prepared for the second and third week of "Rockne" engagements. In addition, Warner exploitation men will follow through, with simultaneous second and third week campaigns.

As far as Warner records go, this is the first time any production has had hold-over ad and exploitation campaigns of that nature mapped out in advance.

A. W. Hepp's Mother Dead

Pittsburgh—Funeral rites for Mrs. Elizabeth W. Hepp, mother of A. Wilbert Hepp, of the Lowrie Theater, are to be held at the Most Holy Name Church, Troy Hill, on Friday.
IT'S THE TALK OF THE BUSINESS... AND ALL THAT YOU'VE HEARD IT IS!

DOWN ARGENTINE WAY

20TH'S MUSICAL EXTRAVAGANZA IN TECHNICOLOR!
THE FRESHNESS... THE STARS... THE TECHNICOLOR... THE HIT MUSIC... THE HOT DANCING... ALL ECLIPSE ANY MUSICAL ENTERTAINMENT EVER MADE—EVEN 20TH'S GREATEST!

DON AMEQUE
... you don’t know Don as an entertainer until you’ve seen him in this!

BETTY GRABLE
... new star-greatness for the screen’s singing, dancing sweetheart!

CARMEN MIRANDA
... torrid-voiced! tropical! tantalizing! terrific! ... in her sensational debut!

CHARLOTTE GREENWOOD
... She’s fun ... and so’s the whole cast of laugh-makers and show-stoppers!

and J. Carrol Naish • Henry Stephenson
Katharine Aldridge • Leonid Kinskey
Chris-Pin Martin

Produced by Darryl F. Zanuck • Associate Producer Harry Joe Brown • Directed by Irving Cummings • Screen Play by Darrell Ware and Karl Tunberg • Story by Rian James and Ralph Spence • Music and Lyrics by Mack Gordon and Harry Warren
Michigan Allied May Battle Over Decree

(Continued from Page 1)

it is indicated that the consent decree, its provisions and effects will be the center of interest and discussions. It is believed by some that the ranks of Michigan Allied are split on the question of acceptance of the decree and that the convention will be the battle-ground of two strongly opposed points of view.

Abram F. Myers, general counsel of national Allied, is scheduled to address the sessions, as well as H. M. Riehey, former general manager of the Michigan unit and now M-G-M’s director of exhibitor relations.

Convention’s entertainment program includes a golf tournament and a tour of the Michigan State Prison. Directors’ meeting today will set the course for the sessions tomorrow and Wednesday.

Hammons Sued on Notes

Earle W. Hammons on Friday was named defendant in a suit for $31,000 on promissory notes made in 1931 to the Federation Bank & Trust Co. Hammons is disputing the amount due and has raised several other defenses.

U. S. Coin for Spanish Pix?

British Group Would Use “Frozen” Credits

(Continued from Page 1)

to invest 5,000,000 pesetas from American blocked commercial credits in a single large film, it is now reported that several less expensive productions may be first undertaken.

Proceeds from such films as are created for distribution in the U. S. may be retained to apply against the peseta capital advanced by a large American creditor, the commercial attaché stated.

Heads of major company departments said on Friday that the plan as outlined by the Madrid attaché was one of several proposed in the last year. In some circles it was said that the “British motion picture group” in reality was one man who had tried on several occasions to effect such a deal.

The “large American creditor” mentioned in the Washington report is said to be a rubber company which has 20,000,000 pesetas tied up in Spain.

3-Dimension Pictures Seen on Single Prints

(Continued from Page 1)

was shown here on the week-end as a feature of the Optical Society of America’s 25th Annual Convention.

It permits two complete and distinct pictures to occupy the same place at the same time without distortion of time, loss of detail or other interference. The new process prints may be held in the hand like ordinary photographs, or pasted in an album.

RCA Schedules Benefits For Workers in Service

All employees of RCA and its subsidiaries, of six months or more standing, who may be called or who may volunteer for service in the U. S. armed forces, will be paid the difference between what they earn in their last month of employment and what they receive for their first month’s service. Additionally, RCA will continue in force for one year, the group life insurance of those who may be called or who may volunteer.

MPTOA to Co-operate On Intervention

(Continued from Page 1)

dall, MPTOA president, is slated to attend and address these sessions.

First of the meetings will be held today in Buffalo. Another meeting will be held tomorrow in Syracuse and the final parade is to be held Wednesday in Albany.

Methods of intervention and other details in connection with fighting the decree are scheduled to be discussed at the exhibitor meetings.

It is understood that MPTOA will intervene on the decree issue separately and with the New York units, although Kuykendall has not made a formal statement on the procedure.

Astor Awaiting Arrival Of 2,500,000th GWTW Fan

The 2,500,000th patron is expected to enter the Astor Theater, Broadway today or tomorrow to see GWTW. Whether that person buys his ticket today or tomorrow depends on the activity of the box-office, but a celebration is planned when the event occurs.

Picture closes its Astor run next Sunday after a 44-week run.
"Rockne" Premiere To Record WB Bally

(Continued from Page 1)

U. S. news service, top columnists and radio commentators, Hollywood stars, notables galore, company ex-eces, exhibitors, and John Q. Public in plenty. The gathering will form at least a dozen Army Division units.

Not since the "22nd Street Special" 10 years ago made exploitation history has there been anything comparable with this feat of Charlie Einfeld and Mort Blumenstock and their staffs, if you'll take the average observer's word for it. At any rate, South Bend, not exactly a stranger to hubbubloc, admittedly never experienced its like before.

The quadruple world premiere was preceded Friday by a series of events including a civic luncheon for the State columnists at the Southwest Club, a buffet supper in the Embroidery Room of the Oliver Hotel, and a series of events including the presentation from the John Adams High School with Pat O'Brien, Gale Page, Ronald Reagan, Donald Crisp, Mrs. Knute Rockne-All American, and the choir participating. Following the premiere, there was a ball at the Palais Royal. The stellar contingent made p.a.'s at all four theaters and attended the ball.

Exhibitors and circuit execs., present and absent, included, William Holden, Archie Herzoff, Dave Walter, Walter Immerman, Jack Sampson, Barry Lustgarten, William J. Holland; James Coston, Alex Mander, Morris Rubin. Also here were Tom Gilliam, Warner's Chicago branch manager; Fred Greenberg, company's Indianapolis manager and Rastus Herman, Chicago salesman.

Reverberation of Knute Rockne Memorial Week concluded Saturday, final events including a visit by the players to Rockne's grave to place a wreath, luncheon at St. Mary's College for Girls and attendance by the visitors at the season's opening games between Notre Dame and the College of the Pacific. Mutual carried the between the halves tribute to Rockne's memory.

Next WB Debut In Tacoma

World premiere of Warners "Tugboat Annie Sails Again," will be held simultaneously Oct. 18 in three Tacoma, Wash., theaters, the Roxy, Blue Mouse and Music Box. Marion Ramsay and Alan Hale, stars of the picture, will head the Hollywood contingent attending.

Alliance in Circuit Deals

Chicago—Alliance Theater circuit has closed seasonal product deals with Metro, Warners, Paramount. 

STARS!

Detroit—Harold Sandelman, state salesman for M-G-M, became the father of his first child, a girl, Carole Lynn.

Western N. Y. MPTO In Expansion Move

(Continued from Page 1)

No Pressure to Withhold Willkie Reel—Schaefer

(Continued from Page 1)

his company by Edward J. Flynn or any other person of the Demo- cratic National Committee with reference to the release of the second "Information Please" film in which Wendell Willkie appears, or any other pictures or any other film made by the Willkie reel was being "suppressed" under Democratic pressure. "Our newsreels give a 50-50 break to each candidate, and beyond that we do not intend to go," said Schaefer.

Fox DeGrave Theater, Brookfield, Mo., Opens

Brookfield, Mo.—New Fox DeGrave Theater here has opened. Present for the opening were execs. of the Fox Mid-west Theater division, including Eugene C. Bhoden, division manager; E. J. Haas, district manager; Lon Cox, film buyer; and Lou Pope, purchasing agent, all of Kansas City. Others present were: Robert O. Boller, architect, Kansas City; Walter Flett, contractor, Kansas City; Sam Abraham, film delivery service, Kansas City; Arthur Zimmerman, Kansas City manager for Fox Midwest; Robert Wither, manager, Republic Pictures office, Kansas City; Ollie Olsen, of Alexander Films, Kansas City; and the following theater man- agers: Ed Matter, Sedalia; Earl Hayes, Kirkville; Dale Havelock, Marshall; Ralph Wallace, Boonsville.

WEDDING BELLS

New Glasgow, N. S.—Marriage of Lois Marjorie Brydges of the Rose- land and Academy of Music office staff and Roderick B. MacDonald, former in St. John the Baptist Church.

Detroit—Wedding of Maxine Schreiber to Carl V. Fidler in a society event here. Bride is the daughter of Nate Schreiber, local theater owner.
“BIG FIVE” TO REQUEST DECREE

Cost Increases Limitless Under Decree—MPTOA

Kuykendall Sees Decree
As Destroying Rather Than
Helping the Film Industry

By W. E. J. MARTIN
FILM DAILY Staff Correspondent
Buffalo—The proposed consent de-
cree in the U. S. anti-trust suit against producer-distributors with
their block-of-fives sales policy is
fair and ruinous for exhibitors, Ed-
ward L. Kuykendall, MPTOA presi-
dent, told Western New York movie
theater owners and managers at a
meeting here yesterday to ratify the
incorporation of a new membership
corporation known as Williams—
(Continued on Page 9)

Korn's 18 Theaters
Acquired by Griffith

Dallas—Deal by which Griffith
Theaters takes over the O. K. The-
eras has been completed, according
to an announcement released by R. L.
Payne of the purchasing group.
The transaction involves $500,000, and
was handled by Payne and Oscar
Korn of the O. K. Theaters.
Involved in the deal were the
(Continued on Page 4)

Report S-W, Paramount
In Philly Deadlock

Philadelphia — Stanley-Warner
Theater execs, here reported to
have reached a deadlock with Para-
mount on the 1940-41 product nego-
tiations. Neil F. Agnew, Paramount's
general sales manager, and J. J.
(Continued on Page 9)

“Dictator” Seat Sale
Breaks Speed Record

Because of crowds gathering at 9 a.m.
yesterday at the Astor Theater to buy
tickets for Charlie Chaplin's “Great
Dictator,” police asked that the box
office be opened in advance of the
regular hour—10 o'clock. It was opened
at 9:30 with the stream of buyers keep-
ing four ticket sellers busy. House was
quickly sold out for the opening night,
Oct. 15, and seats were placed on sale
for the next four weeks. Four extra
telephones have been installed to take
charge of 1,600 reservations.

Shirley Temple May Sign Metro Contract

Today, with First Picture Starting in January

Deal whereby Shirley Temple will become an M-G-M star is expected to be closed
today on the Coast, it was learned here last night. Negotiations have been under
way between Vic Orsatti and Metro execs, for some time. Contract will become effec-
tive in January when Shirley will star her first picture.

AMPP-SAG Make New Proposal on Extras

West Coast Bureau of THE FILM DAILY
Hollywood—That only those extras
who have received through Central
Casting Corp., in excess of 10 days' employment during 1939 be entitled to
preferential employment is the rec-
ommendation of the standing
committee of the Motion Pictures
Producers and the Screen Actors
Guild.

The committee also recommends that the Guild grant waivers per-
imitting use of non-guild extras at the
Guild wage scale whenever production ends the number of Guild-
member extras and makes it impos-
(Continued on Page 10)

Dieferle's New Co.
To Release via RKO

West Coast Bureau of THE FILM DAILY
Hollywood — Newly incorporated
William Dieferle Productions will
release two pictures through RKO,
with the initial picture slated to go
into production in December.
Deal provides for two pictures the
first year, with RKO holding an op-
tion for two more pictures for the
second year.

Dieferle is president of new or-
organization; Robert McDonald, vice-
president; A. Ronald Button, secre-
tary-treasurer. Common stock will
be issued to the amount of $1,-
000,000.

Lange to Take Clipper
For Europe on Thursday

Fred Lange, Paramount's manager
for Continental Europe, plans to
leave Thursday by Clipper for Eu-
rope where he hopes to determine
the status of Paramount's affairs on
the Continent. Lange said he could
not predict what he will run up
against until he arrives at the vari-
ous Paramount offices as informa-
(Continued on Page 9)

U.S. May Resume U.K. Prod'n

Allport of MPPDA Confers With British BOT

London (By Cable)—Discussions
which may result in the Board of
Trade assisting American film com-
panies to resume production in Eng-
land are under way here between
F. W. Allport, of the MPPDA, and
E. B. Somervell, representing the
Board of Trade's film department.
Local production problems are be-
ing given thorough study.
In addition to production talks, All-
(Continued on Page 9)

Modifications in Substance
And Language of Draft to Be Asked at Arnold Meet

Representatives of the five negotiating companies will ask
Assistant Attorney General
Thurman W. Arnold today in Wash-
ington to make several changes in
substance and in language in the propo-
sed consent decree. It was learned at a meeting of company attorneys at the Bar
Association Building.

These representatives stated that
the decree was still not ready for
final affixing of signatures and that the
purpose of today's scheduled
(Continued on Page 4)

Court Holds D of J
Acts for All Trade

Federal Judge Henry W. God-
dard yesterday, after postponing the
hearing on the proposed New York
equity suit consent decree until Oct.
15, told Jacob Schechter, attorney
for Allied of New York, that it was
the Court's opinion that the Depart-
ment of Justice was "acting in be-
(Continued on Page 4)

First Philco Football
Telecast is Effective

Philadelphia—For the first time, a
football game, Penn vs. Maryland,
was telecast here Saturday by Philco
engineers. Ten of them, un-
(Continued on Page 9)

Last Week of GWTW
Rivaling First Week

With "Gone With the Wind" in its
last week at the Astor, Broadway, in-
edications are that the final stanza will
rival the opening week's business. Since
it was announced that the picture would
close its 44-week run next Sunday, the
house has played to capacity audiences,
it was reported yesterday that thousands
were turned away over the week-end.

Chicago—"Gone With the Wind" will
close its run of 70 months at the Woods
Theater on Oct. 15th. Attendance will
pass the million mark before the close.
UA Has Own Policy to Aid War-Closed Brit. Theaters

London (By Air Mail) — United Artists is not among the members of the KRS Council which recently agreed to suspend future contracts with theaters closed owing to the war during the period of closure. UA has a plan of its own for aiding exhibiting theaters whose theaters have been closed by war conditions.

The aim of minimizing operating losses (of both exhibitors and producers) United Artists producers have agreed that contracts on such films as “The Wizard of Oz,” “Abe becca” will be sympathetically revised in all cases where the exhibitor’s loss, provided the exhibitor re-books the film in question to play at a later date when it is hoped conditions will be more normal.”

While not avoiding loss for exhibitor or producer, UA believes this re-bookings will be to their common interest.

Better Friday Night Biz. Expected in Milwaukee

Milwaukee—Downtown exhibitors are sizing up the potential for improved Friday night business as the lack of a move by some 50 shops to remain open until 9 p.m. Many of those savvy neighboring bourses had never stayed open at night but voted for the new policy to secure some of the business away from the theaters. Claim is being captured by outlying theaters, who remain open from one to three nights a week.

Friday night is ordinarily a dull night for theaters and with those shops remaining open, it is expected to help gravitate people to the downtown area as well as hold many of those who work downtown in the district during the evening.

Civil Liberties Com. Seeks New Chi. Censor Board

Chicago—The City Council having failed to take any action on reappointing the Chicago censor board, the Civil Liberties Committee is starting a campaign to obtain public backing for a new board of censors. It will show films recently banned here at the Universal exchange projection room today.

Mandel to Build New RKO Exchange Building in Chi.

Chicago—The RKO film exchange next Spring will move into a new building, to be erected on the southwest corner of 15th and Wabash Aves., in the heart of the new South Wabash Avenue film district.

The 1300 Wabash Building Corp., headed by I. W. Mandel of Republic Pictures, will build the structure which has been leased to the RKO Company for 15 years, at a yearly rental of $16,000. Work will get under way next month and building will be ready for occupancy in April, 1941.

COMING AND GOING

MARK HELINGER, associate producer for Warners, and his wife, ELEANOR, are on a trip to New York from the Montreal.

W. C. CENERINO, Central division manager for 20th-Fox, left last night for a week’s visit to Midwestern offices on product deals.

HAROLD HUBER and his wife are leaving for the Coast tonight.

CARSON KANIN, RKO director, flew in yesterday from the Coast for a vacation.

SIDNEY STOCKTON, Metro office manager at Albany, has returned to that city after a vacation in Washington.

FLORENCE SCHOMAKER, of Universal’s Cincinnati staff, is here for a vacation.

UDA. B. ROSS, Western representative in Paris, and MRS. ROSS, arrived here yesterday from South America on the Santa Clara.

WALTER WANGER and his wife, JOAN BENITTI, have returned to New York after being out of town for a few days.

H. O. CRIST and H. J. HARRIS, Ross Federal in Hollywood, have been in Cincinnati and Indianapolis, respectively, here for home office purposes.

MRS. JAMES FIDLER is at the Warwick.

CHARLOTTE GREENWOOD has arrived here from the Coast.

JIM’s wife, FRANCES LANGFORD, arrived here yesterday from Hollywood.

RAY BOLGER leaves for the Coast Oct. 17.

WALTER BRENNAN is at the Waldorf.

JOHN LODGE has arrived in New York.

JOHN CARLFIELD arrived yesterday from the Coast.

ROSEMARY LANE is here from Hollywood for a vacation.

DAVE CHERMAN, of the Laurence, New Haven, MRS. CHERMAN, MRS. ROSE FISHMAN of Fishman Theaters, and MRS. LAWRENCE C. CAPLAN, made a motor trip to Washington.

Mandell has announced plans for a new RKO Exchange Building in its Chicago suburban district.
AS DRAMATIC AS A NEWS FLASH!
EDW. G. ROBINSON IN "A DISPATCH FROM REUTER'S" . . . RIGHT AFTER 'ROCKNE' FROM WARNERS!

WITH

EDNA BEST • EDDIE ALBERT
Albert Basserman • Gene Lockhart
Otto Kruger • Nigel Bruce
Montagu Love • James Stephenson

Directed by WM. DIETERLE
Music by Max Steiner • Screen Play by Milton Krims • From a Story by Valentine Williams and Wolfgang Wilhelm
Court Holds D of J Acts for All Trade

(Continued from Page 1)

half of the entire industry and the public" in its settlement negotiations.

The Court refused to direct the Government to distribute copies of the decree to independent exhibitor organizations prior to submission of the decree to the Court, stating that "it was not usual to give out to the public the terms of a decree before the Court sees them."

Schechter had urged the necessity of studying the decree before presenting his arguments against it, claiming that independent exhibitors had a direct interest in the hearing. Judge Goddard suggested that Schechter request a copy from the D of J directly.

Special Assistant Attorney General J. Stephen Doyle asked for the postponement of the hearing on the companies and the Government "have agreed in principle" and that he expected to have a definite proposal ready on the adjourned date. Doyle refused an offer of the Court to grant a longer postponement, declaring that the Government did not need it and would probably be ready next week.

Rosenthal Suit Sald Withdrawn by Settos

Indianapolis—Suit to dissolve the partnership owning the Vogue Theater, St. Matthews, Ky., and the Strand and Shelby Theaters, Shelbyville, Ky., filed Friday in Louisville by William Rosenthal, Indianapolis, against George Settos, Indianapolis, and Frank M. Krapp, LaJolla, Calif., all partners in the operation of Settos Theaters has been withdrawn, according to Settos. Lattor said that the action grew out of a "misunderstanding," ironed out at a conference Friday night. Rosenthal was not available for comment.

Only Two Tripling In Chi.

Chicago — The Kimbark theater, South Side, and the Coed theater North Side, were the only theaters advertising triplets, over the weekend.

Korn’s 18 Theaters Acquired by Griffith

(Continued from Page 1)

aters in 14 towns. Personnel of the theaters will only be affected to a minor degree by the change.

Garbett Des Moines Circuit Adds Kahn’s Grand Theater

Des Moines, Ia.—Garbett Theater Enterprises, Inc., has added the Grand Theater to its indie local chain through a partnership deal with L. H. Kahn, owner of the Grand, Kahn, operator of the house for the last 10 years and owner the last three, will continue to manage the theater which has been remodeled.

Five RKO Features Will Play on Mid-Town Screens

RKO Radio will have five features playing in mid-town houses this week. "Triple Justice" starts at the Central tower, while the following day, "They Knew What They Wanted," one of the company's big ones of 1940-41, opens at the Music Hall. "I'm Still Alive" moves into the Rialto, while the Palace will double bill "The Ramparts We Watch" and "Dance, Girl, Dance." About a score of RKO shows also will be on new Broadway bills.

Trans-Lux Houses Play American Defense Primer

"A Primer Of American Defense," propaganda short produced by National Screen Service for the Committee to Defend America by Aiding the Allies, is being currently shown at Trans-Lux houses in four key cities. Reel runs three and a half minutes and stresses the fact that as long as the British fleet is intact we are safe in the Atlantic, upriver and downriver so that the fleet may stay intact.

Mayer and Burstyn Will Release “Pepe Le Moko”

Arthur Mayer and Joseph Burstyn have completed a deal with Walter Wanger for the American distribution rights to the French film, "Pepe Le Moko," directed by Julien Duvivier and starring Jean Gabin. "Pepe Le Moko" is the film on which Wanger based his production of "Alig"ers," with Charles Boyer and Hedy Lamarr, in 1938. Mayer & Burstyn are now preparing the English titles and the picture will open on Broadway some time during November.

Court Holds D of J Acts for All Trade

(Continued from Page 1)

- - - TODAY we tune in the voice... of that showman sage of Chicago.... Charlie Ryan.... via quoting from his Helpful Hints No. 39.... in the most recent issue of Warners' Chi. Theaters' Exploitation Bulletin.... Subject: Trade Paper Knowledge.... "We are only wise when we admit we know nothing. Wisdom and foresight are two factors that will develop a showman.... who has his mind made up to be a success.... The manager is successful only when he surrounds himself with employees who are eager to learn the show business.... Trade papers of merit are of vital importance.... to the manager.... and he should arrange for the members of his Staff.... to read and interest themselves in these publications....

- - - "No theater man should be without a copy of every issue.... of the well-known trade papers.... because they are an important authority on our business.... as any medium he could possess".... and Charlie then goes on to say.... "There are always suggestions in these publications that tap new sources of patronage".... and concludes with.... "Trade papers have the greatest resources for collecting information throughout the country.... These magazines have specialized in the development of the various important phases of our business.... and are concerned solely in the presentation and production of motion pictures"....

- - - SPEAKING of Chicago.... that municipality which was set aflame.... in the dead of last night.... when Mother O'Leary's cow got off a spectacular quick-kick.... will be emotionally on fire on Oct. 24.... when Cecil B. DeMille's aura-boxed "Northwest Mounted Police".... world premiers at B & K's Chicago Theater.... with a nine-star cast.... CULMINATING the three-day celebration.... aside from the pictures' bow.... which is being sponsored by the financially and commercially potent State Street Council.... will be a 131-station Mutual radio hookup.... with DeMille emceeing.... and introducing what is heralded to be the.... largest block of movie celebs.... to gather outside of Hollywood.... for a big opening.... There'll be big parades.... too.... not the least of which will be the upward march of b.o. scales.... for both the Chi. Theater engagement.... and in the sub-segments of the territory thereof.....

- - - 'FRISCO and Li'l Ole New York.... will be big-premiere venues today.... On the Coast RKO Radio's "They Knew What They Wanted".... will bow at the Golden Gate Theater.... in the wake of yesterday's private preview for the Western press.... hosted by Charles Laughton.... A block-long grape festival is one of the attending events programed.... In addition to Mister Laughton.... Carole Lombard, Anne Shirley, ZaSu Pitta, Olympe Bradna, William Gargan, Leon Errol, Tim Holt and Linda Hayes.... will be on hand personally for the festivities.... The other big premiere will take place in Pater Knickerbocker's Rivoli.... where Walter Wanger's "The Long Voyage Home" will attract a brilliant audience.... including Joan Bennett, Loretta Young, Lilian Bond, Walter Brennan, Ralph Bellamy, Murray Silverstone, Eddie Cantor, Lynn Farnol.... Col. and Mrs. Julius Ochs Adler, Erich Pommer, Jules Brulatour, Hope Hampton, Capt. W. H. Pashley, U.S.N., and Mrs. Pashley....

David Sarnoff, Irving Berlin, Gene Tunney, Mrs Opgen Reid, Roy W. Howard, Hon. Godfrey and Mrs. Haggard, Conde Nest....

Felix Warburg, Lowell Thomas, H. V. Kaltenborn, Maj. Edward Bowes and Adam Gimbel....

Happy Birthday to You

From THE FILM DAILY to
Roscoe M. Mullian
Fins Fox
Eddy Chapman
Daniel P. O'Shea

Pegasus, 1940

Gene Autry and his film mount, Cham- pions, were in New York today from the Coast. It's said to be the first cross-country flight ever made by any horse in a regularly licensed transport plane. Trip via TWA started Sunday. There have been 10 hops en route.
“I WON’T DO IT, JOE! . . . YOU AND ME . . . WE CAN’T! . . . IT’D BE TOO AWFUL ON ACCOUNT OF TONY . . . I’VE GOT TO MARRY HIM!”

you’ll know what they mean, in “They Knew What They Wanted”
You have played many great motion pictures . . .
We believe you have not played a greater motion picture than this!
CAROLE LOMBARD • CHARLES LAUGHTON

"They Knew What They Wanted"

Directed by Garson Kanin

With WILLIAM GARGAN • HARRY CAREY • FRANK FAY
Kay Kyser and his band, in "You'll Find Out," with Ginny Simms and the Ha-Ha-Horror Men—Lorre, Karloff and Lugosi, is getting the finishing touches ready for early release . . . to line up with other RKO RADIO big ones like—George Abbott's Sensational Broadway Musical Comedy Smash, "Too Many Girls"—Ginger Rogers in "Kitty Foyle"—Anna Neagle in "No, No Nanette," and Orson Welles in "Citizen Kane."
Costs Under Decree Limitless—MPTOA

(Continued from Page 1) 

vile, Niagara Falls, East Aurora, Franklinville, Rochester and Buffalo were represented.

The MPTO Western zone which the new corporation supplants, were continued in office, as were these officers: A. Charles Hayman, Niagara Falls, president; Merrill A. Keyser, East Aurora, vice-president; Vincent R. McFaul, Buffalo, treasurer, and Marion Guth, Buffalo, secretary. Additional directors will be named at similar meetings in Syracuse and Albany today and tomorrow, from among whom other regional vice-presidents will be elected.

"Grief With Any Relief?"

Kuykendall said the exhibitors who would be affected most adversely by the consent decree—"grief with any relief, of which there will be little"—of course were no party to the suit, but the MPTOA was giving much consideration to a proposal that it seek to intervene as amicus curiae, friend of the court, in the suit. No consultation with exhibitors relative to the decree, he added, and said efforts would be made to show that the decree would destroy rather than help, that cost increases would be limitless.

The MPTOA chief was especially critical of the knowledge of the motion picture industry exhibited by Government counsel, and remarked also that the courts, too, had indicated decided unfamiliarity with its ramifications and peculiarities. He also expressed the view that though the Sowa endorsement of the decree had been indicated, more than 90 per cent of that organization was opposed to the decree. It was decided that the MPTOA would follow that suit to show that the decree would destroy rather than help, that cost increases would be limitless.

Slot Movies Called Menace

Nickel-in-the-slot movies Kuykendall called a new menace likely to cause a lot of trouble. James Roosevelt, he said, had intimated his own enthusiasm for them was decreasing, but none the less the President's son was going along with his project, because of investments involved.

Non-theatrical movie shows, against which the aid of major distributors had been invoked; arbitration by boards of persons outside the industry; the radio; demands for higher admissions, which Kuykendall asserted should be handled in

Call of the Wild

Dewey—The Rocky Mountain Screen Club has issued a federated license for the dried Wild River country near Mosier, and is undertaking an extensive campaign, during the ski and bear season. Invitations have only been direct mail a few days when all reservations were filled. They include film and souvenir from Chicago, Los Angeles, Dallas and Denver.

U. S. May Resume Brit. Production

(Continued from Page 1) 

port and Somerville are discussing the renewal of the currency agreement which expires on Oct. 31.

Continuous bombing of all of England by Nazi raiders has increased the difficulties and limits of film production to the extent where a production scale large enough to meet statutory quota needs of American companies is virtually impossible, it is stated here. It is anticipated that any new agreement will provide for much easier requirements. Nothing official has been made public regarding discussions between U. S. film companies and British Government officials on this subject, but official reports and logic would indicate that changes will result.

Legion of Decency Lifts Ban on "Strange Cargo"

Legion of Decency's total ban on M-G-M's "Strange Cargo" has been modified and pix has been removed from the "C" classification to "Class A, Section Four," meaning that it is "unobjectionable" for adults.

It is understood that some cuts were made to meet the approval of the Legion. This also was done in Detroit where the total ban recently was lifted.

Local 35 Signs Pacts With Detroit Studios

Detroit—Negotiations have been completed with all local studios by Local 38, IATSE, Ed King, business agent, reports. Contracts are for one year, dated as of Sept. 1. Wage scales remain unchanged, and only changes are technical, in working hours affecting starting and call time. With special reference to weather conditions, etc, King said.

"Foreign Correspondent" Three-day in Havana

Havana (By Cable)—UA's "Foreign Correspondent" opened last night at the Smith circuit's Encanto theater. House is playing the pix on a three-day policy, with 60 cents taken. From the Enchant the film will go to the Fausto for a regular run.

Vaude Back in Manchester

Manchester, N. H.—The Palace Theater here is resuming vaudeville Fridays and Saturdays.

That Exhibitor Urge

Denver—John Anderson, former owner of Theatres at Ft. Morgan and Brush, is back in Colorado, headquarters here and looking for California jobs. Anderson sold his theaters twice, last time to Frank Goetz in Colorado Springs. Anderson, a twice divorced man, also owns the new Teatro Alegre in Salinas, Calif., once a downtown, but he didn't stay long either time.
Big Five to Ask Decree Changes

(Continued from Page 1)

meeting in Washington was not to sign the decree, but to continue discussions on several points.

Among those who will attend the capital parley will be Nicholas M. Schenck, George J. Schaefer and Thomas D. Thacher, with a possibility of Robert W. Perkins, J. Robert Rubin, Joseph Hazen, Dwight Shipman and Austin C. Keough. At least one representative from each of the five companies will be present. Yesterday's conference, it was said, was in preparation for the Washington meeting with a discussion of the companies' stand in the face of possible questions from Arners.

Those attending yesterday's conference were: Louis Phillips, Joseph Hazen, R. W. Perkins, J. Robert Rubin, Thomas D. Thacher, Austin C. Keough, William Mallard and O. C. Doering.

The final decree, it was learned, will be somewhat longer than the draft already published in The Film Daily but will not differ a great deal in substance. Clarification of language has caused the final draft to be more wordy. It was stressed, however, that the decree is not complete.

100 at Cuban Exhib. Dinner

Havana (By Air Mail)—More than 100 attended the National Union of Exhibitors of Cuban banana at the Villa Maria. Officers-elect for 1941 were introduced. Among guests were: Dr. Manuel Pellon, president of the Cuban Film Board of Trade; Ernesto P. Smith of the Smith circuit, and Henry Weiner, local manager for United Artists.

"Rocke" Openings Strong

"Kuete Rocke—All American" set a new opening day record at the Roxy, Springfield, Ill., where it started on Saturday. Warners home office was advised yesterday by Max Tschauer, city manager for the Frisina circuit. Film also played to heavy hits at the Fox, Philadelphia, despite opposition there from the p.a. by Wendell Willkie.

Cohen in L. A. Field

Leo Cohen has established quarters at 15 Central Park West and will acquire features for distribution in Latin-America. Cohen for years was a French film exporter and importer.

STARKS

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Bob Burns, wife of the film and radio star, gave birth to a son here on Sunday. Baby is couple's third child.

REVIEWS OF NEW FILMS

"Time in the Sun" World Pictures 55 Mins. SUBTITLED DIRECTED AND PHOTOGRAPHED HISTORICAL-SOCIAL DOCUMENTARY. A NATURAL FOR DISCRIMINATING FILMGOERS.

Based upon his unfinished film, "Que Viva Mexico," this social-historical documentary directed by renowned Serge M. Eisenstein, fashioner of "Potemkin," "Ten Days That Shook the World" and other outstanding productions, demonstrates the vast potentialities of motion picture technique and the ability of the screen as an informative instrument.

Essence of the footage is the centuries long journey of the Mexican Indian toward the achievement of independence. The country's rich and varied history is told through episodes and symbolisms, commences with the creation of the earth and carries through the ages.

Primitive life of the people is depicted, which flowed into a culture and civilization pitifully halted by the coming of the conquistadors. Considered as encumberless, the film is packed with religious and ritualistic expression of a faith bequeathed to him by his conquerors.

The strange melding of Christianity with the so-called pagan heritages is one of the most impressive attributes of the picture. Climax scenes reveal the decisive anger of the natives on the Feast of Our Christi which led to the fall of Diaz in 1911 and the nominal breaking of the social and genetic chains of the Indian. Picture is described as "a dramatic film symphony of Mexico."

That it is, Too, it may be viewed by some as propagandistic. Whatever side of the social issue the opus is viewed from, is a splendidly-made and stimulating film offering which sends a pang of regret—that Eisenstein never completed his "Que Viva Mexico." E. Tisse's photography is superb. Camera angles are painstakingly selected, and most of it is so breath-taking that it will be appreciated by professionals and lay alike.

"Time In The Sun" is both art and "of the people."

CREDITS: Producer, Marie Seton; Director, Serge M. Eisenstein; Photography, E. Tisse; Editorial Supervisor, Paul Burnford; Script and Narration, Marie Seton, Paul Burnford; Assistant Director, G. Alexander; Assistant to the Producer, Dorothy Baldwin; Narrators, C. F. Lindsey, William Royal, Mexican Assistants, A. Best-Magu- gar, Aragon-Liwa, Indian Musician, Ponce Espino, Carlos Tarin; Musical Director, Cadell.

DIRECTION, Superb. PHOTOGRAPHY, Excellent.

Howard Barnes to Review Movies. Plays for WOR

Howard Barnes, motion picture critic on the New York Herald Tribune, last night began a series of nightly "critic-at-large" programs over radio station WOR to be known as "Mr. Barnes' Reviews." He will review first nights of both stage and screen attractions.

His talks will last for five minutes and will be on the air at midnight from Monday to Friday inclusive. For major openings he may also go on the air on Saturdays.

RMA to Hear Tele Com. Progress Today

Progress of the National Television Systems Committee since its formation in July will be described by Dr. W. R. C. Bader, head of CBS radio and tele department, today at the meeting of the Radio Manufacturers Association at the Hotel Roosevelt.

Powell-Loy for "Mr. Co-Ed"

West Coast Bureau of THE FILM DAILY

Hollywood—Metro yesterday cast William Powell and Myrna Loy for lead roles in "Mr. Co-Ed" by Kenneth Earl, Curtis Kenyon and M. M. Musselman. It had been originally scheduled for James Stewart and Joan Fontaine. Under direction of George O'Brien and Robert McGonigle are working on the script. Production will not start until next year.

AMPP-SAG Make New Proposal on Extras

able to fill a call with Guild members alone; that if requirements of the industry warrant it, the Guild should admit to probationary membership each year a number of young people who shall be entitled to full membership at end of one or two years only if their employment record in the industry indicates that they have the necessary qualifications for extra work; that extras who qualify for preferential employment be at once re-registered, re-described and re-classified at Central Casting; that an immediate effort be made to see that producers who are not members of the AMPP use Central's facilities for casting.

The committee's figures show that the average earnings of extras has increased between 1936 and 1939 but the committee points out, who did not demand a sum of money necessary to maintain an individual, much less a family of several persons.

The average number of days worked per individual, among extras, in 1939 was 28.89 and average annual earnings per individual in 1939 was $77.26. The report states that it would be to the benefit of the community definitely fewer, if the marginal group which worked 10 days or less during 1939 into looking elsewhere for regular employment and income.

The minimum qualifications for 10 days or less through Central Casting represent only 30 per cent of the estimated number of 15,000 extras who worked sometime during 1939. Of 19,511 persons regularly employed in major studios as of Aug. 51, 1946, only 18 could be classified as refugees, according to information made public by Secretary Kenneth Thompson of the SAG.

Ester Heads Trade Press Div. for Community Fund

Chicago—Joe Ester, THE FILM DAILY staff correspondent here, has been named chairman of the trade paper division of the Community Fund. Harry Toler, Dorothy Nes-sol, Charles McNeill, Hal Tate, Hal Helperin, Nat Green and Henry Markbreit, will serve as captains in the Community Fund Drive.

Swanson Bites Today

Funeral services for Arthur Swanson, 50, Broadway producer and song writer, were held today in West Plains, Mo., and will be held at 2:30 p.m. today at the Universal chapel, Lexington Ave., and 52nd St.

WEDDING BELLS

Fond du Lac, Wis. — Miss Cleo Elaine Moore, who has been employed at the Fond du Lac Theater, was married to Sylvester Kenigs.
THE WORLD WILL SOON BE LAUGHING AGAIN!

WORLD PREMIERE TUESDAY EVE, OCTOBER 15 at the Astor and the Capitol Theatres, New York. All seats reserved at $2.20. Thereafter, all seats reserved at the Astor only at $2.20 top, while at the Capitol, continuous showing, from $1.10 to 75c.

Charlie Chaplin

THE Great DICTATOR
PRODUCED, WRITTEN AND DIRECTED BY CHARLES CHAPLIN
with PAULETTE GODDARD
JACK OAKIE • HENRY DANIELL • REGINALD GARDINER • BILLY GILBERT • MAURICE MOSCOVICH
Released thru UNITED ARTISTS
A HAPPY SOLUTION TO YOUR BOX-OFFICE PROBLEMS!

SPECIAL ATTRACTIONS – Without exception will be veritable slices of life—and with one thought uppermost in their conception and presentation—will contain exploitation angles that pull in the masses.

FEATURE PRODUCTIONS – Widely diversified in discriminating audience appeal—Works of famous authors and recognized screen playwrights selected for their titles and topical value.

WESTERNS – Will epitomize frontier gallantry and courage, and will contain an abundance of the fundamental elements so essential to this type of screen entertainment.

PRODUCERS RELEASING CORPORATION

EXCHANGES EVERYWHERE

PRINCIPAL OFFICES
1501 BROADWAY
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STUDIOS
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HOLLYWOOD, CAL.
LIGHTING EXPERTS

BESIDE the camera and behind the lens, lighting experts work in perfect agreement. Cameramen depend implicitly on the ability of Eastman negative films to bring out the best in every scene. The beauty of modern productions is striking evidence of the success of this partnership.

Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X for general studio use

SUPER-XX when little light is available

BACKGROUND-X for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Metro's Share Reported at 13 to 14 Millions. With Nearly Half to Selznick

As "Gone With the Wind" completes its final week both in New York and Chicago, the last two engagements until next year, it is estimated by reliable sources that the picture has grossed approximately $23,500,000 in theaters throughout the U. S. and has been seen by 20,000,000 persons.

It is reported that M-G-M's share has been between $13,000,000 and $14,000,000, of which approximately 

(Continued on Page 14)

Stein to Make Pix in U. S. for Select

Paul L. Stein, director now in London, is scheduled to make a series of pictures in the U. S. for Select Attractions, Inc., and possibly one in Bermuda. It is reported that Stein is behind a plan to have a British film company shift its production activities to Bermuda and to build a studio there.

George Richfield, representing

(Continued on Page 14)

Schenck Sees Upswing In Theater Attendance

West Coast Bureau of THE FILM DAILY

Hollywood—The coming year gives promise of increased attendance at picture theaters and improved industry conditions, Joseph M. Schenck stated yesterday, following conferences held by Sidney R. Kent, Darryl F. Zanuck, William Goetz and

(Continued on Page 15)

Coast Execs. Honor Mayer at Dinner

West Coast Bus. THE FILM DAILY

Hollywood—A dinner honoring Louis B. Mayer, chairman of motion picture industries community chest drive, will be held at Victor Hugo's today. Eighty executives representing studios, unions, guilds and crafts will attend to discuss program for launching the 1940 chest drive.

(Continued on Page 15)

WB SERVICE MEN TOLD JOBS SAFE

Salary Allowance, Other Financial Aid Possible Under Plan Announced by H. M. Warner

All employees of Warner Bros., who are drafted or who are members of the National Guard, will be given their jobs back or similar positions at the expiration of their military service.

This was announced here yesterday by Prexy Harry M. Warner, who stated that the Warner employees would be given a special leave of absence for the period of their active duty.

In addition, all employees who have been with the company over one year will receive two weeks' extra salary when reporting for duty; consideration will be given to the payment of a monthly sum to the employee or his dependents, such sum

(Continued on Page 14)

Allied Behind '8' Ball, 7 Nazi Bombs Fire

Kuykendall Asserts

Syracuse, N. Y.—Allied is "behind the eight ball" in the consent decree situation, Ed Kuykendall, MPTOA prexy, told Syracuse and vicinity exhibitors at a meeting in the Hotel Syracuse here yesterday. Assemblage was composed largely of former members of the old New York Allied unit here.

Kuykendall asserted that Abram

(Continued on Page 7)

Hearing in Shapiro Trust Suit Set for November 7

Philadelphia—Hearing in the antitrust suit brought by Ruben Shapiro, who operates the Admiral Theater, against Warner Bros. theaters and major companies, which was in

(Continued on Page 14)

Townsendites Buying Hundreds of Projectors

Chicago—The Townsend Plan is in film biz. Film division of the national Townsend old age pension organization, which claims 2,000,000 members in

(Continued on Page 14)

Cuban Agreement in Sight

Hear Terms Acceptable to U. S. Distributors.

French Censorship Will Regulate Export Films

Vichy (By Cable)—The Petain Government proposes to exercise strict control over film exports, and will employ censorship to regulate the type of pictures to be offered in the international market.

Text of the proposed decree has been submitted to the Cabinet.

Havana (By Cable)—U. S. distributors have accepted in principle the terms of a new uniform agreement covering exhibition here, thereby assuring settlement of the anti-blockbooking controversy which threatened to result in a cessation of operations here by the distributing companies, informed sources said yesterday. Phraseology, however,

(Continued on Page 14)

Report Proceedings as "Amicable" and on a Satisfactory Basis"

Washington—With several ranking motion picture executives flying to the capital to join in lengthy conference at the Justice Department to iron out the consent decree suit, the industry-Government con

(Continued on Page 16)

Indo-China Film Shipments Halted

Because of the current crisis in the Orient, film shipments to Indo-China have been suspended temporarily, it was reported yesterday by Massie, Barnett & Co., film forwarders. Meanwhile, shipments to Europe

(Continued on Page 15)

Tele Standards Pressed For Jan. 1 Completion

Despite the complicating factor presented by CBS's introduction of color television, progress on tele

(Continued on Page 16)

‘Long Voyage Home’

Ace Entertainment

His 1940-41 banner already foetwined with the fresh and rich gorillas of “Foreign Correspondent,” Walter Wanger releases via UA another entertainment bombshell in the John Ford production of Eugene O'Neill’s “The Long Voyage Home” which last night had a gala pre-miere at the Rialto here before an audience replete with notables.

It is a powerful, realistic vehicle, human and dramatic from main title to end, and in this span, despite the episodic nature of the story, which is typically O'Neill, the material, acting and direction are of such transcending quality and interest that, on one count, at least, another, the gilded cinematic idol, Oscar, may already be practicing for a future smile. Put it down as ace entertainment for all houses. (For full review, turn to Page 2B. For premiere report, see Along the Rialto, Page 7.)

—MORRIS
Pittsburgh Variety Club Names Kellenberg Barker

Pittsburgh — The Variety Club elected the following officers for the next annual meeting: Chief Barker, C. C. Kellenberg, 20th Century-Fox; First Assistant, Bertus Bishop, Jr., M-G-M; Second Assistant, M. N. Shapiro; treasurer, Mort England; secretary, Al Weihinger.

Named to the board of directors were James Ballmer, Brian McDonald, Elmer Ecker, M. A. Rosenberg, Tony Stern, Mike Galleger. As delegates to the National Convention Harry Thomas and James Potter were elected, with alternates, John T. McGreevy, Brian McDonald.

Hellborn and Rich New Exploiters for Metro

Two additions to Metro’s staff of field representatives were announced yesterday. Louis Hellborn has been appointed exploitation representative in the Omaha and Des Moines territories, and Gene Rich has been named assistant in the same capacity for the Chicago territory.

Hellborn, who will make his headquarters at M-G-M’s annuity, succeeds H. W. Lambert, while Rich’s appointment fills the vacancy caused by the transfer of Norman W. Pyle to Minneapolis.

Wieland-Lewis, Warners Co-op for Free Parking

Atlantic City—the Wieland-Lewis group and the Warners Circuit hit a new co-op high when the avenue theaters of these two companies joined in taking over a big parking lot to provide free parking for patrons. Houses are the Colonial and Embassy, located in center business district, where hour parking meters are installed. The Warnan Hollywood theater countered with an indoor parking plan, free to patrons.

Col. Donovan to Speak in Rochester Monday

Rochester—Col. William J. Donovan will address Group II, New York State Bankers Association, here next Monday. Arrangements for the address were made by Maj. Edward P. Curtis, sales manager, motion picture film dept., of Eastman Kodak Co., and a director of a local bank.

“Let George Do It” Will Open at the Globe Oct. 19

George Formby British starrer, “Let George Do It,” which Film Alliance of the U. S. is distributing on this side, will open at the Globe here on Oct. 19.

Bert Stoddard Dead

Syracuse, N. Y.—Funeral services for the late Bert Stoddard, 55, professionally Bert Strad, vaudevillian and orchestra leader, were held yesterday in the Church of St. spiders, at St. Joseph’s, where the body lay in state until 6 p.m. Mrs. Stoddard, who was at one time known as the Stoddard, or George W. Stoddard, Jr., lived in the house where the late Bert Stoddard was born.

New Naylor-Segredo Firm Takes Hoffberg Pic in Cuba

Deal has been closed between Hoffberg Productions, Inc., and Cia. Nacional De Peliculas S. A., whereby the newly-formed Cuban distributing company will handle 31 Hoffberg releases in that territory on a franchise basis. The Cuban firm was organized by George Naylor, Universal branch manager in Havana for nearly 15 years, and Jose Segredo. Cia. Nacional has also purchased some other independent product for distribution in Cuba. Naylor and Segredo are currently in New York, making their headquarters at Hoffberg’s New York office.

Menchen, Who Introduced Miniatures in Pix, Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Masonic funeral services were held yesterday for Joseph L. Menchen, 60, who died of a heart attack. He was the only man to handle miniatures and motion picture production and played an important part in the development of the screen.

For 10 years he confined his business activities to managing rights to the “Arsene Lupin” stories. Recently he completed inving an aerial battle, liquid fire and an aerial torpedo fighter which is ready to be turned over to the government.

38 More U. K. Youngsters Find Eastman Sanctuary

Rochester—Thirty-eight British children, destined for homes with Eastman Kodak workers’ families for the duration of the war, arrived here over the weekend. They comprise the second batch of youngsters arriving from English Kodak workers’ homes.

N. Haven Subsequences Up Price 5c for “Boom Town”

New Haven — The Loew-Poll-Bi- lou, downtown subsequent, and the Dixwell Playhouse, Fishman nabe, will play “Boom Town” at five cent advance in admission plus tax, beginning tomorrow. Top will be 33 cents in both houses.

“Rockne” Tops in South Bend

South Bend, Ind.—Running 25 per cent ahead of “The Fighting 69th,” Warners’ “Emile Rockne—All American” is giving the Colfax here a new high gross. Pix continued at the Colfax following its quadruple winning Friday night.

Rosenthal Suit Dismissed

Louisville, Ky.—Order dismissing the suit brought by William Rosenthal, owner of a gambling house for Albert Dussing, 55, professionally Bert Strad, vaudevillian and orchestra leader, was entered here yesterday.

COMING and GOING

GEORGE J. SCHAFFER leaves for the Coast in the near future.
BURLY BELLER, Metro director, returns to New York today after a brief visit to Boston.
JOE NADEL, production manager for Boris Morros, returns to Hollywood Friday.
JIMMY FISHER is stepping at the Warwick.
CHARLES LAUGHTON left the Coast yesterday for Chicago to make a p.a., there on the opening of RKO’s “They Know What They Wanted.” He will also visit Detroit before arriving here.
JUNE DUREE leaves Hollywood for a brief trip at Warner Springs, Calif. to attend the world premiere of the “Thief of Bagdad” there Monday.
ROCHELLE HUDSON, JEAN PARKER, ISABEL EWELL, L.Y. LBE, BETTY JANE COOPER, and JEAN CARY are arrivals from the Coast.
BETTE DAVIS returns to Hollywood this week.
FRED LANCE, Paramount’s continental Europe director, clips out tomorrow for Lisbon.
SOL SIEGEL is scheduled to leave the Coast this latter part of this week for a vacation here.
W. RAY JOHNSTON is in town for a few days.
EDWARD GOLDEN, Monogram sales chief, leaves Sunday for the Coast via several key cities.
GERARD RICHFIELD, representing Select Attractions, leaves for the Coast last week-end.
PAUL STEIN, director, is expected here from London next month.
ROBERT J. DONALD, A. RONALD BARTON and CHARLES L. GLETT of William Dietrich Productions arrive for the Coast.
SABINE KRAUZ of Select left New York last night on a five-weeks’ trip which will take him to the Coast and back, first stop in Cleveland.

Gleett With Dieterle As Associate Producer

Charles L. Gleett, who will function as associate producer for the new William Dieterle Productions which will release through RKO Radio Pictures, is stepping Monday, following business conferences here. Accompanying him will be Robert J. McDonald, vice-president, and A. Donald Barton, secretary-treasurer, of the new corporation.

Icy Opposition Nears San Jose, Calif.—San Jose theaters will have new competition starting this month with the completion of the new $100,000 “ice bowl,” skating ring.

FINANCIAL

(Tuesday, Oct. 8)

NEW YORK STOCK MARKET

Net

High Low Close Chg.

Am. Soc. 8% 8% 8% 0

Col. Picts. 2% 2% 2%

Columbia Picts. ptd. 20% 20% 20%

Com. Ind. 5

Conn. Film. Ind. 4

East Kodak 133 132 132

Do ptd. 10

Gum. Th. Eq. 26 25 25 25

Leeu. Inc. 3

Paramount 5 5 5

Para. 1st. ptd. 86 86 86

Para. 2nd. ptd. 85 85 85

Path. Film 95 95 95

RKO 5 5 5

RKO 10th Century-Fox 5 5 5

Saban Pictures ptd. 6

Univ. Picts. 5

Warner Bros. 2 2 2

Do ptd. 2

NEW YORK BOND MARKET

Keith B. F. $1,596

Loew’s deb. 23%7

Para. B’way 5355 48 47 47

Para. Fats. 63,517 2

Para. Picts. cv. 13,449 91 91

Warner Bros. deb. 106

NEW YORK CURB MARKET

Monogram Picts. 9

Sotheast Corp. 9

Technicolor 9

Thomas-Lex 9

Universal Corp. etc. 4

Universal Picts. 4

Columbia to Pay 68c

Columbia’s Board has declared a regular quarterly dividend of 68c a share in the $2.75 convertible preferred Stock of the company, payable Nov. 15, to stockholders of record, Nov. 1.

Join “Lady Eve” Cast

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has added Bert Stoddard and Robert Grie to the cast of “Lady Eve” which will enter production on Monday.

Wednesday, October 9, 1940

Happy Birthday to YOU!
One Thousand and One Sights
From the Thousand and One Nights!

The winged arrow of the
Thief of Bagdad flies to its
mark! Jaffar, Prince of Evil,
galloping his magic horse
through the clouds high
above the jewelled towers
of Bagdad, topples from
his golden saddle... falls!
An amazing moment in
the most amazing motion
picture ever filmed... with all the wonders of the
Arabian Nights in spec-
tacular magic Technicolor!

SO BIG—that it has to be
ROAD-SHOWED AT

$2.20 TOP

Alexander Korda presents

THE THIEF
OF BAGDAD

in Magic Technicolor!

CONRAD VEIDT • SABU • JUNE DUPREZ • JOHN JUSTIN • REX INGRAM • MARY MORRIS
Released thru United Artists
Road map to exciting adventure in the most spectacularly beautiful picture ever filmed

ALEXANDER KORDA presents

The THIEF OF BAGDAD

IN TECHNICOLOR

with SABU - CONRAD VEIDT - JUNE DUPREZ - JOHN JUSTIN

Released thru United Artists
The fabulous flying horse

Escape from the magic valley

The Prince and the Princess

Captured by bandits

The wicked magician

The magic army arises

Transformed to a dog
a miracle campaign
of pre-selling...

millions reading
about it...millions
waiting for it...
7 Nazi Bombs Fire
Teddington Studios

(Continued from Page 1)

no interruption in production was necessary.

Before the cameras was "An Empire is Built," co-starring John Gielgud and Diana Wynyard, with Thorold Dickinson directing.

British National Quarters
Wrecked by Nazi Bombers

London (By Air Mail)—British National is now located temporarily in the Rock Studios, Elstree, following destruction of its own quarters by a Nazi bomb.

Distributors of films are evacuating their London offices due to the German bombings. ABFD has removed all departments to the Ealing studios, Fairly Green. Paramount has moved all non-essential departments to Maidenhead, with the rest remaining in London. United Artists has established its office at Gerrards Cross, but with the London branch sales office, publicity, posters and advertising accessories remaining in London.

RKO Radio has established its head office at its Elstree headquarters. Staff personnel, with the exception of the London sales branch and the publicity department, will hold headquarters at the Imperial Studio, Boreham Wood.

Equity Appoints Member
On Army Entertainment

Actors Equity yesterday appointed Maida Reade to confer with officials of the mobilization of the War Department on how the stage can help in furnishing entertainment for the men in service.

Member of Actors Equity serving in the Navy, Army or Marines will be excused from paying dues, although the suggestion was made that such members seek an honorary withdrawal card.

Team Paulette Goddard, Boyer
West Coast Bureau of THE FILM DAILY
Hollywood—Paulette Goddard and Charles Boyer will be co-starred in "Hold Back the Dawn" which Arthur Hornblow, Jr., will produce for Paramount. Miss Goddard will not be free until she finished in James Roosevelt's U. A. pic, "Pot o' Gold."

WB Buys "Gentle People"
West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros., yesterday bought screen rights to Irwin Shaw's Broadway play, "Gentle People."

Chi. Censors Reject
Three in Two Months

Chicago—Local censor board eyed 256 films during August and September and rejected only three, "picked" five for adults only and made a total of 91 cuts, according to Lieut. Harry Castello. Footage passed upon totaled 877,000 feet.

ALLIED BEHIND '8' BALI
Kuykendall Asserts

(Continued from Page 1)

F. Myers, Allied's general counsel, had involved Allied in the mess and declared that both the Department of Justice and Myers wanted "to drop the hot baby in Judge Goddard's lap."

As for the MPTOA's position, Kuykendall affirmed, "We may be forced to accept the proposed consent decree, but we will never agree to it."

He predicted several distros, would never sign.

The exhibit, held yesterday went extensively into trade problems. He predicted a shortage of product "in the next few months" and saw longer runs forced as a result, with eventually exhibitors being confronted with "type pictures for type theaters."

Kuykendall, turning to needed reforms, asserted that reasonable cancellations would eliminate evils. He heldDistros, responsible to a great extent for the present confusion in industry ranks.

Aseap's practices were described by Kuykendall as a "racket, pure and simple."

Turning to the admission price problem, the MPTOA's proxy warned that if too many exhibits. cut to 20 cents revision of the tax measure is inevitable.

Kuykendall was introduced by A. Charles Hayman, of Buffalo, proxy of the MPTO of Western New York. Sidney Pfefer, Buffalo attorney for the unit, led the informal discussion which followed Kuykendall's talk.

The MPTOA chief goes to Albany to speak before another meeting today.

Whether Sacryscape exists, are to form a MPTO unit will be determined at a parley to be called later.

Siamese Feature Aims
At American Market

Bangkok, Siam (By Air Mail)—American distribution will be sought for a Siamese feature, with English dialogue, just completed by the Thai Film Co. Historical in theme, picture was made at the instigation of the Minister of Finance.

Wall Named Conciliator

Chicago — Jack Wall, business agent for the Porcia Operators Local 185, has been named a labor conciliator on the Illinois State Labor Board under Marty Durkin, state director.

STORiKS!

Joseph Nadel, production manager for Boris Morros, now in the East, is a brother-in-law to his daughter, Mrs. Charles Metzer, on the Coast. New arrival has been named Michael Donald, with Morros serving as godfather.
BRILLIANTLY DIRECTED SEA SAGA WHICH ACTING AND ACTION MAKE IT ACE ENTERTAINMENT FOR ALL HOUSES.

His, 1940-41 banner already festooned with the fresh and rich garlands of “Foreign Correspondent,” Walter Wanger releases via UA another entertainment bombshell in the John Ford production of Eugene O’Neill’s “The Long Voyage Home.” It is a powerful, realistic vehicle, human and dramatic from main title to finish, and in this span, despite the episodic nature of the story, which is typically O’Neill, the action, acting and direction are of such transcending reality and interest that, one or another, the gilded cinematic idol, Oscar, may already be practicing for a future Academy Award.

The screenplay recounts the voyage of the British tramp, Glencairn, from the West Indies to Baltimore and thence to England. Prior to space in a glance, on the long voyage home, he takes aboard a cargo of munitions,—a circumstance which turns the natural “beefing” of the crew into a case of physical danger.

Fears are amply realized, for not only does a heavy gale test the mettle of the ship, and the mountainous waves hurl the Ward Bond on the stormy deck to bring him death via a broken rib puncturing his lung (his demise is one of the memorable scenes), but a Nazi bomber swoops from the skies off Britain to drop its deadly sticks on the Glencairn, peril the explosive cargo, and, in the attack, machine-gun the vessel, killing Ian Hunter who is going home to his wife and children.

Safely in port after the harrowing crossing, the balance of the motley crew set themselves to the collection of gold which John Wayne gets safely home to his aged mother in Sweden. This is finally effected but one crew member, who is credited as a rifleman in the film, is Shahgood in a filthy waterfront pub but rescued by his shipmates, one of whom, Thomas Mitchell, is victim of the imprudent practice. The latter’s vessel is torpedoed a few hours later in the Channel.

The saga’s finale depicts the remainder of the Glencairn’s crew re-boarding—now all of a sailor ever and inevitably returning to the sea. “The Long Voyage Home is a splendid document of blue water and life, the diary of excitement, adventure, drumy animals, tender-heartedness, bestial behavior, strength and weakness, hope and despair.”

The footage is pitched down to earth and down to the sea. Accordingly, it is fine audience fare, whether the scenes are those of the boisterous “party” twist the crew and the women of easy virtue at a West Indian port; life in the forecastle or the burial at sea, when a howling wind drives the dead across the water to simple graves. In addition to the players already mentioned, Barry Fitzgerald, Wilfred Lawson, Mildred Natwick, John Qualen, Ward Bond, Arthur Shields, Joseph Sawyer, J. M. Kerrigan, Rafaela Ottiano, Carmen Morales, Edward Arnold, Lyle Talbot, John Qualen, William Bevan, Cyril McLaglen, Douglas Walton, Constantine Romanoff, Edgar “Blue” Washington, Edna Pape, Jane Crowley, Maureen O’Hara, Ward Bond, Francis Ford, Hume Cronyn, Robert Montgomery, and Agnes Moorehead, give splendid performances. John Ford’s direction is superb at all times, and Gregg

**“The Long Voyage Home Home”**


**“Blondie Has Servant Trouble”**

With Penny Singleton, Arthur Lake, Larry Simms

PLenty OF FUN, THRILLS AND MYSTERY MAKE PIX AGREEABLE FAMILY FARCE.

Blondie, Dagwood and Baby Dumpling get hold at their best in Columbia’s latest release, based on the well known newspaper comic strip. There is plenty of fun in the picture, quite a thrill and Penny Singleton is doing a terrific job. The story is excellently told by a series of adaptable scenes and effects which have been handled with great skill by the director. The production is remarkably clean and attractive, which in the hands of the director is a compliment to him and to the studio. The picture is a fine example of the sort of thing that Columbia is doing so well at the moment. It is a comedy of the highest order. The acting is good, and the direction is excellent. The picture is a real joy to watch.

**“They Knew What They Wanted”**

With Carole Lombard, Charles Laughton, William Gargan

RKO Radio

96 Mins.

SPLENDID DRAMATIC STORY, EXCELLENT PERFORMANCES AND EXCITING ACTION; PIX SHOULD BE BIG AT B. O.

Producer Erich Pommer and Director Garson Kanin have created a strongly dramatic and excellently enacted screenplay from the novel by Walter Van der vega which has been given a great stage play, the picture holding strong box-office potentialities. The story is the identity of a man, and it has been depicted with daring and finesse. Exhibitors have two outstanding “names” to sell in Miss Lombard and Laughton, while the story itself offers numerous exploitation possibilities.

The picture can easily qualify as one of the best dramatic efforts of recent years. At the same time, it is quite definitely a success in every respect and will have the public calling for more. Miss Lombard and Laughton are superb, and the picture is a fine example of the sort of thing that Columbia is doing so well at the moment. It is a comedy of the highest order. The acting is good, and the direction is excellent. The picture is a real joy to watch.

**“Drums of the Desert”**

With Ralph Byrd, Lorna Gray, Mantan Moreland

Monogram

(HOLLYWOOD PREVIEW)

FRENCH FOREIGN LEGION STORY WITH FRESH ANGLES SHOULD SATISFY POP AUDIENCES.

Producer Paul Malvern and Director Dagwood Wanger have done good work in presenting a French Foreign Legion story that has some fresh angles. Their mo-lehama has welcomed comedy relief supplied by a troope of parachute-jumping Senegalese.

Ralph Byrd gives a convincing performance as a French lieutenant, who is in charge of the dusky soldiers. Lorna Gray is decorative and capable, while Peter George Lynn also does good work. Mantan More- laundoe will bring her back after she exceptionally clever performance. William Castello is sufficiently suave and disarmingly as a native chiefman. Jean Del-Val, Ann Basevi, Rina Paris and Bud Harris are among the principals.

On board ship to Algiers, Byrd meets and falls in love with Lorna Gray, who is to join her fiancée, Lynn, Byrd’s close friend. After Marx, Castello’s young brother, is executed for leading an attack on the legionnaires, castaways truth. Lorna Gray has been told by Ann Basevi, wife of the post’s commander, of Lorna’s new love for Byrd and she wants him to rescue her. Design is admirably maintained.

Too much cannot be said for the performances of the cast. Miss Lombard is vivid and sympathetic in the role of a woman who is married, not necessarily for love, but for a purpose, to have a home and children, to try and be good, to a man, and kind. Architecture is fine as an Italian grape grower in California’s famed Napa Valley. His accent is good, his make-up convincing, his performance generally fine. How- ever, there are several scenes where a little histrionic restraint might have been helpful.

Surprise performance of the picture is contributed by William Gargan, who deserves all sorts of applause for his splendid job. Cast as an illiterate, self-conceited young wanderer who doesn’t care to get to know people too well so he won’t owe them anything, yet likes the girls, the picture. Miss Lombard and Laughton more than a run for their money for acting laurels. Harry Carey and Frank Fay contribute nicely, and are supporting roles that are important to the story. The remainder of the cast is very much on the plus side.

Pommer has strolled nothing in production value to give the picture authenticity and the best to be had in the way of technical skill. Garson Kanin directs the story with a little feeling for the story which he skillfully keeps together at all times without any awkward lapses or jumps as it smoothly rolls to its conclusion. Pography of Harry Stradling is also worthy of comment, with some of the shots taken in the early morning notable additions to other fine work. John Maxwell; score of Alfred Newman is a further complement to the picture’s all-around top-flight quality. Story in brief is as follows: Laughton goes to Frisco, sees Carole and falls for

**“REVIEWS OF THE NEW FILMS”**

Wednesday, October 9, 1940
HAPPY DAYS!

Here comes a glamorous new world of talent, youth, beauty and song, in...
Kissable co-eds by the score . . . romance sparkling in a river of rhythm . . . Fun, fight, football—even cowboys! . . . More story, more songs, more dancing, more laughs, more of everything folks want than you've ever had in a musical! . . . AND THAT KIND OF A SHOW IS BIGGEST BOX-OFFICE OF ALL, RIGHT NOW!
MUSICAL HIT!

with top talent from the stage show and Hollywood

LUCILLE BALL • RICHARD CARLSON • ANN MILLER • EDDIE BRACKEN • FRANCES LANGFORD • DESI ARNAZ • HAL LEROY

Produced and Directed by GEORGE ABBOTT

EIGHT RODGERS AND HART SONG HITS OF ANYBODY’S TOP TEN:

“Lone Never Went To College”—“I Didn’t Know What Time It Was”—“Heroes In The Fall”—“Pottawatomie”—“Look Out”

—“Spic and Spanish”—“You’re Nearer”—

“Cause We Got Cake”
Ginger Rogers, as America's white-collar Girl, in Christopher Morley's "Kitty Foyle," now in production as one of the forthcoming big RKO RADIO shows, which include pictures like Carole Lombard and Charles Laughton in "They Knew What They Wanted"—Kay Kyser and his band in "You'll Find Out"—Anna Neagle in "No, No Nanette" and Orson Welles in "Citizen Kane."
**REVIEW OF THE NEW FILMS**

"Mexican Spitfire Out West"  
with Lupe Velez and Leon Errol  
RKO Radio  
(HOLLYWOOD PREVIEW)  
SUN-FIRE FOR LAUGHS NETTED BY COMEDY THAT MOVES ALONG AT A FINE TEMPO.  
This latest picture of the Lupe Velez Leon Errol series is sure-fire for laughs. The duo run through a continuous sequence of comic situations until a crescendo of laughter is attained. Lupe delivers with her usual style and Leon Errol is strikingly funny. His characterization of the droll Lord Epping is classic.  
Arriving from England to close a deal Lord Epping is virtually kidnapped by his other self, Uncle Mat, both played by Errol, in order to aid his nephew, Donald Woods, secure a contract from a rival group. A rift develops between Woods and his jealous wife, Lupe, who goes to Reno. To aver divorce, Uncle Mat follows her. There, he encounters Woods' rival. To give Woods more time, Errol impersonates Lord Epping. Matters rise to farcical heights when the Lord Epping, his wife and family arrive. The pseudo Epping, the genuine Lord, and Uncle Mat enter into a crisis of personalities that only let up with the final farce.  
Direction of Leslie Goodwins is outstanding. Based on a story by Charles E. Roberts, the screenplay by Roberts and Jack Townley, is well painted towards comedy, moving along at a fine tempo.  
An able supporting cast comprised of Donald Woods, Elisabeth Risdon, Cecil Kellaway, Linda Hayes, Lydia Bilbrook, Charles Coleman, Charles Quigley, Eddie Dunn, Grant Withers, and Tom Kennedy add much to the picture's enjoyment. Each blend smoothly with, and, in support of, the rest of the cast. Producer Cliff Reid and Executive Lee Marcus should be credited with a shrewdly-planned production.

CAST: Lupe Velez, Leon Errol, Donald Woods, Elisabeth Risdon, Cecil Kellaway, Linda Hayes, Lydia Bilbrook, Charles Coleman, Charles Quigley, Eddie Dunn, Grant Withers, Tom Kennedy.  
CREDITS: Executive Producer, Lee Marcus; Producer, Cliff Reid; Director, Leslie Goodwins; Author, Charles E. Roberts; Screenplay, Charles E. Roberts and Jack Townley; Cameraman, Jack McKenzie; ASC; Special Effects by Vernon L. Walker, ASC; Art Director, Van Nest Polglase; Associate, Albert D'Argosino; Editor, Desmond Marquie; Musical Score by Roy Webb.  
DIRECTION, Outstanding. PHOTOGRAFHY, Good.

**SAG in East Nominates 7 for Advisory Council**

Nominating committee of the Eastern division of the Screen Actors Guild has completed its slate for election to the Advisory Council at the forthcoming annual membership meeting Nov. 16 at the Hotel Edison. It was announced yesterday. Candidates, five of whom will be chosen to serve, are Florence American, Kirk Brown Jr., Alexander Campbell, Bradford Kirkbird, Nellie Maloney, Pierre Marie and Florence Richardson.

**Scribing Rinehart Novel**

"West Coast Bureau of THE FILM DAILY"  
Hollywood—Warner Bros. has assigned Charles Block to prepare the script of Mary Roberts Rinehart's "One Hour of Glory" for the screen.

**Rep. Sets Two Circuits**

Kansas City, Mo.—Republic has closed product deals here with Fox Midwest Theaters, and Commonwealth Circuit.

**The Power and the Land**

RKO 36 mins.  
Excellent Documentary.  
Produced for the Rural Electrification Administration, this rates with the best of the U.S. documentaries. It tells effectively a story with plenty of drama, that of a typical American farm family, of St. Clairsville, Ohio, and very good ones they are, as they go about their daily tasks in a completely natural and easy fashion which is credit to Ivins' patience and skill.  
Joris Ivens has directed the film in a most sensitive style, for the dramatic and yet has retained the simplicity of the story and its people. His play- up of the implications is highlighted, crises become easier, living conditions are bettered and there is more leisure for the whole family. The contrast is sharply pointed and it should prove an eye-opener to tens of thousands who accept electricity as a matter of course.

Excellently written by an ably Stephen Benet. William Adams is the able narrator. Fine camera work was done by Floyd Crosby and Arthur Ordinz.

"The Spook Speaks" with Buster Keaton  
Columbia  
18 mins.  
Amusing Comedy.  
Buster Keaton, Ebbie Ames, Don Beddoe and Dorothy Appleby get mixed up with a lot of spooky magic. It should amuse the average audience. There are several very funny gags in the picture, one with a musical jug that should get real belly laughs. Keaton and Miss Ames take a job as housekeepers in the house of a magician. Naturally the place is full of trick passages and trick contrivances. A rival magician and his helper sneak into the place during a thunderstorm and you can imagine the results. Jules White produced and directed.

"Floating Elephants"  
Columbia  
9 mins.  
Comedy and Interesting.  
A highly dramatic short, this reel shows the whys and wherefores of Britain's "floating elephants," better known as the balloon barrage. Newell and original material have been neatly spliced together to make the reel exciting and authentic. Nazi bombers are seen in action, with one shown as it is shot down by a fighter plane. Subject is particularly timely and interesting at the present time.

"Whirlpool"  
(French dialogue, English Titles)  
Mayer & Bursyn  
72 mins.  
NEW YORK POST: Chalk up one French error as far as an American audience is concerned and credit the censors with an effective assist.

WORLD TELEGRAM: Thanks to the censors, "Whirlpool" has become cheap and shoddy, a prolonged and smutty anecdote full of nude and disgusting implications which are entirely in bad taste.

NEW YORK SUN: Both picture and censors have been compromised. There is nothing sensational about "Whirlpool," nor is its continuity destroyed by the cutting of specified scenes. It just is not a good picture.

NEW YORK TIMES: The whole thing is like a copy of "Lady Chatterley's Lover" with many chapters torn out.

HERALD TRIBUNE: It is adult entertainment, but not in any everyday sense.

CREDITS: Produced by H. O. Films; Director, E. T. Grevelle; PLAYERS: Jeanne Boitel, Jean Galland, Francisco Rosay.

"The Open Road"  
(French d'auble, English titles)  
Robert Matz  
85 mins.  
NEW YORK TIMES: Turgid drama becomes so hopelessly involved that it ends up as a foolish travesty.

DAILY NEWS: Story seems old fashioned, slow moving and more suited to the silent screen than to the vocal.

HERALD TRIBUNE: Compared to the fine French films we have been privileged to see during recent seasons, "The Open Road" is a dismal disappointment.

CREDITS: Produced and Directed by Fernand Rivers. PLAYERS: Victor Francen, Tania Fedor, Georges Colin.

Morros to Start O. Henry Picture in Mid-November

Boris Morros will send his second feature for Paramount release this season before the cameras on Nov. 15, it was said here yesterday by Joseph Nadel, his production manager. It is the O. Henry story, "American Vagabond," which will have Doug Fairbanks in the O. Henry role. Morros' first for Para is "Second Chorus" which brought Nadel East to make some college background footage. Nadel expects to leave for the Coast Friday.

"Conquest" Goes a Third

New York Strand is holding "City of Conquest" and Bobby Byrne's "Auntie" for a three week.
**Warner Service Men Told Jobs Are Safe**

(Continued from Page 1) to be decided upon after giving due thought to financial circumstances in each particular case; the Warner Club will continue the member in good standing during the period of its service.

**Bausch & Lomb to Give Draffees 4 Weeks’ Pay**

Rochester—Bausch & Lomb Optical Co. has announced it will give employees called into service a payment equal to four weeks’ normal earnings, will count time in military service when computing an employee’s length of company service and will continue the life insurance portion of the group policy, paying the employees’ contribution.

**Hearing in Shapiro Trust Suit Set for November 7**

(Continued from Page 3) definitely postponed late in May, is now scheduled for Nov. 7.

Shapiro charges that clearance granted to the Stanley-Warner houses constitutes a monopoly. He asks that the practice be stopped and that he be awarded damages in excess of $50,000.

**Court Refuses Write to Halt Union’s Picketing**

Lawrence, Mass.—Judge Edward T. Broadhurst in Superior Court, refused to issue a temporary injunction sought by Jean Ippolito against members of the local operators’ union who have been picketing the Central Theater since it opened Sept. 29. The court ordered that the notice be completed and directed that the case be placed on the motion session list for speedy hearing.

Ippolito’s counsel, Matthew A. Gregg, contended there was no labor dispute involved since the theater’s two machine operators were content with their positions and were not on strike.

**Two Iowa Theater Men On State’s Draft Boards**

Des Moines, Ia.—Two theater operators in Iowa are among the 395 men selected by Gov. George Wilson to serve on local draft boards. They are Floyd A. Ditting of Des Moines and Floyd T. Smith of Sioux City.

**Could Be**

Wolfeboro, N. H.—Aniel Sanborn’s Memorial Hall here came through with this message: “I Want a Divorce,” plus “Money and the Woman.”

**NEWS OF THE DAY**

**Cuban Agreement Reported in Sight**

(Continued from Page 1) probably will be changed in several places, it was said.

It is expected that agreements signed by the American companies will be received here shortly from New York, and will probably be made effective as soon as the troublesome anti-block-booking law is amended or suspended.

**Townsendites Buying Hundreds of Projectors**

(Continued from Page 1) 10,000 clubs, has closed an initial deal with De Vry here for the purchase of 10 projectors, and expects to have hundreds of the projectors purchased and in operation within the next few months.

The Townsend movement has three of its own films ready for distribution, and has others in preparation for production in local studios.

These will be used for a program to be called the Townsend Education Hour. Latter will also include educational pix as well as comedy shorts.

The Townsend organization is offering club exhibition facilities to E. S. Steel, International Harvester, General Motors and the National Manufacturers Association.

Its own films will be available for theater use, and Glen S. Wilson, in charge of the Townsend film activities, says the reels will go into the Graphic circuit houses, Boston, shortly.

In addition to the three pictures, the Townsend headquarters here has 150 slide films, produced by World Films, Townsend subsidiary.

**Roberts in ASN Post**

Montreal—E. F. Roberts, Vancouver advertising and publicity man, has been given charge of sales promotion and publicity for Associated Screen News. Roberts is a former news editor of Vancouver Journal of Commerce.

**More “Local Color”**

Perhaps the best of the stories to be told on any film is that of Warner Jennings’ trip to South Bend, Ind., for the quadruple feature, “Rocky-Age America” concerns the choice of an actress, hundreds of extras. It was shot in just three days.

It was “The Hunchback of Notre Dame.”

**Detroit — Paragon Pictures, Inc., has been granted a charter as a Michigan corporation to operate in the commercial motion picture field. Capitalization is $100,000, with officers at 8240 Hubbell Avenue. Incorporators are Ray W. Springer, Ray W. Springer, Jr., and Ezra H. Frye.**

**Denver — William Ostenberg III, son of the owner of the houses, has entered the theater business as manager of the Buffs at Scottsdilt, Neb., where he succeeds Harry Rodell, who goes to Morrell, Neb., to manage the Delmar. Bob Andrews moves from Morrell to Gering as city manager.**

**Chicago—W. L. Lemke, W. E. Nelson and E. Lemke have organized the L & M Theater Corp., with offices at 134 N. LaSalle St.**

**Minneapolis — The promotion of Ray Hurwitz from head booker to central salesman and the resignation of Miss Ella Herrold, for the last 10 years office manager, is announced.**

**GWTW Domestic Gross Stein to Make Pix Seen at $23,500,000 In U. S. for Select**

(Continued from Page 1) one-half was shared by producer David O. Selznick, including the $2,500,000 advance to him by Metro.

GWTW completes a 44-week run at the Astor, Broadway, on Sunday and it is estimated that its gross in that theater will be about $600,000. Picture played to capacity there yesterday despite the rain.

Picture winds up a long run at the Wood Theater, Chicago, on the same date.

**18 Potential Conscripts On Denver’s Film Row**

Denver—Eighteen men on Film Row are potential conscripts, survey shows. Average will probably run about the same in theaters. Many ushers are students and outside draft age limits, with most of the managers and some of their assistants married and having dependents.

**Duals In Cleveland Lake**

Cleveland—Warsens’ Lake, which opened two weeks ago with “Pastor Hall,” now goes into a dual-run policy. This is the only downtown first-run house in the city to play dual features.

**Joan Woodbury for Rep. ‘Follies’ West Coast Bureau of THE FILM DAILY**

Hollywood—Republic has signed Joan Woodbury for a role in “Barnyard Follies” which went into production at the week-end.

**Korda Signs Gladys Cooper West Coast Bureau of THE FILM DAILY**

Hollywood—Alexander Korda has signed Gladys Cooper for a role in his own film with production for UA release, “Lady Hamilton.” Sara Allgood and Robert Sinclair will also appear in the film.
Mexicans Propose All-American Fed.

Mexico City (By Air Mail)—A plan for promoting a Federation of Workers of the Motion Picture Industry in the American Continent was introduced before the National Congress of Workers of the Motion Picture and Associated Industries here.

The Congress also discussed the organization of a banking institution devoted exclusively to the financing of native film production.

The meetings were conducted by the National Committee headed by Salvador Carrillo, Pedro Telles, H. Mayo, Salvador Gutierrez, Armando Espinosa, Jorge Zuea, Salvador Escoto, Francisco J. Maciel and Domingo Uribe.

Grovas-Oro Films’ latest production, “Ahi Esta el Detalle” (That’s the Point), starring José Mojica, and produced by Agustín Pink. RKO Radio is distributing.

Fernando Soler, foremost actor of the Mexican stage and screen, is making his directorial bow with “Con Amable Permiso” (With Your Kind Permission), in which he himself is starring, with Virginia Serret, Rene Cardona, Manuel Noriega and Miguel Wimer in support. Grovas y Cia. will distribute.

Produciones Vicente Orona’s “Nido Deshecho” (Broken Nest) is shooting, with veteran stage actress Prudencia Griffel here making her screen debut as a woman fighting and heading the supporting cast.

“49th Parallel” for Xmas

Montreal—Ortus Film’s Canadian-British feature, “49th Parallel,” shooting on which has concluded here, is expected to be ready for release about Christmas.

Lopez Building In Havana

Havana (By Air Mail)—Celestino Lopez is building a 700-seat house on San Rafael St. Opening will be in late October.

New “U” Cincy Exchange

Cincinnati — Ground has been broken, adjoining the present location at 165th Central Parkway, for a new Universal Exchange building.

Smith on “Father and Son”

West Coast Bureau of THE FILM DAILY

Hollywood—Nod Smith has been assigned to direct “Father and Son” for Warners. It was written by Booth Tarkington.

Schenck Sees Upswing in Theater Attendance

(Continued from Page 1)

selfish on 20th Century-Fox’s out-
look for the coming year.

Schenck’s statement said:

“Business prospects for the im-
pending year seems promising from

Charles Barnett. However, no films

Barnett said that most of the pic-
tures destined for the Balkan coun-
tries are being shipped by way of

Warners.

Shipments to Sweden and Finland

have been made as and when navicets

are being given the British Govern-
ment for the purposes of the CE.

The ETU proposal is that wage

increases should be based on the cost

of living, taking the 1914 wage as

100 points; whenever living costs

increase 30 points a corresponding

wage increase should be paid to

workers. Survey of the rise in the

cost of living would be taken on

an average of every three months.

Conciliation board has taken the

request under advisement, though

some opposition has developed and

one exhibitor thought, if the plan is

ever adopted, there should be some

point established where increases

would cease.

Indian Production Cut

Asked as War Measure

Bomby (By Air Mail)—The In-

dian Government has requested na-
tive producers to reduce the number

of feature films as a war measure.

Government points out that cellulose

is needed for military purposes.

Indian production approximates

200 features annually.

Talk New Janitors Pact

Chicago—Negotiations for a new

contract are under way between the

Theater Janitors Union and local

exhibs.

Glencoe Opening Oct. 16

Glenco, Ill.—Myers & Valos will

open the new 900-seat Glenwin Oct.

16.
Major Execs., Counsel Participated in the Washington Conference

(Continued from Page 1)

the New York anti-trust offices to settle the final decree's drafting language. Conferees are expected to make a return meeting visit to Washington later this month.

Wendell Berge presided at the conference in place of Thurman W. Arnold who was out of town.

It was understood that Berge received the “Big Five’s” suggestions for changes in the provisions and language of the decree but insofar as it was possible to ascertain last night gave no consideration to the numerous exhibitor protests, particularly with reference to the blocks of five.

Proceedings “Satisfactory”

Following the conference the proponents were characterized as “amiable and proceeding on a satisfactory basis but requiring more time than had been expected.”

Dol-an industry spokesmen agreed on a schedule of future conferences starting tomorrow in New York, where it is expected that the language of the decree will finally be agreed upon. After the New York conferences, the industry spokesmen will return to Washington for their delayed final meeting.

Industry representatives at yesterday’s conference included Thomas D. Theker and Austin Kough of Paramount; Nicholas M. Schenck and J. Robert Rubin of Loew’s; George W. Schenck of RKO; Dwight Schuman for 20th Century-Fox; and Robert W. Perkins and Joseph Hazen representing Warner Bros.

Robert H. W. and Holmes Baldridge, James Hayes and Robert Sher to represent the Government at the conference.

No Recommendations to Jackson

It was announced that Berge told the “Big Five” spokesmen he would make no recommendations to Thurman W. Arnold or to the Attorney General until all five companies had agreed upon the wording of the decree. One Justice participant said last night that it might be a “couple of weeks or a couple of months” before all details of language and drafting would be ironed out to the satisfaction of all.

No threat of break-down was seen but “the hundreds of details involved in a settlement of this kind” were stressed.

Michele Morgan Coming

West Coast Bureau of THE FILM DAILY

Hollywood — Michele Morgan, paramount actress under contract to RKO, is expected to arrive in Hollywood about Nov. 1. A vehicle for Miss Morgan is expected to be in readiness by the time she arrives.

Allied Exhibitors Will Increase War Activities

Halifax, N. S.—At the annual meeting of the Allied Exhibitors, the organization was committed to increased war activities, including a campaign of its own. There was also discussion of some restrictions by the provincial censor board, subject to court. C. H. Bennett, chairman of the board, addressed the convention for an hour. Represented for the first time at the convention was the maritime section of the Canadian Picture Pioneers, formed two months ago, including Mason of Springhill, N. S., president, Reg March, of St. John, N. B., and Bob Roddick, of Halifax, secretaries, were the CPP delegates.

W. H. Cazner, of Sydney Mines, was re-elected president; Frank Soby of Stollarton, vice-president; Dick Courtney, of Halifax, secretary-treasurer. R. J. Macadam, of Halifax, veteran exhib, was named an honorary life member.

British MOT Modifies Traveling Show Policy

London (By Air Mail)—The Ministry of Information is modifying its policy of sending 16 mm. propaganda films about the country, as a result of protests by CEA exhibitors. Number of 16 mm. projectors, to be housed mainly in public libraries, has been reduced from 100 to 50. The number of mobile vans to tour the country will be increased from 50 to 75.

The MOT also is arranging for a series of propaganda films for women, showing how they can help to win the war, to be shown in theaters before regular programs start.

Frank Keller Dies at 64

Erie, Pa.—Frank Keller, 64, who, with son-in-law, Ken Blakely, operated the Ken’s Theater, North and the Keller Theater, Westfield, N. Y., died at his residence in Erie. He was the nephew of Harry Keller, magician.

Rep. Signs Mill Gross

Will be Presented from THE FILM DAILY

Hollywood — Republic has signed Mill Gross to prepare the scenario of “Kiddin’ Head” in collaboration with Jack Townley.

Loew-Lewin Name Buchanan

David L. Loew-Albert Lewin announce the appointment of Buchanan & Co., Inc., as its advertising agency.

Tele Standards Pressed For Jan. 1 Completion

(Continued from Page 1)

standards is being speeded to insure completion by Jan. 1, it was said yesterday by Dr. W. R. G. Baker, chairman of the National Television Systems Committee, speaking at the Hotel Roosevelt meeting of the Radio Manufacturers Association. Dr. Baker’s G.E. television department head, disclosed that three of the nine panels comprising the NTSC have nearly “completed their work and final reports are in preparation.” He added that “certain panels whose work involves considerations of color and the possible application of FM still have a great deal of work ahead of them.”

British War Office to Hire Cinemas for Military Films

London—By Air Mail—Exhibitors of the Northwest Branch of the CEA have been circulated to the effect that the Government will soon begin the hiring of picture theaters to show films on military training at an hour when cinemas are not open to the public.

Rate of pay will vary according to seating capacity—one guinea for house seating 500; two guineas for one with 500 to 1,000 seats; and three guineas for those seating more than 1,000. War office will also want to engage theaters on Sundays, and is asking for preliminary evaluation of instructional films for the Home Guard.

Rensselaer Will Vote On Sunday Pic Issue

Rensselaer—Years of hot debate between Church and civic organizations fighting Sunday movies and proponents seeking to legalize city exhibitions will be culminated Nov. 5 when the voting machines provide the final answer here. The Aldermen unanimously decided on the referendum after they had previously passed an ordinance but lacked unanimous consent and then withdrew the bill when opposition presented itself for a public hearing.

Irish Census Retires

Dublin (By Air Mail)—James Montgomery, Irish film censor for the past 17 years, retired from that post yesterday. He was one of the first official film censors to be named by any country.

Jackson Will Honor Latfa

Pittsburgh — John H. Harris has been named general chairman and James T. Baker, Jr., and Harry M. Kaim-an are assistant chairmen for the 12th annual banquet of the local Variety Club. The banquet will be held in the William Penn Hotel. Dr. L. G. Behmuster will serve as treasurer. Affair will honor outgoing Chief Barker C. J. Latta and other association officials.

Other committees functioning are: Reception; Bortus Bishop, Jr., chairman; Speakers' Table Invitations; Harry Fin- stein, chairman; Herbert A. May, asst. chairman.

Hotel Reservations: Harold C. Land, chairman.

Speakers' Table Reception Committee: James B. Ecker, chairman; Robert Roswell, Elmer Ecker, asst. chairman.

Speaker's Bureau: Frank H. U. Hulse, chairman; Sid Marke, asst. chairman.

Lights, Switchboard, Spots, P. A. Systems: Dr. W. A. Lund, Ken Brown, co-chairman.

Out of Town Program Advertising: Ira H. Cohen, chairman; C. C. Kellenberg, asst. chairman.

Golf and Athletic Clubs: Cards and Court- sies: Art Lewis, chairman; Bill Miller, asst. chairman.

Ticket Committee: James G. Bamber, chairman.


Promotion: Dr. W. A. Lund, chairman; R. T. McGrecre, co-chairman.

Annual Dinner: Al Kerkher, William Zeiler, co-chairman.

Reception: Ray Downey, chairman; Red Cowell, asst. chairman.

Registration: Harry Feinlein, J. T. McGrecre, co-chairman.

Rehearsal: Bill Miller, chairman; Bernstein, Armstrong, Joe Miller, asst. chairman.


Finances: Bill Miller, chairman; Harry Feinlein, Mike J. Cullen, Bill Mcllmond, Joe Miller, James G. Bamber, co-chairman.

Propos: Bill Gardner, chairman.

“Fight for Life” in Bryant

Pare Lorrenz’s “The Fight For Life,” released by Columbia, opens at the Bryant Theater today. Picture before Columbia took over distribution from the U. S. Film Service played the Belmont.

“Band Held In Six Spots”

“Strike Up the Band” has been held over for a third week in New Haven, Hartford, Philadelphia and Pittsburgh, and for second week in Buffalo, M-G-M reported yesterday.

Mohawk Sets Two Territories

Mohawk’s 19 will be distributed in the Boston territory by Eddie Klein of the Bay State Film Co. and in the territory upstate by Harry Gibbs of Connecticut Film Distributors as a result of deals just set.
FINAL CONSENT CHANGE REQUESTS TODAY

Decree Parley Secrecy Draws Kuykendall's Fire

MPTOA Proxy Critical of Failure to Include Exhib. Reps. in Settlement Talks

By M. A. EGAN
FILM DAILY Staff Correspondent

Albany—Secret sessions between distributors' counsel and Department of Justice officials on the proposed New York equity suit consent decree where "those with investments deeply involved were dealt with and had no say" were acrimoniously attacked by Ed Kuykendall, MPTOA proxy, addressing an exhibit round-up here yesterday.

Meeting in the Ten Eyck Hotel was held under the auspices of the
(Continued on Page 5)

Quebec ATI Elects Norrish as Proxy

Montreal—B. E. Norrish of Associated Screen News was elected president of the Quebec Allied Theatrical Industries at the annual meeting in the Mount Royal Hotel here. Others named were:

Vice-president, George Ganetakos, United Amusement Corporation; treasurer, E. N. Tabah, Confederation
(Continued on Page 12)

D. C. Commission Orders Licensing of Operators

Washington Bureau of THE FILM DAILY

Washington—District licenses for all motion picture theater operators handling inflammable film have been ordered by the District of Columbia Commissioners following more than a year of discussion.

The order, after being rewritten
(Continued on Page 11)

Capitol Staff of 60
To Vote for Kendall

Messmore Kendall, CDP nominee for Congressman—of the New York State, has been assured of 60 votes.

That represents the complete personnel of the Capitol Theater. Kendall is president of the Capitol Theater Corp., a post he has filled since the erection of the theater. The 60 employees have sent Kendall a "round robin" pledge of support.

FEDERAL POST FOR WHITNEY

Heads Film Division in Office of Co-ordination

Washington Bureau of THE FILM DAILY
Washington — Appointment of John Hay Whitney as director of the Division of Motion Pictures and James W. Young as director of the Division of Communications in the Office of Coordination, was announced today by Nelson A. Rockeletter, co-ordinator of Commercial and Cultural Relations between the American Republics.

Whitney, who was board chairman
(Continued on Page 13)

N. W. Allied Unit Opposes Titles for Specific Films

Harmony, Minn.—Resolutions disapproving increased admissions for special pix were adopted by exhibitors of the First District of Northwest Allied, meeting here under the chairmanship of E. L. Danielson, of Maple, district governor.

Allied Aims Out of Decree

Myers Talks on Blocks of 5 at Mich. Allied

Defense Tax Hits B. O.; Chi. Nabes Cut Prices

Chicago—Neighborhood theaters are finding that the new defense tax is hurting attendance, with the result that 10 have cut their admission charges to 20 cents. Houses advertising the lower charges, include the Avo, the Liberty, the Milford, the Rivoli, Admiral, Revue.

Companies Agree to Deadline, Government Asserts: Exhibitor's Protests Bring No Changes from D of J; Washington Sees Final Draft Ready Within 10 Days

All requests for changes in the proposed consent decree as it now stands are to be submitted by the five negotiating companies today at a conference to be held at the Bar Association Building, Special Assistant Attorney General James Hayes stated yesterday. An understanding between the parties has been reached that the companies will attempt to make no further changes in the decree after today's meeting.

Officials stated that the suggested changes in substance and language put forth by the companies in Washington on Tuesday referred to standard clauses incorporated in all consent decrees prepared by the antitrust division. Several of the comments were:
(Continued on Page 12)

Philly UMPTO Plans Decree Intervention

Philadelphia—Board of the UMPTO, meeting here Tuesday, discussed the possibility of intervening in the equity suit to bring to a head its protest, against the block of the five selling provision in the proposed consent decree. Papers are being drawn up, with further action still to be taken.

The board also discussed local
(Continued on Page 5)

U. S. Film Men in Orient To Stay Despite Order

Approximately 15 American film representatives in Japan, Indo-China, Hong Kong and China, who have been advised to leave the U. S. Government, are expected to remain at their posts, it was learned here
(Continued on Page 8)

"Fantasia" Opening As Aid to Britain?

Negotiations are reported to have been held whereby proceeds from the New York premiere of Walt Disney's "Fantasia" will go to the British War Relief Society. Premiere has been set for Nov. 13 at the Broadway.
Arthur H. Sawyer Acquires Colonnade Pictures Corp.

Miami — Arthur H. Sawyer has purchased the entire assets of Colonnade Pictures Corp. Sawyer resigned from the presidency of the studio in order to legally handle the purchase of the business.

Contracts have been made with producers for the production of a number of pictures at the Colonnade studio during the next six or eight months. George Hirliman’s “The Last Frontier,” Amos Twitchell’s “The Tigress,” will get under way about Nov. 15.

Edward O’Toole, son of the late Col. O’Toole, who died last week, is now president of the company, the colonel having been the principal stockholder of the corporation.

Reports current in New York that the studio closed have been without foundation.

“Down Argentine Way” clicks in Philly bow

Philadelphia.—“Down Argentine Way,” new 20th-Fox of de Luxe musical, opened its first pre-release engagement yesterday at the Strand Theater to SRO business. At 4 p.m. picture had topped opening day “take” on “Jesse James” and other 20th-Fox pictures which had established top gross figures at the house. Theaters executives last night predicted new house records.

Para. to Speed Prints

Of “World in Flames”

Having screened “The World in Flames” for Washington executives and defense leaders, Paramount plans to rush as many prints into the field as possible, following approval by Government officials. Wide distribution of the picture is expected.

“U” Closes Friedl Deal

Minneapolis—W. A. Scully, Universal general sales manager, and E. B. Sommerlott, district manager, have just completed negotiations with Fred Friedl, Minneapolis Amusement Co. president, on their circuit deal. Roy Miller, Minneapolis branch manager, assisted.

“Long Voyage” Draws Em in

In its first day at the Rivoli Theater, Walter Wagner’s new John Ford production for UA, “The Long Voyage Home,” is running neck and neck in attendance and receipts with california’s previous tenant, “Foreign Correspondent.” Early indications point to a long run for the new Wagner film.

“Zorro” in Cincy Nov. 1

Nov. 1 has been set by 20th-Fox as the date for the world premiere of “The Mark of Zorro” in Cincinnati. Picture will bow at the Albee and Shubert Theaters that night.

Chi. Censor Change Deferred

Chicago — The Chicago censor board will be postponed until after the election, according to the latest reports.

Adorno “Conspiracy” suits go to trial in New Haven

Middletown, Conn.— “Conspiracy” suits brought by Middlesex Theater, Inc. and S. & S. Theater Corp., owners of Capitol and Middlesex Theaters, seeking property against Salvatore Adorno, former manager of all three Middletown houses, claiming a total of $174,000 damages, started trial yesterday in the Middlesex County Superior Court before Judge Ernest Simpson. New Hudson several exhibitors have been subpoenaed. It is estimated the trial will take five weeks.

Free France bans all Nazi and Italian films

Viebly (By Cable) — Despite Nazi pressure, no German or Italian films will be permitted to be shown in occupied France, it is authoritative reported here.

Government’s decision supposedly is mediated upon the fear that disturbances would result were films from France’s erstwhile enemies to be shown.

“Great Dictator” opens Oct. 31 in two Chi. Houses

Chicago — Charlie Chaplin’s “Great Dictator” will open in two B & K Loop theaters on Oct. 31, the Apollo and the Roosevelt.

Showing at the Apollo will be two-a-day, with the Roosevelt adopting a continuous-run policy.

Efforts are being made to obtain personal appearances of Chaplin and Paulette Goddard at the premiere.

Minneapolis V. C. Will hold Asch testimonial

Minneapolis—After 16 years in theater biz in the Northwest, Ben Asch will leave the studio at the end of the month to enter another field. The Minneapolis Variety Club is throwing a stag banquet in his honor at the Nicollet Hotel on Oct. 21. Ben Berger, Bill Elson, and Hy Chapman are in charge of arrangements.

Larry Puglia Recover

Waysburg, Pa.—Larry Puglia, manager of the Onera House and Wayne Theaters, Waysburg, has returned his duties after an operation at the Mercy Hospital, Pittsburgh.

Chi. Operator Action Deferred

Chicago — Settlement of the Chicago operators’ new contract has again been postponed. Both exhibitors and operators are reported striving to reach an amicable agreement.

Morris Joseph III

Morris Joseph, manager of the Universal, New Haven exchange, and “Dean” of Meadow Street, is ill in Grace Hospital, New Haven.
"THIRD FINGER, LEFT HAND"

Starring
MYRNA LOY
with
MELVYN DOUGLAS

Mr. Exhibitor!
You will say:
"I love you again M-G-M because
you have given me another
terrific box-office
comedy to top
'I Love You Again'!"
And that's
nice topping!

Raymond Walburn • Lee Bowman • Bonita Granville • Felix Bressart

A ROBERT Z. LEONARD Production • Original Screen Play by Lionel Houser • Directed by Robert Z. Leonard • Produced by JOHN W. CONSIDINE JR.
A METRO-GOLDWYN-MAYER PICTURE
Philly UMPTO Plans Decree Intervention

(Continued from Page 1)
clearance conditions, approved raises in admissions on single tickets where the downtown first-run lead the way, backed the Red Cross drive to the limit, and generally discussed local problems.

British Theater Lessees Held Free of War Damage

London (By Air Mail)—By the amended Landlord and Tenant act, the lessee of a theater damaged by the war is not responsible for repairs to the property, though under ordinary circumstances he would be responsible, according to a memorandum by the CEA's general counsel, Norman Hart. With Nazi blitzkrieg in full swing, opinion is of prime importance.

Tenant, however, must notify landlord as soon as possible as to the extent of the damage so that he may repair it temporarily or permanently. If the damage makes the theater unfit for further use as a theater, lessee has the right either to retain or abandon the lease and claim further lease. If he retains the lease, he must make good the damage done, but is relieved of the obligation to pay rent.

Whether or not such badly damaged theaters should be rebuilt is to depend on whether the cinema is essential to the welfare of the civilian population. No action has as yet been taken on this angle, and hence facilities for rebuilding damaged houses have not been granted to exhibitors.

Showmen's Club to Open

Philadelphia—The Showmen's Club opens for the Fall season Tuesday at the new rooms on Vine St., Charles Goldfine and Charles Stiebel are co-chairmen of the renovation committee. Dave Zenon is chairman of the group handling the drawing Nov. 16. Allen Lewis becomes chairman of the membership committee, with Jack Litto in charge of the committee for collection of dues.

First House for Madera

Madera, Pa.—Opening of the new 500 seat Madera Theater, owned and constructed by Mid-West Theaters, Inc., gives the town its first motion picture house.

Decree Talk Secrecy

Irks Kuykendall

(Continued from Page 1)

UMPTO of Western New York, with Prexy A. Charles Bayman of Buffalo presiding. It was designed to promote organization and membership in this end of the state, although no definite action was taken yesterday.

On the day in addition to Hayman and Kuykendall were Louis Schine, Schine circuit, Gloversville; William E. Benton, Benton Circuit, Saratoga; Louis R. Golding, Fabian Theaters, Albany; Sidney Pfeifer, attorney and Marion Gueth, secretary, both of Buffalo.

Exhibition industry is "again behind the eight ball and the decree if accepted, fails to touch many vital problems of exhibitor interest," Kuykendall said, "we have invited outside regulation because we refused to do it ourselves. However, everybody else involved is thoroughly organized as a group except exhibitors."

Kuykendall centered his fire on the five picture package clause as "completely ruinous, particularly to small independent owners who will find themselves bidding for product in order to get against powerful buying interests." He expressed doubt as to working out arbitration by outsiders.

Allied, Kuykendall asserted, had worked itself into untenable position of half-heartedly endorsing a proposed decree which will do material damage to "owners they presume to represent."

Kuykendall also praised owners for their co-operation on national defense; second situation on Nedly bill and Ascap measures.

DATE BOOK

Oct. 24: Fall Conference dinner of the Pictures, Waldorf-Astoria banquet.
Oct. 28-31: TIO of Ohio, convention, DeSalle-Willard Hotel, Columbus.
Nov. 1: A F of L convention opens, New Orleans.
Nov. 11: Canadian Picture Pioneers convention, Fal-Loan-Lincoln Hotel.
Nov. 11-12: ATIO convention, Hotel Antlers, Indianapolis.
Nov. 16: Washington Variety Club dinner, Willard Hotel.
Nov. 18: Boston Motion Picture Salesmen's Club dinner dance, Southland.
Nov. 21: Motion Picture Associates ball, Hotel Astor.

Happy Birthday to You

From THE FILM DAILY to
Helen Hayes
Harry Richman

1940
Thur., October 10, 1940

REVIEWS OF NEW FILMS

"Little Miss Molly"

Director, W. S. Van Dyke; with M. O'Hara, B. Stuart, T. Burke, and R. Reed. 64 Mins.

Monogram ENGAGING PROGRAM OFFERING SHOULD INTEREST IRISH AND NAIVE AUDIENCES.

An Irish import being handled here by Monogram, this film has a number of engaging qualities that offset its other faults. Picture should interest Irish fans and native audiences. Maureen O'Hara's name has gone on a whole string of Tom Burke is well known as a tenor, and Binkie Stuart, youthful Irish star, and Philip Reed are known. Exhibitors can also exploit fairy tale qualities of the film and Burke's singing.

Miss O'Hara, who was seven years younger than she is now when this picture was made, is more than adequate in her roles. She sings, dances, and prattles her way through a rather exacting role with ability. Tom Burke sings several scenes beautifully in his lovely Irish tenor, and Philip Reed fits the role of leading man neatly. Remains of the cast is adequate. Alex Bryce directed the film. Several technical faults are apparent and the continuity is somewhat ragged but these items can be overlooked.

An orphan's plight has been whipped into a touching little fairy story with a happy ending for the benefit of the audiences, with numerous difficulties and other happenings woven together before the happy ending arrives.


DIRECTION: Adequate. PHOTOGRAPHY. Fair.

NWMP Will Play Midwest Circuits at Higher Prices

(Continued from Page 1).

The U.S. premiere in Chicago.

The entire Butterfield circuit of more than 100 theaters in Michigan has set "North West Mounted Police" at increased price scales, as has the Fox Wisconsin Amusement Enterprises for bookings in Milwaukee, Madison and Green Bay.

Same policy will be adopted by Fred Dolle for his Rialto and Circle Theaters in Louisville and Indianapolis, respectively, and by Jules Rubens, general manager of the Great States circuit, for Peoria, Springfield, Danville, Decatur and South Bend, with others to be announced shortly.

O'Neill, B. De Mille, Gary Cooper, Madeleine Carroll, Paula Goddard, Preston Foster, Robert Preston and Lynne Overman will attend the Chicago premiere.

Warner British Feature Clicks in Toronto Debut

Toronto—"George and Margaret," a Warner feature produced in England, opened at the Eglinton theater here this week to capacity business, and will be held over for an extended engagement.

The British production opens at the Snowden Theater, Montreal, Sun-

day, where it is booked for another limited engagement. Famous Players Canadian is booking the feature in all "A" houses across Canada.

Barrimore Buys Play Contract

West Coast Bureau of THE FILM DAILY

Barrimore, the well-known radio personality, yesterday approved an arrangement for John Barrimore to pay $15,000 for the film rights of "Children of a New World" and "Myers" stage production, "My Dear Children," so that he may accept film engagements which will bring more money to Barrimore to pay to his creditors. Both creditors and the stage producers have approved the settlement.

Defense Tax Hits B. O.; Chi. Nabs Cat Prices

(Continued from Page 1)

Fox, Jef, Rito. B & K Alba theater cut matinee admission to 20 cents, but holding evening prices.

Local 702 Calls Strike at Producers Laboratory

Producers Laboratory was struck yesterday by Local 702, lab. technicians union, with the union asserting that the company, president of the laboratory, had breached the union contract. The union stated that a clause in the contract which called for vacation with pay for the lab. employees before Sept. 30 had not been lived up to. Cosman asserted that the dispute was over a "union matter" and had nothing to do with the employees or contractual difficulties.

$50,000 in Bowling Prizes Worries Chicago Theaters

Chicago—Local theater men, already apprehensive over bowling's 

lo. inroads as a result of last year's experience, see a further threat in the 17,526 prizes, totaling $50,000, offered to the nation's bowlers by the Brunswick, Balke, Collender Co. However, that isn't keeping local Film Row and theater circuit men from bowling. B & K, Warners and Essaness are in the field with bowling leagues.
“ARIZONA” ... because it was recognized as destined to be one of the greatest of motion pictures ... proved by that very fact to be also one of the most arduous ... and ultimately one of the most heart-satisfying production problems ever faced by a studio. For here was more than a mammoth outdoor spectacle of adventure and romance ... entailing the construction of a complete walled city ... the painstaking selection, transportation, housing and feeding of thousands of actors ... the purchase and care of herds of cattle and livestock ... and months of endless research for authentic, unassailable historical accuracy. All of this has been approached before. But here too was an intensely human and significant drama of living individual characters, all of them ... engaged in building with their sweat, blood and lives, the splendid heritage that is the West today. First of all, who in all Hollywood could adequately portray the truly epic role of Phoebe Titus? What actress in all the world could combine in one woman the indomitable spirit ... the infinite tenderness of this fiery, fearless daughter of the plains ... who, with bull-whip and bullet, held her own against a lawless world of savage men?
PERFORMANCE! GREAT PERFORMANCE! That's what was wanted! After a most careful survey of available names...star names...Jean Arthur was selected.

LOVELY...VITAL... BRILLIANT...CHARMING Jean Arthur! Jean Arthur of the deep-throated voice...of "Mr. Deeds"...of "Mr. Smith"! THAT Jean Arthur will immortalize Phoebe Titus. Next came the selection of an actor to play boyish Peter Muncie...the adventurer who courted Phoebe with a gun on his hip and a banjo on his knee. Tests...tests...tests! William Holden had the quality! A grand young actor, magnificently full of great promise! Here IS your Peter Muncie... And then there was Jefferson Carteret...debonair killer and gambler, where the stakes were life and death. Who but Warren William, the quintessence of suaveness, could make this high-hatted devil of the desert come to such terrifying, deadly life? And Lazarus Ward? Who could play this toad of a man...whose bloody path to riches ended with a bullet in the back? Your cheers for Porter Hall's unforgettable portrayal will be the thrilling answer. And Solomon Warner...and Judge Bogardus...and all the rest of this brave company of adventurers...seeking to carve an empire out of cactus, adobe, desert and sky? Wesley Ruggles has shot the final scene. The final cut is being made. The final note is being scored. Columbia's "ARIZONA" will soon be ready to take its place among the great masterpieces of the screen. The final judgment will be yours...and that of America's millions.
Goddard Refers Ohio Squawk
Complaints Should Go, Arnold, Wood Told

Columbus, O. Federal Judge Henry W. Goddard, presiding at the trial of the New York equity suit, is not disposed to personally consider exhibitor protests against terms of the proposed consent decree.

The jurist so indicated in a letter received by Pete J. Wood, secretary of the ITO of Ohio, in response to a protest by Columbus exhibitors against the "block-of-five" provision of the proposed decree.

Judge Goddard writes: "I am informed today that counsel for the various parties have been working on a possible consent decree and are hopeful of reaching an agreement on one before long. As you undoubtedly realize, the terms and conditions of such a decree depend largely upon the consent of the parties to the suit. So that the Government, which represents the theaters, may be in a position in the event of the consent decree to be advised of your position I am referring your letter and communications, etc., to Assistant Attorney General, Assistant Attorney General, Department of Justice, for his consideration and to whom any other communications may have to make should be addressed."

Cleve. Exhibits, Petition Against Blocks of Five
Cleveland—The following petition was signed yesterday by independent exhibitors representing 57 theaters and a similar but elaborated petition was sent to Attorney General Robert Jackson and Thurman W. Arnold in Washington:

"Adoption of the five-picture clause in the consent decree will cause inestimable chaos and multiply manifold the disadvantages under which independent theater owners operate their theaters and will not only increase film rentals but prevent elimination of undesirable pictures. The undersigned independent theaters of Cleveland therefore protest the inclusion of the foregoing provision in the decree and urgently recommend that the decree provide for discrimination in first run per cent cancellation clause applicable to all groups of pictures leased."

The petition was signed by the Community Circuit of 10 theaters; Associated Theaters, 10 theaters; Gusdanovich Circuit Theaters; Scotia-Essick-Reif Circuit of seven theaters; Abe Kramer, four theaters; H. Stecker, eight theaters; Charlie Gittel, three theaters; Ernest Schwartz, three theaters; John Urbanski, two theaters; Frank Porochnik, two; Henry Glaag, two; Oscar Stotter, two.

D. C. Commission Orders Licensing of Operators
(Continued from Page 1) several times, except the controversial provisions to limit working hours of such operators after representatives of the producers and unions had agreed to set up their own standards in that phase of the relationship.

Licenses will cost $10 and go into effect Nov. 1, the original draft providing a 40-hour week with maximum periods of eight hours and minimum rest periods of four hours.

The labor standards under the new arrangement will be negotiated between the motion picture operators' union, which was represented in the discussion by Emil Holz, business representative, and the Motion Picture Theater Managers' Association, represented by A. Julian Brylawski. Annual examination will be held for operators under the new regulations.

Dismissal Plea Denied In James-Republic Suit
Application to dismiss the infringement suit of Marvines James against Republic Productions and to restrain examination of witnesses was denied yesterday by Federal Judge Alfred C. Cox. Complaint alleged that "Man of Conquest" plagiarizes James' biography of Sam Houston called "The Raven."
NEWS OF THE DAY
(Continued from Page 1)

Kensha, Wis.—Louis Nye, former- 

ly manager of Standard Theaters' 
Lake Geneva theater at Lake Gen-

eva, has been named manager of 
the circuit's Gateway theater, 
succeeding Tom Reilly.

Lewisville, Ark.—Tommy Collins 
has been named manager of 
the Crystal Theater here.

Dover—Oliver Amusement Corp. 
has been formed by Thomas Moule, 
executive owners; T. H. Curran, 
managers, to operate the newly-acquired 
Oliver Theater.

Akon—Bill Hall, formerly with 
the local Loew circuit, has been 
named manager of the Nixon 
Theater here, acquired from 
the Charles P. Stalder estate by F. H. Hathaway 
and associates.

Cleveland—Milt Hope, doorman 
at Loew's State Theater, has been pro-
moted to assistant manager at 
Loew's Park where he succeeds "Sly" 
Pierce.

Lafayette, Ala.—E. M. Jennings 
of Fitzgerald, Ga., has come here 
as manager of the Martin Theater.

Milwaukee—Foster Liederbach, 
former manager of Warner-Saxe's 
Mirth, has been named manager of 
Fox's Layton Park succeeding Joe 
Klausner, who has been transferred 
to the circuit's Riviera, where he 
succeeds Ted Kraft, who has been 
switched to the circuit's Zenith. 
Another shift in the Fox personnel 
on the city's South Side puts 
Buster Michie in charge of its World.

Richmond, Va.—Arthur Holmes, 
who has been electrician for the local 
Wilmer & Vincent theaters for 
almost a quarter of a century, has 
resigned.

B. E. Norrish Elected 
Prexy of Quebec ATI

(Caption continued from Page 1)

tion Amusements; secretary, E. 
Beaulac, directors, B. E. Norrish, 
G. Ganetakos, J. A. S. Hirsch, 
William Lester, E. M. Tabah, N. H. 
Lawand, J. A. De Seve, A. Adelman, 
George Rotisky, B. C. Salamis, 
of Montreal, and D. Paquin, Hall; C. 
H. Brock, Cowansville; Albert Bev, 
Theof Sky, H. T. Troy, Three 
Rivers; Ed. Gauthier, Sorel; Leo 
Choquette, Farnham.

The executive committee was elect-
ed as follows: J. H. Hirsch, chair-
man; George Ganetakos, N. N. Law-
and, R. T. Trow, J. A. De Seve, 
William Lester, B. E. Norrish, E. N. 
Tabah, and Eugene Beaulac.

The yearly report submitted by 
the secretary-treasurer, Eugene 
Beaulac, showed that progress has been 
made in inducing the Provincial Gov-
ernment to alleviate the severity of 
the ban on admission of juveniles 
under 16. Of particular importance, 
he said, was the fact that the Ex-
cutive Committee had succeeded in 
preventing further inroads of the 
tax collector on the film industy. 
A special committee of members 
was formed to study the operation of 
Parish Hall shows which operate 
without paying amusement tax 
and are free from the ban of admitting 
children.

To Reopen Birmingham House?

Birmingham, Ala.—Jefferson The-
er, long closed, will reopen shortly 
after Nov. 1 for a season of stock, 
if deal which Ted Barker is talking with 
the Wilby interests is closed.

"Flesh" In Alliance House

Alliance, O.—After a summer of 
dual first-run film policy, Columbia 
theater here now plans to open show 
tomorrow, when "Bell's Hawaiian 
Follies" will share the program.

John Hay Whitney 
Given Federal Post

(Continued from Page 1)
of Selznick International will assist 
Young in his duties. Whitney is do-
nating his services to the Govern-
ment. He is vice-president of the 
Museum of Modern Art in New 
York, and President of its Film 
Library.

Young, a former official of J. Wal-
ter Thompson Co., who has been 
serving as an assistant in the raw 
materials division of the Defense 
Commission and presently Director 
of the Foreign and Domestic Com-
merce, will have supervision of the 
radio, press and motion picture pro-
grams of the Office of Co-ordinat-
ion.

New House For Ft. Smith

Ft. Smith, Ark.—New Plaza The-
ater building, to be erected at 1014 
Garrison Ave., on the site of the old 
Myo Theater, will cost approx-
imately $30,000. Building is expected 
to be completed within 60 days.

First Public Appearance 
OF BENNY GOODMAN 
AND HIS NEW ORCHESTRA

...your Dance Music 
for the evening!

PLUS a roster of talent that will 
include the biggest names in town.

HOTEL PENNSYLVANIA 
SATURDAY, OCTOBER 26TH

Subscription 55 Per Person 
Obtainable from Col. A. Ralph Steinberg, 
Chairman, 101 Park Ave., Room 339, N.Y.C.
REPORT CONSENT PARLAYS HITTING SNAGS

Midwest Divided On Increased Admission Prices

Opponents of Higher Prices Hold Slight Lead Over Advocates of Plan

The Midwest appears to be the center of divided opinions on the question of increased admission prices, either generally or for specific pictures. While other regions apparently have a "yes or no" attitude on the issue, at least four key city territories in Midwestern states reflect an attitude of indecision, although there are plenty of pro and con advocates.

In Des Moines, a checkup reveals that Iowa exhibitors and distributors are not uniformly in accord on Joseph Bernhard's opinion regarding it.

(Continued on Page 6)

Propaganda Pix Said To Be Handled by Ufa

Non-Sectarian Anti-Nazi League charges that the New York Ufa office, is being used to distribute German propaganda pictures throughout the Western Hemisphere. The League contends that Ufa is a shipping point for pictures reportedly "glorifying the new Germany" and that several features, newsreels and serials are being sent throughout the U. S. and Latin American countries.

The newsreels, the League asserts, (Continued on Page 7)

"U" Denies All Charges in Stockholders' Suit

Categorical denial of all charges made by Samuel Posen, a director of Universal Pictures, Celia Brown and Esther M. Tolmach, is made in an answer filed by Universal yesterday.

(Continued on Page 10)

3 M-G-M Pix Booked For R. C. Music Hall

Radio City Music Hall has booked three M-G-M pictures for fall showings. They are "Escape," "The Philadelphia Story" and "Till the Clouds Roll By." It is planned tentatively to open "Escape" early in November.

ARCHIVE

THE FILM DAILY
NEW YORK, FRIDAY, OCTOBER 11, 1940
TEN CENTS

LaCrosse Trust Suit
Trial Starts Oct. 21

Madison, Wis. — Anti-trust action started by the La Crosse Theater Co., Inc., operator of five La Crosse, Wis., houses more than a year ago against major distributing companies, is scheduled to be heard in Federal Court here Oct. 21.

The La Crosse firm in its complaint charges the distributing firms with conspiracy and maintaining a monopoly for the purpose of lessening competition and restraining inter-state trade.

Also named in the original action was the Welworth Theater Co., Minneapolis, operator of the Hollywood and Fifth Avenue theaters in La Crosse. The company is seeking more than $1,000,000 in damages.

Arkansas ITO to Meet in Little Rock in Nov.

Little Rock, Ark. — Board of Directors of the Ark. ITO has decided to hold its convention on Nov. 17-18 as the convention date for the group. The meeting will be held at the Hotel Marion. (Continued on Page 7)

Spanish Production Making Fast Gains

Washington Bureau of THE FILM DAILY

Washington—The American Commercial Attaché in Madrid, has reported to the Commerce Department that Spanish production has made notable progress since the termination of the civil war.

Prior to the conflict Spanish output of films has been slowly developing, but severe competition from American, German, French and Italian pictures tended to check the growth of the domestic industry. During the period which has transpired since peace was declared in April, 1939, Spanish studios have produced 24 feature films as well.

Kreisler Named Univ. Short Subject Manager

B. F. Kreisler has been appointed short subjects sales manager of Universal by William Scully, general sales manager. He succeeds Leo Abrams who recently resigned.

Kreisler recently was promoted to lead the sales organization. (Continued on Page 7)

Argentina Wants Quality Pix Reduction in "B's" Okay With B. A. Exhibs

Buenos Aires (By Air Mail)—It's okay with Argentine theater operators and exhibits, if Hollywood wants to reduce its number of pictures for as long as the program cuts are restricted to "B's".

As summed up by Pablo Cavollo, co-owner of five of this city's important first-run theaters—The Ideal, Rex, Ambassador, Broadway and Norman—and the Florida, a second-run (Continued on Page 10)

Obstacles Said to Be Delaying Settlement; See New Revisions

Serious snags in the negotiations between the five majors conferring with the D of J on a proposed consent decree arose yesterday, sources close to the negotiators intimated last night following a huddle with Government representatives at the Bar Association Building. It is understood that these obstacles were disclosed for the first time during the meeting held in Washington earlier in the week and that yesterday's conference had not succeeded in bringing harmony between the negotiating parties.

One source hinted that the con-

(Continued on Page 6)

III. UTO Becomes State-Wide Unit

Mt. Vernon, Ill.—United Theater Owners of Illinois became a statewide organization yesterday with the election of seven additional members to the board of directors thus completing the regional committee.

New members were exhibitors from cities in Southern Illinois and... (Continued on Page 7)

ITOA Poll Reveals One Exhib. Favors 5-Pix Plan

Final tabulation of the ITOA poll on the block issue reveals that only one exhibitor out of 365 who replied to a questionnaire favored the proposed method of buying pictures. Exhibitors were asked...

(Continued on Page 7)

Judge Goddard Asked To Veto 5-Pix Clause

Cleveland—At a meeting yesterday of Cleveland exhibitors representing a majority of the local independent theaters, a petition was sent to Federal Judge Goddard asking that he veto the five-picture clause when the proposed consent decree becomes effective. Judge Goddard is expected to receive the decree next week.
**Knew What They Wanted' Has Premiere at M. H.**

RKO's "They Knew What They Wanted" had its premiere at Radio City Music Hall last night.

Both of the stars, Mary Astor and Fredric March, were present for the showing.

**W. R. Lynch Resigns From Para. Enterprises**

Miami, Fla. — W. R. Lynch, general manager of Paramount Enterprises, Inc., has resigned. Health condition is given as the reason for the move. Lynch became manager of the local company in January, 1937, at the beginning of a period of rapid expansion of the theater organization. Much progress has been made during his administration.

**James Roosevelt Awaits Call to Marines Duty**

**Suit Over "Pastor Hall" Settled for $2,500**

Settlement calling for the payment of $2,500 and five per cent of gross income for five years was yesterday in the Federal Court on the suit of George Garfield, as administrator of the estate of Ernest Toller, against UA, James Roosevelt and Grand National Pictures, Ltd.

The complaint had asserted that the defendants were unauthorized to use Toller's book in the production of the picture. Defendants answer claimed the purchase of the film rights.

**Berton Churchill Dies; Had Been in 200 Films**

Berton Churchill, screen character actor, died yesterday at Medical Arts Hospital. He was 64 years old and had played in about 200 pictures since 1932.

Churchill was to have appeared in a stage play, "George Washington Slept Here," due to open next week.

**Games Out in Philly Houses But Market Puts in Bingo**

Philadelphia—Giant Tiger market here is introducing Bingo, with foodstuffs as prizes.

Games have been out of local theaters for some time, money awards being frowned upon.

**Great States Biz Drive**

Chicago—Great States Circuit will shortly start its fifth business driving honor by Barney Balaban, Para. prexy.

Orders Chi. Bingo Club Probe

Chicago—Mayor Edward Kelly of Chicago has ordered the police department to investigate Bingo Clubs which exhibits claim are hurting their business.

**8 & K Hearing Oct. 28**

Chicago—Hearing to be held in the B & K content case against owners at Otto K. Exemptions to his report will be heard.

**Coming and Going**

**Friday, October 11, 1940**

**HUNT STROMBERG is here from the Coast.**

**WILLIAM WALDOHL, head of the RIAA's shorted department, leaves Monday for a week's business trip to Philadelphia and Scranton.**

**B E R T WHEELE R leaves for the Coast Sunday.**

**C H A R L E S L A U T H O N G arrives here next week for a short stay before he continues a p.a. tour in conjunction with "They Knew What They Wanted" openings.**

**DON AMECHIE leaves tomorrow for a short stay in Chicago before continuing to the Coast.**

**C A R M E N M I R A N D A arrives here Monday from Brazil on the Uruguay.**

**L E E B O W M A N is vacationing at his home in Cincinnati. He is expected here next week.**

**J O H N G A R F I E L D is at the Warwick.**

**I E R E N E R I C H is at the Waldorf.**

**B E B E D A N I E L S and BEN LYON are expected here from Europe in the near future.**

**F R E D W. R I E T S O N, secretary of AMP, left the Coast Wednesday for New York, sailing via Panama.**

**R I C K B I R D W E L L has returned to the Coast from New York.**

**Y. FRANK FREEMAN and BOB HOPE plan to return to Los Angeles from Miami for their 56th Red Cross benefit.**

**ESTHER RALSTON and her husband TED LLOYD planned out of Hollywood yesterday for New York.**

**T O N Y M A R T I N has arrived at the Coast for his role in Metro's "Ziegfeld Follies."**

**WESLEY RUGGLES and his wife planned out from the Coast yesterday for New York and a Clipper trip to South America.**

**Rites for Sam Behrendt At Coast This Morning**

**West Coast Bureau of THE FILM DAILY**

Hollywood—Funeral services for Sam Behrendt, 61, veteran insurance man closely allied to the motion picture industry since its early days, who died of a cerebral hemorrhage following a long illness, will be held here this morning, to be followed by a private service at a later date.

**J. ROOSEVELT TO SPEAK at Orange Coast College**

Pittsburgh, Pa.—John Harris, general chairman of the Variety Club's annual banquet, which will be held Sunday evening, October 20, has announced that among the speakers on that occasion will be James Roosevelt, the former governor of Texas.

**Expect "Voyage" Take of $48,000**

The first day's business of "The Long Voyage Home," at the Rivoli indicates that receipts for the opening week will reach $48,000, according to United Artists which states that "polled" receipts of 89.4 cents are running neck-and-neck with Warner's previous tenant at the Rivoli, "Foreign Correspondent."
The Wonder Roadshow THAT WILL WING YOUR RECORDS TO HEIGHTS NO OTHER PICTURE EVER REACHED!

Alexander Korda presents

THE THIEF OF BAGDAD

in Magic Technicolor!

SHOWMEN PREVIEWS IN ALL KEY CITIES

starting THURSDAY AND FRIDAY

October 17th and 18th

Your branch manager has tickets for you and your family. Contact him immediately and see the picture that dwarfs all other screen spectacles.

In the Los Angeles area, exhibitors will view its tremendous audience appeal during the $2.20 long-run engagement starting Thursday, October 17th, at the Carthay Circle.

Released thru UNITED ARTISTS
I VISITED THE M-G-M STUDIOS!

By An Exhibitor

FOR years I’ve read about the
STUDIO that makes the hits!
UNTIL you see it with your own eyes
YOU don’t know
THE half of it!
I SAW acres of activity, factories, mills—
I SAW power plants, office buildings—
I SAW miles of clean, wide streets
LINED with huge stages where
DREAMS come true!
I FOUND STABILITY! SECURITY!
I surveyed this exciting scene with the
PRIDE of partnership for truly
THE solidity of this Studio is
A cooperative responsibility
BETWEEN the men who make the pictures and
WE who exhibit them.
I WAS at the preview of

(continued above)
"THIRD Finger, Left Hand" (Myrna Loy, Melvyn Douglas)
I roared with that howling audience and
I predict it will top "I Love You Again."
I SAT with the first enthralled public to see
"ESCAPE" that great film from a great book!
(Norma Shearer is the Countess, Robert Taylor is the lover.)
I laughed and wept at Judy Garland’s
"LITTLE Nellie Kelly" a darling of a show.
I attended the historic preview of
"THE Philadelphia Story," (a New Year’s Gift!)
HERE is box-office entertainment that
SPARKLES with fun, romance and
CAST! (Cary Grant, Katharine Hepburn, James Stewart)
I SAW “Bitter Sweet” in the projection room!
SUCH opulence of Technicolor spectacle has
NEVER before graced the screen
SUCH music (Jeanette MacDonald, Nelson Eddy) has
NEVER been heard since magic sound began!
I’M thrilled to return to my theatre
INSPIRED by the infectious pep of M-G-M
BY my talks with its down-to-earth
PRODUCING staff, directors, executives!
BY the many M-G-M stars and by the
AMAZING group of young stars on the way UP!
I SAW the smoothest functioning organization
THAT the amusement world has ever known.
I’VE just signed a contract for 1940-41
WITH the one and only outfit
THE Friendly Company of M-G-M!
Midwest Is Divided Over Higher Scales

(Continued from Page 1)

increased admission prices. Cleveland exhibitors feel they are charging all that the patrons are willing to pay, in view of the raised prices to absorb the recent defense taxes. Divided opinions prevail in Detroit, while an "on the fence" attitude is in evidence in Chicago.

In all situations, however, the anti-increase groups hold a slight majority. Detailed reports from the four cities follow:

Chi. Indies Willing To Raise on Specials

Chicago—Leading independent theater owners here are adverse to raising admission prices unless the films is exceptional, a survey reveals. The apparent willingness to raise prices for special pictures is fairly uniform, although Van Nomikos, vice-president of Illinois Allied, said the tendency to hike prices was resisted by customers on any picture in view of the increased tax. On the other hand, Arthur Schoenstadt, circuit head, declared that exceptional pictures justified higher admissions and that he had found the public willing to pay. The quality of the picture must be the determining factor, he indicated.

It is reported that B & K's hiking of prices for "Boom Town" was only partially successful, although it stayed four weeks at two theaters. Plans are now under way for tilting the scale for "Northwest Mounted Police" at the Chicago Theater, opening Oct. 24.

Iowa Exhibs. Agree With Joseph Bernhard

Des Moines, Ia.—Iowa exhibitors and distributors divided over Joseph Bernhard's statements regarding boosted prices on big pictures, but generally agreed with the Warner Brothers general manager.

Tri-States theaters reported boost-

ed price on "Boom Town" was justified, according to the results so far muncated. No complaints had been received from the patrons.

It was pointed out that payrolls in Iowa have failed to make any rapid jumps and with business conditions below average, any attempts to increase prices would meet with reaction from the public. No general price increase, or for specific pictures like "Boom Town" is divided in this territory, with larger operators generally favoring the hike for better pictures, while independents are less willing to take the move.

Typical is the non-committal stand of Charles C. Perry, manager of the first-run Adams, that "Detroit has been a main workhouse where there have been forty-cent first-run houses as in many cities, of course the price should be boosted. Admissions, too, can be increased on specific pictures of proven quality—not necessarily proven box-office appeal. Increase should be all the way down the line from first-runs to sub-

sequent." Jack Hurford, manager of the filmm, Fox, was definitely against boosting prices, telling Film Daily, "Everybody seems to think Detroit is in an era of prosperity—but it's a long way off still. I think, therefore, that raising prices on special pictures is bad."

The typical stand of several independent managers interviewed was summarized in the statement of Raymond E. Moon, manager of Mutual The-

WEDDING BELLS

Green Bay, Wis.—H. M. Corbett, manager of the Warner circuit in Chicago, was married here last week to Miss Geraldine DeStauche.

Solomon M. Strausberg, vice-president of the Interboro Circuit, has announced his engagement to Miss Joan Phyllis Horwitz.

Des Moines, Ia.—Miss Florine F. Wieland of Central States Theater Corp., will marry Henry J. Plude, Jr., manager of Rocket theater, Rock Island, I1., Oct. 30.

Pittsburgh—Ryna Mattes, of the Warner Theaters booking office, has announced the date of Nov. 3 for her marriage to David Farberow.
Spanish Production Making Fast Gains

(Continued from Page 1) as many newsreels, short films and cartoons. Also, a number of foreign films have been dubbed, it is reported.

At the present time, there are 10 producing and five dubbing studios operating in Spain.

The advance in Spain's motion picture industry has been largely due to the stimulus given by Government regulating agencies which have made it difficult for foreign companies to introduce new films into Spain or to secure the films necessary for dubbing and making copies. Furthermore, a much larger group of native artists has been developed and production technique has improved steadily.

Kreisler Named Univ. Short Subjects Manager

(Continued from Page 1) a special executive capacity after a successful two-year record as Universal's branch manager in Washington. His first position with Universal was as a salesman in Boston.

Arkansas ITO to Meet In Little Rock in Nov.

(Continued from Page 1) Little Rock. O. G. Wren, Little Rock, is president; K. K. King, Scarcy, is secretary, and W. E. Martin, Augusta, vice-president.

Greece Extends Pix Quota And Exchange Regulations

Athens (By Air Mail)—Quota and exchange regulations on the importation of films into Greece have been extended to June 30, 1941, with but one exception. The ministerial decree abolishes the requirement that exchange for the payment of royalties be made in five bi-monthly installments.

Hereafter payment for the total amount of royalties on feature films may be effected in the usual way, either by letter of credit at U. S. port of exit or cash against the documents at destination.

This eliminates one of the most burdensome of the regulations that have been in force since the outbreak of the European war.

Talk N. H. Labor Pacts

New Haven—Projectionists' local No. 273 will meet Sunday night, October 20, at Trades Council Hall, with Nelson Frazier presiding. Negotiations for new contracts with circuits and independents should be concluded by the end of this month, according to Business Manager Matthew Kennedy. Stage employees meet Monday, October 28, with John O'Connell presiding.

III. UTO Becomes State-Wide Unit

(Continued from Page 1) part of a group of 40 that attended a meeting of UTOI at the Hotel Emerson here.

Additions to the board include the following: Mrs. I. W. Rodgers of Cairo; Steve Farrar of Harrisburg; Noah Bloomer of Belleville; S. E. Pirtle of Jerseyville; P. C. Scottar of St. Louis; Robert C. Cluster of Salem and George Barber of Villa-grove.

Legislative problems confronting Illinois exhibitors took up most of the discussion while action on free movies, nickel-in-the-slot movies, film star appearances on radio and other kindred amenities of exhibition business was decided upon by the members.

Edward G. Zorn of Pontiac, president, presided at the meeting. William P. Crench, executive secretary, also spoke revealing the rapid strides UTOI has made in membership, every county in the state now being represented.

District meetings of the UTOI will be held in all parts of the state in November, it was announced.

Propaganda Pix Said To Be Handled by Uta

(Continued from Page 1) are in German, French, Italian and Spanish languages. Films are sent here by both clippers and ships to assure arrival, according to the League.

ITOA Poll Reveals One Exhib. Favors 5-Pix Plan

(Continued from Page 1) if they preferred block-booking with cancellation or buy-in in blocks of five as stipulated in the consent decree.

English Boy to Remain With Sam Strauberg

Samuel Strauberg, president of the Interboro Circuit, has arranged to bring over an English boy who will live in the Strauberg home for the duration of the war.

Meanwhile, Stanley Kolbert, general manager of Interboro, has announced that employees called for military service will find their former jobs awaiting them provided they have been honorably discharged.

Pettengill to Miami

Miami—H. W. Pettengill has been appointed publicity and advertising manager for Paramount Enterprises, Inc. He was formerly connected with the Schine Circuit. He succeeds Karl Roller, who resigned some weeks ago.

20th-Fox Engages Hermes Pan

West Coast Bureau of THIS FILM DAILY Having: Mrs. Faye L. Patro, has been signed by 20th-Fox to direct the dance numbers in "Tail, Dark and Handsome."
THEY KNEW WHAT

..AND THEY’RE TELLING THE WORLD!

DAILY VARIETY SAYS—
“Premiere staged by RKO convinced San Franciscans that they, too, knew what they wanted...Police estimated crowd of 50,000 around theatre . . . House filled to capacity for three premiere shows.”

EDWIN SCHALLERT, LOS ANGELES TIMES—
“San Francisco premiere proved the picture to be a noteworthy event in performances, story treatment and direction . . . Large crowds congregated in front of the theatre.”

FILM DAILY SAYS—
“Should be big at the box-office...Splendid dramatic story, excellent performances, expert direction...Can easily qualify as one of the best dramatic efforts of recent years.”

MOTION PICTURE DAILY SAYS—
“Moving and powerful...A strong story...of futility and hope, of sordid passions and idyllic love, of tragic sin and epic forgiveness.”

VARIETY SAYS—
“Beautifully acted, excellently directed and produced with fine feeling...A class picture for the top first runs, guaranteed to delight the emotionally inclined.”

HOLLYWOOD VARIETY SAYS—
“Valid, powerful and enticing in its drama as it was in the theatre . . . Has the sure-fire elements of widespread woman interest.”

LOUELLA O. PARSONS, L.A. HERALD-EXAMINER
“Charles Laughton gives an Academy Award performance if ever I saw one...Carole Lombard proves she is a fine dramatic actress . . . As fine a picture as we have seen in many a day.”
50,000 PEOPLE TRY TO CROWD INTO SAN FRANCISCO WORLD PREMIERE TUESDAY NIGHT . . . BUSINESS TERRIFIC EVER SINCE . . . SMASH NEW YORK OPENING AT RADIO CITY YESTERDAY . . . WIRES BURNING WITH ENTHUSIASM FROM OPENINGS IN CHICAGO, NEW ORLEANS, BOSTON, PROVIDENCE, DETROIT, COLUMBUS . . . DOZENS OF OTHER FIRST RUNS OPENING NEXT WEEK!

CAROLE LOMBARD  CHARLES LAUGHTON

"They Knew What They Wanted"

DIRECTED BY GARSON KANIN
with WILLIAM GARGAN • HARRY CAREY • FRANK FAY

HARRY E. EDINGTON Executive Producer • Produced by ERICH POMMER SCREEN PLAY BY ROBERT ARDREY From the Pulitzer Prize Play by SIDNEY HOWARD
"REVIEWS"

Third Finger, Left Hand"

with Myrna Loy, Melvyn Douglas, Lee Bowman, Raymond Walburn.
Metro 95 Min.

SPARKLING COMEDY WITH TOP NOTCH CAST AND PRODUCTION VALUE. ONE OF THE BEST.

Here is an audience picture on all scores, with every earmark of a solid box-office smash. Exhibitors should do big business with it. Metro should make big returns on it, and audiences generally should keep themselves delighted with the picture. It is a sparkling comedy from the word go, with a smooth pace, expert cast, deft direction and top notch production value. All of which spells big BOX-OFFICE in capital letters. Exhibitors have Myrna Loy and Melvyn Douglas for many years, and plenty of opportunities possibilities to help sell the picture. Myrna Loy has never appeared to better advantage as a comedienne. She literally sparkles in her role, and does a smooth job. Melvyn Douglas plays the leading man—fine performance. Excellent support is given by the principals by a cast of expert players. Felix Bressart and Raymond Walburn are both amusing. Bonita Granville is adequate in a small role. Lee Bowman appears to advantage, and Donald Meek and Ann Considine contribute to the picture's general all around quality.

Robert Z. Leonard smoothly guides the players through their paces, and his swave touch is apparent throughout the picture in the way scenes are played. An original and highly amusing screenplay was constructed by Myrna Loy. Trumpet is a dialogue funny where it should be funny and doesn't strain any situations for laughs. John W. Considine, Jr., gets the credit for the plucky production value. An expert photography job is turned in by George Folsey. David Snell rates a hand for his magnificent camera work.

There is a number of hilariously funny scenes in the picture, with plenty of amusing business that is smoothly staged, for which Loy is going through with a vengeance and a Brooklyn accent is a standout.

Myrna Loy, successful editor of a big magazine, has created a fictitious husband to keep the pass-making publisher away from her so that his wife won't have her fired. However, after she meets Douglas and he falls for her, only to learn that she is married, he takes measures into his own hands and moves into her home as her husband to get even as he thinks he has been played for a sucker. Naturally, Miss Loy can't tell her family he isn't her husband and she can't d'vorce him because they are not married.

This situation is well developed and well sustained right to the finish of the picture when she decides he is the right man after all. A smart, workmanlike job.


SNEAK PREVIEW: Producer, John W. Considine, Jr.; Director, Robert Z. Leonard; Original Screenplay, Lionel Houser; Cameraman, George Folsey; Musical Score, David Snell; Editor, Vera West; Direction, Sam. Photography, Smooth.
STEP RIGHT UP
GENTLEMEN...WETHER
YOU'RE FOR WILLKIE
OR ROOSEVELT....
THIS PARTY
WILL WIN
YOUR VOTE!

The No. 1 Banquet of the year
—America's No. 1 Week-end
Pleasure Jaunt for Exhibitors and Film Execs!

VARIETY CLUB
12th ANNUAL BANQUET

Presented in honor of Retiring Chief Barker
C. J. LATTI

Ar. His Associate Officers
Burt Bishop
Al Weilinger
Brian McDonald

Art Endland
Mike Shapiro
Elmer Eckar

M. A. Rosenberg
Mike Gallagher
Geo. Je D. Tyson

WM. PENN HOTEL
PITTSBURGH, PA. OCT. 20, 1940 7:00 P.M.

In addition to the most distinctive and
original banquet in America
YOU WILL SEE

PITT vs. FORDHAM
FOOTBALL GAME ON OCT. 19

BANQUET S11, FOOTBALL TICKETS $2.75 and $3.30
For reservations, write or wire
JOHN H. HARRIS
FIRST OFFICE FLOOR, WM. PENN HOTEL
"DOWN ARGENTINE WAY" IS SMASHING THOSE RECORDS DOWN PHILADELPHIA WAY!

Bigger even than "Jesse James"—in its pre-release run at the Stanley! And flash-reports say it's the same boxoffice story at the other three Wednesday openings—Portland, Ore., Butte and Billings!
MODERNIZATION INVESTMENTS UP 10 P.C.
SMPE Coast Convention Calls Equipment Men

Sessions to Open Oct. 21
In Hollywood: Successor to Willford Will Be Chosen

Equipment clams from every section of the country will gather in Hollywood's Roosevelt Hotel Oct. 21-25 inclusive for the 1940 Fall Convention of SMPE at which a wide variety of technical film subjects will be discussed, including television.

Presentation of this year's SMPE Progress Medal and Journal Award, won last (Continued on Page 4)

Eberston Jobs Show
Exhib. Field Boom

Determination of exhibition interests to effect improvements to their theater in order to realize greater grosses, and alertness of showmen to provide new houses to (Continued on Page 7)

Richards Will Build
Theater In Carrollton

Carrollton, Ga.—Building permit has been issued to Hugh W. Richards for construction of a modernistic playhouse to cost more than $17,000. This will give the city three theaters.

Subway "Root" Joins
B & K "Branches"

Chicago—There will be an even more definite "connection" soon twist the Chicago and State Lake Theaters of B & K—other than the fact that they are both under that circuit's ownership and operation. It seems that Rapp & Rapp, theater architects, are now at work on plans which call for connecting the two houses with subway stations when the new underground is built here.

NTS Orders Brisk
On Simplex Line

Recent rapid pace of National Theater Supply Co. in filling current demand for equipment on the part of film houses throughout the country is exemplified in reports just released by organization's home office.

Simplex Four Star Sound installations include those for the Lone Star, Jasper, Tex.; Strand, Key West, Fla.; Dade, Miami; Jewell, Gordon, Ga.; Gem, Beaverton, Mich.; Senate, St. Louis; Austin Drive-In, (Continued on Page 4)

Remodeling Won't Close
Mid-West Pic Theater

Clinton, Ia.—The Rialto theater here will continue to operate while Central States gives the house a face lifting with a modernistic touch.

The entire frontage of 60 feet will be covered with three colors of an enameled siding. The main change to the interior will be the (Continued on Page 7)

Gov't Orders Bring
Eastman Expansion

Rochester-Eastman Kodak Company will launch work at once on a large addition to its Hawkeye Works to be ready for anticipated orders for defense equipment.

The new building, a six-story structure, will increase the plant's capacity by 50 per cent. It will be the manufacture of optical equipment for military use. Cost of the construction was not announced.

Work will be rushed, Kodak officials said, so the first floor may (Continued on Page 5)

Rewinds Price Remains
Despite Improvements

GoldE Model "H" Automatic Enclosed Reel Winds include improved Micro-Switching and the patented GoldE Reel Drive Dog, as standard equipment. There is no increase in price, company announces.

Embodying an entirely new principle of design, the improved Micro- (Continued on Page 6)

Missouri Exhibs. Term It "Dam" Shame—
But What Good Is An Underwater Theater?

Greenville, Mo.—The Greenville, this town's only film theater to be reconstructed about a mile from its present location because the town site is in Greenville as if new exists is to be under many feet of water when the Federal Government completes the Wappapello dam. Grishner and Bellinger, present owners of the theater, are negotiating with the Government's agents on the amount of damage to be allowed on the property.

Jobs Generally Larger;
More New Houses Built
And Outlook Improving

Modernization of film theaters is not only on the upswing currently, but that has been the trend ever since Jan. 1 of this year, it is revealed by a survey of the exhibition field nationally. Probe discloses that while fewer new houses have been remodeled than was the case during the first eight months of 1939, nevertheless projects were of greater intensity and scope.

Index to the entire domestic picture in 1940 to date is furnished by a check-up of outlets which lie East (Continued on Page 5)

N. J. Resort Is Set
For Building Boom

Atlantic City—A theatrical building boom will hit here this winter in preparation of what is anticipated to be a banner year for showmen in 1941. Two new theaters and a big alteration job are among projects contemplated.

A month was this week taken out for demolishing of bank building at New York and Atlantic Avenues, (Continued on Page 7)

Three Firms Are Named
As Plandaire Agents

Pittsburgh—Plandaire, Inc., through its vice-president and sales manager, Lee Eils, announces recent appointment of three sales representatives who will have exclusive sales, (Continued on Page 8)

Erpi So. American Biz Gains
Further Sale Addresses Seen by U. B. Ross

Iowa Exhib. Wins Permit
To Build New Theater

Cedar Falls, Ia.—M. R. Blair, operator of the Regent theater at Cedar Falls, disclosed a new house would be constructed here in appearing before the city council to secure permission to build the theater. The council granted permission for construction of the house.

Blair asked that the proposed (Continued on Page 6)

Unique Rubber Seats
By Int. for B & K

Unio City, Ind.—C. C. Koontz, president of International Seat Corp., here, the firm to which B & K came for the re-covering of theater seats, the Chicago Theater, reports that this job is unique in mobility annals. Installation of incredibly comfortable chairs has now been completed. They not only have rubber cushions, but rubber arm and rubber backs. As far as is known these are the only seats in existence. Incidentally, B & K are going to re-seat their Thool with international-made chairs.
Many Equipment Firms To Show At SMPE Meet

West Coast Bureau of THE FILM DAILY

Hollywood—Chamels close to the opening of the new Central City Theatre, announced for early October, indicated here yesterday that an extra large representation of equipment manufacturers has been invited to show their newest motion picture equipment wares as one of the features of the concave. Two rooms in the new theatre which will be given over to the exhibits.

This activity will be in charge of three head by Barton Kreuzer of RCA’s local film headquarters.

In anticipation that the exhibits will be more extensive than heretofore, arrangements have been made to add space if necessary.

New 900-Seater Opens In Suburban Memphis

Memphis, Tenn.—The Idlewild Theatre, new $64,000 suburban theatre, has been officially opened. Chalmers Collins, in Memphis show business for 35 years, his brother Edward, and Nate Evans, former orchestra leader, are owners.

Features are a $14,000 cooling system, drinking fountains with indirect lighting, love seats—two seats without arm rests—in the balcony, and use of blue throughout in upholstery, tapestries, carpets and restroom and box-office furnishings. Seating capacity is 900. Products of several studios will be shown.

Floyd Stand Shuttering

New Port Richy, Fla.—The Vogue theatre is to be closed for about a month, according to Jack Glavich, manager, while improvements are being made. A new model 1941 sound system is to be installed. This is one of the Floyd theatre chain houses.

Form Equipment Firm

Detroit — Ernie Forbes Theater Supply has been formed by Ernest H. Forbes, to succeed the Oliver Theatre Supply. Inc., last year, and affiliated with the company. The new firm will add even more connections with the outlet, under which business will continue to be done in the Cleveland territory.

Two RCA Chi. Jobs

Chicago—RCA local offices report installations in the Roxy Theater, Berwyn, Ill., recently taken over by the Schoenstadt circuit from the Latker interests. The Russell circuit’s Rialto theater at Champaign has installed the latest Brencht projector and RCA sound system.

Ind. Stand About Ready

Warren, Ind.—The new Warren Theatre will be held over for two days, opening today, when the house will be completed. Its seating capacity is 450. J. E. Stoukey, will operate the house.

Bodiform for Bridge
don

Bridgman, Mich.—O. A. D. Baldwin, superintendent of Bodiform theater chairs in his Bridgman Theater here.

Sam Schoenstadt’s Newly Acquired Roxy

Berwyn, Ill.—Roxy Theatre, recently taken over by the Schoenstadt organization, was a new front installed, plus 1,130 of the latest Kroehler seats and RCA sound, Whitmeier Co. are installing the Carbona air conditioning unit. Improvements, it is estimated, will cost $40,000.

Martin O’Brien from the Brighton Theater will be house manager, under direction of Sam Schoenstadt, district manager. Alex Levy drew the house plans which include the erection of a balcony, which will add 320 seats to the capacity.

New Arlington, Va. Army Post Will Have Theater

Washington Bureau of THE FILM DAILY

Washington—The War Department has approved a $12,500 appropriation for 12th Infantry troops stationed at the New Arlington, Va., cantonment.

By stretching its budget, the department is able to establish another large enough to hold 500 persons, about half the post’s personnel.

Two Fort Worth Theaters Make Shift to Neon

Fort Worth, Texas—Both the Woodlawn and Across the Street, Fort Worth’s first class Interstate theaters in Fort Worth, Texas are getting new signs, and new neon shaped signs.

The old-fashioned incandescent balls in both signs are being replaced by modern neon lighting.

Cianciolo House Standout

Memphis—Mike Cianciolo has one of the finest houses in the section of the country with his new $65,000 picture palace here. Local Monarch Theater Supply Co., furnished all the equipment for making the incandescent ball and phonics and U. S. Air Conditioning system.

Shutters for Improvements

Oakville, Conn.—Rocco Longo will close the 350-seat Community Theatre a few days, during which he will reconstruct and modernize his lobby and redecorate the interior.

Booth Equipment Restored

Davenport, Miss.—Barr & Nichols Star has both equipment completely rebuilt by Monarch Theater Supply Co. of Memphis. Fire damaged equipment several weeks ago. WB to Brighten House

South Norwalk—Warner Bros will redecorate lobby, front and interior of the Rialto, and furnish the house with new carpet.

Eaton Re-Equip

Memphis—J. W. Eaton’s Peabody Theater here has been re-equipped with Motograph projection and Ashcraft lamps.

ASC Fils Order

Detroit—Amusement Supply Co., has installed a new screen in the Virginia for the Portell Circuit.
A LESSON IN Business Philosophy
FOR THE OWNERS OF SMALL THEATRES

Question: What does the theatre patron pay to see?
Answer: The picture on the screen.

Question: What factor in the theatre determines picture quality?
Answer: The Projection Light.

Question: What source gives the best projection light?
Answer: The High Intensity Carbon Arc.

Question: Can the small theatre afford High Intensity Projection?
Answer: Yes, the modern "One Kilowatt" Arcs provide everything that is needed at remarkably low installation and operating costs. Snow white light and a high level of screen illumination assure the best picture quality obtainable. Clear, comfortable vision increases patronage.

High Intensity Carbon Arc Lamps supply all the spectral colors in essentially even balance. That is why they give fine color reproduction.

THE NEW "ONE KILOWATT" ARCS
USE "NATIONAL" "SUPREX"
AND "OROTIP" CARBONS.

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
NTS Orders Brisk On Simplex Line

(Continued from Page 1)

Orders for Simplex High Projection Lamps include Reese, Harrington, Del.; Roxy, New Britain, Conn.; Stratford, Stratford, Conn.; Lido, Long Beach, L. I.; Ecorse, Ecorse, Mich.; Grand, Keokuk, Iowa; Senate, St. Louis; Ritz, Enterprise, Ala.; Lyric, Easley, S. C.; Grand, Lincoln, Ill.; Castor and Lehigh in Philadelphia; American Movies, New York; and the R & R Pal and Lyric in Palestine and Big Springs, Tex., respectively.

COMPLETE THEATRE
RENOVATION IS
OUR SPECIALTY

Lighting Effects • Draaperies • Acoustical Correction • Wall Covering • Painting and Decorating • Stage Rigging • Steel Tracks • Curtain Controls • Carpets

Send for circular showing other recent installations.

CHARLES H. KENNEY STUDIOS, INC.

112-18 W. 44th St., New York City

SMPE Conclave Calls Equipment Leaders

(Continued from Page 1)

year by Dr. Lloyd A. Jones of Eastman Kodak Labs, and Dr. Herbert T. Kalms, Technicolor president, respectively, will occur at the 47th Semi-Annual Banquet on the night of Oct. 23.

First order of business at the general sessions will be election of officers. Terms of E. A. Williford, (National Carbon) president; Nathan Levinson, (Walters) executive vice-president; J. I. Crabtree, (Eastman Kodak) editorial vice-president; Wm. C. Kunzman, (National Carbon) convention vice-president; J. Frank, (National Theater Supply Co.) secretary, and R. O. Strock, (Audio Productions) treasurer, expire on Dec. 31. With the exception of the secretary and treasurer, who serve one year, all the officers have served two-year terms.

Nine convention committees have completed arrangements for participation in the programed events. Activities for delegates' wives have been scheduled by a 20-woman committee headed by Mrs. Loren L. Ryder. Daryl F. Zanuck, 20th-Fox producer and chairman of the Academy of Motion Picture Arts and Sciences' Research Council will address the opening day luncheon, and technical experts will offer for discussion nearly 50 scientific papers during the 11 sessions. Two of the latter will be given to sound, one to sound recording, one to disc recording, "two to lab subjects, one to television, and four to general topics.

Visits by delegates to film studios, including 20th-Fox, are contemplated, and the afternoon of Oct. 23 is set aside for sight-seeing and recreational features.

Committee chairmen, other than those already cited, include: C. R. Sanger, Pacific Coast Papers Committee; H. G. Tasker, reception and local arrangements; W. C. Kunzman, registration and information; Nathan Levinson, banquet and entertainment; G. A. Chambers, hotel and transportation; Herb Griffin, convention projection, and Julius Haber, publicity.

Screen Sales Reported

Walker Plastic Molded Screens have just been shipped to the Capitol, Halstead, Pa.; Home, Old Forge, Pa.; Roxy, New Britain, Conn.; Stratford, Stratford, Conn.; Newtown, Elmhurst, L. I., Vienna, Va.; Paterson, N. J.; Sun, Grand Lodge, Mich.; Sun, Vicksburg, Mich.; Strand, Alliance, Ohio; Fernway School, Shaker Heights, Ohio; Vogue, Cincinnati; R & R Pal, Palestine, Tex.; Castor, Philadelphia, and the Charles, Montgomery, Ala.; by National Theater Supply.
Investments Are Up In Modernization

(Cocontinued from Page 1)
of the Rockies. Up to Oct. 1, about $36,000 was reported to have
recovered structural improvements at a
cost of approximately $5,000,000, as
reported on, this year. Approximately
$1,550,000 was reported on, as the
reporting period of 1938, slightly more than $4,750,000.

John Eberson points to what he
holds is the explanation, namely, that
theater interests are getting away
from Na. Va. hit entertainment and are
favoring the more practical smaller
type house—ones which are thoroughly modern and contain-
ing nothing architecturally which is not
logical and functional. Such theaters,
he declares, the permanent
successors to the "gingerbread"
houses which were once in vogue.

Outlook for both new construction
and remodeling during the balance of
1940 is bright, Eberson asserts,
but adds that there is still a tremen-
dous number of houses which
in the interest of owners, public
and the industry at large, should
be replaced. The percentage of theaters
in need of remodeling also remains
very high.

G-E Lamps Active

Schenectady—Demand for G-E
lamps continues to keep company's
gotting at a rapid pace.

During the past eight months,
the period in which the still-continu-
ing price reductions on fluorescent
and Mazda lamps has been in force,
—sales have increased, it is stated by
channels close to the organization.

Smith Branches Out

Lapeer, Mich.—George F. Smith,
local exhibitor who operates the
Lyric, will soon have another house
in operation in this community. The-
er will be modern in every respect
and the date set for the opening
is being given to the type of equipment
which is installed.

Malanos Eyes Xmas

East McKeesport, Pa.—Christmas
has been set as the date for the open-
ing of A. Malanos house now
under construction.

Special festivities have already
been arranged for the occasion, includ-
ing a holiday film program.

Schuler Re-Sound

Tacoma—Charles M. Schuler is
re-sounding his 1,000-seat Park The-
er in the McKinley Park district here.

Brownwood, Tex., To Be a "Boom Town":
Spurs Circuit To Build New 800-Seater
Dallas—Announcement is made here by William G. O'Donnell, divisional
manager of Texas Consolidated Theaters, that the circuit will build a new 800-seater in Brown-
wood, and 800-seaters in Concan and Paris. Circuit operates already in all three
cities. Brownwood is scene of new National Guard camp which will result, according
to estimates, in population rise of 20,000.

All houses will be built as large
interstate and Texas Consolidated theaters as to modern equipment. All three
are to be in operation in January. Construction starts at once. Pettigrew and Worley
are architects.

J. R. Cuhlane Announces
$200,000 Dell House

Wilmington, Del.—Plans for the construction of a $200,000 motion
picture theater building on the Gov-
er Roosevelt Boulevard in the $1,-
500,000 suburban business district
being developed in Edge Moor Ter-
race, just North of this city, and
the completion of negotiations for a long-
term lease on the theater, were
announced yesterday by Joseph R. Cul-
hane, vice-president of the Wilming-
ton Construction Co. The lease was
negotiated by Herbert P. Diener, of
the DuPont Building.

The theater, to be known as the
Edge Moor Theater, has been leased
for 50 years by Joseph R. Cuhlan,
Chairman of the Wilming-
ton Construction Co., which
was founded by Albert J. Fischer, Jr., of Glen-
side, Pa., is president. Fischer is the
owner of many other theaters
throughout the Philadelphia suburban
area, including the Keswick and the
Narthber.

Work on the building will be started
within the next two weeks and it is expected to be completed prior to
Feb. 1, Cuhlane stated.

Memphis Scene Active

Memphis—Notable local territory ex-
hibitors have launched theater im-
provement programs during the past
30 days, according to National The-
er Supply's branch here.

R. B. Goosch obtained Irwin seats,
Walker screen, Simplex projection
lamps and Hertor generators for
his Savannah, Tenn., theater.

Similar orders were placed by the
Hollywood, Memphis, J. A. West's
house; the New in Hernando, Miss.;
B. L. Lester's Georgia Theater, Mem-
phis; and theaters operated by John
Collins, W. N. Hammer, Roy Dillard
and Henley and Burris Smith.

Every one of the situations ordered
Alexender Smith carpet.

Mrs. Semelroth Brightens Up

Dayton—Mrs. M. Semelroth, who
operates the Federation Theater here,
has improved her theater's projection
by stepping-up the light source.
Her two other local houses, the
Peoples and Sigma Theaters, have
also received attention along this
line.

New Brenkort lamps are an item in
the improvement schedule.

Burger Gets Sound

Alfred G. Burger, president of Bol-
er Realty Corp., has signed a con-
tract with RCA Photophone for both
sound reproducing equipment and
hard-of-hearing aids for his new
1,200-seater in Great Neck, L. I.

Gov't Orders Bring Eastman Expansion

(Continued from Page 1)
be ready for occupancy in Febru-
ary. The whole building will be
completed a few months thereafter.

Kodak has not been notified that
it will receive new government or-
ders for optical instruments, but is
enlarging its facilities in expectation
that orders will come through,
it was explained.

Contracts and subcontracts for de-
finite equipment already undertaken
by the Hawk-Eye Works cover a
wide range of optical instruments
for military use, including lenses for
aerial cameras. Construction of the
new building, measuring 230 feet
by 60 feet, will reduce the time in
which production on anticipated orders
can be started.

Mullin Equips Two

Cleveland—James Mullin, local
RCA sales representative announces
the installation of RCA sound equip-
ment in the Dreamland Theater,
Lorain, and the Harbor Theater,
Ashtabula Harbor.

"SOUNDS LIKE SENSE, DOESN'T IT?"

There are two ways of using machin-
ery. One is: hope to high heaven noth-
ing goes wrong—and when it does—run
a high blood pressure and fix it first.
The other way: let experts keep it in
top-condition all of the time.

That's what smart showmen do about
projection room equipment. They pro-
tect themselves, all of the time, with an
Altec sound service agreement and an
Altec booth-part agreement. Sounds like
sense, doesn't it? Change to Altec today!
WHO'S WHO IN EQUIPMENT


Rewinds Price Remains Despite Improvements

Switch sharply reduces the amount of friction needed to operate the switch, assuring smoother, non-cinching rewinding.

The Gold-E Reel Drive Dog completely solves the old problem of sheared pins and broken shaft keys. Mechanically right in design and application, this unit drives the reel at the proper point, thus relieving the stresses that cause key breakage. The Gold-E Reel Drive Dog fits any reel except the two inch hub type, and lasts as long as the rewind itself.

Freier on the Job

Detroit—Edward Hille, owner of the Perrien Theater, is starting a remodeling program, with stage modeling being completed now. House is being reseated by International Seating Co. New front will be installed next year. Architect Henry M. Freier is supervising the work.

B & K Better Two

Chicago—Balaban & Katz have installed a modern porcelain front, new canopy and marquee in the Grand Theater at Gary. A $30,000 improvement job is going into the Capitol Theater at Taylorville, Ill.

Iowa Exhib. Wins Permit To Build New Theater

building be built closer to the sidewalk than the required 14 feet in a residential district.

When asked regarding the construction of the building, Blair stated that the first draft of plans had been made, but that construction might not begin before the Spring of 1941.

Mid-West Fills Orders

Cincinnati—Mid-West Theater Supply has installed international seats in the Inland Steel Co. Wheel-right in Wheeling, Ky.; and in four Ohio houses,—RKO’s Orpheum here; A. Hettichers Norwood, Norwood; A. Bernatines Place, also in Norwood; and in A. Metros Strand in Portsmouth.

Brenkert projection lamps have been supplied by Mid-West to ten houses in the territory.

RCA Busy in Michigan

Detroit—RCA Photophone is installing new equipment in the Hill Theater, Hillsdale, Mich., for Butterfied Circuit; Merbury, Detroit, for Louis Span; Orr, Fowlerville, for Joseph Mellen; Chandler, Detroit, also for Mellon. The Hill Theater, which is the former Alhambra, is a Translux style house, the only one of its kind in Michigan.

Coveleskie Gets Seats

Detroit—John Coveleskie, operator of the Catherine, has installed new seats, supplied by International Seating Co.

Abbey Nixes Building

Detroit—Abbey Amusement Co., theater company started last Spring, has dropped all plans for construction.

Baker to Manage New Rex

Galax, Va.—The new 750-seat Rex theater, now under construction on East Grayson, will be managed by E. J. Baker.

Ross Reports Gain In Erpi S. A. Biz

(Continued from Page 1) ton crop, upon whose liquidation a considerable degree of prosperity depends.

Equipment products, Ross asserts, are in current demand. This is particularly of those of American manufacture in Ecuador and Bolivia the German-controlled interests are unable to supply customers. Sound and projection units, although, in an optimistic vein, they continue to advertise such wares and imply that it will be only a short time before stock is again coming through from Germany.

Ross declares that the new Odeon Theater which recently opened in Guayaquil, Ecuador, is equipped with complete Mripponic sound, Archet lamps and Motograph projectors, and is the first house in that section of the world employing this modern equipment alignment and that the results of the use of high intensity-projected pictures is a sensation.

During the next few weeks the new Menge-Campero Theater in La Paz, Bolivia, will have similar equipment installed, as will the new Municipal Theater which opens this month in Arequipa, Peru. Another prominent project is the new San Martin Theater in Lima, Peru.

Earthquake in May, which wrecked houses in Lima and its suburb, caused little loss to Erpi customers on the score of equipment since this was guaranteed against such a contingency by the company. In the disaster, 15 houses were affected and five have had to be completely rebuilt, while others needed major operations to restore them to normal. The Badell Theater in Cienaga, Columbia, has a total loss, as far as the structure was concerned. Touching again on the supplanting of equipment by Erpi, Ross revealed that even the Saint Mary’s University in Valparaiso, Chile, a privately owned educational institution with an all-German faculty has installed Erpi equipment,—this rather triumphant order having been obtained by Ross’ assistant, Frank Hayes.

Ross points out that respect of Latin-American government officials and business men alike for Erpi has been responsible for the company’s gains. He expects to remain in New York for about two months before returning to his headquarters in Lima.

Hy-C For Three Stands

Broadway’s Roxy Theater has purchased Hy-Candescent Projection Lamps from National Theater Supply Co., as has the Fordham in New York.

Rivoli in Toledo has also ordered the Hy-C lamps.
Eberon Jobs Show
Exhib. Field Boom

(Continued from Page 1)

profit by growth and expansion of population,—is evidenced in the im-
list or project list of John and Drew Eberon, prominent theater architects.

On the Eberon roster currently are the new Theaters in Os-
wego, N. Y., and that circuit's Eastern Theater, Easton Md., and
Schine's Norwalk, Norwalk, Ohio.

Another new Schine house in work is the new Waller, Laurel, Del.,
while remodeling of their Grenada and Riverside in Buffalo is also un-
derway.

The Ebersons are also engaged at present on the Bristol Theater,
Bristol, Conn., for the Warner cir-
cuit; completion of the new Central Theater in Passaic, N. J., for
Center Amusement Co.; and the new Cohoes Theater, Cohoes, N. Y., for
the Fabian interests. The latter
house's plans have been basically
delinated by Jacob Fabian, father of S. Fabian. The senior Fabian
is one of the pioneers of the mod-
ern film house and long an ex-
ponent in exhibition progress.

Other projects going ahead are the Highland Theater in Wash-
ington, D. C., for Lloyd Wijncel, and
the new Colony in Livingston, N. J., for an undisclosed client.

Completion of the new block-
Square, 22-story Ebersohn Building
in Houston, Tex., is also receiving
the close attention of the Ebersons.

Lab Facilities Increased

Mecca Film Labs, Inc., has in-
creased its capacity by some 25 to 30
per cent as the result of newly in-
stalled equipment, it was learned
yesterday from sources close to the
organization.

In addition to the company's con-
tinuing large 35 mm. volume, a lot of
activity above normal is noted
in the 16 mm. bracket.

Krinn Building 600-Seat

Detroit—Krinn Circuit has broken
ground for a new 600-seat at Woodard and Florence Avenues,
in the suburb of Highland Park. New House will be ultra-mod-
ern in design, with very large front,
designed by architect Charles N.
Agree. Completion of site which the Krinn Brothers
have purchased, will be $70,000.

New House For Tullahoma

Tullahoma, Tenn. — Cumberland
Amusement Co., now in exclusive
building on Lincoln Street and plan to convert it im-
mediately into a movie theater. This
company already owns and operates
The Strand here.

Several Michigan Houses
Get New NTS Marquees

Detroit—National Theater Supply
is installing enough new marquees
to constitute a small trend of front
remodelling at Michigan theaters—
a total of seven under way for this
one firm alone. Houses fronting
are: Buckeye and Daraswski's Seville,
Detroit; Moule and Newman's Pasa-
dena, Detroit; Earl Annett's Durand,
Durand; P. J. Schlossman's State,
Muskegon; T. W. Ackerman's Star,
Elkton; Dan Keis' Columbia, Flint,
and Olsen Brothers' Rialto, Gray-
ling.

National is also installing the first
Walker moulded plastic screens in
Michigan, in the two Sun Theaters
operated by Jesse Phillips, at Grand
Ledge and at Vicksburg.

Wolk All Aluminum Mags.
Win High Exhib. Favor

Chicago—Edward H. Wolk, head
of the theater equipment-and-parts
organization operating under his
name, reports company's new and
original All Aluminum Maga-
azines are meeting with enthusiastic
response on the part of circuit and
indie houses in all sections of the
country, as are the heavy projector
bases and special arms handled by
the Wolk offices.

Latter have in stock more dif-
cerent parts for Powers Projectors,
it is said, than any other U. S.
supplier.

Wolk recently returned to head-
quarters after an extended busi-
ness trip which took him across the
country as well as into Canada and
Alaska.

Hasten Toronto House

Toronto—Construction work al-
ready has started on the new Or-
pheum Theater being erected here
for M. Rittenberg.

All concrete in construction, air-
conditioned, and of modern design,
the new playhouse, costing some $300,000, will replace the old Orpheum,
which adjoins and will be opened at
earliest date possible.

Jay L. English, Toronto, is the
architect.

Remodeling Won't Close
Mid-West Pic Theater

(Continued from Page 1)

treatment of the lobby space, Rest-
rooms for both men and women will
flank a general lounge, giving Clin-
ton its first theater to have this
modern type of lobby arrangement.
The lounge and restrooms will be on
the main floor and space will be
provided by the removal of a small
shop to the other side of the lobby
space.

The box office will be situated
flush with the sidewalk line and all
framework of the office, doors and
display cases will be of white metal
which will blend with the tri-colored
fronting. The auditorium will not
undergo any changes, having been
redecorated completely a year ago.

Florida Theater Ready

Homestead, Fla.—The New Semi-
nole theater has been completed as
a cost of $50,000, and is rated as
one of the most modern houses in
South Florida. It replaces the Semi-
nole which was completely destroyed
by fire last March. J. W. English
is owner and operator.

“STRIKE UP THE BAND”

There's cause for gaiety when you
freshen up your house with Alexander
Smith Carpet... it boosts your morale,
pleases your patrons, has a direct influ-
ence on box office receipts... one reason
why you'll find it in most of the coun-
try's successful theaters.

ALEXANDER SMITH CARPET

N. J. Resort Is Set
For Building Boom

(Continued from Page 1)
to provide site for new proposed
theater to be erected by a company
of which Frank Gravatt, president
of Steel Pier, is officer. The Welland-
Lewkis chain which operates the
Apollo-Strand group is said to be
also in on the deal.

Another theater will soon go up at
Harriscburg and Atlantic Avenues,
in the downtown section, as Chan-
ney Court last week cleared away
objections to its erection. The third
big project on the books is a $75,000
remodeling job on the Virginia The-
er on the Boardwalk.

Besides this work will start on the
Ventnor Pier rebuilding pro-
gram on Jan. 1. This pier was
destroyed by fire during the height
of the past season. The Steel Pier
and the Million Dollar Pier are also
going thru a period of alterations
in preparation for next season.

Work Begun on Melba

Bateville, Ark. — Work has
started on the new Melba, which is
a member of the Community
Theater Corporation of Kansas City.
The house will be air-conditioned
and will have a seating capacity of
722. The new theater is expected
to be completed within 90 days.

Headstream is manager.
PROSCENIUM CHATTER

J. A. English’s Bluebird and Highland Theaters, Anaconda, Mont., are right well fixed now. Former house was completely remodeled by said owner and new chairs, Alexander Smith carpet, lighting fixtures, lobby furniture, and new drapes acquired. A new form and new lighting has also been installed in the Highland, ‘mong other things, got a Walker screen, Super-Simplex projector, Simplex High lamps and also Simplex Four-Star sound. Equipment was channeled by National Theater Supply’s Salt Lake City branch.

* Lester C. Funk is building a 1,200-seat at Belli/Fosser, Calif., and is also having modernized the sound equipment now installed in his Center there.

* Ellis Blumenthal, proxy of the circuit bearing his name, has contracted with RCA Photophone for new sound equipment for the Star, Savannah, Ga. This house is managed by Barney Hakenstein.

* W. N. Carnaon, formerly of the Fox, Fort Meade, Fla., is re-building a former postoffice building at Lake Wales, Fla., into a theater, known as the Park.

* Edwin C. Loomis has put new seats, a new screen, Brenkert projectors and Alexander Smith’s new fluorescent carpet into his State, Elk Rapids, Mich.

* At the turn of the month, Cullins and Evans opened their Idlewild, Memphis, Tenn., and spotted Motograph projectors, A. E. Smith lamp, Rectorlite rectifiers, and a new screen.

* Isaac M. Cohen and Nate Bern-stein, partner producers of Monarch Theater Supply, Memphis, are doing a slick current biz on their projectors, lamps, sound systems, spot-lights, drapes, Marquees, signs, stereopticon lenses, screen and general supplies.

* Benjamin A. Gold, head of Paulson, Inc., operator of the 800-seat Park, Nashua, N. H., is modernizing house’s sound and installing a public address system.

* P. R. Isley, former Tulsa, Okla., showman, is building a theater in Brownwood, Tex. It will be named the Plaza.

* Midwest Theater Supply reports among recent jobs in the Cincinnati territory: Interiors in two theaters for the Hite Hotel, Royal in that city; new screen and projector for Kroh’s Cynthia, Ky., stand; projector, screen and Brenkert lamp, plus Mohawk carpet, for C. B. Holke’s Westmor in Huntington, W. Va.; and projection lamps and items for a new theater in Terre Haute, Ind., for C. M. Phillips, Star, Clendenin, W. Va.

ERPI PREXY REVEALS ORG.’S DRAFTEE PLAN

T. K. Stevenson, president of Electrical Research Products, Inc., recently announced the Company’s policy in regard to employees who may be called up for military service under the Selective Training and Service Act of 1940, as well as members of the National Guard or the Organized Army Reserves in the Company employ who may be inducted into Regular Army service.

For the first three months of military service, employees of a year or more’s standing will receive their regular Company pay less Government pay. Upon the Company’s pension plan, employees called into service under the Government service upon retirement for disability for injury incurred in the line of duty for Company death benefits will not be affected, the Company making up the difference between the Federal and State benefits and the total provided for under its own plan.

All regular-time employees of Erpi called up for training or service will be granted leave of absence for a period of twelve months. Upon return from service, they will receive their former job positions or in positions of comparable status and pay, unless the Company’s circumstances shall have so changed as to make it impossible or unreasonable to do so.

WEDD-DESIGNED BEACH TO OPEN IN DECEMBER

Miami Beach, Fla.—The Beach newest film house in the area, and one of the largest in Florida, with 1,500 seats, will be ready by Dec. 1. According to S. A. Lynch, Paramount Enterprises, executive of this will be the “flagship” of the Paramount chain. Robert Law Wedd, Miami Beach, is the architect.

IMPROVING CONNECT THEATER

New Haven—Grand Theater Corp. will start reseating and renovation of Cannon’s Theater at once. Modern Theater Equipment will install for the 800-seat Cannon, 350 International chairs, new booth equipment, stage drapes, screen, and carpet, under the personal supervision of Louis Phillips. The house will close only two weeks before completion of the work.

WEST PENN GOES AIRY

Pittsburgh—The first Drive-In theater in the Western Pennsylvania territory is now open for a trial period of 60 days. It is situated near South Park, Pa., on Route 88, and is operated by the E. P. Phillips, Inc. The house is equipped with a 4500-seat capacity and movies are shown nightly.

INSTALLS NEW SOUND

Pocachants, Ark.—Henley and Morris-Smith, managers of the Imperial, announce the installation of a new Simplex sound system.

THREE AGENTS NAMED BY PLANDAIRE, INC.

(Continued from Page 1)

Rights for Plandaire Kno-Draft High Velocity spun Aluminum Ceiling Type Air Terminals in their respective territories. Air Conditioner Utilities Co., 8 West 48th St., New York City, are the newly-named metropolitan representatives there. Harry W. Fielder is assisted by Joseph A. Heller and John G. Foster. They handle Julien P. Fries & Sons controls and instruments, Waterloo grilles and registers, Grant Wilson, Inc., “Dux-Saturation,” Young regulators and damper controls, Supreme spray nozzles and valves, and Viking fans.

Glegal Thomas, 1526 G St., N.W., Washington, D.C., is to handle for the firm all Projection systems and equipment.

Benjamin Prepares Plans for Sparks Starke House

Starke, Fla.—George Manassas, manager of the Ritch theater, states that work will be started immediately on the 1,000-seat film house to be erected on Call and Court Sts. Roy A. Benjamin, Jacksonville architect, is in charge here. Tommy James, a local contractor, will build the structure.

The Palace, Sparks 998-seater in Starke, is getting a new marquee and other improvements. Harry Botto is manager.

REMODELING S. C. HOUSE

Greenville, S. C.—The Ritz theater here is being remodeled at a cost of between $7,000 and $8,000, in the Washington territory. He has been manager of the Clarge Fan’s office there for the past 10 years, and was formerly associated with B. F. Sturtevant Co.

Rucker-Prybil Co., 1700 Walnut St., Philadelphia, will be responsible for the complete remodeling of the building, which will be done by C. E. Brenkert and Joseph H. Rucker.

The new screen is expected to be ready by Jan. 1.

BRADENTON READY

Bradenon, Fla.—The old Wallace Theater here will be remodeled as another unit in the Sparks chain. Work will be done by the J. J. Jacobson Co., Jacksonville. House will seat about 483. Job will cost approximately $12,000.

The Palace, Sparks 998-seater in Bradenton is getting a new marquee and other improvements. Harry Botto is manager.

RENOVATIONS TO BUILD

Greensboro, Ga.—J. M. Reynolds, Jr., and W. R. Boswell, operators of the Greensland theater here, will erect a new theater with a seating capacity of 660.

EQUIPMENT FIELD NOTES

Two items worth noting, and which tell of the proper stress the smart exhibit, places on equipment. One, the C-180 will cost some $15,000, plus equipment amounting to $7,200, and, an even bigger percentage proportionately is reported (2) the Schuyler, Neb., project which calls for a $10,000 building contract plus $6,000 equipment.

G. C. Hoffman who runs the Roxy out in Washburn, N. D., is partial to Forest Rectifiers and Morrelli Projection Lamps. So are the boys who run the Lake in Butler, Fla.

Payenson and Geyser have given their Florence Theater, Florence, N. J., a big bit of betterment via a Beadel Chrome screen, Superior projector, S.O.S. Supercare lamps, sponge rubber floor covering, Forest Rectifiers, and other items to boot.

M. F. Brice of Pal Amusements, Inc., down in Vidalia, Ga., is sitting the patrons down in new American Seating chairs.

Tunny James, manager of Exhibitors Supply Co. of St. Louis, has named Fred Johnson to receive there to receive 900 Ideal seats and covers, Da-Lite screen, Motograph projector, Brenkert lamps, and Mohawk carpet.

Speaking of Da-Lite screens, you’ll find ‘em nice and new in the Downtown Lyric in St. Louis, and the Orpheum in Mark Twain town,—Hannibal, Mo.

John D. Tabor, manager of the Chandler, Detroit, is having a new house built in Fowlerville, Mich. It will be named the Orr Theater.

Ray V. Stanley’s new Urbandale Community Theater in the suburbs of Dallas is progressing. He also has the Grove in that Texas city.

Out Chicago way and environs, Joe Goldberg’s salesmen have been very projection lamp-rectifier-conscious. Witness: J. Chrisis’ New Rex, as well as his Owl, and B & K’s Roosevelt, all in the Windy City; Anderson Theater Circuit’s Naper, Naper, Ill.; later circuit’s Times in Morris, Ill.; Van Derveer’s State in Morris; Publix-Great States Academy, Waukegan, Ill.; Roxy in La Porte, Ind., and the Irving, Bloomington, Ill.—all have newly-installed lamps, and six of the houses Benyo rectifiers.

Everything will sound better in the 600-seat Tosa at Wauwatosa, Wis. from now on. I. E. Swinford, prez of Marcus Swinford Theater, as ordered new equipment to effect the change.
METRO MAY ASK 50-50 FOR GWTW IN 1941

Dramatists

Guild Okays Pact Amendments

THE WEEK
IN REVIEW
More Decree Delay

DOMESTIC
EQUITY SUIT: Harmony between the Government and the Big Five on an proposed consent decree, at one time thought near, receded into the future at the week-end when new obstacles to agreement arose at Capital confab. Big Five was reported asking new changes, with one weekly reported as last pact. Big Five asked for changes. Enthus. organizations continued to protest at terms of the decree, especially blocks of five pix. MPTOA was understood to be ready to intervene if the decree is adopted as is the Philly UMPTO... Ohio ITO squawks were referred to Thurman W. Arnold by Judge Henry W. Goddard. Ed Kuykendall told Syracuse exhibs. Allied was behind the eight ball in reference to the consent decree. He forecast “limitless” costs under the decree... Abram F. Myers told Mich. Allied that the conditions and aims of Allied did not appear in the decree as drafted... Decree confabs are to continue.

MISCELLANY: Domestic gross of GWTW to date was estimated at $25,500,000... Seven Coast studios will vote on question of a Guild to represent office, clerical and secretarial employees... Paul L. Stein will produce pix in the U.S. for Select Attractions... William Dieterle and associates formed William Dieterle Productions to release through RKO... John Hay Whitney was appointed to m.p. post in office of co-ordination with South American countries... Griffith Theaters acquired Oskar Korn’s 18 Texas houses... Western N. Y. MPTO in expansion move to take in Syracuse and Albany territory... SAG and AFMP submitted proposals on extras—would advise those having had 10 days’ work in past year so seek other fields... UFA was accused of handling Nazi propaganda pix... Mid-west exhibs. shown divided on increased admission prices... Ill. UTO expanded into a state-wide unit.

Membership Expected to Follow Suit: Means Quick Film Coin for Legitimate

Proposed amendments to the basic contract between the Dramatists Guild, the League of New York Theaters and film companies covering the backing of plays and purchase of screen rights before production were approved Friday by the Dramatists Guild Council. Only remaining step before pact will become effective is approval by the pact by the DG membership at its annual meeting next month.

Enlist Hollywood
In S. A. Film Move

Washington Bureau of THE FILM DAILY

Washington—Utmost co-operation between the industry and the national defense commission is evidenced by developments here. Following the appointment of John Hay Whitney to head the Motion Picture Division in the Office of Co-ordination, a spokesman in the office of Abraham A. Rockefeller, co-chairman of the Commission, said: “This is a happy moment for the industry and the nation.”

Stars Galore Appearing
In Red Cross Drive Short

Arrangements have been completed for the special film which the industry is contributing for the American Red Cross membership campaign which starts Nov. 11.

See 3 Million “Rockne” Gross
First 52 Engagements Report Hold-overs

Exhibitors Will Be Hosts
At Previews of “Thief”

Alexander Korda’s “The Thief of Bagdad” will be previewed for leading exhibitors and their families in key cities for one week starting tomorrow. At each showmen’s preview, a group of leading exhibitors in each territory will act as “honorary

MORE DELAY ON DECREE
Conferences Proceed Slowly: First Section to Arnold

Piecemeal presentation of the proposed consent decree will be made to Assistant Attorney General Thurman W. Arnold in Washington. Government attorneys stated Friday at the end of a lengthy conference with representatives of the five companies negotiating for a decree. Arnold now has before him one section of the decree, it was said, for his study and possible approval. Work towards agreement at the conferences proceeded slowly, necessitating another meeting tomorrow and the adjournment of tomorrow’s slated hearing before Federal Judge.

Bank Night Rehearsing
Move Looms in N. M.

Santa Fe—Rehearsing application in the case in which the New Mexico Supreme Court, reversing itself, ruled Bank Night illegal as a lottery is being weighed by J. E. Jones, of the Yucca theater, Roswell.

Walker to be Honor Guest
At Philly’s V. C. Banquet

Philadelphia—Frank C. Walker, postmaster general, will be guest of honor at the annual banquet of the Variety Club to be held Dec. 12 at the Bellevue Stratford. Local Club will send a delegation of 20 to Pittsburgh on Oct. 20 for the annual V. C. dinner there.

Test Engagements Planned
In Dec. to Try Out Several Policies Under Study

Selling policy for “Gone With the Wind” when it is brought back for general release next year probably will call for 50-50 terms, it was learned over the week-end. No effort to sell the picture on the former 70-30 basis will be made, it was said.

Test Engagements were held last week by Nicholas M. Schenck, president of Loew’s, Inc.; W. F. Rodgers, general sales manager; Producers David O. Selznick and Howard Dietz, advertising and publicity director, in regard to the new sales and advertising campaign on GWTW.

Three or four test engagements.

Newsreels Ask Army
Censor Footage Here

Joint request signed by the five newswire companies has been forwarded to the War Department in Washington asking that the Army establish a New York branch to pass on newswire clips concerning the Army and the defense program. Army censors under existing setup...

The Daily Newspaper of Motion Pictures
Twenty-Two Years Old

OL 78, NO 74
NEW YORK, MONDAY, OCTOBER 14, 1940
TEN CENTS
Resumption of Telecasts Here in 60 Days Expected

Resumption of telecasts here within the next 60 days is practically certain. NBC is planning to begin test pattern transmissions in about 30 days, and as soon as operational problems are cleared up, return to a regular schedule of telecasts. In the meantime, all possible is being done to prepare the ejection of the tele station, with NBC planning to develop that station as a tele network.

While the television standards are expected to be ready on schedule, at the latest Jan. 1, a new development in the teleart world is expected in the parallel push to bring television to the home. The NBC is already in the process of building a tele station, and the program is expected to be a reality in the near future.

$2,602,500 Assessment Cuts Asked in Warner Suit

Reductions totaling $2,602,500 in 1940 assessments fixed by the New York City Tax Commission on three Warner theaters and a warehouse are requested to be made in a suit filed in the New York Supreme Court.

Theaters affected are the Strand, and its adjoining office building, assessed at $3,420,000, over-assessed by $1,272,000; the Holly- Wood, assessed at $3,125,000, over-assessed by $255,000; and the Warner, assessed at $750,000, over-assessed by $400,000. The warehouse at 617 West 56th Street, assessed at $1,026,500, over-assessed by $465,000.

Complete Shift of Mono. Home Office to Coast

Shifting of Monogram's home office to Hollywood was completed over the weekend by the departure of T. P. Loach, executive, and Edward Goldin, general sales manager, both of whom were made permanent residents on the Coast. W. Ray Johnston, president, returned to the studios Friday after a brief visit in New York.

En route to the Coast, Golden will call on Monogram branches in Buffalo, Cleveland, Detroit, Kansas City, Oklahoma City and Dallas.

James Spotswood Dead

James C. Spotswood, 57, veteran actor, was found dead in his home here Friday.

"Down Argentine Way" Clicks In 170 Spots

"Down Argentine Way," new 20th-Fox, was a great success, opening in 170 spots over the weekend, setting a fast box-office pace everywhere. It is getting high praise and is now being booked by the usual list of operators.

"Happy Birthday to You"

From MONDAY, OCTOBER 14, 1940
When luscious Dorothy Lamour drapes her languorous beauty upon a bit of Burma scenery and sings "Moon Over Burma"... well, you get the idea—and so will your box office!
FILM DAILY says... "Ranks among the best... a sure-fire attraction... seethes with fun-poking, crisp dialog, love interest galore, spectacular dancing and a pack of slick songs!"

MOTION PICTURE DAILY says... "One of the top musicals... 10 musical numbers, the finale being one of the most outstanding seen on the screen."

HOLLYWOOD VARIETY says... "Probably the fastest stepping and most exuberant musical ever turned off the screen—an orgy of gyrating youth, gaiety, flirtatious nonsense which is right down the groove."

HOLLYWOOD REPORTER says... "Its numbers are top flight and each has sock entertainment... proves that the screen is far ahead of the legitimate in entertainment."

LOUELLA O. PARSONS, L. A. EXAMINER says... "A whirlwind of gay songs, dances, football, college and pretty girls... delighted the preview audience at Pantages last night."
for the big musical made for the young in heart everywhere!

University of Illinois
CHAMPAIGN, ILL.

University of North Carolina
CHAPEL HILL, N. C.

University of New Mexico
ALBUQUERQUE, N. M.

University of Texas
AUSTIN, TEX.

University of Wisconsin
MADISON, WISC.

University of Idaho
MOSCOW, IDAHO

Washington State
PULLMAN, WASH.

University of Michigan
ANN ARBOR, MICH.

Alabama Polytechnic
AUBURN, ALA.

University of Alabama
TUSCALOOSA, ALA.

University of Nebraska
LINCOLN, NEB.

University of Colorado
COLORADO SPRINGS, COLO.

University of Tennessee
KNOXVILLE, TENN.

University of Miami
MIAMI, FLA.

University of Missouri
COLUMBIA, MO.

University of Kansas
LAWRENCE, KAN.
Expect 3 Million
Gross from "Rockne"

(Moved from Page 1)

mapped by Charlie Einfeld and Mort Blumenthal is retooling a pop-
frases in all engagements to date.
Marks set last year by "The Fighting
69th" have been exceeded, and
the first 100 engagement presentations
at the home office all report
overs. Latter include:
Colfax, So. Bend, Ind.; Fox, Philadelphia,
Pa.; Grand, Lancaster, Pa.; Warner, Mem-
phis, Tenn.; Warner, Wilmington, Del.; War-
ner, Erie, Pa.; Paramount, Cedar Rapids,
Iowa; Liberty, Springfield, III.; State,
Johnstown,
P.A.; Capitol, Hazleton, Pa.; State,
Nashua, N. H.; Orpheum, Seattle, Ore.;
Warner, Fresno, Calif.; Capital, Grand Island,
Neb.; Montana, Butte, Mont.; Park, Butte,
Mont.; Uptown, Columbus, Mo.; Palace,
Little Rock, Ark.; Criterion, Oklahoma City,
Okla.; Lincoln, Lincoln, Neb.; Strand,
Osceola; Rialto, Glens Falls, Pontine;
Sanborn Lake, N. Y.; Colonial, Sharon, Pa.;
Arcadia, Temple, Texas; Rialto, Pochonias,
Jr.; Tivoli, Woodstock, Ill.; Capitol, Whitehall;
Strand, Creston, Ia.; Rialto, New Brunswic,
N.; Rialto, Coney, Tex.; Embroid, Fort
Wayne, Ind.; Palace, Corpus Christi, Tex.;
Massaso, Metropolis, III.; Bijou, Carrollton,
Ill.; American, Mt. Carmel, Ill.; Plaza,
Duran, Oxnard, Calif.; Empire, Ft. Henry;
Temple, Vincennes, Ind.; Texas, Hillsboro,
Tex.; Avon, Watertown; Dorothy, Henrietta, Tex.;
Galal, Muncy, Pa.; Reading, R. I.; Astor,
Albany, Tex.; Texas, St. Jo, Texas; Rialto,
Kerrville, Tex.; Rialto, Roswell, N. M.;
Harlan, Harlan, Iowa; Washworth, St.
George, Utah; and Washoe, Anaconda, Mont.

"World in Flames" Will
Open in Capital Thursday

Paramount's "The World in
Flames" will have its world
premiere at the Columbia
Theater, Washington, on Thursday before an
anticipated record-breaking atten-
ance of Government officials,
members of the diplomatic corps and
leaders of national defense activities.

Barney Balaban, president of Par-
amount, announced at the week-end
that the picture would be released
nationally on Oct. 25, although the
New York premiere will be held at
the Criterion on Oct. 23.

R. M. Gillham, director of pub-
licity for the film, has arranged
collaborate plans for radio exploita-
tion. Highlights of the picture will be
cast over CBS and Mutual
networks on the nights of Oct. 24
and 25, with noted commentators
such as Raymond Gram Swing, Wythe,
Wifflle, Elmer Dundy and Major
George Fielding Elliott.

"The World in Flames" is a dra-
matization of actual news events
covering all world events since 1929.

**Young Couples’ Lives**
**As New Metro Series**

**West Coast Bar, THE FILM DAILY**

Hollywood—Metro, which has pioneered
with the Marianne, family, "Kate" and the "Dr. Kildare" series, announces
that its new series, "Young Couples' Lives,"
will be partially true stories of a young couple.
First will be "Keeping the Family Together"
Anne Rutherford and John Shelton, with
Virginia Weidler also cast. S. Sylvan
Jester will direct from an original by
Herman Markiewicz. 55 Min. Marx
is listed as the producer.

**Enlist Hollywood**
**In S. A. Film Move**

(Continued from page 1)

ordinator of Commercial and Cul-
trary Relations between the Ameri-
Republics, said Friday the gen-
cal situation had been discussed
with Whitney and the ways the prob-
lem should be attacked mapped.
The first step will be to make contact
with Hollywood and work out
means of promoting better relations
between the U. S. and the American
Republics through use of motion pic-
tures.

Rockefeller's office is anxious that
the industry understand that the mo-
tion picture activities will not be
competitive in any way, but rather
in conjunction with Hollywood.

At


carded details to Whitney, it is expected
that the industry's product will be fully utilized
by the Division of the defense policies,
designed to foster good-will between the Amer-
ican nations.

Meanwhile, Secretary of War
Stimson announced he had accepted
with extreme gratitude the offer of
Will H. Hays of full co-operation by
the industry in the defense program,
Francis S. Harmon will coordinate
the industry's defense activities.

**New Type of Glass and Steel Screen Perfected**

Jackson, Mich.—A new type of
up and silver screen which is
claimed, completely eliminating
distortion from any seat in the theater,
has been perfected by Otto Hahn of the
Sparks Witzling Co. of Jackson
and the film installation which has
been completed in Butterfield Cir-
clit's Majestic Theater here.

The new screen is the result of
years of research by Hahn, who
states that he installed 148 screens of
this earlier type in Prague before coming here.
The screen is easily washable with
a hose and is practically unbreak-
able. It utilizes the principle of al-
ternate convex and concave surfaces
on a certain definite schedule.

**Pix Dialogue Piped**
**Into Store as Plug**

Harrius, Pa.—Dialogue from "The
Great Profile" was piped into the local
Scars, Reddock & Co. store via radio
during the first three days of its showing at the theater.

Manager John F. Rogers made the ar-
rangements provided by the A T & T
and RCA service men made the con-
nections. While the store advertised the picture, the
store benefited through the identifying attention to their radios.

The idea will be repeated for "Down Argentine Way," the next attraction at the theater, Rogers said.
Exhibs. to be Hosts

At 'Thief' Previews

(Continued from Page 1)

hosts. The "honorary hosts" committee will be constituted as follows: Tomorrow: At the Blue Mouse Theater, Portland—Walter Leverette, J. L. Parker, Ted Gamble, Roy A. Brown.


At the Broadway Theater, Denver—Rick Ricketts, Harry Ball, Ralph Meineke, Tom W. Davis.

At the Colony Theater, Cleveland—Mike Manos, George Feldstein, Harry Conover, Charles Goldblatt, Mickey Finkel, Mike Lebowitz.

At the Rko-Orchard Theater, Chicago—E. J. Rifkin; at the Rko-Park Theater, Cleveland—M. J. Manos.

Fridays at the Rko-Theaters, Louisville—Charles George Montgomery, Underwood, Mike Osborne, Mike Zimet.

At the Rko-Theaters, Jersey City—Harry Rifkin; at the Rko-Theaters, Morristown—Mike Finkel; at the Rko-Theaters, New Brunswick—Harry Rifkin.

At the Rko-Theaters, Paterson—Mike Zimet; at the Rko-Theaters, Trenton—Mike Rifkin; at the Rko-Theaters, Asbury Park—Harry Rifkin.


Midwest Exhibs. "Reserved for Effects of Decree Terms"

Midwest exhibitors appear to be "resigned to their fate" the farther as the proposed consent decree is considered, according to film executives returning from the field. The attitude of the exhibitors will be accepted by the Government and Court and there isn't anything that can be done about it.

There is a feeling among some exhibitors that the blocks-of-fifty requirement will be an improvement over the present system of selling, but vast majority take an opposite view.

Efforts to influence the decree probably won't be attempted until the final draft has been studied, it was said.

An improvement in business in the Middle West as is noted is, executives say. Industrial centers are beginning to benefit by war orders and the increased payrolls are having a favorable effect on the box-offices.

Maurice Nellson Dead

St. John, N. B.—Maurice Nellson, 32, for the past seven years on the staff of the Regal Films here, died in his local hospital, after being ill less than a week with typhoid.

May Ask 50-50 in 1941

For Gone With Wind

(Continued from Page 1)

are tentatively scheduled for mid-December in order to try out several proposed policies. The one that appears show success will be adopted. A minimum admission price will be required but the scale will vary from theater to theater, as mentioned during the forum run.

According to reports, minimum admission price for matinees will be 40 cents and for evening shows price will not have been established.

Forsee Further Delay on Consent Decree

(Continued from Page 1)

Henry W. Goddard for no more than a week

Government representatives on Friday lent credence to reports that serious obstacles were being raised in the path of the consent decree when they refused to discuss the changes in the decree requested by the companies. It was reported that the Government is still facing sizeable difficulties in bringing about a final agreement on the decree.

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HERBERT MARY BOLAND ANN MILLER

ADE OF 1941

PHIL SILVERS DONALD MACBRIE
PANGBORN • SIX HITS "NO MISS"

NEVITCH
MONICA RASCALS
JOHN H. AUER—DIRECTOR

KENNY BAKER
Romantic Cavalier of the Air Waves

ANN MILLER
Sparking Star of Twinkling Toes

SCREEN AND RADIO STARS
from the Heart of Humanity...

Join
American Red Cross

to the Heart of Show Business

Show Business always leads the world in every worthy cause. Now—more than ever—the AMERICAN RED CROSS needs us. Let's help make the coming MEMBERSHIP DRIVE the greatest in history. The Roll Call starts Nov. 11th. Let us DO OUR SHARE!
War Savings Stamps in Place of Change
Suggested to Patrons of FPC Theaters

Toronto—Famous Players Canadian theaters are suggesting to patrons that in lieu of silver change, they take the equivalent in War Savings Stamps when purchasing tickets. Suggestion is made through the medium of posters.

All FPC theaters additionally are selling both War Savings Stamps and Certificates to the general public, every b.o. in effect becoming a Government sales agency.

Scales In Lobbies to Aid Okla. City V. C. Charities

Oklahoma City—Arrangements have been made by C. B. Akers, chairman of the arrangements committee of the Oklahoma City Variety Club, Tent No. 22, whereby penny weighing scales will be installed in all Griffith Amusement Co. theaters in the Oklahoma and Texas territory served from Oklahoma City by the Griffith Amusement Co., Consolidated Theaters, Inc., and Griffith Southwestern Theaters, Inc., proceeds to go to the charity fund.

Ralph Talbot, operator of the Ralph Talbot Theatres in Tulsa, who has never operated any concessions in any U.S. theater here, also, has agreed to find places for the penny scales in his houses. Akers Variety Club members who operate houses out over the state will also be asked to co-operate in the plan.

The deal was closed with Clarence Poos, head of the Confection Cabinet Co. of Oklahoma City, to furnish the scales and to share in the revenue on a 50-50 basis. Credit for the idea goes to Akers, assistant general manager of the Griffith Amusement Co.

Enlarge Griffith H. O. As Circuit Expands

Oklahoma City.—To keep pace with circuit expansion, home offices of Griffith Amusement Co. here at 11 1/2 North Love will be enlarged on the third floor wing to make room for four large executive offices and an entire front of the building will also be refinished in tile and stucco.

On the first floor of the O. K. Motor Exchange will move out and the entire first floor with the exception of the room occupied by the Film Exchange lunch room will be occupied by the mechanical department. The poster department will be expanded to fill the entire second floor and the third floor offices. The entire building will be air-conditioned.

Construction of the executive offices and other remodeling work is being completed during the next two months.

"Strike Up" Held In 28

Eleven additional holders for "Strike Up the Band" were announced at a meeting this week, bringing the total of extended engagements for the new Mickey Rooney-Judy Garland musical to 28 in the film's initial key city showings.

Middletown "Conspiracy" Trial Resumes Tomorrow

Middletown, Conn.—Trial of the $29,000 "conspiracy" suit brought by S & S, theater owners for good Middlesex theater, Inc., against Salvatore Adorno, former lessee and general manager of the Middletown theaters owned by these corporations, resumes before Judge Ernest Simpson in County Superior Court here tomorrow.

Almost all the New Haven film district managers, several exhibitors, have taken the preliminary shots and testified in the plaintiff's case. Plaintiffs are owners of the Capitol and Middlesex Theater properties and Adorno is defendant, for an injunction against Adorno preventing him from building or operating any theater in the district.

Nat Furst, Monroe manager, Harold Eskin of the Stamford Theatre, Edward Anson of Interstate, David Berk, New York broker, Joseph Qutinnett, Jewett City and Southington exhib., Morris Nunez, of Proprietors, and Louis Goldfeder, manager of the Paramount, New Haven, testified that they had offered to sell their theaters to the plaintiffs in attempting to negotiate a lease through Adorno.

It is alleged by the plaintiffs that these offers were never made known to them, but that Adorno negotiated the lease for himself as unrecorded partner of the lessee, Maria Adorno, wife of Salvatore, and Joseph A. Adorno, son, a Judge in Middletown, all of whom joined as defendants.

Sister of John Grierson Among Lost on the Benares

Montreal.—Tragedy intervened to prevent production of a picture of the evacuation of British refugee children to Canada. Shots were taken in Britain before embarkation of 88 British children on the liner Benares, and they were accompanied by Miss Grierson, sister of John Grierson, Canada's National Film Commissioner. Miss Grierson was accompanied by Miss Weinberger, Miss Manning, Miss Leggett, Miss Grierson, Miss Lascelles, and Miss Weinberger, who appeared on the scene.

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Bank Night Rehearing Move Looms in N. M.

(Continued from Page 1)
preme Court held that Bank Night was not a lottery. No change in the manner of conducting the game has been made since the favorable 1937 decision, he said.

Charlotte NSS Branch Leads in Robbins Drive

Charlotte office of National Screen Service leads the Herman Robbins 20th Anniversary testimonial drive at the end of the third week, followed by Memphis, Cincinnati, Portland and Cleveland, in order. Drive closes the last week in December.

Lubitsch Selects Title

"The Uncertain Feeling" has been set as the title of the new Lubitsch-lesser production, to be directed by Ernst Lubitsch, with Merle Oberon and Melvyn Douglas in the starring roles.

Those Marques Again

San Jose, Calif.—Found on local mar-

The Fox California Theater:
"All This Heaven Too!" Now at Regular Prices

The State Theater:
"Andy Hardy Meets Downton!" "Four Sons"
“Alexander’s Ragtime Band” was big in Bridgeport!

"DOWN ARGENTINE WAY" IS BIGGER!

"Stanley and Livingstone" was big in Philly!

"DOWN ARGENTINE WAY" IS BIGGER!

"Kentucky" was big in Portland, Oregon!

"DOWN ARGENTINE WAY" IS BIGGER!

"The Rains Came" was big in New Haven!

"DOWN ARGENTINE WAY" IS BIGGER!

"In Old Chicago" was big in Toledo!

"DOWN ARGENTINE WAY" IS BIGGER!

"Jesse James" was big in Billings!

"DOWN ARGENTINE WAY" IS BIGGER!

20th Century Fox
AKS KUYKENDALL, BRANDT’S DECREE STAND

New Wage-Hour Rulings Seen Help to Industry

Executive, Professional Workers Re-defined: Many Get Over-time Exemption

Washington Bureau of THE FILM DAILY
Washington—Objectives of the motion picture industry at the recent hearing on redefinition of executive and administrative employees before the Wage-Hour Division were virtually obtained in the redefinitions announced by the Division over the week-end. The most important change that will benefit the industry is a provision providing that employees performing administrative duties and (Continued on Page 3)

Sam Morris to Be Aide to Bernhard

Sam E. Morris, who was forced by ill health to relinquish his post as vice-president in charge of foreign sales for Warners some months ago, has fully recovered and is returning to the WB home office, it was learned last night. Morris’ new assignment will be in the theater department where he will work under Joseph Bernhard, it is understood.

2 Milwaukee Houses Sue Fox-Wisconsin Amuse Co.

Milwaukee—Oriental and Tower Theaters Companies here have brought action in the Circuit Court against Fox-Wisconsin Amusement Co. charging the latter firm with mismanagement of the Oriental and (Continued on Page 10)

WANTS ST. LOUIS DUALS SHOWDOWN
Better Films Council Calls on All Theater Owners to Take Stand, Outline Intentions

St. Louis—The potent Better Films Council of Greater St. Louis, Inc., is calling for a showdown on the multiple feature issue here.

Mrs. Guy Randell, presiding officer, has addressed the following letter to every theater owner in the Council’s territory:

“We have been greatly concerned in the problem offered by double feature programs. We have from the very beginning taken a position in favor of the discontinuance of that policy. Long programs are a physical and mental strain on children and young people. Many family programs are marred by the presentation of an adult film with one rated for the family, and it is impossible to expect support for an outstanding film when it is shown with an inferior program. Now we have the threat of triple feature programs. We have never felt that it took a great deal of courage on the part of a business organization to take up this cause. The time has come when we must be foremost in opposition to the mismanagement of this kind.

Local 644 Bargains For Scenic Artists

Washington Bureau of THE FILM DAILY
Washington—The NLRB yesterday announced certification of Local 644, Brotherhood of Painters, Decorators and Paper Hangers of America (AFL), as the sole bargaining representative of scenic artists and assistant scenic artists employed by nine West Coast studios.

The board’s action was based on (Continued on Page 6)

Distinguished Audiences To Greet “Great Dictator”

One of the most distinguished metropolitan assemblages to grace a film world premiere in years will (Continued on Page 6)

NEWARK THEATER SUES MAJORS
Orange Theater Corp. Wants $450,000 Fees

Deposition Taking May Delay La Crosse Suit

Milwaukee—Obtaining of depositions now under way in the East may delay until Sept. 28 the hearing of the La Crosse Theater Company’s $1,050,000 action against the Welworth

MPTOA, ITOA Chieftains Asked by A. F. Myers to Clarify Their Attitudes

Allied would like to know how Ed Kuykendall, MPTOA president, and Harry Brandt, head of ITOA, stand on provisions of the proposed consent decree aside from the blocks-of-five sales plan.

In an Allied bulletin made public by Abram F. Myers, general counsel yesterday, Kuykendall and Brandt were called upon to declare the grounds for their opposition to the decree, inasmuch as the five-picture provision apparently has been the basis for the squawks from the two exhibitor leaders.

“As president of the MPTOA,” the bulletin read, “how does Mr. Kuykendall stand on the provisions (Continued on Page 11)

N. Y. MPTO to Have Two Branch Offices

Buffalo—Having organized units in Albany and Syracuse, the MPTO of New York State is now launching a membership drive in both zones, following a three-city meeting last week. Present plans call for a statewide convention next June. The upstate organization will work closely with the New York Allied, (Continued on Page 11)

S-W Deal for Paramount Product Still Discussed

Product deal between Paramount Pictures and Stanley-Warner Theaters is still being discussed, and negotiations will continue, it was said last night by Paramount executive (Continued on Page 3)

Chi. Censors Reversed On Willie Reel Ban

Ciro—Police Commissioner James P. Albion overruled the Censor Board and ordered Luigi, Harry Costello, board chief, to issue permit to reissue for exhibition of a Wendell Wilkie film. Censors have no authority to order suspension of the film, it was said by Ciro.
RCA Borrows $15,000,000 For Expansion Program

David Sarnoff, RKO proxy, announced yesterday that the research and production facilities of the company are being expanded to meet national defense orders for radio equipment and to accommodate demands of increased business. In order to execute this expansion program, arrangements have been completed to obtain temporary funds from a group of financiers.

These borrowings aggregating $15,000,000 will be for a term of five years and carry 5% interest. Sarnoff announced, will be used to retire the company's currently outstanding bank loans of $2,000,000, which carry an interest rate of 1 1/4%, and are due April 8, 1941.

Ritter to Head RCA Group To SMPE Coast Party

Camen, N. J.—Eugene W. Ritter, newly elected vice-president in charge of RCA's western production engineering, will head that organization's delegation which will attend the SMPE Fall Convention opening on Oct. 21 in Hollywood's Roosevelt Hotel.

In the group will be Ralph W. Jense, assistant vice-president of RCA Photophone; Dr. V. K. Zworykin, head of RCA's Electronic Research Laboratory; J. E. Ralston, engineer, author and lecturer on sound engineering problems; G. L. Daichard, of RCA Photophone's research department; and Julius Hieber, publicist chief.

Laudy Lawrence to Europe Tomorrow on Lowey Survey

Laudy Lawrence, M-G-M's manager for Continental Europe, is scheduled to leave for Europe tomorrow by Clipper. His mission will be to determine the status of Lowy holdings and property in countries affected by the German invasion and the war in general.

Fred Langer, Paramount's European head, will visit Europe again for the same purpose.

B & K Gets Construction Permit for Tele Relay

Chicago—Construction permit has been granted to B & K for television relay station W9XBP. Meanwhile work has started on B & K's tele station in the Slate Lake Bldg., where equipment is being assembled for early installation.

ATOI Parley on Nov. 25-26

Indianapolis—At a meeting of the board of directors of the ATOI here it was decided to change the convention dates to Nov. 25-26, from Nov. 11-12.

Comings and Goings

CHARLES CHAPLIN is at the Waldorf-Astoria. ED KUKKENDALL, MPTOA proxy, is in Memphis.

H. M. BICKLEY is in Memphis for the Tri-State exhibitor convention.

MORT BLUMENSTOCK is in Palm Beach for 10 days.

BEN KALMENSON, Western and Southern sales manager for Warners, who returned to the home office yesterday leaves for Chicago Friday.

BOB OCHRIE, Eastern and Southern division manager for RCA, plans out Sunday for a tour of branches in the South.

BERT CUNNINGHAM and LARRY O'REILLY, of Pathe News, are at Lehigh University for film material for a short.

ROSITA MORENO arrived here yesterday from the Coast.

ALLAN JONES and his wife, IRENE HESLEY, and MR. AND MRS. RICHARD CUMMINGS, are on tour this morning from the Coast. They sail Saturday for a vacation in Havana.

JACK MCGOWAN is here from the Coast.

BERT WHEELER has left for Hollywood.

LEO SPITZ has returned to New York after a visit to Chicago.

L. JACOBSON, chief projection engineer of the Balaban & Katz circuit, has returned to Chicago from the week's Florida vacation.

AL BURNE, secretary to John Balaban, has returned to Chicago from a two weeks' vacation in New Haven.

Producers Lab. Strike Settled at Conference

Strike called against Producers Laboratories, Inc., by Local 702, lab. technicians' union, was settled yesterday afternoon following a huddle between J. T. COSSMAN, president of the laboratory, and John EUGES, president of the union. The laboratory will pay all employees an extra week's salary. Strike was called by the union after they had charged Coisman did not live up to an agreement in the union's contract which stipulated all employees should have a week's vacation with pay by Sept. 30. Strike lasted less than a week.

The laboratory yesterday filed an application in the New York Supreme Court seeking a temporary injunction against the strike and $5,000 damages. The application contended that defense contracts to print films for the Army and Navy were being seriously jeopardized by the strike.

Chicago Competition Brings Back Triples

Chicago—With the competitive situation held responsible, triples took a new lease on life over the week-end. Resort to triples by the Karlov, B. & T., and the new, west side, Co's. & K. countering at the Biltmore and Crystal. The southside Kimbark and the northside Co's. also gave a new lease to the upper.

RCA Returns From East Coast

RCA—The annual trip to the east coast for the Majors and staff was held at the Little Church of the Flowers, Glendale, for Tom Mix, 60, veteran film actor who was killed in an automobile accident in late Saturday near Florence, Ariz.

Prior to the rites, which will include public Mass and military funeral service, his body will lie in state here today from 10 a.m. to 10 p.m. Burial will be in Forest Lawn Cemetery.

John Ford, Monte blue, Daniel B. Clark, Herman Nolan, Bob Cobb, and B. Reeves Eason, will be the active pallbearers.

The body of the motion picture cowboy and one of the great riders of real life was flown from Florence to Burbank, via Tucson, by his close friend, Paul Muni.

Decended played in a many silent and talking pictures,—starring in some 300, about half of his hits, in a period of a quarter of a century. He made his film debut in 1916, becoming the cowboy luminary for the Selig company. The legend of his fame found him with Fox in the decade prior to sound's advent, and most of his hit vehicles were under that organization's banner.

Mix was—contrary to trade and publicity impression,—in Mix Run near Dubois, Clearfield County, Pa. for publicity reasons, his birthplace was given as El Paso, Tex.

Chicago—"Tom Mix, Straight Shooter," program sponsored by Ralston Purina Co. of St. Louis, included a special tribute to Tom Mix in its yesterday's program.

8 Foreign Correspondents Restored to MPPDA List

Eight names on the MPPDA list of accredited foreign correspondents will again be reinstated, following their removal a few weeks ago. At a meeting of foreign publicity heads yesterday, it was decided that the major companies would continue servicing those persons who could back up their claims with evidence that they were still on the job.

Sixty names were dropped recently, mainly correspondents in Nazi-held countries.

James Bradbury, Actor, Dies

James Bradbury, 88, stage and screen actor, died at the week-end at his home in Clifton, Staten Island. In his early career he acted with William Warren and Edwin Booth. He appeared in films with Richard Dix and Richard Barthelmess. Funeral will be held at noon tomorrow at Waverly's. Cooke Chapel, 117 West 72nd St.

DeMill to Speak In Chi.

Chicago—Banquet on Oct. 23 of the Chicago chapter of the Society of Motion Picture Executives, will be addressed by Cecil B. DeMill, here for the NWPME premiers.

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Newark Theater Sues Majors for $450,000

(continued from Page 1)

United Artists, Loew's, Inc, Big U Film Exchange and Vitagraph, Inc. Also brought in as defendants were the Rayherz Amusement Corp. of 986 Broad St., this city, and its officers, and Harry Brandt, its book- ing agent.

The Orange Theater Corp., which operates the Treat Theater at 60-08 Orange St., this city, charges in its suit that it was being forced out of business through a conspiracy by the distributors and the theaters on the Brandt circuit to monopolize second-run features.

Specifically the complaint accuses the defendants of steering the better films to the Broad St. theater, three blocks away that is under Rayherz management. The result was, according to the charge, that the treat was deprived of bidding for features in the open market, that it had to buy inferior pictures or pay "exorbitant rentals" for good films, that it had to buy shorts it was unable to use and that it had to reduce admission prices, and finally that it had to resort to "unusual and costly games" to attract patrons.

Damages were estimated at $150,000 and the plaintiff asked for triple damages, plus attorney's fees.

S-W Deal for Paramount Product Still Discussed

(continued from Page 1)

flies. Negotiations were held yester- day afternoon at the Warner offices. Reports that the product conferences had ended with no deal reached were denied.

Flynn Discusses Loew's Policies with N. W. Allied

Minneapolis—J. T. Flynn, Western division sales manager for Metro, was a Twin City visitor over the week-end. During his visit, he met with officers and members of North- west Allied at which time sales poli- cies and product were discussed. There was also a luncheon meeting at the Nicollet Hotel attended by Northwest indies.

See New Wage-Hour Rulings as Pix Help

(continued from Page 1)

making at least $200 a month are exempt from the over-time provi- sions. At the hearing attorneys for the industry pointed out they were not concerned with the minimum wage requirements, as these are met in all instances, but were anxious that those making large salaries be allowed to work over-time if necessary without paying time and a half.

Previously classified with ex- ecutive, the "administrative" defini- tion besides the $200 provision lays down three classes and determines who are to be considered to be engaged in non-manual work which requires the exercise of discretion and independent judgment.

The first type exempted is one who regularly and directly assists an ex- ecutive or another exempt adminis- trative employee. The second is one who performs under only general supervision office or field work di- rectly related to managerial or general business operations along specialized or technical lines re- quiring special training, experience, or knowledge. And the third is one who whose involves the execution under only general supervision of "special assignments or tasks direct- ly related to management policies or general business operations.

Unofficial interpretations believe this will cover cameramen, sound- men, heads, directors and assistants, and other skilled technicians making the required minimum salary.

A new provision in the "executive" definition provides hours of work of the same nature as that performed by non-exempt employees do not exceed 20 per cent of the number of hours worked in the work week by the non-exempt employee under his direction. This does not apply in case of employees who are in sole charge of an independent establish- ment or physically separated branch establishments. Other provisions for "executives" are substantially the same.

The $200 and 20 per cent of hours worked provisions is also extended to cover professional employees. Also exempt are employees in the artistic professions in the broad sense of the word, which Col. Philip B. Fleming, Administrator, said is meant to cover writers, photographers, motion picture actors, musicians, etc.

The new regulations go into effect Oct. 24.

Perfect "Dual" Bill

Pittsburgh—There's nothing like a scene of counter humor to brighten these days.

Local theater man who has been forced by competition to resort to an endless parade of programs looked at the kids as the pix. He found it and so his marquees heralded;

"The Burning Question" Free Pot's to the Ladies
THE POST'S
LEADING
Lady
WILL BE
THE
SCREEN'S
NEW
Queen!
She's the Satevepost readers’ Favorite Fiction Character and has been for ten solid years! There's all of this self-starting patronage ready for your showing, so yell the news when ...

'Tugboat Annie Sails Again'

WORLD PREMIERE OCT. 18 IN 3 THEATRES TACOMA, WASH. (Annie's home port)

with MARJORIE RAMBEAU· ALAN HALE· JANE WYMAN· RONALD REAGAN
Directed by LEWIS SEELER

IT'S SUCH IMPORTANT MOVIE NEWS that we've advertised it in not one, but two issues of the Saturday Evening Post! Also two consecutive months of fan magazine advertising! Plus giant newspaper ads! All timed to meet the national release by WARNER BROS.
"Dictator" Premiere Attracts Notables

(Two Reeler Muddled by Chaplin
Has Two Features in Mind, but Does Not Contemplate Appearance in Either One)

Charles Chaplin would like to make two-reel slapstick comedies. At a press conference Sunday, the comedian-producer said he had no definite plans along those lines but that he had been giving the idea some consideration.

The younger generation, Chaplin admitted, doesn't know him and two-reelers might be a way of re-introducing himself to the younger people and, at the same time, help to stimulate interest in short subjects.

Chaplin slipped quietly into New York Saturday for his first visit in 10 years in connection with tonight's world premiere of "The Great Dictator" and held an informal interview at the Joseph Stalin Hotel in the afternoon at the Waldorf. Chaplin said he had two other features in mind, one of which was "Regency" and the other was "The White Russian." It is not likely that he will appear in either, but he would be the producer.

IATSE Members in Service
To Be Exempt from Dues

(Continued from Page 1)

good standing and will have their Hollywood executive union dues, or are conscripted for service in any of the governmental armed forces, it was learned yesterday.

The IATSE and the A.F. of L. took the same action in 1917. Ruling remains effective as long as a man is in service.

Ansell Squawks Against Union Said Before U. S.

St. Louis—Ansell Bros., operating the Empress, Rits and Variete, are apparently reported to have lodged a complaint with the D of J anti-trust division here against Local 6, stagehands. Basis of the complaint is understood to be the demands made by the union with reference to an Ansell proposal to install stage shows in the Empress, 1,474-seater on Olive St.

Empress at present uses a crew of three for films. According to Local Ansell, the house offered to put on six stage hands, but was met with refusal for nine and then raised it to three and at $67.50. This demand was rejected, and the complaint to the D of J followed.

D of J already has a complaint from Clarence Kaimann of the Kaimann Bros. circuit, as a result of another dispute with Local 6, and is reported to be interested as well in the circumstances which forced the closing of Mrs. Bosie Sherwood's Panoram theater in Maplewood.

Boyd In New Sherman Post

West Coast Bureau of THE FILM DAILY

Hollywood—(Continued from Page 1)

Will Boyd, former Paramount producer, has signed William Boyd to a new contract for the latter to continue playing the role in definitively of Haplogon Cassidy in the Sherman series.

Fact is set to include a yearly option clause.

Chi. Operators Conflab Today

Chicago—Theater owners will meet with officials of Chicago opera-

WEDDING BELLS

Green Bay, Wis.—Harry McLaughlin, assistant manager of the Bever-
y Hills theater, Chicago, was mar-
ried here to Geraldine Destache.

Chicopee, Mass.—Miss Jane M. Los, cashier at the Rivoli Theater, here, became the wife of Frank H. Mills at St. Stanislaus Church.

Cleveland—Sylvia Chesek of Vita-

graph, and a sister of Lester Zucker, Columbia branch manager, has an-
nounced her engagement to Henry Stern of this city.

Lorain, O.—Louis Lamm, manager of the Palace Theater, and Mrs. Lamm were in Chicago this week to attend the opening of the Princess Theater, Blanche, to Jack Abrams of Mil-

waukee, Mr. and Mrs. Julius Lamm of the Elgin and Uptown Theat-

er, also attended.

Coast Studios Start

Seven Pix This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Seven pictures are scheduled to go into production this week. The list follows:


At RKO-Radio: Walt Disney's "Reluctant Dragon" with Robert Benchley, Frances Figgins, Buddy Peppier, Nana Bryant, John Barclay and Cartoon Characters: "The Scent in Palm Springs" with George Sanders and Wendy Barrie.


Deposition Taking May Delay Lc Cross Suit

Theaters Co., Minnesota Amusement Co., 20th Century - Fox, United Artists and Paramount, scheduled for opening yesterday in U. S. Dis-

trust Court at Madison, Wis., it was

L. C. Cross and his counsel have charged the defendants with conspiracy by their alleged refusal to release films to it.

Demonstrate Panoramas And Soundies Monday

A demonstration of the Mills Panoramic Movie Machine and "Soundies" will be held next Monday night in the Starlight Roof of the Waldorf-Astoria Hotel. The demon-

stration of the coin-in-slot machines will be held for the press and mem-

bers of the theatrical, radio and musical fields. James Roosevelt and Fred Mills will be the hosts.

Warren Slee Recover

Grand Rapids, Mich.—Warren A. Slee, exploitation for G-M, with headquarters at Detroit, is back on the job after a bout with pneumonia which confined him to a hospital in Petoskey.

STORKS!

Cleveland—Dot Barber, until re-
cently with Metro and Ted Barber, former Paramount booker, are the parents of a 7½ pound boy.

Bergen, N. Y.—Howard W. R. Sturgess, owner of the Gem, is the father of a newborn boy William Christmas, named after the grandad,

Saginaw, Mich.—Howard W. R. Sturgess, owner of the Gem, is the father of a newborn boy William Christmas, named after the grandad, W. R. Sturgess, salesman for Republic.
"The Thief of Baghdad" with Conrad Veidt, Saba, June Duprez, Rex Ingram. UA-Korda. 106 Mins. (HOLLYWOOD PREVIEW) FANTASY BANKS WITH THE SCREEN'S MOST LAVISH PRODUCTIONS: SHOULD DELIGHT FANS? Enriched by Technicolor and eye-filling and breath-taking scenes of beauty and splendor, the popular fantasy, "The Thief of Baghdad," returns to the screen and should delight fans of all sizes and ages. It is rich in color, costumes and backgrounds and easily ranks with the most lavish and opulent productions of cinema history. The picture is a triumph for Alexander Korda, who surrounded himself with exceptionally able production aids in the persons of Zoltan Korda and William Cameron Menzies, associate producers; Ludwig Berger, Max Solloway, Edward Davis, Bruce Winton share directorial credit; Vincent Korda, who designed the production in color. Many hours of work went into the photography, and Lawrence Butler, who directed the special effects. Natalie Kalmar served as Technical director. To Miles Malleson goes credit for screenplay and dialogue and to Lajos Biró for the scenario. The acting is exceptionally good, with Saba being the most appealing feature, yet almost naive "Thief of Baghdad," who comes to the rescue of the trouble-ridden young lovers, the blind John Justin and the beautiful June Duprez. Conrad Veidt is very convincingly menacing and sinister as a cruel, powerful, hypnotic magician, who loves June in vain. Justin is splendid as the romantic king, who searches far and wide for June. June, in turn, does fine work as the object of Justin's affections. Rex Ingram, the Negro actor, is outstanding as a Genie, upon whose mammoth back, Saba flies through space in search of Justin. Novel Conrad Veidt sells his illusion, a flying horse, to June's father in exchange for her. Veidt also forces blindness upon young Justin, who had trusted him. Strolling along a beach, Saba picks up a bottle. He opens it, thus releasing the spirit of Rex Ingram, who had been imprisoned for 2,000 years and through a haze emerges the giant. Ingram takes Saba on adventures to far places, but Saba's real triumph comes when he gets possession of a magic carpet, and brings Justin and June together. CAST: Conrad Veidt, Saba, June Duprez, John Justin, Rex Ingram, Miles Malleson, Maurice Selten, Mary Milligan, Hay Petrie, Adelaide Hall, Roy Emerson, Allan Jeaves. CREDITS: Producer, Alexander Korda; Associate Producers, Zoltan Korda, William Cameron Menzies; Directors, Ludwig Berger, Michael Powell and Tim Whelan; Scenario, Lajos Biró; Screenplay and Dialogue, Lajos Biró; Photography, Designed in Color by Vincent Korda; Camera, George Perinal; Associate cameraman, Ormond Bertram; Special Effects, Lawrence Butler; Musical score and Songs, Miklos Rozsa; Supervising Editor, William "Argentine Nights" with The Ritch Bros, The Andrews Sisters, Constance Moore, George Reeves, Universal. POP MUSICAL COMEDY, DEFINITELY MACAP BUT GEARED TO GET PLENTY OF OPEN HOUSE. Like two sets of football backfields, The Ritch Bros and Andrews Sisters alternate in lugging the entertainment leather in this one. The former's long suit is, of course, comedy, while the latter's stock in trade is torridly chanted pop songs. Here and there, the Ritch gents show their verve by piping a few melodies themselves, and, not to be outdone, the Andrews gals turn to clomping at intervals. Patrons who like straight laughs springing from close to outright laughter, and musical numbers of the super-swing school, will enjoy "Argentine Nights," which is completely slapstick throughout. The film has about as much of a story as is necessary to keep the proceedings in so-so continuity. It can be summed-up briefly: The groups go on simultaneous-tour. Outside of these elements the accent is almost wholly on rampant fun. Highlights of the evening are a pair of comedy are an imitation of The Andrews Sisters by the Ritch Bros, and a hilarious bit wherein the boys, who are stowaways on the Argentine-bound boat, are chucked into the galley to wash dishes, whereupon they appropriate a gigantic loaf of sandwich bread, cut it horizontally, and feast to the ensuing gargantuan morsel. Pace generally is swift and amusing—fitted to a mood which so light and dizziness that the troubles of the world seem as far distant as Mars. Ritch-rendered songs are: "The Spirit of '77" and "Brooklynonga." The Andrews Sisters render: "Oh, He Loves Me" and "Rumboogie." The comical Constance Moore sings delightfully "Once Upon a Dream," and, with the chorus, "Hall of the Mountain Queen." George Reeves and his band of "outlaws" render "Amigo We Go Riding Tonight" effectively. Direction is okay and is the high point of the picture. CAST: The Ritch Brothers, The Andrews Sisters; Constance Moore, George Reeves, Peggy Moran, Anna Magal, Kathryn Adams, Ferkie Boros, Paul Porcappastick. CREDITS: Director, Albert S. Rogell; Associate Producer, Ken Goldsmith; Screenplay, Arturo H. Homan, Ray Golden, Sid Kuller; Original Story, J. Robert Bon; Gladys Atwater; Musical Director, Charles Prev; Costumes, Vera West; Cameraman, Elwood S. Goddell; Sound Recording, Bernard B. Brown; Art Director, Jack Otterson. DIRECTION, Okay PHOTOGRAPHY, Good. Hornbeck; Editor, Charles Crichton; Technicolor Director, Natalie Kalmas; Musical Director, Sam Matheson; Sound Director, A. W. Watkins. DIRECTION, Capable. PHOTOGRAPHY, Excellent. "The Hit Parade of 1941" with Kenny Baker, Frances Langford, Hugh Herbert, Republic. 86 Mins. (HOLLYWOOD PREVIEW) COMEDY, CLEVER SINGING AND DANCING BLENDED TO OFFER CORKING ENTERTAINMENT. Embracing much comedy, clever singing and dancing, the newest edition of the "Hit Parade" series has a great deal to offer in the way of entertainment, Director John H. Auer has effectively blended the various elements of the musical comedy. To Sol C. Siegel goes important credit as Associate producer. A small army of comedians and comediennes is used to advantage. It includes the always amusing Hugh Herbert, Mary Bo- ter; Kathy Kelly; Paul Silvers, Frank Pangborn and Stewart Hollygoof. And then for added measure Borrin Michas and his Harmonic Band is in the house. Their unique capers and music. Donald MacBride and Barnett Parker are among the principals. Kenny Baker and Frances Langford handle the songs, with Tony Amo and Swing Low, Swing High," the best of the six numbers written by Julie Sonye and Walter Bullock. Easily one of the high spots of the picture is the dancing of beautiful Ann Miller. Cy Feuer rates credit for directing the music. Hugh Herbert is the befuddled owner of an antique shop and is induced to trade it for a small radio station. His principal aide is his nephew, Kenny Baker. When it appears that television is going to cause his new business, eccentric Herbert gets a bank to finance him for television equipment. Mary Boland, a department store owner, attends to sponsoring a program on the Herbert station, but insists that her daughter sing as part of the show. The problem is further complicated when unknown to Miss Boland and Ann, Frances Langford sings from the sound room, and it is her voice that really goes over the air. However, the hoax is finally exposed by Patsy Kelly, who believes Kenny is showing more interest in Ann than his sweetheart, Frances. All ends happily, when Ann realizes she is more fitted for dancing, and Kenny and Frances settle their differences. CAST: Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller, Betsy Kelly, Paul Silvers, Sterling Holloway, Donald MacBrde, Barnett Parker, Franklin Pangborn, Six Hits and a Miss and Borrin Michas and His Harmonica Rascals. CREDITS: Associate Producer, Sol C. Siegel; Director, John H. Auer; Authors, Bradford Ropes, F. Hugh Herbert, Maurice Leo; Screenplay, same; Additional comedy sequences, Sid Kuller, Robert Golden; Cameraman, Jack Mart; Editor, William Morgan; Musical Director, Cy Feuer; Dance Director, Danny Darce; Music by Julie Sonye, Lyrics by Paul Silvers; Assistant Costumes, Ann Sargent; Assistant Director, Walter Scharf and Gene Rose; Art director, John Victor Mackay. DIRECTION, Effective PHOTOGRAPHY, Very Good. "Trailing Double Trouble" with Ray "Crash" Corrigan, John "Dusty" King, Max "Alibi" Terhune, Monogram-Weeks. 56 Mins. (HOLLYWOOD PREVIEW) THE RANGE BUSTERS IN A LIVELY ACTION STORY SHOULD PLEASE WESTERN FANS. The Range Busters again hit the trail, and with their hard-riding and doughy fists come to the rescue of a fair maiden and her baby niece. Director S. Roy Luby has kept things moving at a lively pace and has maintained interest to the end. George W. Weeks functioning as producer and Anna Bell Ward as associate producer. Roy "Crash" Corrigan and John "Dusty" King, who can work their stuff well, while their partner, Max "Alibi" Terhune, is no less handy with his fists. Lita Conway is a comely heroine, while Roy Barcroft, and Tom Rutherford are the principal claimers and villains whom the "Range Busters" bring to justice. Tom London, William Kellogg, Baby Nancy, Joy Ford, Forrest Taylor and Ken Duncan are among the principals. The "Range Busters" see baby Nancy's father shot down and go to his rescue. They learn that Lita Conway is a sister of the slain man and that Roy Barcroft is empowered to act as the executor of the murdered man's estate if he can find the baby. Corrigan finds that Barcroft is trying to make a deal to sell more gravel from Lita's brother's land, although the murder victim had opposed such a plan; also Barcroft and Rutherford had hired men to commit the murder. Of course, the "Bust- ers" succeed in turning Barcroft and Rutherford and his henchmen over to the law. CAST: Ray "Crash" Corrigan, John Harmonica, Lita Conway, Nancy Louise King, Roy Barcroft, Jack Rutherford, Tom Lon- don, William Kellogg, Earl Matthews, Forrest Taylor, Ken Duncan, Jimmy Wakeley and his rough riders, Rex Felker. CREDITS: Producer, George W. Weeks; Associate producer, Anna Bell Ward; Director, S. Roy Luby; Screen adaptation, Oliver Drake; Cameraman, Ed Linden; Musical director, Frank Sanucci; Editor, Ray Clarke; Featured song "Under The Western Skies" by Lew Porter and Johnny Lange. DIRECTION, Lively. PHOTOGRAPHY. Good. Val Paul in Lincoln For "Miss Bishop" Shots Lincoln, Neb.—With Val Paul, production chief in charge, a crew of 10 from Richard A. Rolland's picture, "Cheers for Miss Bishop," are on location here for farm, prairie, and University of Nebraska background shots. Paul said the crew would spend approximately $10,000 altogether on the jaunt. Rolland, who is going to 300 University extras. Roll- land may Premiere the Bess Streeter Aldrich yarn here.
THEY KNEW WHAT

RADIO CITY DRAWING CAPACITY CROWDS . . . WEEK-END BUSINESS THERE AND AT SAN FRANCISCO, CHICAGO, BOSTON, NEW ORLEANS, DETROIT AND COLUMBUS SOARS TOWARD PEAK WEEKS . . . HOLD-OVERS SET AND THE YEAR'S GREAT DRAMA READIES FOR MORE BIG OPENINGS THIS WEEK AND NEXT!

Carole LOMBARD

in "They Knew What"

DIRECTED BY G.

with WILLIAM GARGAN · HARRY CAREY · FRANK F.
THEY WANTED IN NEW YORK, TOO!

KATE CAMERON, N.Y. DAILY NEWS —
"A finely acted and superbly directed motion picture... Story a deeply stirring manifestation of passion in various forms... A mixture of hearty comedy and tense drama."

LEE MORTIMER, N.Y. DAILY MIRROR —
"This tense, powerful portrayal of Sidney Howard's Pulitzer Prize-winning play is the best picture to tenant the Music Hall since 'Rebecca'. Like that film it will receive serious consideration for the Academy Award."

HOWARD BARNES, N.Y. HERALD-TRIB. —
"Recreates a real chunk of human experience... Few enough motion pictures do this, and when one does, it should be saluted... It is an excellent film... absorbing and moving... deserves to be called distinguished."

WILLIAM BOEHNEL, N.Y. WORLD-TEL. —
"A fine and moving comedy-drama... The acting in every way is superb... Charles Laughton gives a heartrending performance, and fine jobs are turned in by Miss Lombard and Gargan as the two who sin."

EILEEN CREELMAN, N.Y. SUN —
"The Music Hall carries along still further the current flood of good pictures... 'They Knew What They Wanted' is a warmly human drama, a picture that will remain in your mind and your heart for a long, long time."

ROSE PELSWICK, N.Y. JOUR.-AMERICAN —
"Expertly translated to the screen... takes its place as one of the season's outstanding productions."

ARCHER WINSTEN, N.Y. POST —
"Everyone connected with 'They Knew What They Wanted' has done a good job."

Charles LAUGHTON

WHAT THEY WANTED

Charles KANIN

PRODUCED BY ERICH POMMER

SCREEN PLAY BY ROBERT ASKNEY - FROM THE PULITZER PRIZE PLAY BY SIDNEY HOWARD
Court OKays Record Over Ascap Protest

(Finished from Page 1)

Finkelstein, of New York Ascap counsel, appeared before the tribunal and presented the society's case. Frolich asked that the record contain exact transcripts of questions and answers of the previous hearing before the same three judges in Lincoln, when the court issued a permanent injunction against enforcement of an anti-Ascap law passed in 1927.

At that time the court held the law unconstitutional and the state of Nebraska appealed to the U. S. Supreme Court. At the Omaha hearing, William J. Holtz of the state said his condensation of the case contained everything that happened at the Lincoln hearing, in condensed form.

Frolich said the court that there is a lot of thin testimony that was not recorded "that has no place in the presentation." He said the record left out half of the important material presented before the court in Lincoln. Frolich said he wanted the full and complete record before the U. S. Supreme Court "because I don't know where they're going to hit me and I must be prepared.'" 2 Milwaukee Houses Sue Fox-Wisconsin Amuse. Co.

(Continued from Page 1)

Tower theaters in Milwaukee during the three years it operated line houses ending 1937. The plaintiff alleges that Fox permitted the Downer and State to obtain waivers reducing the 14-day required clearance over the Oriental and Tower, thereby resulting in picture playing in the former houses at lower admissions often only a few days after the Oriental and Tower instead of the full 14 days. The case is pending here before Circuit Judge Gustav G. Gehrz.

Arline Judge Back with 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Arline Judge, who retired from the screen upon her marriage in 1937, has returned to the Twentieth Century-Fox fold for the unexpired term of her old contract which has some months to run.

Court Ban on Bingo Defied in Wisconsin

Milwaukee—Despite a state Supreme Court ruling holding Bingo to be a lottery game and therefore illegal in Beaver Dam with a dozen games advertised in a single issue of the local paper, a number of parades at many different halls on five nights in the week—Penny games are apparently among the most popular. Reports from various places indicate that organizations which had suspended the games following the high court's ruling a number of months ago, are again operating.

Warner Time "Knute Rockne's" Broadcast

Dec. 20 Aid Pix's Subsequent Runs

Timed for subsequent runs, Warner's "Knute Rockne—All American" will be the Lux Radio Theater broadcast attraction on Monday, Dec. 2. The radio show will star Pat O'Brien, Ronald Reagan, George Reeves and Donald Crisp with travelling cast.

Coming as a big air attraction for the week preceding the Lux, the Metro-Dem-U. S. C. game will be in Lux's broadcast, or for the week following will be a high in radio exploitation of a motion picture. Incidentally, it will be the 33rd national hook-up with the "Rockne" film.

Tri-State Exhibs. Hold Consent Dinner Talk

Memphis—A discussion of the consent decree proposal in the Government equity suit against the majors was the chief topic on the agenda for the second day of the session of the MPTO of Ark., Miss. and Tenn., which convened here Sunday. R. X. Williams, Tri-State's prey and mayor of Oxford, Miss., presented. Sankeys was given over to social events and the viewing of important new pictures. Exhibs. from the three states yesterday heard addresses by Y. Frank Freeman, vice-pres. and charge of Faro's studios; Ed Kuykendall, MPTO's; John Blinn of Variety; William Farnham of Box Office; H. M. Richley, exhibit. contact for M-G-M; Claude Lee, public relations director of Paramount; and Harry Rahn of Fox's Clifton division manager for Universal Pictures.

A. Lightman called a meeting of all managers of his Malco Circuit immediately following close of the Tri-State convention.

Warners Ties In with Army

NBC Radio Show Nov. 19

Washington Bureau of THE FILM DAILY

Washington—A major motion picture studio will take part in a broadcast on an Army-Navy film, network show over NBC's blue network. Army broadcast will open here, jump to Los Angeles and then back to Warners where a radio adaptation of "Service With the Colors," preparedness short, will be aired for 15 minutes. Edward G. Robinson will be guest speaker. From Hollywood, program will switch back to Washington for signoff.

B & K Houses Selling NWMP Premiere Tickets

Chicago—For the first time, in the circuit's history, tickets are being sold for the U.S. premiere Oct. 24 of NWMP at the Chicago theater by other B & K houses.

Start "Penny Serafone"

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has scheduled for release on Dec. 3, "Irene Dunne and Gary Grant, to go into production this week. Picture will be Georgia Stevens first directing assignment under his new producer-director contract with the studio.

Schenck Calls Meeting On "Night of Stars"

Marvin Schenck, chairman of the producing committee for the "Night of Stars," will hold a meeting today in his Loew's State Theater Building office to discuss plans for events which will be held in Madison Sq. Garden on the night of Nov. 27. Committee members slated to attend today include Bob Weitman, Arthur Knorr, Sid Flerment, Larry Puck, Frank Roehrenbeck, Harry Romm, Ed Sherman, John Shubert, Don Albert, S. Hurok, Lester B. Isaac, Jesse Kaye, the tandem Harry and N. S. Tanenbaum, Star who has already sent in their written appearances to appear in the big show, Schenck announced yesterday, include Eddie Cantor, Ed Wynn, Glenn Miller, Jane Froman, Lucy Monroe, the entire "Hit Parade," cast with Mark Warnew, Be Wain, Barry Woot and And Bro- chu, Danny Kaye, Billy Gaxton, Lenna Orloch, Loma Lam- ford, Jon Hall, Eddie Duchin, Block & Sully, Abe Lyman, Victor Moore, Carol Bruce, Bert Lahr, Milton Berle, Benny Fields, Cross & Dunn, and Jay C. Flippen.

Further personnel of the show will be announced at today's meeting, Schenck said.

RKO Sets Nov. 11 Release For "Power and the Land"

"Power and the Land," Government documentary film concerning distribution, will have its national release date on Nov. 11, Ned E. De- pineet, vice-president of RKO Radio Pictures, said yesterday. RKO is handling "Power and the Land" free of film rental to theaters and is giving its distribution and showmanship facilities without remuneration. Theaters may obtain the production for showing by applying to any of the 32 RKO Radio U. S. exchanges.

Mitchell Funeral Today

Long Branch, N. J.—Funeral service will be held this afternoon for Charles E. Mitchell, retired stage actor, who died here on the weekend at the home of his daughter, Mrs. Edward B. Begers. Besides the latter, two of the deceased's children, John A. and Charles E. Mitchell Jr., are here, as does a sister, Mrs. Russell Wright.

New Penn Opens Today

Mt. Pleasant, Pa.—The 400-seat New Penn Theater, which has been built on the site of the old Oex Thea- ter, here, will open today.

Bartow, Fla.—E. Murray, manager of the Acts Theater, has been transferred to the State Theater at Eustis, and the Mount Dora Theater at Mount Dora. Howard Jordon of Tampa, who has been managing the Colony Theater at Winter Park, succeeds here.

Brundidge, Ala.—Charles Orr, veteran of the Fred T. McLendon theater organization, has arrived to become manager of the Brundidge Thea- ter. Orr was formerly manager of Luverne, Ala. and Milan, Fla. theaters.

Westchester, Mass.—J. G. Ehrlich of Boston, who has been publicity director for RKO, has been appointed manager of the Plymouth Theater to succeed R. Lawson Daniels, transfer- red to management of the Capitol Theater, Pawtucket, R. I.

Boaz, Ala.—The new Boaz Thea- ter has opened with Thomas E. Orr as manager.

New Haven — Certificate of in- corporations has been filed by Bait Film, Inc., producers of 16 mm, film, with $40,000 authorized capital, and $4,000 to commence business. Incorporators are Joseph Einhorn, Wallace Rosen- thal, and Joseph Cohn, all of New Haven.

New Haven—Francis Joyce, former assistant shipper at the RKO ex- change, has been promoted to as- sistant booker, replacing Stanley Levin, who is preparing for his Bar exams and a legal career.

Cincinnati—Cinema Club will meet Oct. 26 at the Variety Club.

Cleveland—The Cleveland Warner and Lobby Club is throwing a party to hold in the club rooms on Nov. 1st. Marty Friedman, vice-president in charge of social activities is in charge of arrangements with the assistance of Tony Lurie, Don Myers, Liun Hahn, Guy Ellis, Rosamund Hoffman, Arnold Nathan- son and Irving Ruben.

Montgomery, Ala.—Robert McLen- don, connected with the Paramount and Empire Theaters in this city for some years, has gone to Fairhope as manager of Fairhope Theater.

Rochester—Bob Meager, advertis- ing and publicity man for Schine's here, has added the management of the Lake to his list of duties.

Columbia Buys "Show Business"

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has bought screen rights to "Show Business," an unproduced play written by Alex- ander Ruben. Robert Lively is mak- ing the screen adaptation.
Kuykendall, Brandt Asked for Stand

(Continued from Page 1) aimed at curbing chain buying pow-
er. "As head of a large buying com-
pany, how does Mr. Brandt stand on
the provisions which are aimed at
curbing the buying power of the
combines?"

The bulletin also asserted that
these men should state their posi-
tion on the clear-out provision against
forcing short subjects and newsreels; the provision for leasing pictures within the circuit; the provision for making pictures available on some run; the provision for arbitrating clearance disputes; the remodeling of the circuits in favor of circuits and buying com-
bines; the limitation on the acquisi-
tion of theaters and the escape claus.
Are they for or against these provisions?"

Continuing, the bulletin stated that
Kuykendall "has indicated that he is
against all Government interference.
After all the years of futility and
frustration, does he think that the
relief embodied in the above-men-
tioned provisions will be forthcom-
ing by voluntary action of the dis-
brutors and the circuits?"

"Mr. Brandt at the hearing on
the Neely Bill declared that the worst
evil of the business was domination by
affiliates, that he was the new object to relief against such
domination because buying combines
have been put in the same category with the circuits?"

The bulletin also asked that Kuy-
kendall and Brandt comment on the
proposed remodeling of the circuits, which "contains conditions and limit-
tions that hamper its effective-
ness," and the provision to limit ac-
quision of theaters by the producer-
distributors which "contains serious
loopholes."

Will Dispose Of, But May Not Drop Contempt Moves

Washington Bureau of THE FILM DAILY

Washington — Pending contempt proceedings in Los Angeles and Chi-
icago "will be disposed of" but not
necessarily dropped if the consent
decree in the New York equity suit is
adopted, a Department of Justice
spokesman said here yesterday. Ob-
servers here believe that under that
interpretation, contempt cases will
not be pressed if the parties agree
to abide by consent decree.

Even though anti-trust suits through-out the country—notably the
Wyatt v. Paramount case—which are
disposed of, the D of J will go ahead
against any defendant named and
found to be in violation of the anti-trust
laws, it was said.

Ritter Hurt In Fight For 'Oklahoma Bound'

West Coast Bureau, THE FILM DAILY

Hollywood—Tom Ritter was injured
yesterday while working on the Kurne's
limy, Idyllwild, for filming of scenes for his
next picture, "Oklahoma Bound," being
produced by Edward Flynn for Mon-2
gram. In a light scene between Gene
Absco and Carl Hackett, filmed in
picture, Ritter's knee was badly hurt
and he received cuts about the head
and face. Due to Ritter's injuries, the
picture will be delayed for two weeks.

N. Y. MPTO to Have Two Branch Offices

(Continued from Page 1) which will confine its activities main-
tly to Metropolitan New York and
sections of New Jersey.

With the main office in Buffalo
branch offices are to be established
in Syracuse and Albany before Jan-
1 and committees in charge of mem-
bership are now working at both
points. The directorate of the New
York State group will include repre-
sentatives from the Buffalo, Syra-
cuse and Albany districts and the
latter cities will have executive vice-
presidents who will be in charge of
activities in their respective zones.

It is estimated here that several
hundred independent and affiliated
theaters will be included in the or-
ganization. Present plans call for
presentation of a united front by the
exhibitor groups of the industry
to deal collectively with the produc-
ers, the Government and the public
on all matters concerning their
interests.

Will Plug "Argentine"

In Southern America via Air

West Coast Bureau of THE FILM DAILY

Century-FOX is producing a 15-minute
year-cycle series for foreign dis-
cussion program to be used on radio
stations in Latin American coun-
ts. "Down Argentine Way." Carmen Miranda will sing
several of the picture's songs in
Spanish and Portuguese and Don
Ameche and Betty Grable will sing
numbers in English.

III. Allied Booking Dept. Claims 100% Gain

Chicago—Booking department of
Allied Theaters of Illinois is hand-
ling 100 per cent more theaters than a year ago, according to Man-
ger Ed Mager. Department has
closed deals with Paramount, RKO and Universal; negotiations with
others are on.

Rodgers, Southers Holds to 200

Chicago—William F. Rodgers and
Edward M. Southers of M-G-M will
be hosts Thursday at a luncheon at
the Blackstone Hotel to 200 Chicago
and Milwaukee exhibitors at an
informal gathering.

Wants a Showdown On St. Louis Duals

(Continued from Page 1) ness man to take a definite stand:
that good business principles and prac-
tices demanded such a course.

"We should like, by return mail,
if possible, to have you express your
feelings on the subject of double and
triple feature programs; to tell us
whether or not you are for or against
such practices. Also we should like
to know what your intentions are
regarding such programs. Please
tell us conclusively and unequivocally
whether or not you would join a
movement to get back to the single
feature program, whether you are
going to continue double features,
and whether or not you are going
to show triple features."

They Knew Stays Second Week in All Pre-releases

"They Knew What They Wanted" has been held over for a second
week in all its pre-release engagements, including the Radio City Music Hall
in New York, Chicago, Boston, San
Francisco, Columbus, New Orleans
and Detroit. The grosses are re-
ported by RKO's home office.

The Lombard-Laughton starrer
was the highest grosser for a week
in the Radio City Music Hall of any
RKO Radio feature to play the
house since "Gunga Din," two years
ago.

GWTW May Play Two Mexico City Theaters

Mexico City (By Air Mail) — David O. Selznick's GWTW may be
shown simultaneously at both of
Mexico's foremost picture theaters—
the Alameda, and the Iris, if nego-
tiations between Carlos Nibola, gen-
eral manager of Metro-Goldwyn-
Mayer, and Millicent de la Serna, man-
ger of the Alameda, and Fernando Garcia, manager of the Iris, are
successful.

Meanwhile, Selznick's production of "Rebecc," which broke all rec-
ords at the Alameda, where it played
four weeks, established a new record
for the 7,000-seat Colonial, of Oscar
and Samuel Granat, by staying for
two weeks.

RKO Seeks Astaire

West Coast Bureau of THE FILM DAILY

Hollywood — RKO is negotiating with Fred Astaire for "Together
Again," in which it would co-star
him with Ginger Rogers. Story is
by Michael Kanin, a brother of Gar-
son Kanin. Latter is set to direct.

LaCerva to Produce "I" Film

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed
gerogory LaCerva to produce and di-
rect its next Irene Dunne picture, as
yet undetermined, but set for Janu-
ary production. Bruce Manning will
be associate producer and work on
the script.
DOWN ARGENTINE WAY
RECORD-BREAKING REPORTS FROM SPOTS THAT KEY THE NATION!

PHILADELPHIA
DOING "JESSE JAMES" BUSINESS!

KANSAS CITY
(EVERY DAY IS HOLIDAY BUSINESS!)

ALBANY
(PRESSING "ALEXANDER'S RAGTIME BAND" RECORD!)

CHICAGO
NEW 20th WEEKEND RECORD FOR THE HOUSE!

ST. LOUIS
(HOTTER THAN ANYTHING IN YEARS!)

PORTLAND
(BEATING "KENTUCKY" TWO TO ONE!)

SEATTLE
(TERRIFIC! AND BIGGER DAY AFTER DAY AFTER DAY!)

MILWAUKEE
(day-and-date)
(TOPS EVERYTHING!)
TEN CENTS

NEW YORK, WEDNESDAY, OCTOBER 16, 1940

KELLY HEADS UA DOMESTIC DISTRIBUTION

Consent Decree Agreement Near, Court Advised

Conferees Striving to Perfect ‘Fair and Speedy’ Arbitration Setup, Says Hayes

Federal Judge Henry W. Goddard yesterday postponed the slated hearing on the proposed consent decree until Tuesday Oct. 22 as Government and company representatives conferred with J. Noble Braden, executive secretary of the American Arbitration Association, on the rules of arbitration. Special Assistant Attorney General J. Stephen Doyle told the Court that the parties were “close to agreement” on the decree itself, but (Continued on Page 4)

Tri-State Exhib. Attack “5-Blocks”

Memphis — The Tri-State MPTO yesterday petitioned the Department of Justice to reject the blocks-of-five provision of the consent decree thereby adding another protest by an exhibitor organization to the proposed plan of selling. Resolution was passed by more than 200 exhibitors from Arkansas, Mississippi and Tennessee attending the annual Tri-State convention.

Conclave also registered strong opposition (Continued on Page 8).

RKO Grants No Clearance On “Power and the Land”

RKO will grant no clearance on “Power and the Land” which the company will distribute for the Rural Electrification Administration. Only priority of runs will be allowed the (Continued on Page 4).

Don’t Cut GWTW, Ask Confederate Vets

Washington Bar, THE FILM DAILY Washington — The United Confederate Veterans and the Sons of Confederate Veterans at encampments here this week adopted resolutions urging that when GWTW goes into general release, it be sent out “in its full, original form.” Resolutions will be sent both to Producer David O. Selznick and Metro.

Syracuse Exhibs. to Meet To Discuss Joining MPTO

Syracuse, N. Y.—Meeting of the Syracuse independent exhibitors has been called for tomorrow afternoon at the Hotel Syracuse by Sidney Grossman, director and secretary of the recently disbanded Syracuse unit of Allied, for discussion on possible affiliation with the MPTO of New York.

The 70-30 terms being asked domesticaly for “The Great Dictator” has met with no opposition, according to the UA sales department which asserts that exhibitors are clamoring for the picture.

Harry Gold, vice-president and Eastern sales head, said that the same terms will apply for all runs “for some time to come” and that a price scale of 75 cents to $1.10 will apply (Continued on Page 4).

Appointed by Silverstone; Foreign Dept. Successor To Be Designated Shortly

Appointed of Arthur W. Kelly, vice-president in charge of foreign distribution for UA, and head of its foreign department since 1924, as vice-president in charge of domestic distribution was announced last night by Murray Silverstone, chief of world-wide operations.

It was stated by Silverstone that Harry L. Gold and L. J. Goodman, 20th-Fox Far East Head, Quits

Del Goodman, Far Eastern manager for 20th-Fox for the past 15 years, has resigned, it was announced yesterday by the company’s foreign department. Goodman, who recently returned to New York from the Orient, has left for California to

Arch Reeve Resigns Post As 20th-Fox Ad Manager

Resignation of Arch Reeve, advertising manager for 20th-Fox in New York City, for the past six years, was announced yesterday by the company.

NWMP Chi. Bow Will Require More House

Chicago—With the 5,000-seat Chicago theater sold out in the first day of the sale of tickets yesterday for the NWMP U. S. premiere here Oct. 24, it was virtually certain last night that $5.50 will extend the premiere to other Loop theaters.
Music Hall's Head Holds Reception to Laughton


Among those present were Ned E. Depinet, L. Lawrence Green, Gus Eysell, S. Barret McCormick, Jack Alli son, O’Connor, Garrison Kamin, Andy Smith, Richard Lounsbury, Ralph Neelson, Fred Lynch, William Mallard, Gordon Youngman, Croson Smith, Fred Pasley, Alice Hughes, Jimmy Boyle, Henry Michelle, William Clark, Robert Hawthorne, True Drag, having been closed by Buchanan Hale, Tom Wenning, Frederick James Smith, Ken and Mrs. McCale, Leo Mekish, Al and Mrs. Steen, John Paynor, and Bill Bechle.

Laughton's latest picture, "They Knew What They Wanted," is currently at the Music Hall.

Wilmington Stockholder Suit vs. Loew's Deferred

Wilmington, Del.—By agreement of counsel, stockholder's suit brought by Arnold Herrmann against Loew's, Inc., which was scheduled for hearing yesterday morning in the New Castle County Chancery Court here has been continued. Date for the hearing will be set later.

Herrmann filed suit on Feb. 28, 1939 charging the directors and executives with conspiracy and fraud in the purchase of stock in various companies, including Century Film, Inc., now Twentieth Century-Fox Film Corp., at the expense of Loew's shareholders. Plaintiff had been informed that defendant corporation had sold stock without making preliminary injunction restraintime defendantes from disposing of stock of Twenty-Fifth Century until further notice. Plaintiff claimed that the suit is a writ of sequestration to be issued sequestrating and seizing all stock of Loew's, Inc. until further determination of the suit.

Para. Buys More Air Time To Plug "World in Flames"

Paramount, yesterday bought additional air time for its new weekly feature, "World in Flames," to be broadcast on KBEU, Kansas City, for three weeks.

A. M. Goodman, UA Branch Head, Suffers Heart Attack

Cleveland—A. M. Goodman, United Artists branch manager, stricken while driving golf at the Manhatten Golf Club, was rushed to Lakeside Hospital where his illness was diagnosed as a heart attack. He is now in his home where he is expected to recover for a rest of several months.

William Peterson Dead

Brentwood, Calif.—William Petersen, 55, operator of the Delta Theatre, died of a heart attack.

Comin' and Going

W. F. RODGERS, Metro sales chief, leaves today for the Coast.

EMANUEL SILVERSTONE, New York sales representative for Alexander Korda, leaves tonight to attend the "showmen's preview" tomorrow in Cleveland of Korda's production, "The Thief of Baghdad." Silverstone will also attend a similar preview in Buffalo on Friday.

HARRIET BONTON arrived in New York yesterday from the Coast.

JAMES ROOSEVELT is expected here this weekend from Hollywood.

DEL GOODMAN has returned to California after a stay in New York of several weeks.

CHARLES LAUGHTON left last night for a visit to England.

MARK HELLINGER, associate producer for Warners, and his wife, CLADYS CLADYS, arrived from the Coast today on the Manhattan.

MARION HOLLIN KORN, former studio manager of Columbia, and MRS. KORN, also arrived on the Manhattan.

MAXWELL WESTEBBE, RKO foreign exec., is at the Warwick.

JACQUELINE PENNER and her wife are at the Waldorf-Towers.

PEGGY DIGGINS, has returned to the Coast following a brief New York vacation.

"RED" SKELTON is due here from the Coast as soon as he completes a role in "Flight Command" for Metro.

Jos. Lightstone, Montreal Theater Operator, Dead

Montreal—Josaph Lightstone, 50, head of Variety Amusements, operating the Orpheum and Mayfair Theaters, and a brother of Mme. Pauline Donalda, internationally famous diva, collapsed and died of a heart attack in the Mount Royal Hotel where he was living.

Lightstone had worked actively right along, and was at his office Monday. For the past 15 years, he had been connected with different Montreal theaters. Before going to the Orpheum, he was general manager of the Princess Theater.

He is survived by his wife and a son, Owen.

Tugboat Annie Day Set

Tacoma, Wash., Flotilla of approximately 300 ships of every variety will participate in Tugboat Annie Day program, feature of the world's premier here Friday of Warners "Tugboat Annie Sails Again," Marjorie Rambeau, Al Hale, Ronald Reagan and Donald Crisp are coming on.

"Happy Birthday to You"

From THE FILM DAILY to Harry Reid Molly O'Day at Al G. Ruban and Rex Bell Lloyd Corrigan, London

Frank D. Ormiston

Published daily except Saturdays, Sundays and Holidays at 1501 Broadway, New York, N. Y., by film's owner, John W. Alacade, President and Publisher; Donald M. Mersereau, Secretary-Treasurer. Entered as second class matter, Sept. 4, 1938, at the post-office at New York, N. Y., under Act of Congress. Published in Los Angeles, Cal., by film's owner, Donald M. Mersereau, Secretary-Treasurer. Accepts and pays for advertisements and classifies them. Redistribution or publication of any part is prohibited without express permission. Address all communications to THE FILM DAILY, 1501 Broadway, New York, N. Y., Phone Bway 9-7122, 9-7123, 9-7124. Cable address: Filmday, New York.

Representatives: HOLLYWOOD, Calif.—Walter Funk, 6602 Hollywood Blvd., Phone, Graziella 6602; LONDON—Ernest W. Fredric, 75 Fleet Street, W.C. 2; PARIS—P. A. Haile, La Cinemato- graphie Francaise, 29 Rue de Rondelet; MEXICO CITY—Maire Aurelia Galindo, Deportes, 391, Calle del Sindicalismo, 99, Trescyslo, D. F.

FINANCIAL

(Tuesday, Oct. 15)

NEW YORK STOCK MARKET

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Robert Menches III

Akon, O.—Robert Menches, owner of the Liberty Theater, is at St. Thomas' Hospital, under observation.
tigress!

Again she is excitingly, magnificently herself...a Dietrich sinbound to hold men spellbound...in a story of men maddened to passionate outburst!

UNIVERSAL PRESENTS

MARLENE DIETRICH

SEVEN SINNERS

JOHN WAYNE

with

ALBERT DEKKER • BRODERICK CRAWFORD

MISCHA AUER • BILLY GILBERT • ANNA LEE

SAMUEL S. HINDS and OSCAR HOMOLKA.

Directed by TAY GARNETT

A JOE PASTERNAK PRODUCTION

NATIONAL RELEASE OCT. 25th
Agreement Said Near On Decree Changes

(Continued from Page 1)

that the delay was caused by the negotiators "endeavoring to reach an agreement on certain collateral matters."

Government sources later intimated that collateral matters causing the postponement were the questions raised as to the Government attitude towards adjustment of other anti-trust suits pending and the difficulties in drafting satisfactory arbitration rules.

Special Assistant Attorney General James A. Hayes stressed efforts on the part of the conferences to draft "a fair and speedy machinery" to insure exhibitors adjudication of their complaints. While Hayes would not predict whether the decree and rules would be ready on next Tuesday, he stated that there was a "good possibility" of their completion.

Meanwhile, a number of completed sections of the decree are now being studied by both Attorney General Robert Jackson and Assistant Attorney General Leonard W. Arnold. Their decision will not be announced until they have before them the entire decree.

RKO Grants No Clearance On "Power and the Land"

(Continued from Page 1)

important first-run theaters so that the subject can be played off in each branch territory in the least possible time.

Distribution is to be on the same basis as any other except that it will be supplied gratis. RKO's rights to the picture terminate on Sept. 30, 1941.

WEDDING BELLS

Tulsa, Okla.—Ralph Drury, manager of the Ritz, operated by Ralph Talbot Theaters, has announced his approaching marriage to Gwynn Higginbotham of Tulsa.

Baltimore, Md.—Gilbert Kanour, Columbia booking clerk, was married Oct. 12 to Fowler Dickens, bookkeeper for the O. K. Motor Express Co., at El Reno.

Oklahoma City—Jane Hummel, Republic booker and office manager, was married to Wilma Dawson of Little Rock, Ark.

Cleveland—Saide Mecler of the M-G-M office force has announced her engagement to Fred Wolff of this city. The wedding will take place sometime next Spring.

“Dictator” Terms Evoke No Squawks

(Continued from Page 1)


Del Goodman, 20th-Fox Far East Head, Resigns

(Continued from Page 1)

take a vacation with his family. He is expected to announce a new affiliation shortly.

Griffith Will Reopen Tulsa's Circle Oct. 22

Oklahoma City, Okla.—The Circle in Tulsa, operated by Griffith Southwestern Theaters, Inc., will reopen Oct. 22 after remodeling to increasing seating capacity by 200 to 850. The Main St. Theater in Tulsa operated by the same company will be moved across the street from its present location into a 1,000-seat house which will be finished Feb. 1.

Wilby-Kincey Will Build New Spartanburg House

Spartanburg, S. C.—Construction work on Spartanburg's fourth film theater will get under way at an early date, according to officials of the Wilby-Kincey organization. The Carolina Amusement Co., will operate the new house, which will be located at the corner of Main and S. Liberty St.

IA and Namm In Pact

West Coast Branch of THE FILM DAILY Hollywood—IAATE has signed a contract with George Namm circuit covering seven theaters in and around Eureka. It is expected that Namm will also sign pacts covering the rest of the circuit, with some 30 houses in all involved.

"Escape" First in Poli Spots

"Escape," Norma Shearer-Robert Taylor starrer, will have its first key city showings Oct. 21, M-G-M announced yesterday. Film will open at the Poli Theaters in Springfield, Hartford and New Haven.

STOKRS!

Oklahoma City—Howard Nichol- son, Paramount salesman here, is the father of a son, who has been named Junior.

Wayneburg, O.—Ralph Blevington, owner of the Wayne theater, is the father of a new daughter, Sue Carroll.
Army Theaters Won't Get Films Until Cleared by Exhibs. in Camp Communities

Washington Bureau of THE FILM DAILY

Washington—Army post and cantonment theatres will operate under agreement with the Exhibitors' Council, in each community that its films will be shown until they are cleared by the latter, according to a spokesman for the Morale Division of the U. S. Army.

"We don't deprive the exhibitor of any money," it was stated. "We avoid competition with the exhibitors as it is not fair for us to cater to business he might get otherwise."

RKO is Only U. S. Major Active in Amsterdam

(Continued from Page 1)

South Bend, Ind.—Warner's daily for the premiere of "Knute Rockne—All American" here is credited with boosting bank clearings for Oct. 4-7 to $1,083,986, far above normal. Expenditures by an estimated 65,000 visitors to South Bend approximated $6.73 per capita. Business for local residents approximated $8.31 per capita above average, and a total increase in business of $813,000 was approximated.

The post office carried the largest load of outgoing mail in its history, and wire services sent out a total of 125,000 words bearing on the premiere activities alone.

Motion Picture Association to Add Execs. as Members

Motion Picture Associates will conduct a membership drive among the industry's executive personnel, Prexy Jack Ellis has named a special membership committee embracing David Levey, Universal; Moe Streimer, UA, and Joe Lee, 20th-Fox. Report is due Friday at a luncheon meeting at Toots Shor's restaurant.

Proposal for affiliation with the National Multi-Club has been tabled pending receipt of additional information from the latter's Chief Barker, John H. Harris, of Pittsburgh.

Ed Fitzpatrick Wins Second Metro Honor Roll Button

Second exhibitor to win the M-G-M honor roll button for outstanding campaigns on Metro pictures is Ed Fitzpatrick, manager of Loew's Poli Theater, Waterbury, Conn. Fitzpatrick's award followed his campaign on "Strike Up the Band." First recipient of such a prize was Charles Taylor, advertising and publicity director of Shea's Great Lakes Theater, Buffalo, for "Boom Town."

Kanin to Lecture at N. Y. U.

Garson Kanin, RKO director, will lecture before the New York University class on "The Movie Picture" at the School of Education auditorium, 41 W. Fourth St., at 8:15 p.m. tomorrow night. Prof. Frederic M. Thrasher will preside.

Kelly to Head UA Distribution Here

(Continued from Page 1)

Schlaifer, company vice-presidents, would continue as heretofore in charge of East and West, respectively, under Kelly's direction.

Designation of the new domestic distribution head, Silverstone pointed out, was in line with UA's policy of promotion within the organization.

Silverstone added that there had been no change whatsoever in the status of Harry D. Buckley, vice-president of the company, who will continue to function in the same executive capacity as heretofore.

It was further announced by Silverstone that the successor to Kelly, in the Foreign Department, is now under consideration and an appointment will shortly be made.

Kelly, a native of England, where he was educated and started in show business, came to the U. S. to represent the Frank J. Gould enterprises. His career was interrupted by military service during the first World War when he served first with the British tank corps and later with the AEF.

Returning here after the war he joined UA as treasurer and subsequently was elected vice-president.

Just Like Moutonies

Chicago—Swank pump room of Chicago's Ambassador Hotel has concocted a N&WTP cocktail to mark the U. S. premiere of DeMille's pie here Oct. 24. Sign in the pump room reads: "North West Mounted Police Cocktail; One Drink and You Get Your Max." No recipe available, but it's a very tall drink, red in color.

Reeves Resigns Post As 20th-Fox Ad Manager

(Continued from Page 1)

Reeve had been connected with 20th-Fox in California before he was transferred to the New York office six years ago. Previous to that he had been affiliated with Paramount.

Reeve will remain at his post until Charles E. McCarthy, director of advertising and publicity, makes a new appointment. No successor to Reeve will probably be named for several weeks. Reeve will return to his home in California for a vacation before he makes any new affiliation.

Scrippling "Blood and Sand"

West Coast Bureau of THE FILM DAILY

Hollywood—Jo Swerling has been signed by Twentieth Century-Fox to write the screen version of Ibánez' novel, "Blood and Sand," which will be produced as a starring vehicle for Tyrone Power. Robert Kane will act as associate producer for the picture.
**REVIEWS OF THE NEW FILMS**

**“A Little Bit of Heaven”**
with Gloria Jean  
Universal 87 Mins.  
GRAND FAMILY ENTERTAINMENT  
FILM SHOULD DO GOOD BUSINESS IN ALL SPOTS.

This is the type of film that will please all kinds of audiences. The appeal of little Gloria Jean, plus the comedy of Billy Gilbert, Hugh Herbert, Stuart Erwin and Frank Jenks, and a swell characterization by C. Aubrey Smith, are enough to put it over in any house.

Gloria Jean does a nice job throughout, singing several numbers including “A Little Bit of Heaven,” “After Ev’ry Rainstorm,” “What Did We Learn at School” and the impressive finale number “Dawn of Love.” Outstanding comedy work is contributed by Billy Gilbert, working with Butch and Buddy, while C. Aubrey Smith is excellent as Judge, the dominating head of the family. Nan Grey and Robert Stack handle the incidental love story. Old timers will be glad of the glimpses of some silent picture stars playing Gloria’s various uncles.

The story is simple enough but Producer Joe Pasternak has poured into the picture about all the sure-fire situations it can hold. Many of the characters from Gloria’s earlier film, “The Under-Pup,” have been carried over. Locale is New York’s East Side where Gloria and her extensive family live until she crashes a sidewalk radio program and is signed for the big time. Success goes to the heads of the immediate family and they attempt to drop Gloria’s favorite uncles. The little girl brings them back to earth when she takes off her voice and they all go back to the old neighborhood until she stages a concert comeback.


CREDITS: Producer, Joe Pasternak; Director, Andrew Martos; Author, Grover Jones; Screenplay, Daniel Taradash, Gertrude Bergman, George Cameran, John Seitz; Editor, Loso Benedek; Musical Director, Charles Previn; Art Director, Jack Otterson.

DIRECTION: Fine. PHOTOGRAPHY: Good.

**Cuban Critics Organize With Chane as President**

Havana (By Air Mail)—Emilio Castro Chane of Informacion, was named president of the newly organized Federation of Cuban Writers, Motion Picture Writers, and Newspaper and Magazines. The Federation will select the three best pictures exhibited during this year.

**WB Buys “City for Glamour”**

West Coast Bureau of THE FILM DAILY

Hollywood—Western Boro. has bought screen rights to Aban Kendel’s story, “City for Glamour.” It is a story of Hollywood.

**“The Great Dictator”**
with Charles Chaplin, Paulette Godard, Jack Oakie 129 Minutes  
UNITED ARTISTS

GENIUS OF CHAPLIN FLAMES ANEW IN TELLING SATIRICAL THRUST AT DICTATORS; STAR IN SUPERB DEMONSTRATION OF HIS VARIED TALENTS.

The genius of Charles Chaplin flamed anew on the screens of Broadway’s Astor and Capitol theaters last night in a picture which runs the historic scale from broadest slapstick to deftest satire, from brilliant pantomime to articulate dramatics, from sensitive romance to profound emotionalism.

Written, directed, played and produced by Chaplin, “The Great Dictator,” given a dual world premiere before two smart audiences, is a superb example of his varied talents when they are concentrated upon the providing of sheer entertainment. Whether it is as effective, and will so establish at the box-office, in the presentation of the message which closes the story is another question. The times, the world’s showmen and the film-going public together alone hold and alone will provide the answer.

It is only natural, certainly, that first interest should center in Chaplin’s departure from all-pantomime for dialogue. Make no mistake about it. Chaplin can read lines, can make his voice a forcefully medium. And his complete mastery of satirical mimicry extends to speech; in those scenes in which Hynken, Dictator of Tomania, addresses the legions of the Double Cross, the oratorical outbursts ape those that, in days past, have come from Europe by short wave.

There is honest dramatic finesse, too, in Chaplin’s delivery of his message, a sincere plea for the realization of a dream that has best been described as the Brotherhood of Man. No, there is nothing wrong with that moving message; the world needs it today as perhaps never before, and perhaps Chaplin is the one to press it home. Yet there is the patent fact that the transition from comedy to message is so abrupt that it jars; acceptance or rejection will rest with the individual, not with the mass.

Chaplin’s story spans the period between two World Wars, a period when reason has fled, insanity rules. Essentially it is a story of contrasts, of people of the Palace and people of the Ghetto, of strong tyrants and of the humble weak. Countries and characters must be wiped out, and left unchanged, but the Chaplin genius cancels the thing the picture’s explanatory warning that any resemblance which the Dictator may bear to the Barber is purely co-incidental styly points up.

Opening sequences concern the last days of the first World War. The little Jewish barber (Chaplin) is a private in the artillery, his company assigned to a Big Bertha for its test against the enemy. The target is the distant Cathedral of Notre Dame. Comes the big moment: Chaplin pulls the firing cord, the giant shell soars heavenward, drops and shatters a non-too-distant target.

As the action continues after a procession of gags, Chaplin finds himself piloting Regina Gardiner, a wounded aviator bearing highly important papers. The inevitable crash of the war ends sees both survive, Chaplin, his memory gone, to become a hospital patient for a period of years. Gardiner to rise with Dictator Hynkel (Chaplin’s dual role) as a Commander of Storm Troopers.

The path of the comedy is to cross again, and this time it is Gardiner who saves Chaplin, since returned to his right senses and the ministrations of Storm Troopers and throws a protective mantle around the little barber, Hannah, (Paulette Godard) his house maid friend, and their little circle in the Ghetto. It lasts until Gardiner, refusing to carry out the Dictator’s orders for an anti-Jewish reign of terror, finds himself and the barber as well in a concentration camp.

Meanwhile, the story concentrates upon the Dictator’s plans for the conquest of Osterlich and the impasse produced by the moves of Napoleon, Dictator of Bacteria. It is a rich part, the latter, and played to the hilt by Jack Oakie. Their epochal conference is a riot of slapstick, and provides one of the picture’s highlights. Grace Hayle as Mme. Napoleon and Carter de Haven as the Bacterian Ambassador contribute their stunts, as do Billy Gilbert as the be-uniformed Marshal Herring and Henry Daniel as scheming Propaganda Minister Gurbino.

From that point, the story moves swiftly to a conclusion. The Dictator on the eve of his invasion goes duck hunting, tips over, is taken into custody as the escaped barber, while the barber is accepted as Hynkel, leads the invading legions and the story goes on to deliver that finale of the Dictator in the manner of which the world has grown weary. The show moves swiftly to the complete destruction of the power of the Hynkel mob as leader.

Photographically, “The Great Dictator” is a superb film, and Chaplin’s characterization is splendid. It is a story of attractions and it is a story of sublimity. It has all the elements of Chaplin’s comedy, and it is a story that will be as popular as “City of Missing Men.”

**SHOTS**

**“Eyes of the Navy”**  
22 mins.  
M-G-M  
Magnificent Two-Reeler

As interesting and inspiring a short as is likely to be offered all season on the vital subject of national defense is this fine two-reeler recounting the training of American air cadets at the U. S. Navy. Filmed chiefly at Pensacola and San Diego, it depicts the equipment and regimen prevailing in the transition of the recruit from raw pilot material to the highly skilful and co-ordinated finished-product upon whose shoulders will rest the preservation of democracy if our way of life is threatened by a hostile foreign power or any combination thereof.

Citizens in all sections of the land will breathe easier after seeing the footage because of the enlightening content. There are stirring views ranging from ground instruction to the air cadets practicing with the great battlewagons of the Atlantic and Pacific fleets. Especially impressive are the scenes of formation flying; aerial target practice; dive bombing (which for 10 years has been a specialty of the Navys air men); take-offs from carriers and ships of the line, both via deck-runways and catapults; and the highly effective drone the air arm of the U. S. Navy.

Unusual camera shots are the rule rather than the exception.

Frank Whitbeck’s narration is crisp and efficient, and the direction of Basil Wrangell from a solid script by Howard W. Breckner. Buy Breckner’s editing results in swift pace throughout, while the music adds emotional zest. Exhibits everywhere will do well by themselves, their patrons and their country to book this subject. It is of such things as patriotism is built.

Audiences will love it, and it will be a clarion call to the wholesome youth of the land to cast their lot with Uncle Sam’s magnificent “sky sailors.”

**Compulsory Exhibition of Mexican Product in Exit**

Mexico City (By Air Mail)—Law requiring Mexican theaters to play at least one domestic feature monthly has done a fade-out.

**Metro Signs Jackie Cooper**

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has signed Jackie Cooper for second picture in “Ziegfeld Girl,” to follow “Gallant Sons.” In “Ziegfeld Girl” he will be the opposite Judy Garland. He has been absent from films for four years.
Wednesday, October 16, 1940

**Filmdom's Greats Greet "The Great Dictator"**

H. M. and Albert Warner and their wives.

Murray Silverstone, UA's head, and Mrs. Silverstone.

The Stars See Themselves: Charles Chaplin and Paulette Goddard.

Left: The Franklin D. Roosevelt, Jr.'s, and the Douglas Fairbanks, Jr.'s.

Right: Barney Balaban, Paramount's president, and Mrs. Balaban.

J. Cheever Cowdin, chairman of Universal's Board.

Joan Bennett and Walter Wanger.

Nicholas M. Schenck, president of Loew's, and Mrs. Schenck.

Left: Herbert J. Yates, GFI president, and Mrs. Yates.

Right: Adolph Zukor and Mrs. Zukor.
Memphis Convention Hits Consent Decree; Opposes Admission Price Boosts

(Continued from Page 1) position to a general increase of admission prices.

Ed Kuykendall, MPTOA president, reiterated previous sentiments, said that if the five-picture plan becomes effective, “tumult is inevitable.” The resolution declared that the consent decree “does not solve their problem” and that the blocks-of-five system would be an added burden.

Y. Frank Freeman, vice-president in charge of Paramount product, who attended the meeting said that fewer pictures would be made in the future because the economic situation “leaves us no choice,” but promised exhibitors “there will be no reduction in quality.”

R. X. Williams, Mayor of Oxford, Miss., was re-elected president. Other officers are W. W. Gribbin, Batesville, Ark.; vice-president; L. F. Haven of Forest City, Ark., vice-president; W. F. Ruffin of Covington, Tenn., vice-president; W. S. Taylor, Leeland, Miss.; secretary-treasurer; M. A. Lightman, chairman of the board.


Lightman and his more than 60 theater managers held a company meeting yesterday, following close of the convention.

Sunday Movies Defeated

Murfreesboro, Tenn.—Sunday movies may have a short life as here by a 440 to 226 vote after the city council had passed an ordinance on first reading permitting them. However, the city constitution will permit another election in six months. The poll tax requirement held the vote to less than one-third of the full voting strength to which is attributed defeat of the proposal.

Added Duties for Sterneburg

Boston—Robert Sterneburg, supervisor of M & P downtown Boston theaters for more than 10 years, now adds duties as district manager of M & P houses in the territory, succeeding “Hy” Fine. Fine has left for Miami where he is in charge of Lynch Paramount houses.

Col. Re-signs Ann Doran

West Coast Bureau of THE FILM DAILY

Hollywood—Ann Doran, who was dropped from Columbia by contract players last year, has been re-signed by the studio and cast for the second feminine lead in “Penny Serenade.”

Navy’s Amphibious Transport Trade Press For Metro’s Preview of “Eyes of the Navy”

Metro unveiled its new two-roller “Eyes of the Navy,” at a special press preview held yesterday afternoon, at Floyd Bennett Field. In fact, the occasion was super-special for the trade scribes, as all were driven by auto to the Battery and whisked to the flying field via amphibian planes of the Navy and the old reliable Coast Guard.

Commander Rice was the official host at the buffet luncheon and film’s director—assistant directed by Nat. Condon and Lew. Freeman, Cutter. Arthur DeBoe of the Hays office spoke as a prelude to the showing expressing the gratitude of Metro for the co-operation extended in the film’s making to the U. S. Navy Dept. Preview was staged by S. Seidler and Herb Morgan.

“The Great Dictator”

(Continued From Page 6) by Karl Strauss and Roland Toberher is excellent, so too, the art direction of J. Russell Spencer.

Supporting performances are competent or better. Miss Goddard meets every demand of Hannah, and you particularly are urged to observe her in the concluding footage. Character roles are well filled by Maurice Morlock, Emma Dunn, Bernard Gorcey, Paul Weigel, Chester Conklin, Arthur DeBoe, Hank Mann, Florence Wright, Eddie Gibbon, Robert O. Davis, Eddie Dunn, Nita Pike and Peter Lynn.

Finally, and personally, now what we’d like to see is a Chaplin re-make of “Shoulder Arms.”


CREDITS: Producer, Director, Author, Charles Chaplin; Assistant Directors, Dan James, Wheeler Dryden, Bob Meltzer; Directors of Photography, Karl Strauss, Roland Toberher; Art Director, J. Russell Spencer; Sound, Percy Townsend, Glenn Rengering; Film Editor, Willard Nico.

DIRECTION, Astute. PHOTOGRAPHY, Excellent.

Biz Good In Chicago Loop

P.A.’s and Orks Help B.O.

Chicago — Edmund Lowe, Ann Dvorak and Carole Landis are making p.a.’s this week at the B & K Lake theater. Jimmy Dorsey and his ork are headlining the Chicago theater stage show, while at the J-S Oriental theater, Uncle Walter’s Dog House with Uncle Walter and Virginia Verrill are headlining the stage show. At the Warner Stratford theater, Anson Weeks and his ork are making a personal appearance. Business is good in the Loop theaters.

B & K Form Supply Corp.

Chicago—Balaban & Katz have organized the B & K Supply Corp., with offices at 175 N. State St., and a capital of $25,000 to buy supplies for the big circuit. Elmer Upton, controller, J. M. Abraham, Assistant Director and E. Trunk are the incorporators.

Extra Operators for “Dictator”

Chicago—When “The Great Dictator” opens at the B & K Apollo and Roosevelt theaters, this month, four additional operators will be required, according to the operators union officials.

“U” Buys “Mermaid in Distress”

West Coast Bureau of THE FILM DAILY

Hollywood—“U” has purchased a comedy by Alexander G. Kenedi titled “Mermaid in Distress” and assigned Elaine Ryan to prepare the screenplay.

Vicby (By Air Mail)—The Patein government has obtained the publication in Marseilles of La Revue de L’eau, which covers films. Magazine is edited by A. de Masini, who, in a recent editorial urges the Peatin government to permit the exportation of American films in unoccupied France. De Masini conceives that supervision may be necessary, but warns that if France exports to market its films in the U. S., it cannot bar American product.

Joseph de Valdor of New York has been named U. S. correspondent for La Revue de L’eau.

Marseilles Magazine Asks Patein Admit U. S. Films

Columbia Quiz Reels

Starring Bob Hawk, Columbia Pictures will release a series of questions-and-answers shorts to be known as “Columbia Quiz Reels,” first of which will be titled “Take It or Leave It,” based on the CBS and WABC feature originated by Hawk.

Writing “Mrs. Miniver” Script

West Coast Bureau of THE FILM DAILY

Hollywood—James Hilton and R. C. Sherriff have been assigned by Metro to prepare the script of the John Struthers’ novel. “Mrs. Miniver.” Greer Garson is under consideration for the lead role.

“Capt. Caution” for Globe

Hal Roach’s “Captain Caution” opens at the Globe here Saturday.

Six Mexico City Napes Closed Due to Strike

Mexico City (By Air Mail)—Six neighborhood houses in Mexico City and environs have been closed the last two weeks because of a strike of all employees which was called by Sindicato de Trabajadores de la Industria de los Pictores Mexico, Sindicato de la Industria de los Pictores de Mexico (Union of Workers of the Motion Picture Industry of Mexico). The Sindicato claims that the owners have refused to renew the collective contract in force up to the date of the strike. The exhibitors claim new demands are impossible of acceptance. The owners of the houses affected, all third-run, have declared themselves ready close altogether rather than accept the terms now demanded.

Pioneer Moving Iowa Office

Des Moines, Ia.—Don Smith, veteran theater man of Carroll, Ia., has been appointed district manager of Pioneer Theaters by Prexy H. H. Field, and the district office being moved from Des Moines to Carroll, Max Facter will continue as booker and assistant to Field at the home office in St. Louis Park, Minn.

Niven for Fox-Frilih Film

West Coast Bureau of THE FILM DAILY

Hollywood—David Niven will get leave from the British Army to appear in “Accent on Love,” which was once announced for release here for Studio Henie and later abandoned. Charles Bennett will prepare the scenario for Paul Hervey Fox’s novel, “Masterpiece.”

To Replace Ann Sheridan

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has suspended Ann Sheridan from salary for failure to report for production of “Slim’s Blonde,” and the studio is seeking another actress for the role assigned to Miss Sheridan.

Al H. Canby Dies

Al H. Canby, 84, former actor, newspaper man, theatrical manager and producer, died at a nursing home in New Haven, Conn., yesterday after a short illness. For five seasons he managed Alia Nazimova.

Greene Opens New House

Timmonsville, S. C.—The new 500-seat State Theater was opened yesterday by F. A. Greene.
COMMITTEES TO ADMINISTER ARBITRATION

May Eliminate Profit Guarantees on GWTW

Special Admission Scale
For 1941 Release Will Halve Original Prices

While the issue has not been decided upon definitely, it is not likely that M-G-M will resume its policy of guaranteeing a 10 per cent profit to exhibitors playing “ Gone With the Wind” when the picture is re-released generally early in January. Because of the lower selling terms and the reduction in required admission prices, M-G-M authorities say that a profit guarantee probably will not be made although they believe (Continued on Page 3)

Plan Arbitration
For Dramatists Pact

With the final draft of the Dramatists Guild-League of New York Theater-film company agreement covering backing of plays and purchase of screen rights by the film companies being readied this week, negotiators are now studying a plan to set up a permanent arbitration board to settle disputes which would be comprised of one representative and one alternate from each of the three groups.

Sources close to the negotiators (Continued on Page 3)

4,000 in New York Industry
Registered Under the Draft

Approximately 3,500 to 4,000 identified with the industry in one branch or another in the metropolitan area today are listed on Uncle Sam’s draft rolls as potential soldiers, following yesterday’s registration. Just how (Continued on Page 4)

“Arise” Opening Said
Biggest in 3 Years

Para’s “ Arise My Love,” gave the New York Paramount Theater its biggest opening yesterday in the last three years when Robert M. Winkler, manager of the theater, Matinee his was exceptionally heavy.

AAA to Provide From Five
To Nine of its Directors
For Executive Committee

Work on drafting rules for arbitration proceeded slowly yesterday with a conference scheduled for today and another probably for tomorrow. In addition to the rules of arbitration, the conferences discussed the personnel and management machinations of the administration of the arbitration code would require, it was learned. The American Arbitration Association, which will direct all arbitration proceedings, has taken steps to create a number of committees to administer the code.

The general supervisory committee, consisting of from five to nine members, will be known as the Executive Committee and will be composed (Continued on Page 3)

Nazis Insist Dutch
Theaters Keep Open

German authorities in Holland are insisting that theaters be kept open and all of the 27 houses in Amsterdam are operating. It was said yesterday by Max Wostobo, who (Continued on Page 10)

Pelijohn, Recovering,
Leaves Hospital Today

Charles G. Pelijohn, general counsel of the MPPDA, today will leave the St. Agnes Hospital, White Plains, where he has been recovering, (Continued on Page 3)

L.A. Film Biz Said Improving
Public Turn for Pits ‘Escape War Strain

By DR. W. P. SHUCK
FILM DAILY Staff Correspondent

Buenos Aires (By Air Mail)—Film biz in Latin-America shows general improvement, according to Walter Gould, UA exec, here on an inspection trip.

Gain, according to Gould, is largely attributable to the public’s desire for escapism, a desire resulting from the strain of war news, with the (Continued on Page 4)

“Dictator” Strong
In Capitol, Astor

Chaplin’s “The Great Dictator,” following its dual world premiere at the Astor and Capitol Tuesday night, was expected to hit a $15,000 to $17,000 gross yesterday at the latter house, while UA said the Astor had capacity for both performances today. At the Capitol, where the film is showing at 75 cents to 5 p.m. and $1.50 thereafter, up to 5 p.m. attendance was reported at 12,500, equal to about $9,300. Capitol’s 5 p.m. attendance and receipts figures were formed all-time highs by UA. Capitol policy is for four shows daily. Astor advance sale, according to UA, is in the neighborhood of $20,000.
Stiff Sunday Films Fights
In Northeastern Pennsylvania

Wilkes-Barre, Pa.—Twenty-three communities in Northeastern Pennsylvania will vote on Sunday movies in the November election with several having recently taken a real position on the issue. Stiffest of the opposition in the region is encountered in Berwick, where the Odd Fellows, churches, Sunday School classes, and the Odd Fellows and even the daily newspaper have come out against Sunday movies. Even the general manager of the company, the Odd Fellows, states that the daily newspaper has come out against Sunday movies. The weekly paper, the Odd Fellows, the Odd Fellows and even the daily newspaper have come out against Sunday movies.

In no town there is a theater at the present time but an affirmative vote will mean the erection of a theater.

The towns and counties where the vote will be taken are: Luzerne County—Kingston, Hazleton, White Haven, West Hazleton, Shickshinny, Conyngham Township; Lackawanna County—Taylor, Clarks Summit; Monroe County—Stroudsburg; Mont- gomery County—Olyphant; Luzerne County—Berwick, Catawissa; Carbon County—Weatherly, Mauch Chunk, Palmerton, Summit Hill, Lehighton; Northumberland County—Mt. Carmel, Shamokin; Schuylkill County—Tamaqua; Lancaster County, Lancaster; Lycoming County—Williamsport, Lebanon.

Plan Pro-Sunday Films Ad Campaign In Harrisburg

Harrisburg, Pa. — An extensive pro-Sunday films advertising campaign will be started, it was announced by C. T. Winn and Hopkins, representatives of Wilmer & Win- cer, whots and chairmanship of a committee of local theatermen joined for the purpose of having the issue approved. The advertising will appear in newspapers, on billboards, in radio and will be heard in the theaters. Issue up comes the November election.

Rogers to Visit Exchanges On Transcontinental Trip

Budd Rogers, vice-president and general manager of Alliance Film Corporation, left yesterday for Hol- lywood. On his trip West, he will stay off at Alliance exchanges in Buffalo, Cleveland, Detroit, Chicago, Milwaukee, and Kansas City. On his return route he will visit the Alliance exchanges in the South before he resumes his duties at his New York office.

Joseph Still In Hospital

New Haven—Morris Joseph, universal exchange manager, New Haven, is still confined to Grace Hospital after a heart attack.

Peter J. Fallon Dead

Wilkes-Barre, Pa.—Peter J. Fal- lon, 64, veteran special officer of the Penn Theater here, is dead.

"Heritage" Opens on Nov. 4

The Belmont Theater, recently leased to French Films Import, will present the American premier of "Heritage" on Nov. 4.
May Eliminate GWTW Profit Guarantees

(Continued from Page 1)
that every theater to play GWTW will make money.

Meanwhile, W. B. Rodgers, M-G-M general sales manager, announced prior to his departure yesterday for the Coast that GWTW will not be cut or edited when it is released generally next year, but will be shown in its original form, running three hours and 45 minutes.

The new special price scale, Rodgers said, will be approximately one-half of the original road show admission, which was $1.10 and 75 cents.

Rodgers pointed to the final and 44th week of the picture at the Astor, Broadway, as an indication of the revenue possibilities of the attraction. At $2.20 top, he said, the last week equaled the attendance of the capacity opening week with even more persons turned away at the box office.

"We plan to get behind the general release of 'Gone With the Wind' with advertising and publicity campaigns just as we would any other big picture coming out of roadshow engagements. It's still brand new to the great mass audience of theater-goers and it will be exploited and handled accordingly."

Incidentally, Metro reported yesterday that GWTW's final weeks' figures at the Hawaii, Los Angeles, were not only topped the opening week by 33 per cent, but were ahead of every other week of the eight-week run.

N. E. Allied Asks Longer Clearance in Dime Houses

(Continued from Page 1)
to 20 cents and in some instances were issuing passes which permitted a patron to buy a ticket for 10 cents.

Because neighborhood theaters charging up to 39 cents were playing pictures day-and-date with the low-price houses, Allied wants the latter group to be set back six months on clearance.

Discus Committees To Steer Arbitration

(Continued from Page 1)
prised of a number of Association directors. Other subordinate committees will be created to supervise the budgetary requirements and the calling of local arbitrators.

The Association, meanwhile, has been compiling lists of arbitrators in the various exchange districts. The work is complicated by the necessity of inquiring of potential arbitrators their background and past history to eliminate all those who have been engaged in the film business.

Completion of the list, it was stated, is expected before the decree itself is approved by the Court.

Plan Arbitration in Dramatists Guild Pact

(Continued from Page 1)
yesterday declared that no obstacles were present which would delay finalization of the Plan. It will be voted on by the DG membership at its annual meeting next month.

Meanwhile, additional film companies were reported to be eyeing play properties with a view to backing them when the pact becomes effective. Paramount, Warners, Metro and RKO are said to be interested in properties which have been submitted to them.

Petijohn Recovering, Leaves Hospital Today

(Continued from Page 1)
ning following an operation, Petijohn will be home convalescing about two weeks before returning to his office.

Suit Dismissal Denied

New York Supreme Court Justice Julius Miller yesterday denied an application by the defendants to dismiss the suit of Harry Silverstein against French Cinema Center, Inc., French Film Import Co., Inc. and Andre and Gerry Heymann. The stockholders suit asks for a receiver for French Cinema on the ground that the Heymanns have transferred

STORKS!

Wilkes-Barre — A son, Thomas Brock Killeen, was born to Mr. and Mrs. Thomas V. Killeen, Wilkes-Barre. Killeen is district manager of the Comerford Theaters for Wilkes-Barre, Hazleton, and Mauch Chunk.

Scranton—Mr. and Mrs. Joseph Eilecker are parents of a daughter, Eilecker is former publicity director for the Comerford Theaters and is now director of public relations for Nassau in the Bahamas. The child was born in Danville.

Happy Birthday to You

From
THE FILM DAILY
Maurice Arthur
M. Lucien March
Roy Stewart
Carson Robin
David Bennett
Harry Links
Radie Harris

(Continued from Page 1)
"Talk" Brown is gonna do just that at Amp's three-ring circus today in the Hotel Edison—and so will Harry (Featured Speaker) Brandt and Garson (Hit Maker) Kanin.
**Million Film Coin For Plugs on Air**

(Million Film Coin For Plugs on Air continued from Page 1)

will show the figure to a new all-time high for 1940.

Increasing use of radio to promote films has been reported by local stations throughout the country. M-G-M recently signed with Columbia Recording Corp., for 500 quarter-hour programs to be made every two weeks, tied in with new films, and to be submitted to stations on a cuto basis.

Also signaturing a CRC contract was United Artists, whose contract calls for a series of quarter-hour disks to be cut at regular intervals for distribution to 85 outlets, where they will be sponsored by the film concern. Initial release of the latter company has been titled "Lowell Thomas Discusses the "Thief of Bagdad".

Paramount also entered the radio picture picture loop with the entire Mutual and CBS chains for a quarter-hour pre-broadcast of its new film, "The World in Flames.

**Paramount Key Execs. At NWMP Chi. Premiere**

(Paramount Key Execs. At NWMP Chi. Premiere continued from Page 1)

Dual premiere at the Chicago and State Lake theaters will also attract Cecil B. DeMille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynn Overman.

The State-Lake Theater, directly across the street from the 5,000-seat Chicago Theater, has a seating capacity of 4,000. Tickets have been scaled at $1.85 for main floor and mezzanine and $1.10 for balcony.

**4,000 in New York Industry Registered Under the Draft**

(4,000 in New York Industry Registered Under the Draft continued from Page 1)

many, however, actually will qualify after application and the actual number of those exemption regulations is impossible to determine.

**Two More "Bagdad" Showmen's Reviews**

(Continued from Page 1)

Two more “showmen’s previews” of Alexander Korda’s “Thief of Bagdad” have been arranged. In Detroit the production will be shown at the Fine Arts Theater tomorrow. In Indianapolis it is being today shown at the Cinema Theater.

Additional previews are being held today in Atlanta, Des Moines, Deaver, St. Louis and Cleveland.

**Beverly Bayne On Radio**

Beverly Bayne, silent film star, will be featured in a new radio serial, “Beverly Bayne’s Real Life Stories,” over the CBS network. Quarter-hour programs will be heard Monday through Fridays over the entire hookup.

**Proving That There’s Always Two Ways of Looking at the Advanced Price Question**

An interesting sideline on the question of advanced admission prices for certain films has been revealed by thefeat of Low’s officials with checker in his report following a “Boom Town” engagement at the Zephyr, Abingdon, Va.

"Two young fellows from out in the country came up to the box-office," the checker reported. "After a quick glance at the price list, Wood(Jones—Figured Forty Cents! That’s too high, Henry, however, proceeded to dig down for the money. ‘Two, Henry, how can you ask for that price?’ Henry said, ‘Yes, he can be reminded, if they can afford to ask 40 cents, it must be a hell of a good show.’"

The checker reported that he watched for those two after the show and asked how they enjoyed the picture. ‘The best we ever saw!’ was the response, the checker asserted.

**Latin-American Film Biz Improving**

(Continued from Page 1)

better economic picture also a factor.

"Rebecas," Gould said, is getting top receipts in Latin-America.

UA shortly will release a Chilean feature, "Escandale," produced by Delano Cote. A success in Chile, it is to be sent into other South American countries, Gould said.

Gould goes to Rio from this capital, returning to the U. S. from Brazil.

**Du-Art P leads Pict Custom In Negative Loss Suit**

**Du-Art Film Laboratories, Inc., yesterday filed an action in the New York Supreme Court to a $12,500 damage suit of Hal A. Porter and raised the defense that a film custom labra a laboratory of liability for loss of a negative because of negligence or theft where the negative was stored without charge.

The answer states that it is customary for laboratories to store negatives without charge on request, and asks for an adjudication affirming the custom. Suit claims that Du-Art failed to return a negative of a California travelogue film stored in 1937.

**Consolidated Theaters Makes Managerial Shifts**

Montreal—George Rotsky, general manager of Consolidated Theaters, Ltd., announced last night the following changes on the departure of Leslie Dowbiggin, manager of the Capitol, to join the Army. Paul Guenette, assistant manager at Loew’s, to be manager at the Capit-

Nelson Murphy, assistant manager at the Imperial to be assistant manager at Loew’s, and Alf. Geule, assistant manager at His Majesty’s to be assistant manager at the Imperial. No assistant manager has been appointed to His Majesty where Henry Moss remains manager.

**Cara Staying at Warners**

West Coast Bureau of THE FILM DAILY

Hollywood—Reports that he was negotiating with another studio were denied "as wholly without foundation in fact" here yesterday by Frank Capra. Capra has just completed filming “Meet John Doe” at Warners.

**Scope of the unique course is indicated by the following schedule of class sessions**


Nov. 4: Projection — Thad C. Barrows, superint. of projection, Capitol, Los Angeles.

Nov. 18: Booking — (Lecture to be announced).

Nov. 25: Stage Show Production—Ben Don- migono, city manager, RKO Theaters, Bos- ton.


Dec. 9: exploitation and Promotion—John A. Marks, publicity director, RKO Theaters, Boston.


Jan. 6: Picture Production—Distribution—Maurice Wolf, branch manager, Metro Exchange, Boston.


Jan. 20: Duties of a Division Manager— Paul Kurtzmann, in charge of Loew’s Northeastern Division of Theaters.

Jan. 27: Operation of a District Manager— Harry J. Wasserman, district manager, M Film Corp., Chicago.

Feb. 3: The Independent Theater—Stanley Summer, managing director, University Theaters, Chicago.

Feb. 10: Lobby Display and Art Work— Charles Schram, poster artist, National Screen Accessories, Boston.

Feb. 17: Legal Problems and Legal Activities— Joseph B. Brennan, executive secretary, Al lied Chapter, Boston.


**M.I.T. Offers Theater Management Course**

Only recent attempt along the same lines was at Syracuse University two years ago. Lecturers there, however, were not as numer ous, nor was the class formally organized by the university. Too, it was intended for undergraduates only.

**Cosman on Settlement Of Producers Lab. Strike**

J. T. Cosman, president of Producers Laboratories, commenting yesterday upon published reports of the settlement of difficulties with Local 702, said that vacation with pay was not the issue involved, but that “the union wished to tell us when, where and how to give the vacation.”

Cosman pointed out that the contract with the union provided for arbitration and said that the strike was ended regardless. He added that “The union did not force us to give a week’s vacation, but because we always agreed to the same in the past. We notified the local, the day they arrived, the day we went back after the vacation, namely, the week they were on strike.”
THE STORY
OF A MOST EXCITING STORY

"Escape"—a story that appeared serially in the pages of The Saturday Evening Post—a book immediately selected for distribution by "The Book of the Month Club"—a book that became the top ranking novel of last year with more than a quarter million full priced copies sold—a book so eagerly sought after that the new popular edition is expected to sell into the millions! "Escape"—the most exciting novel of our time!

Metro-Goldwyn-Mayer has long been famous for the great stories it has brought to the screen—"David Copperfield" and "The Good Earth", "Mutiny on the Bounty" and "Northwest Passage", "The Citadel", "Goodbye Mr. Chips" and many others. It is fitting that Metro should produce "Escape"—fitting because with M-G-M making the picture the audiences of the world are assured that the story will be rendered authentically and superbly!

Every studio resource has been poured into the making of "Escape". Norma Shearer is the Countess to the life. Robert Taylor creates his most memorable film characterization as Mark Preysing. Conrad Veidt is General Kurt. And, for the demanding role of Emmy Ritter, Metro-Goldwyn-Mayer prevailed upon the famous Nazimova to return to the screen.

"Escape" now takes its place in the array of great stories which have fulfilled their screen destinies! Watch for it at your local theatre.

Starring NORMA SHEARER as the Countess • ROBERT TAYLOR as Mark Preysing

with CONRAD VEIDT as the General • NAZIMOVA as Emmy Ritter • FELIX BRESSART as Fritz Keller • ALBERT BASSEMAN as Doctor Henning

PHILIP DORN as Doctor Ditter • BONITA GRANVILLE as Ursula • BLANCHE YURKA as the Nurse • ELSA BASSEMAN as Mrs. Henning

EDGAR BARRIER as the Commissioner • A Metro-Goldwyn-Mayer Picture • Directed by MERVYN LEROY • Screen Play by Arch Oboler and Marguerite Roberts • Based on the Novel "Escape" by Ethel Vance • A Mervyn LeRoy Production

THIS SATURDAY EVENING POST AD STARTS
THE BARRAGE OF BIG-TIME M-G-M PROMOTION!
"Arise, My Love" with Claudette Colbert, Ray Milland, Walter Abel
Paramount 113 Mins.  
COMPELLING STORY, BLENDED COMEDY AND DRAMA SMOOTHLY: FILM IS A HIGH-GAERED B. O. ATTRACTION FOR GENERAL AUDIENCES.

Audiences generally should afford this picture a hearty reception. It has a compelling story that is an unusual mixture of high drama and comedy, with highly effective accent on the comedy aspects. It also has an undertone of preachment, dealing with our world of today, although this properly and importantly is subordinate to the story itself.

Exhibitors have many angles for exploitation. Certainly, Claudette Colbert is a ranking box office "name" with a big following. Ray Milland's popularity has risen in the past two years, and both are established stars, an extent that his name has definite marquee value as well. Regarding the story, it is high adventure in journalism, it is top-notch drama and historical pageantry, to which or all three themes can be easily exploited. And then again, the story graphically relates what has happened to Europe today, and to an extent, how this happened. Injected is just enough militarism to smack the point home without hitting an audience with gruesome footage of horrible destruction.

The performances of the entire cast are fine. Miss Colbert effectively displays her talents as a comedienne, but also shows her wares as a polished dramatic actress. Milland wades through his role with gusto. Cast as a dare-devil, to-hell-with-it flyer who is trying to stem the tide of suppression being forced on charming people by the dictators, he has never appeared to better advantage. Walter Abel scores as the Paris head of a leading news service. Dennis O'Keefe, Dick Purcell and George Zucco are effective in their supporting roles. The entire cast is a great deal more than adequate.

Arthur Hornblow has given the picture copulent production value. Mitchell Leisen has skillfully guided his players through their scenes and his sympathy with the story is clearly evidenced in his direction. Based on a story by Benjamin Glazer and John S. Tody, scenarists Charles Brackett and Bill Wilder have created a moving screenplay that runs the gamut of emotions without stopping the drama jolts because it is so heavily offset by comedy, but in all, the picture is a highly constructed and polished piece of screen merchandise.

The story opens with Milland being mercilessly rescued from a Spanish prison by the heroines. Claudette Colbert, in a scene stated that she was his wife, merely to get a good news story. The story then slips into the beautiful comedy angle. Finally Milland falls in love and have made up their minds to go back to America and live their own lives far from trouble and strife and to hell with their indignation against dicta-

"Gun Code" with Tim McCoy, Inna Gest, Alden Chase, Producers Releasing Corp. 54 Mins.  
ACTIONFUL WESTERN MELLER WITH FAST PACE SHOULD PLEASE THE OUTDOOR FAN.

Latest in the Tim McCoy releases, this measure up to par and should please the western trade. It is replete with action of every sort and the redoubtable Colonel Tim McCoy bullfights the villains around with agility and despatch. Locations are okay and the story, although slightly implausible, never fails to keep moving at all times. McCoy looks and acts satisfactorily as a western hero. Miss Inna Gest fills the leading female role, and Alden Chase and the assortment of bad men handle the villain department. Some comedy relief is provided by Lon Fulton. Sigmund Neufeld directed the picture and Peter Stewart directed.

McCoy rides into a western town and finds that it is throttled by a protectice association. He hands out a single as a blacksmith and immediately tangles with the association. From there on there is plenty of fast action, including a kidnap,-napping, gun fights and lots of fast riding until McCoy tracks down the leader of the gang.


CREDITS: Producer, Sigmund Neufeld; Director, Peter Stewart; Original Screenplay, Joseph O'Donnell; Cameraman, Jack Greenhiahl; Editor, Holbrook N. Todd.

DIRECTION, FAST. PHOTOGRAPHY O. K.

MP Associates Meet Tomorrow

Regular meeting and luncheon of Motion Picture Associates will be held tomorrow at Toots Schor's restaurant. Luncheon starts at 12:30. Several guest speakers are slated to appear.

The "warden" and his fugitive struggle to oppose them. They sail on the ill-fated Athenic, are rescued, remain and fight their light, and the fight of all people who believe in freedom of speech, freedom of religion and expression, and the principles of democratic government. The picture opens with a bang and ends with a wallop, and audiences will leave theaters thoroughly entertained, but they will also have fully appreciated the serious undertone.


CREDITS: Producer, Arthur Hornblow; Director, Mitchell Leisen; Screenplay, Charles Brackett and Bill Wilder; Original Screenplay, Story, Benjamin Glazer and John S. Tody; Cameraman, Charles Lang; Editor, Dona Hopper.

DIRECTION, Splendid. PHOTOGRAPHY. Top Notch.

"The Quarterback" with Wayne Morris, Virginia Dale, Lillian Cornell
Paramount 74 Mins.  
TIMELY AND TOPICAL. AMUSING FOOTBALL YARN IS FIRST-RATE POP ENTERTAINMENT.

Released to coincide with the annual opening season for college caps and gridiron mam- mums, this football yarn is timely, topical and highly amusing screenfare. It is first-rate pop entertainment and should get a nice reception from audiences generally.

Containing a story that differs in some respects from the usual football formula, and also having the advantage of the player, Walter Camp and right along to a good laugh windup without any letup. Wayne Morris is the best mar- ketable name offered by the cast, but exhibi- tors have plenty of comedy and football to exploit.

Morris is personable and capable in a dual quality role. Cast as twin brothers, he essays the role of a scholar and tough foot- ball player without slipping up in either characterization.

The Misses Virginia Dale and Lillian Cornell attractively decorate the picture. Edgar Kennedy and Alan Mowbray both find scenery ready into the picture, and Walter Caltett, Frank Frawley and Jerome Cowan are capable additions to the cast.

H. Bruce Humberstone directed, made a hit with one of the most of his new ideas, and the laugh situations neaty. The original screenplay was contributed by Robert Finich.


CREDITS: Producer, Anthony Veiller; Director, H. Bruce Humberstone; Original Screenplay, Robert Finich; Cameraman, Leo Tower; Editor, Alma Macrorie.

DIRECTION, Able. PHOTOGRAPHY, Good.

Para. Combines Two Stories

West Coast Bureau of THE FILM DAILY Hollywood — "In Old Colorado," which has been shown at the Paramount studios, is a combination of that story and "Bulletts and Bandits." It will emerge as one film instead of two. In the cast with William Boyd are Dana Dale, Russell Hayden and Andy Devine. Howard Brotherton will direct.

"So You Want to Talk" with Joe E. Brown, Frances Robinson, Vivienne Osborne, Bernard Nedell, Tom Dugan
Columbia 69 Mins.  
FAIR COMEDY OFFERING WITH STAR IN DUAL ROLE. WILL FIT THE BILL OF THE AVENUE STAND.

Mistaken identity is the crux of this one, as Joe E. Brown plays dual roles,—that of young, absent-minded, shy book reviewer who is fired from his job on a newspaper and then seeks to fulfill his ambition to author a novel,—and that of a gangster who is released from Alcatraz and returns to capture his place as head of a mob.

Naturally the two collide, with the re- sult that all sorts of complications set in. The aspiring novelist is held by the gang members who think he is their former leader, whose mental machinery must have gone to the devil as an outgrowth of his penitentiary experience. And then his real friend, who wants him to succeed as a big writer, thinks during the proceedings that the former gang leader is the true person of the man she loves.

The situations are generally amusing, but they lack the zip and power which spells concerted comedy and occasional ballyhoo.

There are chases in which Brown transports himself on two occasions under his own steam, and one in which he appropriates a scooter to escape from his gang-land pursuers. Too, there is a lot in inconsequential menace, gunplay, perhaps a shallow little romance. Edward Sedgwick's direction keeps matters moving as best he can considering that the script and gags are none too strong or original.

Brown's fans will doubtless like the picture for the star's characteristic antics and engaging style. Cast turns in performances within the potentialities of the material at hand. Frances Robinson flashes plenty of resourcefulness, and Anthony Warde as the shut-in patient.

CAST: Joe E. Brown, Frances Robinson, Vivienne Osborne, Bernard Nedell, Tom Dugan.

CREDITS: Director, Edward Sedgwick; Original Screenplay, Richard Flirnour; Assistant Director, Abby Berlin; Director of Photography, Allen G. Siegel; Film Editor, James Sweeney; Art Director, Lionel Banks; Musical Director, M. W. Stoloff; Sound Engineer, Lambert Day.

DIRECTION, Good. PHOTOGRAPHY, Good.

Alain Hale for "New Tugboat"  
West Coast Bureau of THE FILM DAILY Hollywood—Walter P. Rogers has engaged Alain Hale to play opposite Marjorie Rambeau in the further adventures of Tugboat Annie in "Tug- boat Annie in Drydock," set for production on Nov. 7.

Cast for "Keeping Company"  
West Coast Bureau of THE FILM DAILY Hollywood—Metro has cast Frank Morgan, Irene Rich and Gloria De Haven for "Keeping Company." Also Rita Johnson and Edward Ashley for "Maisie Was a Lady."
Frontier Vengeance, 57 mins.
Hit Parade of 1941, The, 86 mins.

20th CENTURY-FOX
Charlie Chan's Murder Cruise, 71 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.

UNIVERSAL
Sandy is a Lady, 64 mins.
Col. Southern Div. To Meet in Atlanta

(Continued from Page 1)

morrow on the Crescent Limited for St. Louis.

The Columbia executives and sales staff will devote the two-day session primarily to an analysis on sales and exhibition plans for the company's forthcoming Wesley Ruggles' production "Arizona," starring Jean Arthur. A discussion of the methods of selling and exhibition, as well as the co-operation to be extended the exhibitors to further emphasize the importance of "Arizona" as one of Columbia's major box-office attractions will highlight the sales meet.

In addition, the attending sales executives and salesmen will discuss arrangements for the release of "Angels Over Broadway," and the sales personnel also will be given a further "close-up" of forthcoming early releases, including "This Thing Called Love," "Passage West," "Penny Serenade" and "Legacy." The Southern Division exchanges, under Division Manager Sam Mos- cow, which will be represented at the sales meetings are Atlanta, Charlotee, Dallas, Memphis, Oklahoma City and New Orleans.

Newsreel Men on Vox Pop Tonight to Plug "Flames"

Three of Paramount's crack news- reel men, who will be better known as "explorers at a dinner tonight at the Hotel Martinique given by the Ad- venturers' Club in honor of the world premiers of Kennedy's new feature, "The World in Flames" which opens this evening at Loew's Colonial Theatre, Washington D.C.

Newsreel celebrities to attend are Arthur Monken, Lewis "Ned" Buddin, Jr., and Philip Coolidge. They will appear at the dinner tonight from 7:30 to 8 on a 60-station CBS hookup, and talk on their colorful experiences of gathering the world's news.

Members of the Adventurers' Club to appear on the program are Phil Plant, Lewis Codol and Tex O'Rourke.

V. C. Heans FBI Agent

Baltimore—Frank Saucy, head of the Baltimore District of the Fed- eral Bureau of Investigation, ad- dressed tent number 10 of the Variety Club today.

REVIEW OF SHORT SUBJECTS

"Nature's Nursery" (Paragraphic)

Paramount 10 mins.  

Unusual Presentation

A swell collection of baby animal shots, photographed by John L. Haseeler, who did the Academy Award subject, "Busy Little Bees," and a swell short for any theater. In one of the stories, racoons, possums, mink and skunks is first rate and the narration, the voice of Will Geer through the mouth of an old owl, makes for a funny and interesting reel.

"Listen to Larry" (Headliner)

Paramount 10 mins.  

Little Band Subject

Dippy Doodeler Larry Clinton supplies the music in this band number which is a good blend of swing and boomers.

"My Pop, My Pop" (Popeye)

Paramount 7 mins.

Weak Cartoon

Popeye's Pappy, the 90 year old would-be youngster, tries to help the sailor build a boat and makes a shambles of the job while Popeye is able to finish while his father takes a nap. Just fair.

"The Sporting Everglades" (Sportlight)

Paramount 10 mins.

Good Sports Subject

The little known Florida Ever- glades is covered in this interesting reel. Abounding in wild life, the 10,000 mile wilderness is little known even to tourists to nearby Miami. Following introductory shots taken in Miami, the Grantland Rice sub- ject moves into the Everglades and reveals a few of its wonders, includ- ing the Seminole Indian villages, wild bird rookeries, deer, and other wild life. Highlights are the capture of a giant ray, the advance of the 4-foot sawfish plus some shots of fishing with light tackle for tarpon.

"King For a Day" (Gabby Cartoon)

Paramount 7 mins.

Just Fair

A routine cartoon, in Technicolor, relating the adventures of Gabby when he substitutes for the king who has been warned that he is to be shot. After a wild chase through the palace, it develops that the sus- pected killer is just a photographer out to make a "shot."

"Three Things to Remember" (Theatre News)

Paramount 10 mins.

Pre-Code Feature

This is an outstanding pre-code short, full of the values that many of the older generation demand. 

Price Tilt for Special Films No Go in Oakland

Oakland, Calif.—Complaints from patrons against recent tries have convinced exhibs, hereabouts that price tilting for special films won't go.

This was in contrast to their gen- eral policy of increased admission prices inaugurated following the new taxes recently imposed by the Gov- ernment, although some customers are showing a tendency to avoid the downtown houses in favor of the lower priced nabs.

Donlevy for "Vagabond"

West Coast Bureau of THE FILM DAILY

Hollywood—Boris Morros has cast Brian Donlevy as Al Jennings in "The American Vagabond," replace- ment for Walter Brennan. Doug Fair- banks, Jr. has the stellar role in this film of O. Henry's life.

Warner Bros. Buy Story

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. have bought "The Case of the Black Par- rot," scenario by Robert Kent, for early production. Noel Smith will direct with Bernard Browne and Earl Baldwin's "Adopted Daughter," also in the same group.

Warners Cast Dennis Morgan

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. yesterday announced that Dennis Morgan, who was last seen in "She Stays Kissed," by Kenneth Gamet. Ben Stoloff will di- rect with production to start late this month. Lucia Carroll and Cor- nell Wilde will be in the cast.

Nazis Insist Dutch Theaters Keep Open

(Continued from Page 1)

the last three years has been RKO's American Legion. The Germans, he said, are insisting that normal life be continued and look upon the theaters as a necessity, even to the extent of lending money to exhibi- tors to keep their houses open.

RKO is operating in Holland under limited distribution privileges, in-asmuch as German pictures are be- ing shown almost exclusively, West- tebeke said. However, he added, the Walt Disney subjects are favorite films in Holland and Germany and are getting playing time. Exhibi- tors have little choice in selecting their programs, as the Nazi authori- ties designate the runs, clearance and maximum percentage.

At the time Westtebeek left Hol- land with his family, theater busi- ness was not good, although patron- age in the two newsreel theaters in Amsterdam was steady.

Westtebeek and his family survived without injuries the siege, bombard- ment and final surrender of Holland. However, they were unable to com- municate with the New York office for six months. He does not expect to return to Holland.

Luncheon for Hal Green

Hal M. Green, who is resigning from RKO's press book department to enter another line of business, was the guest of honor at a lun- cheon yesterday tendered by his as- sociates. Event was held at Maison Louis. Green has been with the company 17 years.

New House for Cedartown

Cedartown, Ga.—The Lam Amuse- ment Co., of Rome, has awarded a seven-year contract to Atlanta contractor, for the construction of a new film theater here. Tucker & Howell, of Atlanta, are the archi- tects. Cost of the new house was not stated.

Metro's Screen Forecast Out

Latest issue of Screen Forecast, M-G-M's new informational booklet which is available gratis to the exhibitor, is off the press and ready for distribution. Issue covers Fall and Winter productions.

Birds Are Expressed To Express Message

"I am a peaceful bird" (or should we say "coo") has been scored again by the Warner forces via the dispatch of live pigeons to loading exibits, and newspapermen a' la the country. The feature, still in the personal letters from Goodwin L. Sears, general sales manager, and Charles M. Field, director, New York advertising-publicity, anent the new W.W.I. report from Reuters," Birds were shipped by express, while, in turn, the messages they carry express the bigness and importance of the opa.
MAY ASK CONGRESS TO CORRECT DECREE

Say U.K. 5 Million Remittance Offer Mixed

Expect New Negotiations
To be Opened Shortly
With British Government

London (By Cable)—The English Government has offered the American distributors a sum of $3,000,000 as the momentary remittance they would be able to take out of the country for the forthcoming year, starting on the Oct. 31 expiration date of the present commitment, but it has been turned down, it was reliably reported in Wardour Street yesterday.

Ambassador Joseph P. Kennedy represented the American distributors in the negotiations for a new monetary allowance. (Sum of $17.

Wall St. Forecasts $2
For Para. Com. Shares

Based on current and third quarter business, Paramount has a good chance of reporting around $2 a share for its common stock this year, according to The Wall Street Journal.

(Continued on Page 4)

Wall Street Forecasts $2
For Para. Com. Shares

Picture Pioneers Admit
5 More to Membership

Favorable action was taken on five applications for membership submitted at the meeting of the Executive Committee, of the Picture Pioneers, held at the Hotel Astor noon yesterday. The new members (Continued on Page 7)

EXHIBITOR—
Defined by Brandt

Speaking at the AMPA luncheon yesterday, Harry Brandt, ITOA president, gave the following definition of an exhibitor:

"An exhibitor — contrary to any previously established thoughts on the matter—is a fellow who buys something he doesn't want, from somebody who hasn't got what he is trying to sell and who doesn't deliver what he hasn't got, at prices he can't afford, plays them to audiences which don't come—and winds up with a ledger and a terrific winter in Florida."

Brandt Urges Staffs
To Plug Sub.-Runs

A suggestion that film companies set up "subsequent-run publicity staffs" to plug pictures after they leave the first-runs was advanced yesterday by Harry Brandt, ITOA president, at the AMPA luncheon in the Hotel Edison.

Brandt said that the publicity staffs should be equipped with "a powerful sales force...to attack all areas of the public through advertising, news bulletins, trade access to newswomen...in short, to attack the subtle public."

SYRACUSE EXHIBS. VOTE
STATE MPTO AFFILIATION

Syracuse, N. Y.—Organization of a local unit of the MPTO of New York State, Inc., to replace the defunct unit of New York Allied was assured at a meeting of the major-

Ask Spokane Giveaway End
Indies Want Writ Against Evergreen House

Simon Libros, Long Ill,
Dead in Philadelphia

Philadelphia — Simon Libros, 59, died yesterday after a long illness. He was an executive with Advertising Accessories here and before that time was president of the Independent Alliance.

(Continued on Page 4)

ITOA Prepared to Ask for Legislation if Consent Terms Are Found Injurious, Declares Harry Brandt: Replies to Myers, Outlines Organization's Stand

If the terms of the consent decree prove injurious to ITOA members and others who are not parties to the Government suit, the organization will propose Congressional legislation to correct the alleged evils of the decree as well as seek other so-called needed reforms.

This assertion was made yesterday by Harry Brandt, ITOA president, while replying to Abram F. Myers' request for the stand of Brandt and Ed Kuykendall on certain aspects of the decree.

Brandt's answering statement is not only a reply to Myers but as well constitutes a summary of the ITOA's criticism of the decree to Thurman W. Arnold, Assistant Attorney General, who had asked that the critical remarks not be made public. However, Brandt said yes—

(Continued on Page 4)

Allied Board Will
Set Decree Course

Abram F. Myers, Allied general counsel, has called a meeting of the organization's board of directors to be held in Pittsburgh next Tuesday. Purpose of the session is to take a further stand on the consent decree in the Government's equity suit with RKO Pictures.

(Continued on Page 8)

Censor Board to Regiment
Motion Pictures in France

Vichy (By Cable)—The motion picture industry in unoccupied France is to be regimented by a board of six censors who will undertake an almost complete reorganization of the current Industry. (Continued on Page 4)

Shirley Temple Deal
With Metro Near Set

The M-G-M deal for the services of Shirley Temple is reported to have been closed after several delays. Reliable sources indicated yesterday that the contract may be signed today, as the studio is expected to announce it soon.

(Continued on Page 4)
London (By Air Mail)—Major Reginald Baker, managing director of the Ealing studios, announces that Michael Balcon’s naval production, "Convoy," has been sold, after negotiations with a number of U. S. majors, to RKO Radio for a considerable sum for distribution in the United States and South America. Several offers, he stated, were turned down as incompatible with the usual topical interest of the films.

"Convoy," which ran for 10 weeks in the West End of London, will not be released generally in London until Nov. 11. It has had successful pre-releases in Canada and Australia.

Shipment of Panoramas To Start in December

Mills Novelty Co. plant in Chicago expects to start regular shipments of its panoramas, made possible by the new order, to distributors in early December, it was learned yesterday.

Eastern press and trade showing of the machines plus Soundies, produced by James Roosevelt’s Globe company, is slated for the Waldorf Astoria’s Starlight Roof Monday night.

Fred Mills, proxy of Mills Novelty Co. and a number of executives, will arrive from Chicago over the weekend for the showing.

Few In Industry Face Service In Pittsburgh

Pittsburgh—Approximately 75 film distributing and equipment company employees registered for the draft here, but of this number more than half are either married or can claim exemption for other reasons, so that not more than 10,000 soldiers are in service. The same condition applies to theatrical organizations, circuits and independents.

High Officials at Debut Of "World in Flames"

Washington—The World in Flames" at the Loew Columbia Theater. Justices of the Supreme Court, a large number of diplomats, high officials from all branches of the Government and society leaders comprised the glittering first night audience.

Wier, Dean of Canadian Film Critics, Dies at 82

Halifax, N. S.—Hiram Wier, astor of Canadian film critics, died yesterday from a heart attack at his home just after returning from seeing a first-run film. He had been reviewing films for over 40 years. He had gone from the Mail offices to the theater, apparently in his usual good health.

Expect 300 at SMPE’s Coast Conclave Monday

Eastern delegation to the five-day SMPE convention opening Monday in the Roosevelt Hotel, Hollywood, includes Prexy A. A. Willford, Columbia’s Prexy Fred J. Baker, D. S. Hyndman, William Kunzman, Earle G. Hines, J. E. McAnulty, Herb Griffith, Syd Pyott and E. W. Kellogg, Jr., Dr. V. K. Zworykin and Julius Haber. An attendance of between 200 and 300 is expected.

Following registration on opening day, there will be a general and business meeting in the Blossom Room. Reports of Kunzman, convention v-p., and F. R. Geib, chairman of the membership and subscription committee, will precede the president’s address of welcome. Following will be the election of officers for 1940 and the consideration of proposed amendments of the by-laws.


Prexy Willford will be chairman of the informal get-together luncheon at which Darryl F. Zanuck, chairman of the Academy’s Research Council, and 20th-Fox production head, will speak.

D. B. Joy, chairman of the standards committee will report at the afternoon session and papers by J. K. Hilliard, D. P. Lyon, Erpi: S. Read, Jr. and E. W. Kellogg, RCA Manufacturing Co.; and Jack Dawn, M-G-M, are to be heard.

A sound session is scheduled for the evening with panels read by C. W. Faulkner and C. N. Batsel, RCA; E. W. Kellogg, RCA; J. D. McCauley, RCA; and D. L. Dury and J. K. Hilliard, M-G-M.

"Dictator" Biz Keeps Up Record Pace at Capitol

Bis of Chaplin’s "The Great Dictator" at the Capitol and Astor on Broadway yesterday was running virtually neck and neck with that which was reported for the first day. Capitol on the first day had an average of 10,591, attendance hitting 20,918 and receipts, more than $17,000. Some idea of the rapid pace yesterday may be gleaned from a comparison of the 5 p.m. attendance figure of 11,812 with Wednesday’s 12,300. Astor had capacities at both performances, and advance sale was heavy.

Boston Press Greets Laughton

Boston, Mass.—One hundred members of the press of Boston and nearby attended a reception at 17 Hotel St. for Charles Laughton at the Ritz Carlton on Wednesday afternoon at the RKO Radio star’s home here for a personal appearance, with "They Knew What They Wanted."
What Thursday is Thanksgiving this year?

Roxy, New York, thought it was yesterday with...

"Down Argentine Way"!!!
Say U. K. 5 Million Remittance Nixed

(Continued from Page 1)

$500,000, 50 per cent of the mean figure of $5,000,000 set as the average yearly earnings of the American companies, was the sum released last week.

The American distributors, the MPDA and NATA, said they concurred in their refusal of the sum offered, it was said. New negotiations are expected to be instigated shortly.

Kennedy will soon leave for the U. S.

Pinanski Again President Of Mass. Allied Theaters

(Continued from Page 1)

Kurtzman and Howard C. Burkhardt, both of Loew's, Inc.

Re-elected officers are Sam Pinanski, president; John H. Devlin, vice-president; Stanley Summer, treasurer; and John H. Cram, secretary. The re-elected directors are Pinanski, Devlin, Summer, Brennan, M. J. Mullin, Edward Cuddy, Ben Dember, B. E. Hoffman, Max Melinoff, John J. Ford, Al Somberly, James H. Doyle, John S. Giles, Walter Brown and Harry McDonald.

"Down Argentine Way" In Fast Roxy Opening

"Down Argentine Way," new 20th-Fox de luxe musical, opened to SRO yesterday at the Roxy. Picture was running well ahead of all recent releases at the theater since the "Rains Came" at 4 p.m., and was only slightly behind the company's top money makers at the house.

20th-Fox-Minn. Amusement Deal

Product deal has been closed by 20th-Fox with the Minnesota Amusement Co. for the 1940-41 lineup. Deal covers some 42 situations and was worked out by W. C. Gehrung, Central division manager for 20th.

WEDDING BELLS

Chicago—Ruth Hinz, secretary to Will Bishop, M-G-M exploiter, and William Pott, M-G-M executive here, were married at the Blackstone Hotel. Reception followed.

Des Moines—Ruth Godden of National Screen Service office here was married to John Gevans of Casper, Wyo., yesterday at Casper.

Harrisburg, Pa.—Laura E. Reed, of the Colonial Theater staff, was married to Earl G. Creamer, Jr.

West Coast Bureau of THE FILM DAILY

Hollywood—Lupe Velez and Guinn Williams will be married next month, it is announced.

Exhibs. Would End Spokane Giveaways

(Continued from Page 1)

liam Seale, Orpheum Theater manager, are made defendants.

Complaint filed by R. E. Lowe, counsel for the independents, charges these acts violate the unfair trade practices acts and ask a temporary injunction during the pendency of the action. Hearing will be held next Wednesday.

The independent theaters are the Granada, Bandbox, Rainbow, Unique, Ritz and Empress owned respectively by Howard Amusement Co., W. E. Waverly, Harry C. Luft, A. P. Mitchell, Cecil D. Miller and H. A. Black.

Censor Board to Regiment Motion Pictures in France

(Continued from Page 1)

the industry to "educate and instruct" the people in addition to entertaining them.

Censorship will begin with the preparation of scenarios and continue through actual filming and exhibition. Children under 16 will be prohibited from attending adult films. Film theaters will not be permitted to show more than one feature in an evening, and they are to favor the showing of newreels (which will be under strict censorship) travel and scientific films.

Simon Libros, Long Ill, Dead in Philadelphia

(Continued from Page 1)

dent Pastor Renters Association. Locally, he was associated with National Penn Printing Co., and before that with National Kline Poster before that company was purchased by Advertising Advertisers. He was also active in charitable and liberal movements.

Para.'s "Blood and Sand" Going to 20th-Cent-Fox

At an Executive Committee meeting yesterday, Paramount agreed to sell the rights to "Blood and Sand" to 20th Century-Fox. Picture was made originally by Paramount in 1922 with Rudolph Valentino starred.

Singles Found Successful

Chicago—The Hyde Park theater (Schoenstatt circuit), is now running single feature programs with success.

STorks!

Denver—Born to Mr. and Mrs. Si Saunders, an eight-pound son, Si, Jr. Sr., is booker for Fox Inter-mountain theaters.
LODGE NO. 1366  *  B’NAI B’RITH

FIRST ANNUAL BANQUET and BALL

ALL THIS, AND DINNER TOO!  
FOR YOUR ENTERTAINMENT—IN PERSON

MILTON BERLE  
BENNY FIELDS  
BENNY GOODMAN  
MITZI GREEN  
JON HALL  
PETER LYND HAYES  
WOODY HERMAN

WILLIE HOWARD  
SAMMY KAYE  
FRANCES LANGFORD  
ABE LYMAN  
GLENN MILLER  
MOLLIE PICON  
& HIS ORCHESTRA

TOMMY REYNOLDS

& HIS ORCHESTRA

BEVERLY ROBERTS

RED SKELTON

ED SULLIVAN

ROMO VINCENT

ED WYNN

& HIS ORCHESTRA

—plus more and more of the Biggest names in town!

THE EVENT OF THE YEAR  
$5 PER PERSON

SEND CHECKS TO  
Col. A. Ralph Steinberg, Chairman  
101 Park Ave., Room 330, N. Y. C.

HOTEL PENNSYLVANIA
The case have, the decree should be forth by name those exhibitors who are deemed affiliated exhibitors, either by direct or indirect affiliation with a distributor or producer, or because the power of such exhibitor for whatever reason places him in a favorable position. Any exhibitor who wishes to contest the designation as an affiliated exhibitor may resort to arbitration when necessary. All exhibitors not so named are to be deemed independent exhibitors.

"The definition of an independent exhibitor presently used would deny to many legitimate independent exhibitors the benefit of the law. A list of affiliated exhibitors would be simple and would work no injustice.

Affiliates Defined

"The artificial designation of an affiliated circuit as one which has more than 15 theaters is unwarranted. It is merely a method of securing decisions, associations and interlocking relationships of independent theaters in the way of intertheater exhibitors. These associations are not affiliated in any industry interpretation of the word. Conversely, there are groups of less than 15 theaters which are affiliated. The question is not the size of the operation but solely theater against theater. I likewise see no merit in the requirement that the complainant's theater must prove a lack of sufficient product. The question involves not a determination of what the theater has but what it is entitled to. If it is being discriminated against the question should not be one of degree but of righting a wrong.

Arbitration Restrictions

"Finally, we come to the attempt to completely restriet the right of exhibitors to determine the question of run. The dividing line which has been set up is one which completely emasculates the strength of the provision and permits of the inference of an absolute lack of good faith in its suggestion. The provision is generally one that unless a theater has been owned or operated between July 20, 1935, and July 29, 1946, and unless during such time written request has been made for a better run, relief cannot be granted.

"Has the adoption of this date as a dividing line been prompted by the fact that prior to 1935 many exhibitors, under the National Recovery Act, had the right to determine the question of a better run, and upon the fall of such act in 1935 ceased such action in the same to be hopeless and futile? I have been unable to determine any other reason for adopting July 20, 1935, as a dividing line.

"Certainly, the mere fact that an
May Ask Congress To Correct Decree

(Continued from Page 6)

exhibitor has relied solely on oral
protestations, the motion to lift the
banned, or has made no demand for
the question whether or not the right to
arbitrate presently exists. The question
whether or not the right to a
better run presently exists. To im-
pose such arbitrary restrictions and
conditions on the right to arbitrate
the question of run is to stultify the
whole intent of the Decree and, as
may have been desired, to preclude the
possibility of a determination in
many worthy instances.

Asks Clarification

"I venture to say that the condi-
tions imposed preclude arbitration in
90 per cent of affected situations. I
suggest that the criterion of the
possibility of the production of reve-
 nue in the determination of the valid-
ity of the run should be clarified to
state that the revenue produced by
the theaters individually shall be
considered regardless of their con-
nections with other theaters, in or-
der to prevent the revenue paid by a
theater for a film being arbitrarily
increased by a chain exhibitor as a
result of the ability of the chain ex-
hibitor to make up such increase in
other theaters.

"I also suggest that the financial
responsibility of owners and opera-
tors as a criterion for the fixation of
run should be clarified to provide
that such exhibitor shall merely es-
ablish a financial ability to meet
the contracts requested. The finan-
cial responsibility of a circuit as
gainst an independent exhibitor
should not be the criterion."

Wall St. Forecasts $2
For Para. Com. Shares

(Continued from Page 1)
yesterday that he did not know
what the final figures would approxi-
mate, but did not deny the Journal's
figures.)

Wall Street sources indicate that
Paramount's third quarter earnings
will be above the 48 cents a share
on the common reported for the June
quarter. This means that the net for
the first nine months of 1940 will be
around $1.50 a share.

With the studios now operating
at a profit and a general increase
in efficiency, the company's cash posi-
tion is reported to be the best in
years, having about $12,000,000 on
hand, with more than $4,000,000 held by non-consolidated sub-

Syracuse Exhibs. Vote
State MPTO Affiliation

(Continued from Page 1)
ity of local indie exhibs. at the
Hotel Syracuse here yesterday. Ac-

tion was unanimous.

Sidney Grossman as temporary
secretary was instructed to ask A.
Charles Hayman of Buffalo, MPTO
prexy, to set Oct. 31 as the date for
1st meeting to perfect organi-
ation, elect officers and receive ap-
lications from exhibs. in the Syra-

Kaplan Joins Lee Goldberg

Cincinnati — Nat Kaplan, Para-
mount salesman for 14 years, has
been assigned to manage the Cincinnati
office of the Producers Releasing Corp., in association with Lee Gold-
berg. Goldberg is leaving Cincin-
nati to manage the Cleveland of-

Vaude Clicks in Rochester

Rochester — The return of stage
shows here has been getting a big
reception at the RKO Temple.

St. John Organist Dead

St. John, N. B. — Emmeline Miles
Ibbott, 66, theater organist, and
radio and concert pianist, is dead.

And No Need, Either,
For Wind Machines...

Chicago — Mayor Edward J. Kelly has
telegraphed Cecil B. DeMille an invita-
tion for Hollywood studios to shatter
and for production to move back to
Chicago, where the first big studio was
erected by the Essanay company back in
1907. The Mayor offered 21 acres of
land, known as linear Park, if his sup-
gestion were adopted. He outlined the
great advantages the Windy City offers
producers leading: however, the fol-
lowing asset: movie cowboys could use
the Loop animal pictures could be made
at Stagg Field; and educational film-
makers could make scenes of Cicero.

DeMille is due here Thursday for the
NWMP meeting.

Step Right Up!

Picture Pioneers
Circus Night

NEXT THURSDAY
HOTEL ASTOR

THE GREATEST SHOW ON EARTH

Reservations Now

Picture Pioneers, Inc., 729-7th Ave.
(Room 604)

SIDE SHOW OPENS
AT 7 P.M.
Metro Distributing “Land of Liberty”

(Consideration from Page 1)

Its customers, Rodgers told his audience that indie theater owners were the backbone of the company’s business. They were the ones who made the decision that their friendly policy would be continued.

He called for exhibitor support of quality films and said that exhibitors would find the public supporting them.

Rodgers reiterated that Metro had no rigid budget or production plans, observed that there were departmental economies, but added that there would be no sacrifice of quality in future productions.

Stressing again the loss of foreign revenue, he said it must be met by greater home attendance in the country and in others not at war.

Metro’s sales head urged theater owners to give attention to the company’s plans offered in a spirit of co-operation with a view to maintaining film quality and attendance. He observed that competition from radio and the electric was as strong as ever.

Rodgers emphasized that top films should have longer playing time, and said increased admissions were justified in many instances. As to “Boom Town,” he said it was up to the exhibitor to determine whether it should be played at elevated prices. In any event, he added Metro would not discriminate in bookings.

Asserting that the time had arrived to put aside petty grievances, to forget past differences and to work for the common good, Rodgers cited the success of the Pacific Coast Conference setup for the adjustment of industry disputes.

Finally, Rodgers saw the triples and the quadrupeds, strictly one for local settlement by theater operators, also he assured Metro would co-operate at all times.

Among out of town guests at the luncheon were Ray Moon, Carl Buermele, Detroit; Sam Swinton, Louisville; Eddie Rubens, Minneapolis; George Manes, Springfield; Tom Baker, C. C. Wallace, W. W. Wilman, Indianapolis.

Canadian Stations Will Cover NWMP’s Premiere

Regina, Saskatchewan—Word premiere of Para’s NWMP at four theaters here Monday will receive full radio coverage via Stations CKCK and CJRM.

William Sells to Gilbert

Detroit—Bert Williams, president of Allied Film Exchange, new Detroit independent, has sold out his interest to Vanepra, which will continue as manager. Williams is leaving for St. Louis today to open a new independent exchange there.

Perfumed Ink for Ads in Harrisburg Bow. But They’re Not for Exhibs, Says Rogers

Harrisburg, Pa.—John F. Rogers, manager of the State Theater, is not so keen on an innovation in newspaper advertising introduced in Harrisburg for the first time this week in the Evening News and The Forum.

The new type of ad used by a local jewelry firm featured a large red rose, printed with colored ink, announcing the centenary’s 51st anniversary. The ink is induced with a heavy rose fragrance, noticeable on turning the page on which the ad appears.

Rogers said that men would do well to keep from advertising their product through this perfumed ink. "The idea would be sweet if all pictures were first rate," Rogers commented, "but it is a fact that when one is to see the result of the perfume smell we would have to see for these films which are not so good."

Brand Urges Staffs To Plug Sub.-Runs

(Consideration from Page 1)

exploitation staffs do a great job in putting over the first runs-but no support is given to pictures when they hit the subsequents. A staff which knows and understands neighborhood theater practice will be a great help in getting more revenue from that type of theater.

Brady Riddle’s newly organized company was in the form of good-natured kidding of the industry.

Joe E. Brown scored a direct "hit" in his extemporaneous speech which was in both a light and serious vein, while Garson Kanin’s account of his first experiences in Hollywood was received with equal enthusiasm.

Take Depositions in Chi. On LaCrosse Thea. Suit

Chicago—Lou Phillips, Paramount attorney and members of his staff are here taking depositions in the LaCrosse Theater suit against major distributors charging conspiracy and monopoly. Trial is set in Federal Court here for Oct. 21. Harold Wilke of Madison, Wis., and Joseph Finlay of Minneapolis are here assisting Phillips and Robert Sommers, attorney for the LaCrosse Theater Co.

Witnesses examined yesterday were: Roy Gracy, Great States booker, and Harry Rubens of Joliet. To be examined today are Jules and Eddie Rubens, Great States execs.

Two Air Plugs for “Zorro”

Plans have been completed by 20th-Fox for a broad cast of “The Mark Of Zorro” on the Kate Smith hour and a Vox Pop air show to highlight the world premiere Nov. 1 at the Albee and Shubert theaters, Cincinnati. Two radio programs will emanate from Cincinnati. Tyrone Power, star of the film, will also make a p.m. at the premiere.

Perer Opens In Pittsburgh

Pittsburgh, Pa.—The new 500-seat Park Theater has opened. The owner, Herbert Leonard Perer, is an industry newcomer.

Select Lineup to Ochs

Cleveland—Charles Kranz, president of Cleveland Ochs, was here yesterday and closed a deal with Herbert Ochs to distribute the U. S.-made Select product in the Cleveland and Cincinnati territories.

Allied Board Will Set Decree Course

(Consideration from Page 1)

suit and to set up a course of action when it becomes effective.

Board meeting originally was to have been withheld until the decree had been approved or rejected by the Supreme Court of the Western Pennsylvania district unit starting the next day, it was decided that this was the most opportune time to hold the board parleys. Variety Club banquet is expected to draw more than 1,000 persons from both Coasites, with top names in the entertainment world and political fields.

UA Sets More “Bagdad” “Showmen’s Previews”

Alexander Korda’s “The Thief of Bagdad,” is being given more “showmen’s previews” today and Sunday by UA.

Today’s previews are at the Fine Arts Theater, Detroit; the Rialto, Pittsburgh; in the Porretta, Cincinnati; Egyptian, Seattle; Tower, Milwaukee; Esquire, Chicago; St. Louis Park, Minneapolis; Alaska, Milwaukee; Roger Sherman, New Haven; Brookside, Kansas City; Loew’s Valencia, Baltimore; Uptown, Boston; Shea’s Niagara, Buffalo; and the Southwest, Salt Lake City.

Sunday’s preview will be at the Carolina Theater, Charlotte.

Tom Mix Estate Divided Between Widow, Daughter

West Coast Dream of THE FILM DAILY

Hollywood—The will of Tom Mix, recently killed in an auto accident, leaves an estate of undisclosed value to his widow, Mabel Hubbell Mix, and one of his daughters, Mrs. Thomasin Mix Matthews. His other daughter, Ruth Mix Knight of Texas, is independently wealthy, according to Mix’s attorney.

RKO Closes Kallet Deal

Onella, N. Y.—The Kallet Circuit has closed RKO Radio’s 1940-41 product. Fifteen theaters are involved in the deal in which RKO Radio, which was represented by Branch Manager B. G. Krueze.

Hollywood Speaking—

By RALPH WILK

—HOLLYWOOD—

COMPETITION for the world premiere of Warners’ “Santa Fe Trail” has assumed greater scope with Tepaksa, Kansas; Independence, Missouri; Ft. Leavenworth, Kansas; and Harper’s Ferry, West Virginia, all turning in requests for the first showing.

The first three towns were pivotal points on the Santa Fe Trail. John Brown and Harper’s Ferry play a large part in the picture. Studio is now mailing the four sites and considering possibility of quadratic premières.

Local merchants in each town have been behind individual petitions, with move directly attributable to financial success of the South Bend junket on “Knute Rockne, All American.”


—LUCIA CARROLL and Cornell Wilde have been assigned featured roles in Warner Bros.’ “She Stayed Kissed,” which goes before the cameras Monday under the direction of Ben Stoloff.

S. M. NATHANSON, who controls the entire West Coast on product from Producers Releasing Corp., is in Seattle to open a new branch. He recently appointed William C. Riter as sales manager of his Los Angeles exchange.


MAYIS WAS A LADY,” starring Ann Sothern, has started production at Metro. Edwin L. Marin is directing and the cast includes Lew Ayres, Maureen O’Sullivan, Ruta Johnson, C. Aubrey Smith, Henry O’Neill, Edward Ashley, Joe Yule and Edgar Dearing. J. Walter Ruben is the producer.

FRANCIS McNAIRD and Walter Baldwin have been added to the cast of Columbia’s “The Lone Wolf Keeps a Date,” sixth of the series. Warren William is again seen as Lamary.

MAGIC IN MUSIC” has been set as the final title of Paramount’s musical romance about young musicians, previously known as “That’s Music in Music.”
DECREE’S ARBITRATION CODE COMPLETED


THE WEEK IN REVIEW

Decree to Congress?

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Major development in the equity suit was the statement by Harry Brandt, ITOA president, that his organization is prepared to appeal to Congress to correct the evil of the decree if it is found injurious to ITOA members. Brandt was heard on the decree was near. Committees to administer arbitration under the decree were considered during the week. Tri-State exhibitors attacked the blocks of five provision.

GWTW: It was reported that Metro may ask 50-50 terms on “Gone With the Wind in 1941; also that it might eliminate the guarantee of 10 per cent profit provision following this year.

THAT AND THAT: Dramatists Guild okayed amendments in its pact with film producers, with an arbitration plan under discussion. Some exhibitors ask the Army to censor their product in New York instead of Washington. Warners estimate a gross of $8,000,000 on “Knute Rockne.” Sam E. Morris returns to Warner Bros. as an aide to Joseph Bernard. Arthur W. Kelly is made head of domestic distribution at UA. Del Goodman, 20th-Fox Far East manager, resigns, as does Doris Price, advertising manager. Harry Brandt urges publicity staffs to plug subsequent-runs. Million film coin seen going to radio stations to plug pix. Metro, Para., and JA having set the pace. New wage-hour ruling was seen as a help to the film industry. UA reported to souvenirs on the 70-30 “Great Dictator,” with the picture doing office biz at both Astor and Orange theater Co., Newark, filed suit for $450,000 in fees against the majors.

FOREIGN

GENERAL: U. S. distributors were reported to have refused British offers of $8,000,000 of remittance money for next year.

Mono. As Selling Agent?

Report Company Dropping Own Production

Hams and Sausage as Quiz Contest Prizes

Chicago—Essaness’s American Theater will inaugurate a series of “Little Oscar Quiz Shows” Thursday and Friday in a tie-up with Oscar Mayer & Co., meat packer, with circuit’s Broadway Strand, Crown and Town Theaters to follow. Contests will be conducted from the stage by means of portable microphones. Prizes will be bacon, sausage and ham.

Main Body of Decree Itself Also Said Finalized: Code Clings to Published Form

The Code of Arbitration to accompany the proposed consent decree in the New York equity suit was completed Friday, it was learned at the close of a meeting held that day between the five negotiating companies, Government attorneys, and representatives of the American Arbitration Association.

It is also understood that the main body of the decree has been completed.

The Code, it was said, follows closely the rules or arbitration which the Association has formulated for other industries. No substantial changes from the outline published.

RKO Exhib. Contest Has $15,000 Prizes

Cash awards totalling $15,000 are to be distributed by U. S. and Canadian theater managers who turn in the best campaigns on “Little Men,” RKO’s forthcoming picture. In announcing the contest, S. Barnett, (Continued on Page 5)

Over 1,000 Attend Pitts. V. C. Banquet for Latta

Pittsburgh—From all over the country they came, almost 1,100 men from the theatrical, film distribution, professional, political end in (Continued on Page 6)

“Rockne” in Record New York Strand

Writing a gross of $7,322 on Friday, with the week-end total estimated at $21,400, “Knute Rockne—All American” ran ahead of “The Fighting 69th” at the New York Strand to give the house a new high figure for the current film stage policy. Warners reported last night.

New film had a slight price advantage over “69th” due to the dime increase in the lower brackets, but this item includes the Federal tax, it was pointed out. Producers announced Monday to handle the b. o. surge. House added extra show. Today, six Saturday, five yesterday, the limit.
FINANCIAL

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Execs. Join MP Associates
Nate J. Blumberg, Sam Rinzel, John J. O'Connor and Leo Justen have become members of Motion Picture Associates, it was announced Friday by president Jack Ellis at a luncheon at Toots Shor's restaurant. The association executive committee will meet this week with John H. Harris, president of the National Variety Club, to discuss an affiliation of MP with that organization.

The Broadway Parade

The Long Voyage Home (United Artists-Wanger)—2d week, Rival...They Know What They Wanted (KMO Radio Pictures)—2d week, Manhattan...The Great Dictator (United Artists-Chaplin)—2d week, Capitol...Arise My Love (Paramount Pictures)....Paramount...Down Argentine Way (Twentieth Century-Fox)—RKO...Overboard (Paramount Pictures)—Columbia...Captain Caution (United Artists-Roach)—2d week, RKO...The Last Alarm (Monogram Pictures) (a)—Central...Ohio Kentucky (Republic Pictures) (a)—Central...Brigham Young—Frontierland (Twentieth Century-Fox)—a. Palace...The Great Profile (RKO Radio Pictures) (a)—Palace...Time in the Sun (World Pictures) (c)—5th Ave. Playhouse...Here is Ireland (Irish-American Film Corp.)—4th week, Belmont...The Fight for Life (Columbia Pictures)—2d week, Bryant...The Fugitive (Universal Pictures)....Little Carnegie

The Bardway Parade (a)....Revival.

Two-A-DAY RUN

The Baker's Wife (The Baker's Wife Co.)—3d week, Theatre...
The Cabinet of Dr. Caligari (Warner Bros.) (a)—55th St. Playhouse...Carmen (Manso)....48th St. Theatre

The World in Flames (Paramount Pictures)—Oct. 23, Criterion...The Wild Cat (Universal Pictures)—Oct. 23, Rialto...Colorado (Republic Pictures)—Oct. 23 (a), Central...Mercy Plane (Produced by)—Oct. 23 (a), Central...A Dispatch from Reno (Warner Bros. Pictures) (c)....Strand...Never Mount Peak (Paramount Pictures-Dolphin) (c)—Paramount...The Westerner (United Artists-Goldwyn) (c)—Music Hall...Christmas in July (Paramount Pictures)—Oct. 23 (b), Palace...Na Now for Company (Warner Bros. Pictures)—Oct. 24 (a-b), Palace...Gay Caballero (Twentieth Century-Fox)—Oct. 24 (a-b), Palace...Heavenly (French Films Import) (c)—Belmont...The Mark of Zorro (Twentieth Century-Fox) (c)....Roxy...Glamour for Sale (Columbia Pictures) (c)....Bryant...From Mayerling to Sarajevo (Leo Film)—Oct. 30, Little Carnegie

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, uncensored. (e) Revival.

New York Stock Market

High Low Close Chg.

Am. Stock.
Col. Picts. etc. (12%) 5 5
Colch. Corp. (10%) 12 12 12
Conn. Film. (a) 3 3 2.3
Conn. Film. ptd. 87.5 87 85
East. Kodak 135 135 135
Ips. B. 11 11 11
Loew's, Inc. 26.5 26.5 26.4
Mog. Picts. 29.5 29.5 29.3
Paramount 85 85 85
Paramount first ptd. 96 96 93
Paramount 2nd ptd. 97 91 95
Pathé 22 22 21
RKO 56 56 56
RKO 56 (c) 25 25 25
20th Century-Fox 6 6 6
Univ. Pict. ptd. 28.2 28.2 28.2
Warner Bros. 25 25 25
Walter ptd. 2 2 2

New York Bond Market

Keill B. F., ref. 646 102% 102% 102%
Leavenworth, 3% 96 103.3 103.3
Loew's, deb. 3% 96 103.3 103.3
Para. B'way 39.50 47 47
Para. Picts. 36.75 47 47
Para. Picts. 1st 43.50 52 52
Warner Bond 44.65

New York Curb Market

Monogram Picts.
Sonnette Corp.
Technicolor
Trans-Lux
Universal Corp., etc.
Universal Picts.

COMING AND GOING

Sidney R. Kent, 20th-Fox's噱, is scheduled to return to New York sometime next week.

Hereman Worber, general manager of distribution for 20th-Fox, flies to the Coast shortly.

William Wilkenson, publisher of the Hollywood Reporter, is here from the Coast.

Harry Tarrick, assistant to Columbia, vice-president Jack Cohn, flies to the Coast for a vacation.

William J. Kupper, western division manager for 20th-Fox, leaves for the Coast shortly.

Lou Weinberg is in charge of circuit sales for Columbia, left for office on Friday for Pittsburgh and will visit Cincinnati on business before returning to New York next Thursday.

Charles Laughton arrives in Kansas City Thursday, then to the Coast to Washington to start on the America for a West Indies cruise.

Jimmy Durante left the Coast at the week-end, fly to Philadelphia to take over in a new Broadway play.

Hunt Stromberg, M-G-M producer, is a New York visitor.

J. Carroll Naish is in Chi. for a p.a. at the week-end.

Jack Oakie and Morris Small spent the week-end in Chicago.

Max Siegel leaves the Coast tomorrow for New York to start rehearsals of "World Premiere," a stage play which he will produce.

Thomas P. Loach, Monogram vice-prexy, has arrived at the Coast to make his headquarters.

Earl Carroll was due in yesterday by plane from the Coast to buy some of the world's Fair's fountain's for his headquarters.

George Antelis, composer, is back in Hollywood after a trip to New York and Louisville.

Jim Carroll, brother of Earl Carroll, has reopened his Mount Airy, Pa., Theatre which he owns.

Arthur Freed, M-G-M producer, is here from the Coast with a print of "Little Nellie Kelly."

Frank Orratti made a quick round trip to Chicago over the week-end.

Samuel Bronston has returned to the Coast.

ROCHESTER EMBASSY REOPENING

Rochester—The Embassy Theater has reopened with films after being dark since last Spring.

Chicago—Balaban & Katz common, traded over the counter, currently inactive, is now being quoted, bid 52, offered at 56, a four point spread.

Rep. Closes With M & P

Republic has concluded a deal for its 1940-41 product with the M & P screen theaters in Boston, M. J. Mullin and Philip Seletsky represented the Republic, M & P Theaters, and J. R. Grainger, president of Republic Pictures, and Mr. E. M. Bryant, Boston branch manager, acted for Republic.

"Tugboat Annie" Premiere Doubles Tacoma Populatin

Tacoma, Wash.—This city's first world premiere of importance opened with a great deal of pizzazz. "Tugboat Annie Sails Again" at the Music Box, Roxy and Blue Mouse Friday to the accompaniment of p.a.'s by Marjorie Rambeau, Alan Hale, Donald Crisp and Ronald Reagan, is credited with virtually doubling the normal population of about 100,000.

Bally had all the trimmings, plus some new ones, including an arrival of a special train from Seattle for a screen premiere of "Tugboat Annie." A flottilla of some 250 craft plus 25 planes from a kind of field shows with all the companies will hold another meeting this week to work out final details of the pact. Meeting was also held Friday. The DG membership meeting to vote on the pact will be held Nov. 12.

Trading In B & K Common Again Active In Chi.

Chicago—Balaban & Katz common, traded over the counter, recently inactive, is now being quoted, bid 52, offered at 56, a four point spread.

(Top)
Para. to Battle Pa. Ban on "Fames"

(Continued from Page 1)

port from Earle W. Switzert, Para.'s branch manager in Philly. It was the second time recently that the Pennsylvania censor had turned thumbs down on a feature. First to get the official nod was the M-G-M's "The Ramrods We Watch," the specific objection being to its Nazi-made "Baptism of Fire" footage. Time, Inc. and RKO have taken the issue to the courts.

In refusing to license "World in Flames" the Pennsylvania board again fell back upon the statutory phraseology, saying, "In the judgment of the Board, this picture has a tendency to corrupt and deprave morals, and it is not proper."

Agnew, asserting he was "amazed and astonished at this decision, pointed out the film had had its world premiere in Washington and had been widely praised by Federal officials, including the Secretaries of War, Navy and Commerce, and Sen. Alben Barkley, majority leader, and Rep. Sam Rayburn, House speaker."

Paramount's exact course of procedure in fighting the ban is expected to be determined today.

Meanwhile, the company announced that Dorothy Thompson, Ray Milland, Greta Garbo, Elmer Davis and Wythe Williams, radio commentators, will broadcast on "World in Flames" on special programs next Thursday and Saturday.

Third Series of Kent Drive Sales Meets Nov. 1

Third series of the annual Kent Drive Sales meeting will start at the 20th-Fox branch in Los Angeles on Nov. 1, it was announced yesterday by M. A. Levy, drive leader. Levy is currently in Minneapolis, leaving for the Coast this week-end. Herman Webber, general manager of distribution, and William J. Kupper, western division manager, will attend the L. A. meeting. Webber will remain on the Coast for a while for studio conferences.

Metro's November Dates

Metro has set Nov. 1 as "Escape's" release date. Other Metro releases for next month will be: "Pitter Sweet Shot" (Ga.); "Gigi" (Ga.); "Little Nellie Kelly," 22; "Comrade X," 29.

Swanson P.A.'s and Pix to Aid Willkie

Gloria Swanson will wage a personal campaign for Willkie via the New 14th St. Theater, starting today. She will present a campaign film, "Melting Pot," hourly, with p.a.'s in between. No admission; 100,000 tickets will be distributed. It's a campaign innovation.

Along the Rialto

(Continued from Page 1)

COAST GAZING: Ann Edmonds is gonna bicycle 'twixt the sets of "Trial and Error" and "She Couldn't Say No" on the Warner lot—having a featured role in each—Al Cohen, story editor for Republic, will produce "Puddin' Head"—starring Judy Canova—Al recently completed production of "Who Killed Aunt Maggie"—"Only Forever," Jimmie Monaco and Johnny Burke's song hit in the Bing Crosby opus, "Rhythm On The River"—sold $9,000 copies in one day...George W. Weeks has the cameras rolling on third subject...in his Range Buster series...tentatively titled, "Triple Threat"—Cost is headed by Roy Corrigan, John King and Max Terhune...with Gwen Gaze as femme lead...Elmer Clifton penned the screenplay...and S. Roy Luby is directing...Aben Kandel has submitted to Warners a yarn...titled "City for Glamour"—as a possible sequel to "City for Conquest"...Film won't have the same characters...but will have same theme...people tryin' to buck the city...

LOCALIGHT: Dear Charlie Einfeldt...That was a mighty party pigeon, Pardner...you sent along to us toward the week-end...and right nice note the carrier delivered...anew "A Dispatch From Reuters"...Gee, Thanks!...P.S.: By the way, Charlie, is that bird a lady?...You know there's a presidential campaign goin' on...and you gotta be gawd awful careful 'bout the Hatch Act...

WITHOUT any further delay...we bassow our coveted Order of Applause (with two "palms")...upon a guy we'd like to meet some time...His name is Ralph McGill of The Atlanta [Ga.] Constitution...He gets the decoration for his honey of a yarn...appearing on the front page of that esteemed newspaper this past Tuesday morning...Story is about the world promise of Alexander Korda's "Thief Of Baghdad"...in Warm Springs, Ga...Not since Lalaudio Hearn was writing for The Item and The Times Democrat in New Orleans have we had jewel journalism such as McGill flashes...

HURRY!...Hurrry!...!...Hurrry!...!...Get your reservations in now...for The Picture Pioneers Circus Night...at the Hotel Astor next Thursday...The North Ballroom is to be the big top...for the matin"e...immediately following the colorful sideshow...which opens at 7 p.m."

STUFF...Shepard Henkin is handling publicity for Consolidated's Bryant Theater...We nominate, as the only footnote funnier than the Jack Napolean hit, a trade by a certain theatrical gent which and whom you can see in Paramount's "The World In Flames" which moves next Thursday into local Loew's Criterion...William J. D. Dipson, the 24-year-old vice-pres of Dipson Theatrical Enterprises, Batavia, N. Y., was one of 18 recruits sworn in by the U. S. Army on the stage of the 23th Century in Buffalo (Dad, who's N.kitts D. Dipson, operator of a score of theaters, has been named to the Genesee County draft board..."

Decree's Arbitration Code Completed

(Continued from Page 1)

in the FILM DAILY have been made it was authoritative stated. Special Assistant Attorney Generals James Hayes and Robert Sher again conferred over the week-end in Washington with Assistant Attorney General, Thurman W. Arnold. It was stated that copies of the completed code have been mimeographed and placed before Arnold for his consideration. A further meeting of the negotiators is scheduled for today in New York when the Code will again be considered for any possible final changes in wording.

Representatives of the AAA, at the close of Friday's meeting, expressed satisfaction over the results and predicted that it would work satisfactorily in disputes adjudicated under its provisions.

Government officials were unable to say whether they would be ready to move forward before the Code is ready. Henry W. Goldard or would require another postponement of the New York court suit.

75c Minimum. $1.85 Top For "Dictator" in Chi.

(Continued from Page 1)

there 85 cents for balcony and $1.10 for downtown seats for matinees and the evening prices will run from $1.10 to $1.85.

The Roosevelt, which will have the continuous policy, will charge 75 cents for the run of the house until 5:30 p.m., then raise to $1.10 for the evening run. Prices changes Saturday will come at 5 p.m., and on Sunday at 3 p.m. for the higher tariff.

B & K is suspending its pass list for this engagement and sending out a special letter to all pass holders. It's a precedent, according to an executive.

Van Prage Will Maintain New York Headquarters

Morton Van Prage, Central sales head for National Screen Service, will headquarter in New York instead of Chicago. George Dernow, general sales chief hereafter will supervise production of trailers in addition to his sell line duties.

Selveys Huge Problem—Just By A Whisker!

Chicago—Pitter controversy has raged "locally over since announcement of David Meyer, Jr., proxy of the important business men...the St. Louis Council...announced that Boy Scouts should be booted out of Mandarine Corp and Pauline Goddard when the stars arrive here for the U. S. premiere of Cecil B. DeMille's "NMWP" next Thursday. Holding the choice highly desirable, Madame, the scores of baldheaded gents who were Boy Scouts many years ago applied for the sign to which Meyer, praying for a way to use out the old adage, has just decided that a "Boy Scout is a young man who doesn't have to shave."
Read what Archer Winsten writes in the N.Y. Post:

"Not content with taking the town by storm with a well-advertised 'Sleeper' a few weeks ago ('The Great McGinty'), The Paramount Theatre is now unveiling the surprise-surprise of the season, 'Arise, My Love'. After seeing it night before last, six local movie reviewers, including this one, gathered at a restaurant and for one hour sounded like Paramount publicity agents trying to earn double their salaries..."

Now read what those six critics wrote...

1 "A Four Star Picture... A Joy to Behold."
   —Kate Cameron, N.Y. Daily News

2 "Ray Milland has never been half so good... Claudette Colbert has never been better... Director Mitchell Leisen's best effort. Charles Brackett and Billy Wilder deserve an Academy Award for a script that's a honey." —Archer Winsten, N.Y. Post

3 "Paramount's 'Arise, My Love' is one of the gayest and most satisfying comedies of the year... acted to perfection... altogether superior entertainment."
   —Howard Barnes, N.Y. Herald Tribune

4 "If you miss Paramount's 'Arise, My Love' you are missing one of the screen treats of the year... makes you want to come back and see it again." —William Boehnel, N.Y. World-Telegram
   (Editor's Note—Bill's seen it twice already)

5 "Paramount's 'Arise, My Love' won't be easy to top... hugely entertaining... one of the season's hits."
   —Rose Pelswick, N.Y. Evening Journal

6 "Should smash box office records."
   —Lee Mortimer, N.Y. Daily Mirror

And from a critic who saw the opening...

"The Paramount Theatre rocked with laughter." —Eileen Creelman, N.Y. Sun
AMAZING

Claudette Colbert

Ray Milland

I'Y LOVE

Gil and Billy Wilder: Adaptation by Jacques Thery of an Original Story by Benjamin Glazer and John S. Tolles
1,000 at Pitts. V. C. Banquet for Laite

(Continued from Page 1)  

industrial fields, to attend the 12th annual testimonial banquet, which surpassed all previous affairs, in the Urban Room of the William Penn Hotel, last night. One of the retiring Chief Barker of Tent No. 1, C. J. Latta, and his co-officers C. C. Kellenberg, new chief Barker; Burtus Bishop, Jr., second assistant; Mike Shapiro, treasurer; Al Weibinger, property master, and canvasmen Elmer Ecker, George Tyson, M. A. Rosenberg, Mike Galagher, Art England and Brian McDon.  

John H. Harris Presided  

John H. Harris, national chief barker of Variety Clubs of America, was general chairman, assisted by James G. Balmer and Harry M. Kaline, who has appointed 21 committee members to carry out the program. The entire 17th floor of the hotel was converted into a huge show boat, the scheme of which was followed throughout the affair.  

The opening festivities were unique in Variety Club annals in that a marine was a sailor and a soldier in uniform, carrying the national colors and accompanied by an honor guard, consisting of the pages of the Variety Post of the American Legion, and a 60-piece band from the University of Pittsburgh, started the ceremonies with the playing of The National Anthem. Father Garahan, chaplain of the club, then pronounced the invocation, and John H. Harris introduced the toastmaster, Howard Dietz, Metro's advertising and publicity chief, who in turn presented the honor guests and speakers.

At the Speakers' Table  

At the speakers' table were: C. C. Kellenberg, new chief Barker; Frizzle Zivak, Billy Bumstead, manager of the Variety Club; Judge Garahan; John B. Kennedy; Hon. Wm. McGraw; Senator James J. Davis; Ray Springler, local newspaperman who spoke on his recent London experiences; James Roosevelt; Mayor Cornelius D. Scully; Senator Frank J. Harris; Howard Dietz; C. J. Latta, retiring chief Barker; Charles Laughton; Joe E. Brown; Senator Rush D. Holt; Dr. L. Q.; Dr. Herman Halperin; James Crowley, football coach for Fordham University; Wm. McKee-egan, manager of the world champion Cincinnati baseball team; Dr. Homer S. Flint and C. W. Galloway.

C. C. Kellenberg, newly elected chief Barker, then presented gifts to the outgoing officers, a radio bar to Chief Barker C. J. Latta and the trademarks to the club ring to each of the others.

Ira H. cohn, chairman of the Heart Committee, presented check to Bud Adams, American Legion, local to Father O'Connell, to complete its pledge to assist in the maintenance of Camp O'Connell for underprivi-

led boys and girls of the district. The seventh baby adopted by the local club, Catherine Sheridan Variety the 4th, made its debut at the banquet and was presented by re-elected Chief Barker C. C. Kellenberg, the new Chief Barker, C. C. Kellenberg, charging him with the responsibility of caring for the welfare of this child, to come out the coming year or until adopted.

Many Pix Notables Present  


RKO Exhib. Contest Has $15,000 Prizes  

(Continued from Page 1)  

McCormick, advertising and publicity chief of RKO, said that the awards would be based on various forms of advertising, publicity and exploitation on the picture, including tie-ups or promotion on Borden's "glamor- woman" Elsie. RKO and the Borden company are co-operating on the contest, which starts Nov. 1 and runs until Nov. 30.

There will be 369 awards, distributed in the following manner:

U. S. Territories: $1,350 through 13 prizes in first-run, $116 through 6 prizes to subsequent runs in cities of 100,000 and over; $1,135 through 18 prizes to first-runs, and $2,225 through 78 prizes to subsequent runs in cities of 50,000 to 100,000; $1,150 through 16 prizes to first- or subsequent runs in cities under 50,000.

Canada: $325 through seven prizes to first-runs, and $700 through 16 prizes to subsequent runs.

Special: $500 through five prizes to RKO national circuit theaters, and $800 through seven prizes to RKO Metropolitan New York circuit theaters, eliminating these two circuits from the general contest. In cases of ties, duplicate awards will be made.

Capital prizes in the first three classifications for the U. S. are $500 each and for the subsequent-run theaters $250; the Canadian first-run houses, $250; Canadian subsequent-run theaters, $300; the RKO national circuit, $400, and the RKO Metropolitan circuit, $500.

There will be second prizes of $250, third prizes of $200, honorable mention awards in each classification, and $250 to the national circuit for the best promotion of any of the classifications.

Other prizes: In cities of 25,000, $300; 50,000, $250; 100,000, $200; 250,000, $150; $250, $100, or $50, as determined by the judges. In Canada, the prizes will be $75 for first place, $50 for second, $25 for third, and $25 for honorable mention.


SAMPE to Hear 50 Technical Experts  

Life for a Button  

The Roosevelt administration was res-ponsible for its production, but a Washington campaign button underneath on the house's display board serves as an admission ticket to the Fight for Life at the Bijou Theater. Same offer applies to an unduplicated F.D.R. button. Bryant is a Consolidated house.

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Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller in "HIT PARADE of 1941"

A REPUBLIC PICTURE

PATSY KELLY • PHIL SILVERS • STERLING HOLLOWAY • DONALD MACBRIDE • FRANKLIN PANGBORN • SIX HITS AND A MISS

BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS

JOHN H. AUER - DIRECTOR
GWTW Leaves Chicago
With $900,000 Gross

(Continued from Page 1) The previous operation, using duals. Price will be 20 cents to 60 per cent, 30 cents to closing.

GWTW is Highly Successful In Cuban Provincial Cities

Havana (By Air Mail)—GWTW is continuing its success outside of this capital city. Metro's office, square reports. At Santiago de Cuba, the Selznick film went two weeks at $5-10, although until that time no picture had played that house at more than 40 cents nor more than three days. Picture has proven socko in five other spots, including Pina del Rio.

GWTW again will play this city in January when it goes into general release.

WARNERS TO START NINE IN NEXT THREE WEEKS

(Continued from Page 1) Flynn with Brenda Marshall, with Lloyd Bacon directing. "She Stayed Kissed," with Dennis Morgan under direction of Ben Stoloff; "The Strawberry Blonde," starring James Cagney under Raoul Walsh's direction; and "The Case of the Black Parrot," to be directed by Noel Smith.

"January Heights," starring Bette Davis with George Raft, Valda Harper, Janet Gaynor, and the NOLA Oct. 28 under Edmund Goulding's direction. Starting the same day will be "Bad Men of Missouri.


Kendall Heads N. Y. SAR

Messmore Kendall was elected president of the New York Society of the Sons of the American Revolution at a meeting at the Hotel Plaza.

WEDDING BELLS

Atlanta, Ga.—Ralph Blalock, purchasing agent for Wilby-Kinsey theaters, and Margaret McNeil, of Spartanburg, S. C., were married.

Phoenix, Ariz.—Steffi Duna and Dennis O'Keefe were married here on Friday.

West Coast Bureau of THE FILM DAILY

Hollywood—Stevie O'Reilly for the past nine years towed Orrin Tucker, band leader. No date was given.

825 20th Century-Fox Employees Register

For Draft, Exclusive of NT Personnel

Approximately 825 employees of 20th Century-Fox in all departments registered for the draft last week. Largest number of draftable men are in the Western division. Studio figure was 212. The draftees do not include those in National Theater circuit, 20th-Fox subsidiary.

Heymann to File Answer

In Silverstein Action

Andre Heymann, president of both French Cinema Center, Inc., and French Film Import Co., Inc., and other defendants will file their answer this week to the receivership action instituted by Harry Silverstein, a stockholder. Charges in the complaint will be denied. Commenting on a decision by N. Y. Supreme Court Justice Miller, Heymann pointed out that the merits of the Silverstein application had not been decided and that this matter was not before the court for decision. Since the early part of June, the tenants should file an answer. The receivership proceedings are pending determined before Justice Church.

Henry Lazarus Estate

Valued at $194,997

New Orleans—The estate of the late Henry Lazarus, operator of the Center and Coliseum Theaters and part owner of the Circle, was valued at $194,997.04 in civil court. Theater stock and properties make up the bulk of the estate which is inherited by Lazarus' widow and his son, Isador Lazarus, both of whom were actively associated with the late exhibitor in theater operation.

B & K Seeking Third House For "North West" Premiere

Chicago—Para's NWMP may open in three Loop houses when it has its U. S. premiere here Thursday. "Alan Hale, Chicago and State-Lake are already sold out and B & K is looking for a third. Booking problems however remain to be accounted. Scaleers are reported getting $6 for the $1.65 seats for the premiere.

Harris Circuit Reopens Senator In Pittsburgh

Pittsburgh—The Senator Theater here, operated by the Harris Amusement Co., which has been closed since the early part of June, has reopened. This is a first-run house, used mostly for holdovers from the Harris-Alvin Theater and double bills. Features.

New Haven Operators

Discuss Fact Terms

New Haven—Local 273, Operators, met yesterday at Trades Council Hall, with Nelson Frazier presiding, to finish discussions of the new contracts with circuits and indies in the New Haven district.

Monogram Reported

Dropping Production

(Continued from Page 1) Scott R. Dunlap, Paul Malvern, Ed Finney, Sam Katzman and George W. Weeks, each heading his own company, with Monogram doing the selling and distribution.

$1,369,575 9 Mos. Net

For Bausch & Lomb

Rochester—Bausch & Lomb Optical Co. and subsidiaries in report for nine months ended Sept. 30, subject to audit, show net profit of $1,369,575 after various deductions, but before any provision for excess profit tax, equivalent, after dividends paid on 5 per cent preferred stock, to $2.84 a share on 417,398 shares of common stock. This compares with $1,133,899, or $2.31 a share on 410,000 common shares for the nine months ended Sept. 30, 1939.

Bergman to 20th-Fox

As Rehee Successor

(Continued from Page 1) announced earlier in the week, is redesigning as director of publicity and advertising for Columbia Pictures to take the new post.

Bergman will continue at Columbia until Nov. 29, moving over to his new berth on Dec. 2. His successor at Columbia will be chosen in the interval, it was stated.

Before joining Columbia, the new 20th-Fox ad manager was advertising director of the Brooklyn Paramount and an account exec. for Lord & Thomas. He was named to his present post in March, 1938.

$37,094,776 Net of GE

Is 48% Gain for 9 Mos.

Charles E. Wilson, president of General Electric Co., announces organization's profit available for dividends in the first nine months of this year, after provision for estimated Federal income and excess profits taxes applicable to this period, amounted to $37,094,776, or $1.29 a common share, an increase of 48 per cent over the $25,022,631 profit, or 87 cents a common share for the corresponding period in 1938.

This is Oley....

...with the body of a giant and the heart of a small boy, yearning for his mother.

OLEY, played by John Wayne, is one of the unforgettable characters in JOHN FORD'S "THE LONG VOYAGE HOME" which Ciritc Pare Lorentz tells the millions of women who read McCall's Magazine, is "unquestionably one of the greatest motion pictures of all times!"
SETTLEMENT OF EQUITY SUIT IS IMMINENT

Cole Asks Exhibs. to Co-op. on Consent Decree

Favors Open Competition To Bring Increased Domestie Revenue to Distributors.

Pittsburgh—Col. H. A. Cole, proxy of National Allied, speaking at the AMPTO of Western Pennsylvania convention here yesterday, advised exhibitors to extend their co-operation to the provisions of the proposed consent decree in the New York equity suit.

Colonel Cole went on record as favoring an arbitration setup which would give adequate recourse to the industry for the next three years.

The Allied exec. added he fa-

(Continued on Page 3)

Decree Stand Known To Myers-Kuykendall

Because the MPTOA already is on record as to the alleged unfairness of the proposed consent decree, Presi-
dent H. K. Kuykendall "finds no in-
elusion" to answer Abram F. Myers' request for the former's stand on various provisions of the settlement terms of the Govern-
ment's suit against the industry.

In a special bulletin made public yesterday, Kuykendall contends that the Allied general counsel "knows

(Continued on Page 3)

Towers Theater Co. Sues 20th-Fox for $107,500

Philadelphia—Suit was filed last week-end in Common Pleas Court No. 9 by Richardson Dillworth, at-
torney for Towers Theater Com-
pany, Camden, N. J., (A. Meiles),

(Continued on Page 6)

Foreign Income Now At 10%, Says Golden

Washington—The FLM DAILY Washington—World War II has cut the American motion picture industry's revenue from foreign markets from about 35 per cent of its gross income to approximately 10 per cent, Nathan B. Golden, chief of the Motion Picture Division of the Department of Com-
merce, told members of the Necomb Club of Bethesda.

EMERY HUSE HEADS SMPE

Eastman Kodak Exec. Succeeds E. A. Williford as Prexy

West Coast Bureau of THE FILM DAILY

Hollywood—Emery A. Huse, West Coast manager of the motion pic-
ture department of the Eastman Ko-
dak Co., was elected Presi-
dent of the SMPE at the opening ses-
sion of the 47th semi-an-
ual convention here yest-
erday. He succeeds E. A. Williford, of the National Carbon Com-
pany, who contin-
ues on the

(Continued on Page 7)

Canadian Gov't Still Studies Kid Admissions

Montreal—The question of the ad-
mision of children to moving picture theaters is still under study by the Government, Wilfrid Girouard, At-
torney General, at Government of-
ices, told THE FILM DAILY here yest-
erday. Whether or not legislation

(Continued on Page 7)

Admission Tax Receipts Soar

$5,851,655 in Sept. is $1,444,557 Gain

Rites Held Held Yesterday For Maurice A. Shea

Funeral services were held yester-
day for Maurice A. Shea, 60, circuit head, who died Saturday af-
after a long illness. Requiem mass

(Continued on Page 6)

Washington Bureau of THE FILM DAILY

Washington—Admission tax collec-
tions for September, responding to not only the new defense levy but generally better business, again showed substantial increase over the previous month and the same month of last year, the Internal Revenue Bureau reported yesterday.

The Bureau announced the Sep-
ember collections of $1,852,256.14 compared to $1,852,566.13.

(Continued on Page 7)

NWMP Acclaimed As Corking Melodrama

Cecil B. De Mille’s "North West
Mounted Police," given its world pre-
miere in distant Regina last night, is a corking melodrama, splendidly played by a star-studded cast, cannily directed to make the most of every dramatic situation—and they abound—lavishly pro-
duced with Mother Nature entitled to no small credit and perfectly—yes, we said perfectly—photographed in Dr. Kale-
mas Technicolor.

All of which is to point up the fact that this is only an example of De Mille craftsmanship, and further, that it is one of the season's best answers to the showman's timeless prayer for box office. Even his bank account doesn't take a turn for the better, as the NWMP will have only him-
self to blame.
Michael A. Switow Dead; Started 33 Pix Theaters

Louisville, Ky. — Funeral services for Michael A. Switow, 76, president of M. Switow & Sons, operating a circuit of 16 theaters in Kentucky and Ohio, were held yesterday afternoon at the Temple Adath Jeshurun. Death occurred Saturday night from cerebral hemorrhage. Switow had been in ill health for six years.

It was on a vacation trip 35 years ago that Switow was drawn into the theater business. He dropped into a 5-cent picture show, the first he had ever seen. Thrilled by the wild west scenes, Switow learned from the manager the address of a dealer in movie supplies— the late Carl L. Zimmerman—and Switow bought a $100 projector and 100 seats for $3 apiece, and opened a nickelodeon in Shelbyville, Ind. His first night's receipts were $68.

During his years in film business, Switow, a man with a heart as large as his name, was always giving something to the community, not only in his theaters but also with being one of the first to purchase films outright for rental in other cities. He also with being one of the first to install a mirror screen.

Switow is survived by his widow, Annie, three sons, Harry R., Samuel J., and Fred T., all associated with his interests, M. Switow & Sons, and two daughters.

Joes. Pollock Form Co. To Film Plays in 16 mm.

Company is being formed by Joseph Pollock, to film plays and sell the film version in a 16 mm. form to the non-theatrical field, it was learned yesterday. Pollock plans to incorporate the company under the name of Plays On Film, Inc.

Deal has been made with the Playwrights Producing Co. to film the play, "Othello," on Ju voce film, at $3,000 for the film. It was said. First play to be put before the camera by Pollock will be "Hamlet," presently being recently closed. Original screen will be moved to the Fox Movietone Studios and the Broadway cast will appear in the film version. Shooting is scheduled to start Thursday.

It is understood that Pollock has a clause in his contract that states he will withdraw his version of the play if it is sold to another film company for theatrical production.

GN British Granted U. S. Operation Right

Federal Judge Vincent T. Leibell yesterday signed an order granting authority to Grand National Pictures, Ltd., British concern, to conduct business in New York State in spite of the similarity of its name to that of Grand National Pictures, Inc., of North Hollywood.

The Court order was made on the consent of the GN trustee. The British company, which formerly had distributed the U. S. concern's films in this country, is now free to distribute a number of films produced by, or contracted for distribution.

2,000 at Demonstration Of Panoramas and Soundies

Approximately 2,000 persons attended the demonstration of Globemills' Soundies and Panoramas, coin-in-the-slot movies, marketed by James Roosevelt and Films Mills of Mills Novelty Co., on the Starlight Roof of the Waldorf-Astoria last night. Soundies are strips of 16 mm. film on which film runs for three minutes on the insertion of a dime in the Panorama.

"General distribution of the machine will start Dec. 1. Observers at last night's demonstration, expressed the opinion that the pictures are very clear and the sound good.

Chicago—The Soundies Distributing Corp. will show the new Mills Panorama machines at the Western States Coin Machine convention at the Hotel Biltmore in Los Angeles Nov. 18-20. Subsequently, they will be displayed at the National Coin Machine Convention in Chicago, November 23-25, and at the Hotel Sherman here, Jan. 13-16.

Joe Philippson to Leave J. H. Cooper Organization

Joe Philippson, assistant treasurer of the J. H. Cooper circuit, Paramount affiliate, is leaving the organization later this month. Philippson headquartered in New York. Leon Savelli, his assistant and who formerly was with the J. H. Cooper circuit, will take over an executive position with the Cooper interests in Lincoln, Neb., before Jan. 1.

Cooper is concentrating the accounting departments of his far-flung interests in Lincoln. He operates theaters in Nebraska, Oklahoma and Colorado. Present office in Lincoln has done much of the detailed work, with Paramount's interests handled by Leon Savelli. The Kansas City office will be shifted to Shreveport, La., and the Lincoln office will then take over the Kansas City's large office force will be maintained there.

Halliday Heads Vincent Story and Writers Dept.

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Halliday has been named head of the story and writers department of the New York office of the Vincent organization. Associated with this leading agency follows Halliday's resignation from Paramount Pictures, where he was story chief in New York for six years and for the past year was studio story editor plus hiring the studio writers. In his new position, Halliday will handle all story material and assignments of writers under contract to the Vincent organization.

Nat'l Board of Review Conference Opens Nov. 14

The National Board of Review of Motion Pictures will hold its annual February conference Monday morning, November 21, in New York at the Statler Hotel. The conference will take place at the Statler Hotel on Nov. 14, 15 and 16.
Cole Asks Exhibs. To Co-op on Decree

(Continued from Page 1)

vored open competition to increase domestic revenue for distribs, as the most effective means to offset their loss in foreign revenue. He pointed out that building additional theaters was one of the most important ways to obtain increased revenue here.

Continuing, he maintained that many locations have openings for more theaters but that exhibs, are afraid to build because of their uncertainty as to product.

Reverting to the loss of foreign revenue, Col. Cole said he realized this must be made up by the industry in general. He observed that not only producers but film companies should reduce expenses. Ad- mission advances, he added, were undesirable, but he stated that exhibs, are afraid of the problem presented by losses abroad.

The convention, following the ad- dress of welcome yesterday by Pres- ident M. A. Rosenberg, also heard M. Richey, Metro exec, and George Dembow, National Screen exec. The former discussed briefly the possibilities of the consent de- cision, and said that exhibs, are de- vote to selling pictures to their patrons and not keep publicizing what is wrong with the industry.

Dembow explained the National Screen operating setup, and asked for the AMPTO support. Unit had been critical some months ago. Col- onel Cole had words of praise for National Screen.

NLRB Opens Hearings On Petition of SPG

Hearings on a petition of the Screen Publicists Guild for a certifica- tion as the collective bargaining agency for the publicity and adver- tising department employees in home offices of the majors was started yester- day before the NLRB, with Charles Kramer, Board examiner, presiding. SPG officers claim the union’s membership embraces 90 per- cent of the employees in these de- partments in all New York offices of the majors.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60

Along the Rialto

Phil M. Daly

• • • WHILE everyone hereabouts ... well, almost everyone is talking in strident tones ... "bought that galu Circus Night the Motion Picture Pioneers are hurrying ... at the Hotel Astor on this Thurs- day night ... let’s get with the suggestion ... that an org. be formed ... called "Sons of the Pioneers" ... which could already personal ... film vets ... You’ll find quite a few eligibles ... in various sectors of the industry ... acting, directing, producing, writing, etc. ... Fraternity there’s Douglas Fairbanks, Jr., a bright star ... Tim Holt is on the RKO list of luminaries ... Noah Beery, Jr., is developing rapidly into an excellent young character actor ... Lon Chaney, Jr., is keeping busy before the camera’s ... Guy Klingsor, son of Walter, is also active.

• • • IN the directing field we find Jack Hively, son of film director George Hively. ... Both are with RKO. ... Jacques Tou- neur is a veteran director and his son, Jacques, is carrying on at Metro. ... Among producers is Edmund Grainger, son of the en- ergetic James R. ... Eddie is with Warners. ... At Columbia is Ralph Cohn, son of genial Jack (House Manager of the Motion Pic- ture Pioneers) ... Jerry Brandt, whose father was the late Joe Brandt, will make his debut as producer of the "Scattergood Baines" series. ... Val Paul’s boy, Vaughn, is a new Universal producer ... Allan, Jean Hersholt’s pride and joy, is assistant production manager of Stephens-Lang Productions.

• • • AMONG writers is Irving Cummings, Jr., son of the popular director. ... Collaborating with Irving, Jr., is William Conselman, Jr., son of the late writer. The youngsters are at 20th-Fox. ... Bud Schulberg, Ben’s boy, has numerous screenplays and mag yarns to his credit ... and has penned a Hollywood book soon to appear. ... Maurice Rapf, of the Rapf clan, is also among the Coast screen writers. ... Withal, the redrawn can’t take all the bows ... Hedda Hopper’s "little boy" William stands well over six feet and is an actor in Holly- wood ... Grace Hayes’ younger. Peter Lind, is also doing well on the Gold Coast. ... Helen Broderick is mighty proud of her son, Broderick, and deservedly so ... Louella Parsons’ daughter, Harriet, is of course producing short subjects at Republic.

• • • STUFF: ... That was a honey of a break the Music Hall’s Fred Lynch engineered for the house in Sunday’s local Daily News which published a double truck in colors of the gala and captioned with their names and from whence they hail (result was a flood of letters from U. S. newspapers in various cities asking for special story material on their native daughters) ... J. C. Shapiro who operates the Shapiro Theater in Mt. Union, Pa., and the Shapiro Theater in Six Mile Run, Pa., is now taking flying les- sons. ... The Frank Lloyd and David Wark Griffith Exhibitions, scheduled to open Oct. 30 at the Museum of Modern Art, have been postponed to Nov. 13. ... Gene Buck, Art Dept. artist, is preoccupied with the idea of a great challenge that the org. will sponsor a Cavalcade of American Music this coming Thursday at the world’s Fair. ... Homer Marvel, manager of the Fox Granada, Mt. Vernon, Ill., has been awarded Metro’s Honor Roll Button for his standup campaign for "Strike Up the Band". ... That Entertaining Exhib: Rochester sends word that Toby Ross, manager of the Elmwood Theater in nearby Penn Yan, N. Y., furnished the musical entertainment at a meeting of 150 industrialists in that village (Toby plays the violin and was formerly musical director of Rochester’s RKO Palace).

Decree Stand Known To Myers–Kuy kendall

(Continued from Page 1)

full well how MPTOA stands. The MPTOA attitude, Kuykendall writes, has been repeated many times in the trade press and in general bulle- tins, as well as to the Dept. of Just- tice. Continuing, he asks:

"By what authority, imaginary or real, can Mr. Myers demand state- ments from Mr. Kuykendall, who was laboring under the impression that he was answerable only to his board of directors? After all, Kuy kendall’s personal opinion is not im- portant, but the widely expressed ob- jections to certain classes of the decree by thousands of exhibitors are important and Mr. Myers knows how they stand as well as he knows that his own organization is almost entirely opposed to some of the de- cee provisions.

"Is it possible that Mr. Myers has worked himself into such a position by endorsing the consent decree that he seeks to breach the real issue? I cannot forget that this is the same Mr. Myers who dragged in outside writers to betray the industry in the Neely Bill hearings, and was not being convinced of his sincerity of purpose in this instance as in the past. I feel no inclination to answer- any of his demands."

Para. Asks 2nd "Flames" Review by Pa. Censors

(Continued from Page 1)

which it banned on Friday. Under the censor board regulations, the owners of a picture can demand that the reviewers look at a picture for a second time before passing final judgment.

If the board again rules that the picture cannot be shown in the state, Paramount will then prepare to ap- peal the decision to the highest courts.

The board probably will look at the picture again today.

Because of Pennsylvania’s ban of the film, the Mutual network will drop its commercial broadcast pre- viewing the picture over the six Pennys stations originally set to take the show on Thursday.

R. E. Martin’s Mother Dead

Philadelphia, Pa.—Mrs. Carrie T. Martin, 84, mother of R. E. Martin of Columbus, Ga., operator of the Martin chain of theaters in Georgia and Alabama, is dead.

"Arise, My Love" Best in 2 Years

With a two-day week-end take of $36,000, Para’s "Arise, My Love," did the best opening week-end business at the New York Paramount in the last three months, according to Harry Weltman, manager of the theater. Picture will complete its first week tonight with a "take" of better than $65,000, according to Weltman.
4 BIGGEST RADIO COMMENTATORS TO PRE-SELL YEAR'S BIGGEST PICTURE THRILL OVER 273 STATIONS THURSDAY (COLUMBIA AND MUTUAL NETWORKS) AND SATURDAY NIGHTS

SCOO

"WORLD"

A Paramount Picture
Here are the times...Here are most of the stations...Check your local Paramount Exchange for stations in your territory...

<table>
<thead>
<tr>
<th>MUTUAL SYSTEM</th>
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<tr>
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<td>KGCU</td>
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<td>WGR-WKB</td>
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<td>Little Rock, Ark.</td>
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ANOTHER EQUALLY BIG NAME COMMENTATOR!

Produced by ALBERT J. RICHARD • Written and Documented by William C. Park
ceodings against FWC under the terms of agreement will be dropped without prejudice to the propriety of the proposed decree shall be amended so that no limitation will be placed upon the right of circuits to arbitrate clearances for programs in the event FWC theaters. The decree originally limited arbitration to all theaters in chains of less than five houses. Under the changed provisions any circuit in that area may ask for a hearing and alteration of its clearance.

The proposed agreement with Paramount, if accepted by the B & K officials, provides for the pleading of bolle contendre by B & K, B & K Management Corp., and Barney Balaban, defendants in the B & K consent proceedings. This plea, it was explained, is tantamount to the companies' failure to defend and carry with it the right of the court to punish them by imposing a fine. At the same time the plea will prevent liability on the part of the defendants in damage suits which may be brought by exhibitors. The Government took a stronger stand in the B & K case because, officials said, the defendants had already been found guilty by the referee.

A statement will be presented to Federal Judges on Tuesday by Government attorneys as to the status of the anti-trust suit. Immediately following the statement, negotiators will meet in conference and await the answer of B & K officials. The major companies will be dropped as defendants in the Government suit now pending against the Crescent, Schine and Griffith circuits. The Government has already expected to file an amended complaint against the "Little Three" within a short time and probably simultaneously with the consent proceedings. The completed decree to the court. A trial date against the "Little Three" will be set when a record-filling is completed.

No Admission of Conspiracy

The decree, it was said last night, contains no admission of conspiracy by any of the five companies. The negotiators are still working upon minor changes in the arbitration code which will be completed within a week. Major companies have been extremely careful in wording the provisions of the code because they claim that there will be approximately 8,000 arbitration cases heard in the first year.

The decree and code will be submitted to the Federal Judges. Robert Jackson within the next few days with immediate approval extremely likely.

New Cuban Distributor

Havana (Air Mail)—Compania Nacional de Peliculas S.A., a new distributor, has started negotiations for a deal with Josephine Sagredo, vice-president and administrator, George R. Naylor, ex-manager of Universal; treasurer, Manuel C. Gomez.

Settlement Said Neal in Equity Suit

(Continued from Page 1)

Tuesday, October 22, 1940

REVIEWS OF NEW FILMS

"North West Mounted Police"

(Continued from Page 1)

"North West Mounted Police"

(Continued from Page 1)

"Mexico"

RKO-March of Time


"SHORTS"

The Mexico of today and the role it will play in the future of this hemisphere and its defense is interestingly documented in this new MOT release. Mexico's ambitions, preparation and politics are subject to an interesting analysis.

In relation to its position as a "good" neighbor of the U.S., Mexico is shown to be a vital link between North and South America for all overland communications. The course of unionism in the country is traced, and Mexipol is a powerful outline of all Mexican affairs. Exploitation is dealt with, and the recent elections are also discussed.

Commentary is intelligent and pertinent and the subject should prove to be beneficial in acquainting the American public with Mexico at it is today, and how the country fits into the future of this hemisphere.

Samuel Davis Sticken

Portland, Me.—Samuel Davis, 68, associated with the late Hiram Abrams in this state when the latter was building up his theater enterprise, died at his home here of heart disease.

Rites Held Yesterday

For Maurice A. Shea

(Continued from Page 1)

A few friends attended the ceremony, as news of his death was not widely circulated until yesterday morning. Among those present were Mrs. Thomas R. Graham, Mrs. W. F. Rodgers, Harry Gold, Bert Sanford, Ed McEvoy, Ted O'Leary and members of the Shea Theaters Corp., and Shea Chain, Inc. staffs. Companies have 45 houses in N. Y., Mass., N. H., Penn., R. I. and Ohio.

Shea had been in poor health for several years and had been in his office only once since last November. He had been in the theater operating business for many years and at various times was manager for Will Rogers. Irving and Vernon Castle and Elsie Janis. Surviving are his widow, three sons and a daughter.

Canadian Gov't Still Studies Kid Admissions

(Continued from Page 1)

will be submitted at the next session, is still a matter for final decision, as well.

According to Giroud, there are two schools of thought. The first they would like to see children allowed to see certain types of films, to be chosen by the Province of Quebec Censorship Board. The second, that the religious authorities, would leave full authority over films for children with these authorities under the jurisdiction of the Provincial Secretary.

William N. Cotter Dead

Greenfield, Mass.—William M. Cotter, 65, veteran law firm partner, died after a long illness.

Canadian Gov't Still Studies Kid Admissions

(Continued from Page 1)
Kodak's Emery Huse
Is New SMP Prexy

(Continued from Page 1)

International Projector, was elected executive vice-president, succeeding N. Levinson. A. C. Downes, of National Carbon, was elected editorial vice-president, succeeding J. I. Crabtree, who held the office for a number of years. William C. Kunzman, convention vice-president, was returned for another term. The new secretary, following J. Frank, Jr., is P. J. Larson, New York consulting engineer and patent expert. George Friedl, Jr., of International Projector, is Treasurer, taking over from R. O. Strock, who has been nominated chairman of the Atlantic Coast Section of the Society.

The new officers will be introduced at the 47th semi-annual banquet and dance tomorrow night, when winners of the Society's Progress Medal and the Journal Award will be announced.

Max C. Batsel of RCA, and Loren L. Ryder, head of Paramount's studio sound department, were elected to two-year terms on board of governors and T. S. Stratton, engineer, vice-prexy of Erpi, to fill an unexpired term of one year on the board.

Coast Believes Bronston
Will Seek UA Release

West Coast Bureau of THE FILM DAILY

Hollywood — It is generally believed here, despite abrogation of the agreement between Samuel Bronston Productions and James Roosevelt, due to the fact that the latter is entering the military service, that Bronston will seek a releasing deal through United Artists.

The Bronston-Roosevelt agreement provided for a UA release of Bronston's product, but with Roosevelt's withdrawal it was first believed that Bronston would arrange for distribution with some other major distributor.

Bronston Productions will proceed with the original plans and will place "Martin Eden" in work on Dec. 2, with Lloyd Bacon directing.

Roosevelt's Globe Productions will make "Pot o' Gold" as originally planned, with Henry Henigson supervising.

D.A.R. Wants "Ain't"
Dropped in Dialogue

Washington, D.C. — The D.C. Theater Owners Association took the matter of the word "Ain't" off the program of the committee last week. A. Julian Brylawski, president of the D.C. Theater Owners Association, undertook to answer the charge that the word is profane.

Citing the current film "Knute Rockne" which he played as inspiration, American youth, Brylawski pointed out that many of the characters in the film did not use classroom English and if they had, it would have been应用场景。
That's why the Prize Baby and the theatre advertising products he represents have an ever increasing popularity in this glamorous business. That's why our friends multiply and our products improve. That's why our organization grows and our service expands. That's why we are proud of our product and the industry we serve. That's why we keep quality up and costs down. That's why so many showmen welcome the Three Best Seat Sellers in the Business.
Report Great Britain Raises Remittance Offer

Foreign Dept. Heads Here
Refuse to Reveal Nature
Of the U. K. Proposal

London (By Cable)—A new remittance plan is reported to have been forwarded to American distributors. While details are lacking here, it is understood that the figure is somewhat larger than the original $5,000,000 said to have been proposed. Present agreement expires Oct. 31.

Foreign department heads of major companies met yesterday at the MPAPA offices to consider the new remittance plan, but none would reveal the nature of the proposal.

Warner Stockholders
To Name 5 Directors

Five directors will be elected at the annual Warner Bros. stockholders meeting Dec. 9 in Wilmington, it was learned yesterday. All directors to be voted on are up for re-election with the exception of Joseph H. Hazen, whose name has replaced that of Sam E. Mogul. Term on the board is for two years.

In addition to the election regular company business is on the agenda. Incumbent directors on

Considine to Washington
To Discuss Bolivar Pic

John Considine, M-G-M producer, goes to Washington tomorrow to discuss his proposed production on the life of Simon Bolivar with State

British Gov't Plans
Extensive Film Use

Further mobilization of the British film industry as a war agency was indicated yesterday in an Associated Press cable from London. Said the story:

"Speaking to a group of film industrialists, Lord Croft said the Government planned to use motion pictures extensively to show British soldiers the weak points in the animal against whom they have to fight."

Editorial

Duels Again...
why blame exhibs?

By CHESTER B. BAHN

ACTION of the Better Films Council of Greater St. Louis, Inc., in calling upon all theater operators in that territory to promptly define their stand on that problem child of the film industry, the multiple feature, serves to sharply point up anew a second equally perplexing problem.

That is the role which exhibitors properly may play in this business. The subject is made the more timely by some other developments arising from provision of the proposed New York equity suit consent decree and suggestions advanced as to how they may be utilized.

Law Forces Reorg.
Of French Industry

Vicky (By Cable)—A complete re-organization of the French motion picture industry will be necessary under the terms of the anti-Semitic measure as revealed here. Most drastic part of the law restricting the activities of Jews, relates to the

'Cold' Sound-Stage Developed
Permits Actual Snow Storms for 'Shooting'

Peter Wells Named Prexy
Of Variety Artists Guild

Peter Wells was elected president of the American Guild of Variety Artists at a meeting yesterday at the Hotel Edison. Other officers elected were Elton Rich, first vice-president; Remo Vincent, second vice-president; Hazel Scott, third vice-president; Sydney Chatton, fourth

Paramount Compromises on B & K Contempt
Case, Clearing Way for Accord Between the
"Big Five" and Gov’t Decree to Goddard Oct. 29

The Government yesterday announced the end of long-drawn negotiations and the completion of both the decree and the rules of arbitration with the five negotiating companies in the New York equity suit. Complete accord on all questions of the complex antitrust suit was dramatically announced after a late hour session.

Special Assistant Attorney General Robert Sher stated that Paramount had agreed to a compromise on the B & K contempt case early in the afternoon after receiving word from Chicago. No further work is required, he said, on the decree or the rules of arbitration. Assistant Attorney General Thurman W. Arnold has already passed on and approved the decree itself, officials said, but

West Pa. AMPTO Firm
In Decree Opposition

Pittsburgh—The AMPTO of Western Pennsylvania remained firm in its opposition to the consent decree in the New York equity suit at the conclusion of its session here yesterday. Opposition was especially aimed at the blocks of five pictures provision.

A closed business session was held in conjunction with the board of directors of national Allied.

Abram F. Myers, general counsel for national Allied, discussed the consent decree extensively, but refused to decide on the question,

Picture Pioneers Will
Initiate Class of 30

Avalanche of reservations for the Fall Conference Dinner of the Picture Pioneers, which will feature "Circus Night At The Astor," has been so great for the gala affair to-morrow night that the festivities will

Bosley Crowther Heads
New York Film Critics

Bosley Crowther of the New York Times was elected president of the New York Film Critics Circle at a

5-15 Years In Prison
for Stench Bombing

Detroit—Severe penalty of 5 to 15 years was imposed upon two men convicted of stench bombing Associated Circuits’ Central Office by Judge Donald Van Zile, following a jury trial. The defendants were convicted on two counts, but sentence was actually imposed only on one, so that it could, theoretically be doubled later. The prosecution signiﬁes the first conviction in a series of at least three stench bomb attacks on theaters here in recent months.
FINANCIAL

New York Stock Market

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<td>Loew's deb.</td>
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New York Curb Market

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GTE Reports 3 Months Net Profit of $173,797

General Theaters Equipment Corp. and subsidiaries, excluding Cinema Building Corp., report for the three months ended Sept. 30, 1940 a consolidated net profit of $173,797 after provision for depreciation and for estimated Federal income tax. This compares with $154,047 for the similar period in 1939.

For the nine months ended September 30, 1940, unconsolidated net profit of the corporation was $582,115 compared with $482,577 for the like period 1939.

BARNEY BALABAN and wife, STANTON GRIFFIS, SAM DEMBO, JR., LEONARD GOLD- TROM and ALICE MOS of Phila., leave by plane today for Chicago to attend the American pre- mier of NMFF.

TYRONE POWER comes East next week to attend the premiere of his latest 20th-Fox film, "The Mark of Zorro," in Cincinnati on Nov. 1, and the premiere in New York Nov. 3.

CHARLIS VIDOR and his wife are here from the Coast, guests at the Waldorf-Astoria.

MARGARET CARROLL arrives in Toronto to take over on the opening of "Spamalot" there. WILLIAM H. PINE, co-producer of the film, will also be in Tor-onto for the opening.

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SCOOOP!

"LONDON CAN TAKE IT!"

ONE REEL WITH ON-THE-SPOT NARRATION BY QUENTIN REYNOLDS OF COLLIER'S MAGAZINE

PRINTS IMMEDIATELY AVAILABLE FROM WARNERS!
Report "Cold" Sound Stage Developed

(Continued from Page 1) proached 85 degrees, authentic movie scenes were photographed in the special "cold" studio, at a temperature of 21 degrees that varied only imperceptibly despite the glare and heat of an ordinary studio lighting system. E. Van Slyker, head of E. Van Slyker Enterprises, told the convention. Van Slyker declared that the low-temperature studio operated effectively even with Technicolor photography.

He said the California Consumers Corporation, Los Angeles, has set aside one of its ice houses to introduce the studios to the new methods of making realistic snow scenes. Snow is made by means of portable blowers which grind 50 pound cakes of ice into powder and expel the snow through special nozzles when and where needed.

A radical new camera boom and dolly which, through the use of an intermediate size, operates more efficiently than any other unit of the largest size, was also described by John Arnold, of Metro studies. The new unit employs the principle of the modern airplane fuselage. The boom will literally lay the camera on the floor or raise it, through any imaginable series of positions, to a height of 25 feet.

Tonight's 47th Semi-Annual Banquet of the Society will be a high point of the 5-day convention, which closes Friday night. Winners of the SMPJE Progress Medal, awarded annually for outstanding contributions to the motion picture industry, and the Journal Award, given for the outstanding paper published each year in the SMPJE Journal, will be announced. New officers elected Monday, will be introduced.

WEDDING BELLS

Denver—Miriam Briggs, daughter of E. P. (Buz) Briggs, manager of the State Theater, and William Os- tenberg, Jr., son of William Ost enberg, Sr., owner of several theaters theaters in and around Scottsbluff, Neb., will be solemnized at St. Thomas Episcopal Church here Nov. 8. The groom-to-be is manager of the Bluff Theater in Scottsbluff, where the couple will make their home.

Des Moines, Ia.—Jean Post of Repub- lice's local office and Dorothy Wilson, also of Des Moines, will wed in November.

Detroit—Jame F. Sharkey, RKO branch manager, has dissolved his marriage to the former Margaret Alice Page.

Detroit—Harry Levinson, RKO office manager, and Verone Walther, candy girl at the Michigan Theater, were married Monday.

** • • • BAGGED from the mail bag: William F. "Silent Bill" Haddock...who's packed with amusement field lore...picked up a recent issue of your favorite trade paper...and saw where credit was given to Frank Crane...as making the first personal appearance in our industry annals...Mister Haddock avers that the initial p.a. laurel should go to Florence Lawrence and King Baggett jointly...St. Louis was the spot...and the Spring of 1910 was the time...with articulate "Silent Bill"...We're putting our historical bounds on this question...In the interim...thanks, Mister Haddock, for the info!

** • • • MAIL bag (continued): From Baltimore comes an excerpt from a letter sent to Herman G. Weinberg...active in foreign film publicity...by the British Film Institute: "We intend to continue for the duration and for long after...At the moment, the current number of the magazine is being produced under some difficulties...as the offices of the British Film Institute have been damaged by a bomb...but we have secured new premises while the Demolition Squad is doing its dirty work.

"Hitch isn't got a hope and we are all extremely concerned here...We are a slow-moving nation...but when we do get down to it...it takes more than a gang of flea-bitten thugs to beat us...The first batch of your destroyers...arrived on Saturday...and cheered us a lot!" (Date of this letter: Sept. 30)

** • • • OTHER missive out Albany: New York State's only exhibitor-legislator...Assemblyman Bill Webb of Delaware County...announced he has temporarily resigned from the theater biz as the Legislature convened in special session yesterday...Webb, who was manager of the Sidney Theater, Sidney, for Bill Smalley's circuit...led the light opposition to the billboards last Spring...The issue was used against Webb in his recent primary fight...but he won by a large plurality...On leave of absence for the campaign, Webb revealed he will not return to his theater duties at this time.

** • • • REPUBLIC's sensational western star...Mister Gene Autry...is gonna gallop away from the Rodeo at Madison Sq. Garden for a little while tomorrow...to sing a sweet sagebrush song...as a glowing feature of Ascap's Cavalcade of American Music at the N. Y. World's Fair...By the way...dates for Gene's personal appearances in Toronto's Coliseum have now been definitely set for Nov. 14-16...Proceeds of this latter show (in the form of a monster rodeo) will go to the Lord Mayor of London's fund for aid to bomb victims.

** • • • STUFF: From Detroit...Dr. Irwin E. Deer of MPPDA is scheduled to talk on "Problems of the Industry" before the Greater Detroit Motion Picture Council at the Y.M.C.A. Building on Nov. 1...From Ed Kern...Andre Heymann claims he's acquired stage rights to Jean Giono's book "Regain," called in English, "Harvest"...From Phil M. Daly—We don't know the name of the person who concocted that Kay Kyser direct-by-mail tidbit, but it's just about as clever and slick a job as we've seen in a long, long time.

West Pa. AMPTO Firm In Decree Opposition

(Continued from Page 1) to make a statement to the press. Convention, which headquartered at the Roosevelt Hotel, drew the largest attendance in the history of the organization. Following a committee reports, unfinished busi- ness, new problems confronting the industry and means of protection against certain practices in the exhibi- tion and distribution field were discussed. Sidney Samuelson talked on the Allied Information Depart- ment survey on product.

The following officers were elect- ed: Ed Beedle, president; Harry Walker, vice-president; Fred J. Herr- ington, secretary; Joseph Gellman, treasurer. New directors are Mr. Rosenberg, William Walker and Carl Pole.

Allied directors attending, in addition to Myers and Simonson, were: Nathan Yamin of Massachusetts; Roy Harold of Indiana; Col. H. A. Cole of California; C. D. Johnson of Wisconsin; Lee New- bury of New Jersey; Fred J. Herr- ington of Western Pennsylvania; M. A. Rosenberg, regional vice-pres- ident of the Eastern district and Western Pennsylvania.

The convention closed with a spe- cial banquet testimonial in honor of President Rosenberg who has served in that capacity many years, also as regional vice-president and member of the executive committee of na- tional Allied. He was presented with a watch. Dancing and enter- tainment concluded the convention.

Bela Blau Rites Today

Funeral services for Bela Blau, 44, theatrical producer, who died suddenly Sunday, will be held at 2 p.m. today at Universal Chapel, 52nd St. and Lexington Ave.

STORKS!

Elkhart, Ind.—Art Wartha, man-ager of the Indiana-Illinois local thea- ters, announces the birth of a son, Jerry Alan Wartha.

Indianapolis, Ind.—Donald Wright, manager of the Rivoli Theater here, is the father of a baby boy born at St. Vincent's Hospital.

Chicago—A baby girl was born to Lois Dee and Donald Pearlman at the Mt. Sinai Hospital. Weighing 7 pounds, 14¾ ounces, the baby has been named Roberta May. Pearlman is the assistant booker at Eannes.

L. Levine, Imperial, New Haven representative, is grandfather of a new S.B. D. baby boy, born to his daughter, Mrs. Samuel Lipshitz, at Grace Hospital.
Hugh HERBERT in
HIT PARADE OF 1941
A REPUBLIC PICTURE

Kenny BAKER • Frances LANGFORD • Hugh HERBERT • Mary BOLAND • Ann MILLER

PATSY KELLY • PHIL SILVERS • STERLING HOLLOWAY • DONALD MACBRIDE • BARNETT PARKER • FRANKLIN PANGBORN • SIX HITS AND A MISS

BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS • JOHN H. AUER — DIRECTOR
5 Majors Accept Consent Decree
(Continued from Page 1)

has not yet seen the rules. Attorney General Robert Jackson will receive a copy of the decree and rules tomorrow or Friday, it was said, with approval to be issued soon.

Go to Judge Goddard Oct. 29

The decree, rules and an amended complaint which will refer to the three non-negotiating companies, United Artists, Universal and Columbia, will be handed up to Federal Judge Henry W. Goddard on Oct. 29.

Washington, D.C. — The FILM DAILY
Washington — It may be "several weeks" before Attorney General Robert Jackson formally announces his decision on the proposed consent decree to end the New York City anti-Nazi threat as the Big Five are concerned, it was indicated yesterday. It was pointed out that the election campaign is in full swing and that Jackson, who is "in and out of Washington," will decide only after studying the actual impact of the decree on the movie business.

29. The Court at that time will be asked to fix a date of hearing for exhibitors who may voice objections to provisions of the decree. Government spokesmen said that copies would be available in a few days.

Agreement on the B & K contempt proceeding calls for the payment of a total of $10,000 in fines by B & K, B & K Theater Management Corp., and Paramount Pictures. Barney Balaban, the fourth defendant, will be dropped by the Government as a defendant. The companies are to plead a no! dontendu rather than making a formal guilty plea. The limitations of a final decree which barged circuits of five or more theaters from arbitrating clearance questions is to be modified in the Chicago circuits. The rule will not apply to questions concerning first- and second-run theaters in first- and second-run circuits or to first-runs in towns and cities outside of Chicago, but served by the Chicago exchanges.

Revamp FWC Decree

The Fox West Coast decree will be revamped after dropping off the suit entirely so that clearance questions may be heard when referring to first- and second-runs in Los Angeles, first-runs in L. A. suburbs and first-runs in other cities and towns in Southern California.

Government spokesmen said that a number of provisions in the decree have been broadened. Among those provisions added, it was learned, is one which provides that complaints on runs and

Funnier and Funnier

Pittsburgh — They get funnier and funnier, those double bill titles. A pair which recently we decided were "Money and the Woman" and "The Big Stamper"; "The Man I Married" and "Thanks for Everything."

Argentine Censors Okay "Mortal Storm"

Buenos Aires (By Air Mail) — M.G.M.'s "Mortal Storm" has been okayed by B.A.'s censors, after a few non-essential cuts. Also approved was the black and white made "Mad Men of Europe," distributed abroad by R.K.O. The Argentine is the more remarkable as until recently, even the slightest indication of anti-Nazi tendencies was sufficient to impress a film. For instance, "Confessions of a Nazi Spy" had been shown in Argentina although packed houses saw it in Montevideo.

Cabinet Earnings In Third Quarter at $163,497

Net earnings of Consolidated Film Industries for the third quarter ended Sept. 30 were reported yesterday as amounting to $163,497.40, after depreciation and normal federal taxes. This is equal to 40% cents on the 400,000 shares of $2 preferred stock outstanding.

New earnings for the nine months ended Sept. 30 totalled $388,265.27, equal to $1.34% on the $2 preferred.

Third quarter earnings in 1939 were $206,248.62, while during the same months of last year resulted in net earnings of $574,258.

MPFE Guild Meets Friday

Motion Picture Film Editors Guild will meet in the Marine Room of the Hotel Capitol Friday, at 7:30.

Monthly meetings will now be held on the last Friday instead of the last Tuesday.

which were filed with the NRA, but which were not disposed of, may be heard. Another change allows exhibitors who have filed complaints with the D of J with in the past five years to the board on questions of run. The new decree will also open the door for arbitration on questions of clearance everywhere. It may affect existing licenses and franchises between defendants. This revision is a public provision which exempted licenses and franchises granted before June 6, 1940. This exemption, however, it was stated, only applies where both parties are defendants in this suit.

Report "Little Three" Not "Actively Opposed"

In the wake of yesterday's hearing on the Government's action against major company defendants, sources close to the so-called "Little Three" — Columbia, Universal and United Artists — asserted that the companies will not "actively oppose" the decree.

This decision will, it was explained, in the wake of the board's determination to reserve their respective rights. Further, the intention of each, it is understood, is to go before Judge Goddard, probably at next Tuesday's hearing, and state their objections to the decade and relate why, in their opinions, the decade does not satisfy them.

Law Forces Reorg. Of French Industry

(Continued from Page 1)

press, radio and motion pictures.

All branches of the film industry are affected by the law which prohibits "without condition or reservation" Jews from acting as directors, managers, or business managers of organizations for the production, printing, distribution or exhibition of motion pictures; producers and directors of films or writers of scenarios; directors, board members or managers of moving picture theaters and organizers of theatrical productions.

While the law is not as drastic as the German racial laws, no modifications are provided for the press, films or radio as is the case in other occupations where war service and various decorations act to lessen the restrictions. The French law defines a Jew as a man with three Jewish grandparents or with two Jewish grandparents and a Jewish wife. Part-Jewish French citizens will be affected.

Radio Indies Hope for 'Hwood Ascap Intervention

At the meeting yesterday of the National Independent Broadcasters at the Waldorf-Astoria, indie stations discussed the statement of C. O. Langlois, proxy of Langlois & Wentworth, Inc., on Tuesday, that there might be possible fall-out from a bill allowing box office receipts of motion pictures due to lack of plugs for songs over the air. Hope was expressed that a Hollywood lottery might help Hollywood producers of films with music to force Ascap to make a deal with broadcasters.

St. Louis Operators and Indies Agree on Contract

St. Louis — Local 143, Operators, and a committee representing the indie theater owners of this city and St. Louis County have reached an agreement on the extension of the present contract, unchanged for one year. Exhibitor ratification is slated this week.

TO THE COLORS!

Cincinnati — Larry Smith, Metro contract department, is the first man in Cincinnati film circles to join the colors. Smith left for the Army Air Training division, following enlistment.

Chicago — Julius Bland of the Bland Theater circuit, has enlisted in the U. S. Army Signal Corps and will leave for service in a few weeks.

"REVIEWS"

"The Old Swimming Hole"

with Jackie Moran, Marcia Mae Jones, Leatrice Joy

Monogram

HOLLYWOOD PREVIEW
WARM, HUMAN AND WHOLESALE PICTURE SHOULD APPEAL TO MANY TYPES OF AUDIENCE.

This is a warm, human, wholesome picture that should appeal to many types of audiences. It has been given expert, sympathetic direction by Robert McGowan. To Scott R. Dunlap goes important credit as producer.

Marcia Mae Jones gives a splendid performance as a youngster, who believes her father, Charles Brown, a kindly, country doctor, is not making rapid enough progress in his romance with Leatrice Joy. Jackie Moran is equally good as a boy interested in becoming a doctor and of being of much help to his mother, Miss Joy.

Charles Brown furnishes a fine portrayal as the doctor, who answers calls at all hours of the day, and who is a poor bill collector. Leatrice Joy is capable, while other principals include Theodore von Eltz, George Cleveland, Dix, Dorothy Vaughan, Sonny Boy Williams and Si Jenks.

Dorothy Reid contributed an excellent screenplay, based on a story by Gerald Brannum.

Jackie, who is determined to be a doctor, leaves school to help his mother. Theodore von Eltz, an attorney, representing wealthy Cleveland, father of the man from whom Leatrice is divorced, tries to induce Leatrice to give up custody of Jackie to Cleveland. Jackie and his mother reject the idea, and von Eltz agrees with them. He in fact, decides to vacation in Oakdale, their home town, and when Marcia Mae feels that von Eltz will be a strong rival for Leatrice's affections, she spurs her father on to propose.


CREDITS: Producer, Scott R. Dunlap; Director, Robert McGowan; Original Story, Gerald Brannum; Screenplay, Dorothy Reid; Cameraman, Harry Neumann; Sound Engineer, Karl Zint.

DIRECTION, Expert. PHOTOGRAPHY, Good.

Old Vaude Favorite Directs Queensboro Minstrel Show

William "Slim" Collins, former film and vaude actor of the team of Collins and Wilson, directed the minstrel show given last Saturday by the Queensboro Project Ass'n at the Queens Plaza Auditorium. Appearance on the show were Joan Whalen, youthful dancer; Joseph Gena whose sweet boyyish treble is heard by day and Sunday nights at WDEV; Santa De Fore, precision playing baritone; and Mrs. Gertrude Weber in the role of Aunt Jemima, assisted by Richard Weber, in a Southern sketch.

(Continued from Page 1)
Say Freiday Voted For "U" Board Acts

(Continued from Page 1)

versal Corp., against 27 defendants, including top company execs, was met with a brief Universal Corp. statement which emphasized at "it is a matter of record that

The statement added, "Universal and its directors are confident that they will thoroughly answer these charges in Court when the case comes up for trial." The complaint sets up allegations of fraud, conversion of assets and mismanagement. Defendants named include J. Chee-


tra Research Products, Inc., Eastman Kodak Corp. C. P. Corp., Ltd. and Manufacturers Trust Co.

Freiday is the second director to file suit. Samuel Posen, another di-

rector, brought suit recently. Freiday repeats a number of charges of waste and mismanagement on the part of the defendants which Posen also had alleged, including an attack on the sale of Universal Pictures, Ltd., for $800,000, claiming that the purchasers were ready to pay $2,000,000.

The complaint demands that Uni-

versal discontinue distributing through Big U. Exchange, contending that Universal should distri-

bute its own pictures. The de-

fendants, the complaint declares, have caused Universal to contract for the purchase or production of films in which the defendants allegedly had adverse interests.

Sallies paid to some Universal of-

ficials, including Cowdin, Charles R. Rogers and Robert H. Cochrane, were excessive, the plaintiff alleges. Universal allegedly paid Cochrane $40,000 on his discharge in Feb-

ruary, 1988, according to the com-

plaint. Finally, the plaintiff claims that excessive underwriting advances were paid on the issuance of $2-

000,000 of common stock to the pub-

cic.

Freiday asks leave to intervene in the Posen suit. "Triple Threat" Under Way

(Continued from Page 1)

Hollywood—Realism to a degree never before achieved will soon be imparted to mo-

tion picture sound, radio broadcasts, and phonograph recordings by a new type of ultra-

directional "Line" microphone developed in the RCA Research Laboratories, the SNPE convention was told yesterday by Dr. H. F. Olson, its creator.

Because the new microphone can be operated from the vantage point of an imaginary audience at the time of recording, rather than in the immediate vicinity of the sound sources, the limitations which finally mar the original sound reproduced in theaters or on their radios or phonographs, do so with a perfect illusion of actual presence in the studio, Dr. Olson said.

"On the movie lot you can make distant shots without the use of a microphone boom, and get more realistic sound by lugging the new microphone around the camera. It is extremely useful in television pickups, as well, and in all types of sound work. It is eight feet long, but perfectly balanced," Dr. Olson declared.

Conside to Washington To Discuss Bolivar Pix

(Continued from Page 1)

Department officials. Conside de-

nied reports that South American governments had objected to the casting of Clark Gable as the libera-

tor, declaring that such stories were "manufactured" in Hollywood.

Conside starts production on "Men of Boys' Town" on Nov. 4, although background shots are now being made in Omaha.

Following his trip to Washington, Conside will return to New York to see several current plays.

Bosley Crowther Heads New York Film Critics

(Continued from Page 1)

meeting yesterday. Herb Cohen of the Brooklyn Eagle was elected sec-

tary. Former officers were Kate Cameron of the News, chairman, and Leo Misshin of the Morning Tele-

graph, secretary. Tentative date for the annual awards was set for Jan. 5.

De Mille Will Address Chicago Banquet Tonight

Chicago—Cecil B. De Mille, Gary Cooper, Madeleine Carroll, Preston Foster, Robert Preston and Lynn Overman arrive here today to join John Ford, who arrived ear-

lier from New York, and participate in the crowded program incident to the American premiere here tomor-

row night of Paramount's "Wuthering Heights.

Tonight, De Mille will be the key-

note speaker at the eighth annual banquet of the State St. Council, in the Grand Ballroom of the Palmer House. His speech will be broadcast from 10 to 10:50 P.M. (CST) on 54 CBS stations.

Over 2,000, including the visiting players, Governor John Stelle, Mayor Kelly, Bishop Bernard J. Sheil, and also Mayor LaGuardia of New York will attend the banquet.

Athole Stewart Dies

London (By Cable) — Athole Stewart, stage and film player, died in Buckinghamshire yesterday at the age of 61. He had been serving in the War Office.

Hubert Lillie, Actor, Dies

Hubert Wilkie, actor and singer, 85, died yesterday at home in Elmhurst. He had been leading man for Lilian Russell and Marie Tem-

pest among other stars of the stage.

RCA's New "Line" Microphone Soon to Give Motion Picture Sound New High in Realism

West Coast Bureau of THE FILM DAILY

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tion picture sound, radio broadcasts, and phonograph recordings by a new type of ultra-

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Picture Pioneers Will Initiate Class of 30

(Continued from Page 1)

he will be held in the Astor's Belvedere Room atop the hotel instead of the smaller North Ballroom, as originally planned.

Some 30 novitiates, representing the Class of 1915, will be initiated at the function. Ceremonies will be supervised by Jack Allicote, chair-

man of the initiation committee.

Peter Wells Named Prexy Of Variety Artists Guild

(Continued from Page 1)

vice-president; Eddie Bartell, fifth vice-president; Charles Arno, record-

ing secretary, and Sam Kramer, treasurer.

Warner Stockholders To Name 5 Directors

(Continued from Page 1)

ballot are Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggen-

heimer and Morris Wolf.

H. M. Jack L. and Albert War-

ner, Joseph Bernhard, Waddill Catchings and E. W. Perkins are the other

members of the 11-man directorate. Terms of these members of the board expire in 1941.

New DeMille Company Starts at Roach Studio

West Coast Bureau of THE FILM DAILY

Hollywood — Production headquarters of Cecil B. De Mille's newly organized Hollywood Quality Pictures, Inc., have been opened at the Hal Roach Studio, Culver City, Herb Moulton, in charge of production, will film the product for the Hollywood Talkitone coin machines in the Roach plant and will maintain his offices there.

Under this setup Moulton will be in direct charge of production and will direct the specially prepared product for the Talkitone machines. De Mille's position as vice-president of the new company does not conflict with, nor affect, his position as pro-

ducer-director for Paramount Pictures.

This is Axel...

...a man with a dream...

...just one burning thought

...and that not for him-

self alone but for Oley.

...AXEL, played by John Qualen, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Louella Parsons calls "best sea story since 'Mutiny on the Bounty'"."
LIGHTING EXPERTS

BESIDE the camera and behind the lens, lighting experts work in perfect agreement. Cameramen depend implicitly on the ability of Eastman negative films to bring out the best in every scene. The beauty of modern productions is striking evidence of the success of this partnership.

Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
ALLIED TO INTERVENE IN CONSENT DECREE

"Little 3" To Face 70-Page Amended Complaint

Expected to be Handled Up To Judge Goddard Tues.: Decree Requires 50 Pages

The Government is putting final touches to a 70-page amended complaint against United Artists, Universal and Columbia in the New York equity suit which will be heard up to Federal Judge Henry W. Goddard on Tuesday, it was learned yesterday. The complaint is being prepared by Special Assistant Attorney General Robert L. Wright, and will center its attack on the selling methods of the
(Continued on Page 6)

SMPE PROGRESS MEDAL TO DISNEY
McMath Receives Journal Award at Society's Coast Convention Banquet

West Coast Bureau of THE FILM DAILY
Hollywood—Walt Disney was awarded the SMPE's Progress Medal last night for his achievement in developing its movie to its present status. The Society also honored Robert R. McMath, of the McMath-Hulbert Observatory, the University of Michigan, with its Journal Award for his preparation of the most outstanding paper published in the SMPE Journal last year. Entitled "The Surface Of The Nearest Star," McMath's paper described his successful experiments in taking pictures of the surface of the sun.

Presentations were made at the Society's 47th Annual Banquet at the Hollywood Roosevelt Hotel, a high point in the five-day convention which concludes tomorrow night. At the same time, newly-elected officers were introduced by E. A. Wilfords, of National Carbon, retiring president. They include Emery Huse, of Eastman Kodak, president; Herbert Griffin, of International Projector, executive vice-president; A. C. Downes, of National Carbon, Editorial vice-president; William C.
(Continued on Page 7)

Kennedy Brings Money Plan?
Report Envoy Has New U.K. Remittance Offer

Photophone Names Knaut International Sales Chief

Appointment of J. M. Knaut, who has been in charge of financial and accounting activities for the past eight years with RCA Victor Argentina, at Buenos Aires, as manager of RCA Photophone sales in RCA's International Division, was announced.

London (By Cable)—With Ambassador Joseph P. Kennedy now en route to the United States, it was reliably reported yesterday that he would present to American film companies upon his arrival a new offer covering monetary remittances which would allow American distributors in the U. K. to remit 100 per cent of the first $8,000,000 and 50 per board instructs Myers To File Opposition to Provisions of Decree

Pittsburgh—In what is considered by some to be a surprise move, Allied yesterday came out officially in opposition to the proposed consent decree in the Government suit. The board of directors, in session here, instructed its counsel, Abram F. Myers, to file a brief which makes a personal appearance, if permitted by the court, to oppose the decree, including the provision calling for the selling of pic-
(Continued on Page 7)

Majors to Parley On Decree Effects

The five major companies affected by the pending consent decree are reported preparing to hold individual parleys for the purpose of arranging and adjusting their 1941-42 production and distribution schedules to conform with the provisions of the decree.

As both production and distribu-
(Continued on Page 7)

100,000 Ad Campaign For "Pot o' Gold" Pix

James Roosevelt will put a $100,000 ad campaign behind his first personally produced feature for UA re-
(Continued on Page 7)

Hard Pioneers Nix . . . Milk Of Kindness

Jack Cohn, house manager of the Picture Pioneers, and his alert and co-in-}

dignant cohorts scooted a vastly different plot yesterday. Complicity involved Leo Bamberger and Rutgers Nelson who were discovered planning to smuggle Elsie, the beautiful Borden bannie, into tonight's "Circus Night at the Aces." Culprits denied they were motivated by the circumstances that Elsie has a prominent role in RCA's radio's "Little Mae." Their defense is that they are innocent on the ground that they now let their left hands know what their older hands are doing.

(Continued on Page 7)
TODAY IN NEW YORK!

DAY-AND-DATE FOR THE FIRST TIME IN HISTORY IN ALL THESE B'WAY HOUSES!

RADIO CITY MUSIC HALL
STRAND · RIALTO
PARAMOUNT
ROXY · PALACE
GLOBE · RIVOLI

PHONE NOW! WIRE NOW! TO WARNERS
First week breaks all-time money record for the CAPITOL THEATRE, New York, under any policy for any picture.
ASTOR THEATRE, New York, capacity and standees at every performance. (This includes all matinees, evenings and special 6 p.m. Sunday shows.) Advance sale, 8 weeks ahead, points to record-breaking long run engagement.

Philadelphia, Aldine—October 23rd
Pittsburgh, Warner's—October 25th
Chicago, Apollo and Roosevelt—October 31st
Buffalo, Great Lakes—October 31st

And starting October 31st over the entire LOEW CIRCUIT at advanced prices!

Charlie Chaplin talks in his new comedy

in The Great DICTATOR

Produced, written and directed by CHARLES CHAPLIN

with PAULETTE GODDARD

JACK OAKIE • HENRY DANIELL • REGINALD GARDINER

BILLY GILBERT • MAURICE MOSCOVICH

Released thru United Artists
**"Little 3" Will Face Amended Complaint**

(Continued from Page 1)

three companies according to Gov-
ernment officials.

The consent decree which will be
signed by the five major companies
which negotiated with the Govern-
ment for a decree will be 50 pages
long, and the code of arbitration, a
separate document, 15 pages.

Government officials stated yester-
day that the revamped Fox West
Coast decree has been completed,
and that revision of the B & K de-
cre was also expected to be com-
plete late last night. Both de-
crees are being revised to conform
with the terms of the decree.

Special Assistant Attorney Gen-
eral James Hayes put the final
touches to the consent decree yester-
day in the form of punctuation
and spelling corrections.

Robert Sher, also a Special As-
assistant Attorney General, left for
Washington last night with a copy
of the decree. It was said that in
the event Attorney General Robert
Jackson prolonged his absence from
Washington, a copy of the decree
would be sent to him by air mail at
his Jamestown, N. Y., home.

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**9,000 Theaters Will Aid Red Cross Drive**

(Continued from Page 1)

Maj. L. E. Thompson, general chair-
man of the theaters committee.

It was re-emphasized at the com-
mittee’s headquarters yesterday that
theater participation in the cam-
paign, designed to increase Red
Cross enrollment, is restricted to
those places where the Red Cross
can conduct an organized drive.
Approximately 6,000 theaters are
said to be located in small communi-
ties where no organized enrollment
is planned at this time.

About 9,000 theaters in larger cit-
es likewise cannot participate in the
campaign planned at this time
because the Red Cross membership
drive is combined with the local
Community Fund campaign, or is
deferred to a later date.

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**Smith May Succeed Cole**

As President of Allied

(Continued from Page 1)

ly candidate, although Smith has
the advantage of longer service
and more experience. Both head Allied
units in their respective states.

Election of officers takes place in
January at the annual meeting of
the board of directors in Washing-
ton.

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**Armetta Signs for Four**

*West Coast Bureau of THE FILM DAILY*

Hollywood—Henry Armetta, who
has signed four-picture starring contract
with T. H. Richmond Productions,
which will distribute through Pro-
ducers Releasing Corp. Armetta’s
first picture will be “It Happened
to Me.”

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**Theater Auto Drawings**

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**Rძtory Legend in Ariz.**

Phoenix, Ariz. — Court decision
which may lead to the banning of
auto drawings in Arizona theaters
has been handed down here by Judge
G. A. Rodgers in Maricopa County
Superior Court.

The decision was issued when
Judge Rodgers dismissed a suit
brought by Robert Brazez, Phoenix,
for $2,000 against the Fox West
Coast Agency Corp. and Ed Rudolph,
Phoenix automobile dealer. Brazez
contended his number was drawn
but the defendant refused to award
him an automobile.

Judge Rodgers held that the
defendants were “unquestionably
engaged in a lottery.” Brazez was a
party to the lottery, he said, and the
court could not accept the suit.

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**Reopens Aberdeen House**

Tacoma, Wash.—Pete Constant,
has re-opened his Roxy Theater at
Aberdeen. House was closed some
six months due to strikes in the lum-
ber industry.

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**O’Leary, Comerford Head, Gets Gift From Employes**

Scranton—John J. O’Leary, new
head of Comerford Theaters, Inc.,
awarded prizes to the Capitol The-
ater team, winner of the Comerford
Theaters Softball League competition,
at the second annual softball dinner
here and then was presented with a gift
himself on behalf of Com-

erford employes in recognition
of his assuming his new position.
Members of the winning team were:
Matt O’Keefe, John Gaughan, Samuel
Kane, James Owens, Edward Mc-
Govern, Robert Hogan, Gerald Mc-
Donnell, John Banko, Joseph Novak,
Harold Bell, Bert Allen, John La-
Velle and Joseph A. Phillips.

Speakers included Byron Lynn,
district manager, and John Nolan,
assistant manager. Joseph A. Phillips
was toastmaster.

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**Astaire and "11" Cancel**

West Coast Bureau of THE FILM DAILY

Hollywood—Fred Astaire and Uni-
versal have cancelled the star’s one-
picture contract by mutual agree-
ment.

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**"London Can Take It"**

Warners 9 mins. Exceptional

Produced for the British Ministry of
Information by the General Post
Office film unit, and taken for dis-
tribution on this side by Warners.
“London Can Take It” is an excep-
tional newsreel-documentary short,
graphically depicting the nightly or-
deal of “the greatest civilian army
ever to be assembled” and, through
the medium of an exceedingly bril-
liant commentary by Collier’s Quen-
tin Reynolds, paying a glowing and
deserved tribute to the people of
London.

Through carefully selected and
compiled footage and the commen-
tary, the auditor becomes an eye-
witness of one of the greatest trag-
edies of all time. The reel starts
with a late afternoon. Civilians
hurry homeward from shop and of-

tice, thousands not to rest but
to don their service uniforms. The
anti-rail siren shrieks its warning;
the nightly Nazi raid begins. Search-
lights shorten the night anti-aircraft
guns belch flame, bombs explode,
starting fires, shrupnel rains down,
yet in shelters, the young and old
die.

Finally, dawn comes, and, in Re-


noldy’s telling words, matter-of-fact-

ly narrated, “London looks upward
and faces the day with calmness and
confidence.” And again: “A bomb
has its limitations. It can only de-
stroy buildings and kill people.
It cannot kill the unconquerable spirit
and courage of the people of Lon-
don. London can take it!” Propaga-
danda? Perhaps. But yes or no,
in its high courage and its gallantry
a timely message for all screens
that are free and proposed so to re-
main.

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**Columbus Variety Club**

Honors Virgil Jackson

Columbus, O.—Virgil A. Jackson,
president of the Central States cir-
cuit, has been elected chief Barker
of the Variety Club, Tuesday, Oct.
1. He will succeed C. Harry Schreiber, city manager for RKO.

Other officers chosen were:
Harold C. Eckert, dramatic critic
on The Journal, first vice-president;
Leo Vassenoff, The F & T Theater
Division, second vice-president; J. F.
Lauf, Grand theater building, and
P. J. Wood, secretary to the Ohio ITO,
re-elected for a second term.

Directors are: Russell Bovim, Loew’s
Ohio; Milt Staub, Gustav Hirsch
Organization; Bill Cunningham, The Citi-
zen; Max Stearn, Southern theater;
George Anagnost, Skateland; Tom
Jones, Cities, Baby Sr., Detroit;
Richard Playter, theater, plus the offi-
cers and retiring

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Jackson and Schreiber were named
delegetes to national convention,
with Jones and Cunningham as al-
ternates. Pullin was again selected
tional canvasser.
Allied to Intervene
In Consent Decree

(Continued from Page 1)

In addition to the status except for the consent, Myers' views on "making the best of a bad job" in accepting the decree. Judging by Myers' talks at recent unit conventions, he apparently has taken the stand that the decree will be passed and that there is nothing the exhibitors can do about it. His instructions by the board appear to be Allied's first move toward intervention.

SMPE Progress Medal Given to Walt Disney

(Continued from Page 1)

Kunzman of National Carbon (re-elected) convention vice-president; P. J. Larsen, New York consulting engineer, secretary; and George Friedl, Jr., of International Projector, treasurer.

Equipment Dealers
Form National Unit

(Continued from Page 1)

men from virtually every U. S. film center. Association, national in scope, is headed by H. W. Graham of Graham Bros., Theater Equipment, Denver, as chairman-secretary.

Photophone Names Knaut
International Sales Chief

(Continued from Page 1)

Knut's new headquarters are at Camden. His new appointment fills a position vacated when Van Ness Philip reported for active military service on Sept. 1.

Equipment, as well as Allied, has moved its main offices to Camden, has been named vice-president and treasurer of RCA Victor Argentina, and will be based there. The New York office is still operationally under the control of the New York office.

Industry Co-op Praised
By Nelson Rockefeller

(Continued from Page 1)

responsive to our invitation to cooperate. The movies, press and radio must be increasingly used "to promote a more effective interchange of the finest in the thought and action of both continents," Rockefeller declared.

A more critical note was struck by Robert Montgomery, whose Forum topic was "The Responsibilities of the Motion Picture Industry." His functions he defined as entertainment for the relaxation of those afflicted with the ills of the world, education of the people, and building of morale through truthful propaganda.

"No man, or group of men, has the right to place himself in complete control of any medium as powerful as that of the motion picture in until such time as he may realize the tremendous good and tremendously evil that the medium exercises and until such time as he is capable of complete intellectual honesty and by virtue of a strength given through that honesty will be willing to fight off whatever subversive influences may attempt to control that medium," Montgomery told his audience.

Following his speech, Montgomery planed back to Hollywood to continue his work in RKO's "Mr. and Mrs. Smith."

$100,000 Ad Campaign
For "Pot o' Gold" Pix

(Continued from Page 1)

lease, "Pot o' Gold," it was announced yesterday. With picture slated for February release, campaign will start in December and run through the next two months.

Co-op with the Tums "Pot o' Gold" radio show is set, attention of RKO's president, George Schaefer, currently in Hollywood. Similar plans expected to be set by 20th Century Fox and Warner Bros.

Wedding Bells

That Little Guy who carries a bow and arrow is responsible for an office romance that's bloomed up at Altec Service's New York office. The engagement of "Billie" Martine, Bert Sord's secretary, and Martin Ben- der, Altec engineer, has just been announced. Wedding plans await finding out whether Martin's name comes up in Uncle Sam's Big Lots.

Scranton, Pa.—Wedding of Esther C. Rosar and J. Lalar Joyce, manager of the Hippodrome Theater, Pottsville, is set for Thanksgiving Day.

Wilkes-Barre, Pa.—June Finley, cashier at the Hart Theater, and John Keating of Luzerne, will wed in November.

Yuma, Ariz.—Ken Maynard and Bertha Rowland Denham were married here.

Kennedy Bringing
Remittance Offer!

(Continued from Page 1)

cent of a second $8,000,000 if it is earned.

There are no strings attached to remittance of the first $8,000,000, it was said. Informed sources point out that under this agreement it is questionable whether or not a total of $16,000,000 could be earned this year by American companies under existing conditions. Continuous night bombings by Nazi raiders have necessitated a revision in the rules governing theater showings, with many cities affected.

It is expected here that Ambassador Kennedy will express his viewpoints on remittances and business in general here in regard to film industry shortly after his arrival in the U. S. and that some decision will be reached on the matter quickly. The Board of Trade advanced a figure of $8,000,000 as its first basis for negotiations on remittances.

Bisbee Rites Tomorrow

Frederick Carleton Bisbee, contract license engineer for Erpi at 195 Broadway, died at the Mills Sanitarium, Morristown, N. J., on Tuesday following an operation. Funeral will be held in Berlin, N. H., tomorrow.

This is the Captain...

...who knew that men like Oley who long for home are bound forever to the sea.

THE CAPTAIN, played by Wilfred Lawson, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Hollywood Reporter predicts "will take all top honors".
"Oh, Leo, I'm so proud of you. I've been reading in the trade papers that 'STRIKE UP THE BAND' is playing a 3rd week in a dozen spots and a 2nd week in twenty other cities. The Editorial said that you're the King of Hold-Overs (You've held me over for 16 happy years, angel!) And then it went on to say: 'Mr. Exhibitor, you'll remember November because every week M-G-M delivers a Sockeroo! (I think that's what they called them) starting with Norma Shearer, Bob Taylor in 'ESCAPE'; Jeanette MacDonald, Nelson Eddy in 'BITTER SWEET' in Technicolor; Judy Garland in 'LITTLE NELLIE KELLY'; Clark Gable, Hedy Lamarr in 'COMRADE X'; and then they said 4 More Big M-G-M hits in December. How about a new fur coat for Mama?"
EXHIB. GROUPS TO PRESS DECREE FIGHT
Singles a Flop, F & M Sticking to Duals—Arthur

Foes of Double Features Decidedly in a Minority, Declares F & M Executive

St. Louis—As a result of the flop of a single feature policy at the Ambassador Theater, where it had a six-weeks’ test, F & M sees “no reason for us to continue single feature programs further, now, nor in the immediate future,” it is stated by Harry C. Arthur, Jr., Arthur’s statement, discussing the Ambassador statement, attracted considerable attention in view of the recent demand by the Better Film Council of Greater St. Louis that all theater operators here go on record (Continued on Page 4)

Union Ruling May End Testing Here

Metro, 20th-Fox and Paramount, only companies still doing a large amount of testing here, may shortly give up all test work in New York as a result of a ruling by the United Scenic Artists of America, Local 829 of the Brotherhood of Amusements, Decorators and Paperhangers of America, that the shop steward shall be designated by the union without any choice in the matter being left to the studio, it was learned yesterday. It was stated that this ruling was (Continued on Page 5)

NWMP Premiere Attracts 600,000 to Chi.’s Loop

Chicago — Cecil B. De Mille’s “North West Mounted Police” had its American premiere at the State-Lake and Chicago theaters here last night to the accompaniment of a (Continued on Page 5)

Top “Dictator” Prices Stay Till Summer

Charles Chaplin’s “The Great Dicta-
tor” will not be shown anywhere in America except at advanced admission prices until next summer. It was announced yesterday by United Artists.

Top “Dictator” Prices Stay Till Summer

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tor” will not be shown anywhere in America except at advanced admission prices until next summer. It was announced yesterday by United Artists.

Nazí Bomb Strikes Denham Studio, Killing Two Members of Paramount Production Unit

Two members of the Paramount production unit making “Quiet Wedding” in England were killed when a Nazi bomb struck the Denham studio, according to a cable received yesterday from Managing Director David Rose to John W. Hicks, vice-president in charge of Paramount’s foreign department. Despite the tragedy, Rose cabled, production is being continued and the picture will be completed this week-end.

Gilmans, Minneapolis Exhbit., Sues Majors

A suit for $30,000, representing triple damages, has been filed against the eight major companies, Minne-
sota Amusement Co. and the American Amusement Co. by Irving Gilman, owner of the Esquire Theater, Minneapolis, according to copies of the complaint received by the companies’ legal departments.

Gilman, who heads the Hennepin Theater Corp., charges that, because of inability to get sufficient product, he has suffered a loss of $800 a month since April 1, 1939.

Named in the suit, in addition to the two amusement companies, are (Continued on Page 5)

Monogram Staying In Producing Field

Hollywood—Monogram is producing 19 of its 26 features and is financing them entirely, it was said yesterday by W. Ray Johnston, president, in reply to reports that the company would not act as a distributing organization for its producers. Monogram will continue to finance at least 80 per cent of its releases, he added.

Only outside product being released by Monogram, Johnston said, are the “East Side Kids” series produced by Sam Katzman and the Range Busters produced by George (Continued on Page 5)

Levey to Have Three In Work by December

Jules Levey’s Mayflower Productions, producing independently for Universal release, expects to have three pictures in work by December.

Two Damon Runyon stories have been set definitely for early produc-
(Continued on Page 5)

Pa. Censors Okay “Flames” Reverse Ban, But Offer No Explanation

Philadelphia — The Pennsylvania Board of Censors yesterday reversed itself and passed Paramount’s “World in Flames” without a single deletion.

The Board, which originally found that the picture in its judgment “has a tendency to corrupt and debase morals, and it is not proper,” issued no statement to explain its change (Continued on Page 5)

Dem. Finance Post For R. C. Patterson

R. C. Patterson, chairman of the board of RKO, has been named vice-chairman of the finance committee of the Democratic campaign. Patterson today will confer with President Roosevelt at the White House.

Manila Trust Suit Faces 2-Year Trial

Manila (By Air Mail)—Trial of the Arco Amusement Co.’s anti-trust suit against 29 defendants, including 20th-Fox, Warners, UA, Universal Distributors, Acme Films, Inc., and Lason Theaters, Inc., former distributors of RKO and Columbia product, respectively, the Lyric Film Exchange, (Continued on Page 8)

National Unity Luncheon Calls Industry Leaders

Leaders of the film industry, stage and radio will meet for luncheon at the Astor Hotel Monday to plan steps for promoting the Mobilization for National Unity being conducted in (Continued on Page 5)
Amara to Waive Dues of All Members in Armed Services

As a result of its directors' action, Amara will waive membership dues for all members who have been, or will be, called into the military service of the United States at the time they are called into service, they will be credited with the payment after their return to civilian status.

The regular next luncheon of the Amara will be held next Thursday, at the Hotel Edison. The guest of honor will be Paul Terry, cartoon producer who is celebrating his 25th anniversary.

Shea's Successor Waits On Probate of His Will

The will of the late M. A. Shea will be filed for probate next week when any change in the corporate setup of the Shea circuit may be known. A successor to Shea as president will be selected by the board after the will is probated.

Meanwhile, the organization continues to operate its 54 theaters under the direction of Eddie Granger, vice-president and general manager. Granger, who signed a five-year contract as general manager in 1936, was given a new contract last January running until 1955.

NBC to Televise Both N. Y. Political Rallies

National Broadcasting Co. will televise the Republican and Democratic rallies to be held in Madison Square Garden in New York. It was announced yesterday by Niles Trammell, company prez, that the telecasts will enable more than 40,000 persons to witness the rallies which both Wendell L. Willkie and President Roosevelt are expected to attend.

The Democratic meeting will be held on Oct. 28 and the Republican on Nov. 2.

UA Mourns Sea Passing

Sincere sympathy to the family of the late M. A. Shea was expressed in the form of a resolution this week by the United Artists board of directors which described the circuit operator as one of the oldest and valued customers of the company and who, for 21 years, exhibited UA pictures in his theaters. Board's action was made on behalf of UA's executives and employees.

Three Get Metro Buttons

M-G-M has awarded Honor Roll Buttons for outstanding exploitation campaigns to S. L. Morris, Palace, Lockport, N. Y., for "Boom Town"; William K. Saxton and George Aris, Loew's Century, Baltimore, for "Strike Up the Band."
October 21, 1940.

Dear Al:

The President asked me to express to you and to your associates his appreciation of the screening for his guests and for him personally of WORLD IN FLAMES.

He further requests me to extend his congratulations to Paramount Pictures and to say to you that he hopes no one in this country will be too busy to give it sixty-two minutes of his time.

Very sincerely yours,

[Signature]

STEPHEN EARLY
Secretary to the President

Mr. A. J. Richard,
Editor, Paramount News,
New York, N. Y.
Singles a Flop, F & M Sticking to Duals

(Continued from Page 1)
as to their singles vs. duals views and their willingness to back the Council's move to end multiple features.

Said Arthur: "During this test period, 'Sea Hawk,' 'Brigham Young,' and 'The Howard of Virginia' were featured singly, concurrently with an advanced-price, reserved-seat policy. Following five weeks of these three pictures, 'Spring Parade,' 'No Time for Comedy' and 'Dawn Argentine Way' were featured singly, at popular prices, on a non-reserved seat policy, in an effort to ascertain whether a sufficient number of St. Louisans desired single features to justify the change on a permanent basis.

"To all outward appearances, it would seem that those who decrie double-feature programs, and urge the adoption of single-feature programs nationally, are decidedly in the minority, being of the type which visits motion picture theaters but seldom, as against those regulars who attend weekly and who very obviously prefer double-feature programs. We sincerely believe that our efforts along these lines gave to single-feature programs every possible opportunity for success, yet it was found wanting at the Box Office.

"There seems to be no reason for us to continue single-feature programs further, now, or in the immediate future. The public of St. Louis voiced its strong disapproval of such a program by remaining away from the Ambassador Theater during the test period.""

Germantown Vermons Opens
Philadelphia — The Vernon, new Stanley-Warner-Willem Goldman house in the Germantown area, opens tonight.

"Happy Birthday to You"

From THE FILM DAILY October 27

OCTOBER 31.

C. S. Eifeld S. M. F. Wurtzel

Herbert S. Berg

S. Charles Eifeld Eugene J. Zucker

Belle Bennett

Sel M. Wurtzel Polly Ann Young Paul A. Bray

Fred J. McConnell

OCTOBER 25.

H. B. Warner

Jackie Coogan

Mark Sandrich

Buddy Mesinger

Ralph RAABE

Jack Cohn

George Middleton

William Barnett

Nathan Saland

John Michelson

Teekle Hunter

Exhib. Groups Will Press Decree Fight

(Continued from Page 1)

Sparta action will be sought, he added. However, Brandt was somewhat pessimistic over the prospects of getting the decree changed.

Kushnir said, in his wire, that the MPTOA was still opposed to the decree as being unfair to independents. "We welcome all exhibitors in this fight for our rights and will continue using every method at our command to prevent decree from becoming a law." He added that he did not believe the decree would reach court for several weeks.

May Release Decree Tuesday

Meanwhile, Government officials here yesterday reversed their decision to release copies of the decree and code of arbitration today and stated that the decree and code would not be made public until they are submitted to Federal Judge Henry W. Goddard on Tuesday.

Special Assistant Attorney General James Hayes left yesterday for Washington to confer with officials there.

As the New York equity suit will supersede the B & K and Fox West Coast contempt cases, the Government and industry counsels have asked for an indefinite continuance of the other actions.

At the national capital, Robert Sher, Special Assistant to the Attorney General, told THE FILM DAILY last night that the final draft of the consent decree will be presented to Thurman W. Arnold, Assistant Attorney General, today on his return from Chicago. Sher said he anticipated, however, that final Government approval would not be handed down immediately. Attorney General Robert Jackson, who is devoting considerable time to the Presidential campaign, must also approve the decree.

Filmack Business Shows Increase of 33 Per Cent

Chicago — Thirty-three percent in increase in bill over last year is reported by Filmack Trailer Co., with the result that two and in some cases, three crews are working day and night in all departments. Increase, Filmack believes, is explainable by greater selling efforts via trailers by exhibitors.

N. Y. Theater'll Be

...Somewhat 'Dratty'

Management of the Bryant Theater, 57th and Third Ave., said it was not going to let interest of its patrons in Tuesday's National Lottery, whereby selecte service numbers will be drawn for the draft, keep fans from waiting to see the next film. Special arrangements have been made to clear the numbers to be shown in the movies. Special arrangements have been made to clear the numbers to be shown in the movies. In the Bryant. It sounds almost like a drarry. Publicly, F & M, inasmuch as the current feature is "The Fight For Life," Government-produced.
Monogram Staying In Producing Field

(Continued from Page 1)

W. Weeks. All production activity is centered in the hands of Scott E. Dunlap, in charge of stories, casting and production, Johnston explained.

Paul Malvern will supervise seven pictures this season and Lindsay Parsons will supervise four. L. E. Deickow is down for two Cen- tron-Porter stories. Three others are to be delivered by Monogram's associates in England.

Seven pictures on the 1940-41 pro-
gram are completed. Two others will go into production this week, "Her Father's Daughter," starring Edith Fellows, and an untitled CCC camp story starring the "East Side Kids."

New Bunny Character By Schlesinger Clicks

West Coast Bureau of THE FILM DAILY

Hollywood — Leon Schlesinger is rushing production on "Elmer's Pet Rabbit," a "Merrie Melodie" cartoon in Technicolor starring "Bugs" Bunny, a new cartoon character. "Bugs" made his debut in "A Wild Honey Bear," at the Fox West Coast, which formerly gave the "Merrie Melodie" series only spot bookings, has now booked the subjects for 60 theaters.

Tom Pettry With RKO

Tom Pettry, former West Coast publicity chief for the MPWDA and until recently with PM, has joined the RKO studio publicity depart-
ment.

Warners Seek Cleric for "Heaven's" Lead

(Continued from Page 1)

W. Weeks. All production activity is centered in the hands of Scott E. Dunlap, in charge of stories, casting and production, Johnston explained.

Paul Malvern will supervise seven pictures this season and Lindsay Parsons will supervise four. L. E. Deickow is down for two Cen- tron-Porter stories. Three others are to be delivered by Monogram's associates in England.

Seven pictures on the 1940-41 pro-
gram are completed. Two others will go into production this week, "Her Father's Daughter," starring Edith Fellows, and an untitled CCC camp story starring the "East Side Kids."

fan demonstration which probably will mark a new industry high.

Police estimated that the dual opening, marked by p.a.'s by De Mille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Pos-
ter, Robert Preston and Lynne Over-
man, attracted a crowd of 600,000
in the Loop district. It took 1,200
 cops on foot and 300 on horses to
 handle the throng.

In the day, 200,000 lined State St. to watch the "Parade of Stars." Last night, the street was closed to traffic for the first time on record.

Premiere was covered by a Mutual
Coast-to-Coast hookup of 131 stations
from 7:30-8 p.m., with De Mille and his players on the program.

Four-day hullabaloo for NWP here is estimated by State St. mer-
chants to have increased biz 32 per
cent.

Miss Carroll and William Pine left at midnight for Canada to resume p.a.'s there. Preston, Foster and Overman leave today for Milwaukee and Kansas City. De Mille, Mrs. De Mille, Cooper, Mrs. Cooper leave this afternoon for New York. Miss Goddard planes back to Hollywood.

National Unity Luncheon Calls Industry Leaders

(Continued from Page 1)

Greater New York by the National
Conference of Christians & Jews.

Invitations to leaders of the amuse-
ment industry to attend the lun-
cheon have been jointly issued by J. Robert Rubin of Loew's, Jack Cohn of Columbia and Martin Quigley of the Quigley Publications. Among those who have already accepted are: Neil F. Agnew, William Alexander, Louis Astor, Leon J. Bamberger, Joseph Bernhard, Walter Bibo, Nate J. Blumberg, Harry Brandt, Jules E. Brulatour, Harry H. Buxbaum, Irving
Caesar, J. Cheever Cowlin, Don-
ald Flann, Sam M. Forrest, Morris Goodman, Stanton Griffls, J. H. Hoff-
berg, Maurice Kann, Austin C. Keough, Joseph R. Lee, Carl E. Mil-
ikan, Alice Moss, James E. Mulvotary, Charles E. McCarthy, S. Barrett Mc-
Cormick, Brock Pemberton, Louis
Pollock, Herman Robbins, Morris
Sanders, R. M. Savini, Fred Schwartz,
and C. J. Tevlin.

Also Will H. Hays, Jack Aliecoat, Louis Nizer, T. K. Stevenson, Philip Dunning, Sam Rinzler, Sam Rosen, Louis Frisch, Max Blackman, John Shubert, Toby Gruen, Louis Bernstein, Luther Reed, Joseph Sei-
delman, Nate Spingold, Max Selig-
man, Sam Shain.

Principal luncheon speaker will be
Bail O'Connor, chairman of the Na-
tional Unity Mobilization, who will
give a resume of the objectives of the National Conference of Chris-
tians & Jews.

Gilmam, Minneapolis

Exhibs Sues the Majors

(Continued from Page 1)


H. E. Lichtman Organizes

Motor Theater Corp. In Va.

Norfolk, Va.—Motor Theater Corp. of this city, has received a charter from the Virginia Corporation Commission to conduct a theatrical business, under maximum capitalization of $15,000. A. E. Lichtman, of Wash-
ington, is president.

Bookers Club Party Friday

New York Bookers’ Club will hold its annual party tonight at Leon & Eddie’s.

Levey to Have Three In Work by December

(Continued from Page 1)

tion and probably will be before the

The third picture is as yet without a name.

Levey, reporting the wide success of
his "The Boys From Syracuse," said yesterday the picture was "in the black." He plans to leave shortly for the Coast.

Guaranteed Asks Injunction

Suit for an injunction to restrain exhibition and distribution of 10 Western films, and for damages was filed yesterday in New York Supreme Court by Guaranteed Pictures, Inc. against Screen Attractions Corp. and Morris Kleinerman, officer of Screen Attractions. Complaint charges the defendants with unauthorizedly dis-
tributing the plaintiff’s films in New York and New Jersey.

Initial "Hullabaloo" Dates

"Hullabaloo," radio comedy which marks Louis K. Sidney’s first pro-
duction for M-G-M, has been set for initial engagements at the Fol-
Waterbury, Colonial, Reading and
State, Norfolk. Dates, in order are Oct. 29, 31, Nov. 1.

"World in Flames" Ban Lifted in Pa.

(Continued from Page 1)

of front, or explain the reasons for its first verdict.

The Board saw the picture for a second time yesterday at the request of the distributor, and the decision to give it a seal followed quickly. Earlier action had been made impossible by the absence from the city of Mrs. Edna R. Carroll, chairman, on a Republican campaign mission.

Paramount had announced that it would fight the ban up and through the highest courts if necessary. Picture had been warmly praised by the President, members of his Cabinet, Wendell Willkie and many others of note.

1,000 Day-Date Bookings For “London Can Take It”

(Continued from Page 1)

total is expected to reach 1,200.

Deals have been closed with all major circuits for the one reeler, now running simultaneously in eight Broadway houses for the first time on record. It will be shown in all RKO naves starting next Thursday.

Net profits will go to the British War Relief, it is understood.

This is John Ford...
REVIEWS OF THE NEW FILMS

“Night Train”
20th Century-Fox 90 Mins.
DELIGHTFUL COMEDY-DRAMA PLAYED AGAINST AN EARLY-WAR BACKGROUND.

Audiences will be thoroughly entertained by this British import from the GB Studio. With invincibly tractable characters, good chemistry, and an underlying theme of political intrigue, the film is a delight for anyone familiar with the genre.

“Toro Murder Mystery”
with Bruce Cabot, Tamara Desni, Edward Lezy, Romilly Lunge
Arthur Zichem, Inc. 70 Mins.
SUSPENSEFUL SPY MELODRAMA WITH HARD WORKING CAST OVERCOMES TECHNICAL FAULTS.

Espionage, murder and action have been put into this English import in liberal doses to make it an interesting program offering. The picture has technical faults, but its good points are in the majority. There is a considerable amount of suspense that is well maintained, and the cast is personable and hard working.

Bud Cabot, Tamara Desni, Romilly Lunge and Edward Lezy head the cast. Marta Labarr, Percy Walsh and Hilary Pritchard are outstanding in the supporting cast. Picture was produced by John Argyle and directed by Walter Summers. The camera work is under par.

“DADDY’S MILLIONAIRE”

Cabot, an English citizen working for the Nazi government, murders another man of identical build to throw suspicion off his trail while the Nazi agents get mad over his refusal to sell some plans at a price previously agreed upon. However, the Nazi agents and the police both discover it is still alive and the net gets tighter around him.

Miss Labarr, Cabot’s wife, tries to get in and puts off his whereabouts. A fight ensues and Cabot and his wife as well as Walsh die in a fire started in the theater.

CAST: Bruce Cabot, Marta Labarr, Tamara Desni, Edward Lezy, Cyril Smith, Romilly Lunge, Percy Walsh, Eva Lynd, Hilary Pritchard, Miriam Minetti, Divna Craig, Vincent Holman, Anthony Shaw.

CREDITS: Producer, John Argyle; Director, Walter Summers; Screenplay, Walter Argyle and Kay Van, based on a novel by T. C. H. Jacobs.

DIRECTION, Adequate. PHOTOGRAPHY, Poor.

Photographic-Projection Exports Again Show Drop

Washington Bureau of THE FILM DAILY

Washington — Exports of photographic and projection goods in September declined from the same month of last year, the Department of Commerce reported yesterday. The September, 1940, export figure is $11,741,000 compared with $14,098,000 for September, 1939. This is a drop of $2,357,000.

For the nine months ending in September, the Department reported exports for 1940 at $11,741,000 compared to $14,114,000 for the same period of 1939, representing a decrease of $2,373,000.

Parsons Party Today

Today’s cocktail party is at the Stork Club in honor of “the gang from Loew’s State”—Louella O. Parsons, Ilona Massey, Binnie Barnes, Florence Joyner, Subway Joe, Robert St. John, Bill Orr and Mike Frankowitch.

“Let George Do It”
with George Formby, Phyllis Calvert, Frank Lawlor, Nick Ray, Ray Milland
Film Alliance of the U. S. 73 Mins.
IMAGINATIVE FARCE WITH FORMBY, ACE BRITISH COMIC, KIDS THE WAR, ESPIONAGE AND HITS.

Produced in England at a time of national emergency, this import is an amusing comedy and a good insight on the indomitable spirit of the English people. Dealing with spies, the story is a farce throughout and achieves lots of laughs. Story kids the war, spies and Hitler, and a sufficient amount of imagination has been used in the conception of the story to lift it out of the usual formula routine.

George Formby is corking in the lead role and he has a hard working cast backing him up. Phyllis Calvert, Garry Marsh and Nicholas Ray do service in the supporting cast. Picture was produced by Michael Balcon and directed by Marcel Varnel.

Formby, a skewle a player in a band, accidently meets a young girl who is a British agent being murdered while playing the uke in a band there. In the course of doing the play a scene is accidentally set on fire which the band refuses to play and which the band refuses to play. In the course of doing the play a scene is accidentally set on fire which the band refuses to play. In the course of doing the play a scene is accidentally set on fire which the band refuses to play.

CREDITS: Producer, Michael Balcon; Director, Marcel Varnel; Original Screenplay, Angus McPhail, John Dighton, Basil Dearden and Austin Melford; Cameraman, Ronald Neame.

DIRECTION, O.K. PHOTOGRAPHY, O.K.

Nolan, Bart for “Sleepers East”

Washington Bureau of THE FILM DAILY

Hollywood — Lloyd Nolan and Lynn Bari have been cast by 20th-Fox for top roles in “Sleepers East,” which Lou Bresson is adapting from Frederick Nebel’s mystery novel. It goes into production the middle of November under the directing of Eugene Forde.

20th-Fox Buys Two Novels

Washington Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has bought screen rights to F. Van Wyck Mason’s novel “The Buchanan Ballerina Murders,” which Lippincott’s has published Nov. 1. Company has also bought “Swamp Water” by Vereen Bell which is to be serialized in the Saturday Evening Post.

Gilman Plans Duals at Dime

Minneapolis — Irving Gilman, operator of the Esquire and Celebrity Theaters, has leased the 1,200-seat Gayety, Harry Hirsch’s former burlesque house, and will operate it with a dual policy at a dime offer.

Friday, October 25, 1940
**REVIEWS OF THE NEW FILMS**

**SHORTS**

**“Flag of Humanity”**

20 Mins. Splendid Technicolor Short

Every exhibitor should book this short to go with the story of the founding of the Red Cross in this country, and the life-long fight of Clara Barton, a New Jersey school teacher who conceived it was told dramatically and interestingly in this two-reeler. Technicolor lends the picture a rich background.

Miss Barton, defying Army rules that women could not go to the front lines, wheeled a pass from President Abraham Lincoln to aid in the career of helping the suffering during the Civil War. Her work is traced as she goes to Europe to observe and study the Red Cross there. Covered, too, is her unending fight to have this country sign the Geneva Treaty, which subscribed to the tenets of humanitarian organization. Finally, President Garfield signs the treaty and she becomes the first president of the American Red Cross.

Jean Negulesco directed expertly. The capable cast included Nana Bryant, Fay Helm, John Hamilton, Ted Osborne and John Arlidge.

**“Window Cleaners”**

8 mins. RKO Hilarious Cartoon

Donald Duck, window cleaner, and his assistant, Pluto, will draw plenty of hearty laughs from audiences in this cartoon. Pluto hoists Donald up to the top of a building to start work. All sorts of things start happening to him immediately and he finally gets back down by a pipe preventing him from getting out because he is sleeping across the mouth of the pipe. Short is a Walt Disney production.

**“Picture People”**

9 mins. Hollywood Inside

Second in Pathe’s new series about Hollywood and Hollywood people, this reel has an interesting selection of material and the presentation is intelligent. Elsie the Cow, Bob Burns and Bill Robinson provide short clips for the short. In another sequence, Anita Louise, Carole Landis, Olympe Bradna and Robert Stack are seen. Raquel Torres and Gilbert Roland also get before the cameras in a tennis match. Louise Rousseau directed the film. It should interest the many fans who follow the stars and Hollywood doings.

**“Information Please”**

10 mins. RKO-Pathé

Up To Series’ Standards

Ruth Gordon, stage and screen actress, augments the board of experts in the newest release in the series, Oscar Levant, John Kieran and Franklin P. Adams comprising a regular board. The experts wrestle with numerous knotty problems in this reel and acquit themselves creditably. Frank Donovan produced.

**“Stagefight”**

7 mins. Warners

Clever Cartoon

Story opens with a big dog chasing a pup that has a bone. The two dogs tear through an open door and discover they are in an empty theater. They become involved with a trained seal, a tight rope, and a pugnacious little chicken that lives in a magician’s hat, with the chicken finally settling all disputes by breaking the bone in half. It’s clever.

**“Prehistoric Porky”**

7 mins. Warners

Fair Cartoon

The Stone Age, with its strange monsters and settings, is treated very well by this new adventure of Porky Pig’s. Cast as a caverin, Porky sallies forth in search of a new fur coat. His tribulations and mishaps, mixed up with comedy gags, should get a fair amount of laughs. Leon Schlesinger produced.

**“Fly Fishing”**

10 mins. Warners

Interesting Sport Reel

Filmed in natural color, this sport reel, with championship fisherman Dick Miller effectively demonstrating how to handle a fly pole, should appeal to fishermen and nature lovers. Miller demonstrates how to tie flies and shows numerous different methods of casting, and then catches some fish to prove that he knows how to do it. Locations for the reel are beautiful.

**“Holiday Highlights”**

7 mins. Warners

Amusing Short

A satire on national holidays, this cartoon contains a number of good laughs. Gags illustrate the different ways in which various holidays are celebrated in different sections of the country. Leon Schlesinger produced the short.

**“Trailer Tragedy”**

17 mins. RKO

Amusing Comedy

Edgar Kennedy, his wife, and his fellow-in-law, Bill Frayney, start out for a vacation in Kennedy’s trailer. Trouble ensues immediately. The finance company takes the tow rope and Camelot forgets to mail the payment. Frayney is thrown out by Kennedy, but meets a pal in an auto camp, and is left in charge. Kennedy knows that he is even in the camp. Finally the finance company also takes the trailer. Kennedy has plenty of opportunities to burn up and there are lots of laughs. Harry D’Arcy directed.

*(From Page 8 for more reviews)*

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**REVIEWS OF THE NEW FILMS (Continued)**

**HOLLYWOOD SPEAKING**

By RALPH WILE

CHARLIE RUGGLES’s staid stardom employees at his See-See Kenneth, who registered recently, have been informed by Ruggles that if they are called, they would receive one-half of full salary for term of conscription. All are single, with no dependents and are former extra players.

FOLLOWING the announcement of a starring date for “There’s Always Julie,” Director Edward H. Griffith received a letter from a former extra, who recently finished a term in Jailot prisons. The man asked for a job as technical director on “There’s Always Joliet.” He thought it was a prison picture.

BILLY MANN, formerly one of the Yacht Club Boys, has turned agent and has become an associate of Lou Irwin.

SHELBY “Fisherman Gregory” temporarily, Director Al Rogell is reading galley proofs on “The Front Gate,” a forthcoming feature by Earl Brolin, who is an ex-football yawn around a football player who goes “Hollywood.”

ANDREW STONE, producer-director, is negotiating with Charlie Ruggles for movie rights to his forthcoming novel, “What Makes The Clock Tick,” which will be published in January. Strangely opposed to his comedy character, the book looks into the future to predict what will happen 10 years from today.

JACK OAKIE writes that he lost a hat, a glove, a scarf, three buttons and a pocket off his suit and a cuff off his shirt when the autograph hunters mobbed him at the New York premiere of “The Great Dictator,” which he plays the comedy character of “Napoleon.”

In appreciation of his recent address before the B’nai B’rith, George Murphy has been presented with a framed testimonial. Hugo H. Harris, chairman of the entertainment committee, headed the delegation which made the formal presentation to Murphy.

CLARENCE BROWN Tuesday used eight gladiators of the hopem ring, with outstanding cauliflower ears, for a gymnasm scene for “Come Live With Me,” at M-G-M. Four of them were former title holders who were internationally prominent.

TWENTIETH-Fox may do a feature based on the career of the late Tom Mix, an early Fox Films star.

WARNERS announce the shelving of “She Stayed Kissed” because of casting difficulties. Can Hollywood be slipping?
Union Ruling May End Testing Here

(Continued from Page 1)

put into effect in the union without any discussion of the matter with studios where tests are made, and that threat of a strike was used this week at the Movietone Studios to enforce the ruling. Protests are said to have been registered with Mayor P. H. LaGuardia by the film companies, and legal action is being initiated with a protest to the Labor Relations Board expected to follow.

A film company executive yesterday said that under such arbitrary conditions, with no choice left the employer as to who could work for him, the only sensible thing to do was to shift all activity of this sort to the Coast. The union is not affiliated with the LLSE, it was said.

It was also reported yesterday that District Attorney Thomas E. Dewey might be asked to investigate the matter.

All Smooth Sailing in N. W. Allied—Lebedof

Minneapolis—Public reports of differences between Fred Storm, executive secretary of Northwest Allied, and S. G. Lebedof, member of the Board of Governors, are emphatically denied by the latter. Lebedof insists that the organization is functioning smoothly with its paid membership at an all-time high.

Low Leases Sterling House

Kansas City—“Doc” Lowe, operator of the Lowe Theater, Sterling, Kan., has leased his theater to J. H. Neely, of Wichita. Lowe and W. A. Snell have formed the Star Theater Co. and will continue to operate theaters at Lyons, Hoxsington and Haysville.

Metro Plans Two-Re-Makes

West Coast Bureau of THE FILM DAILY

Hollywood — Metro is planning to re-make “Bad Man” from Porter Emerson Browne’s play, rights to which it has acquired from Warner Bros., and “Tell It to the Marines” which was filmed in 1926 with William Haines and Lon Chaney. “Bad Man” is intended as vehicle for Wallace Beery.

Para, to Co-Star Crosby-Astaire

West Coast Bureau of THE FILM DAILY

Hollywood — Paramount is planning to co-star Bing Crosby and Fred Astaire in a film musical with Mark Sandrich producing and directing. Studio is seeking deal with Irving Berlin to write the music.

WEDDING BELLs

Denver—Gail Seegmiller, assistant booker at the Columbia exchange, was married at Salt Lake City to Evelyn Mae White.

REVIEWs of SHORT SUBJECTS

“Kentucky Royalty” RKO-Pathé

9 mins. Fine Equine Subject

Kentucky’s blue grass meadows and the royalty of those meadows, the great thoroughbreds who are the blue-blooded champions of the tracks, are seen in this reel. Gallant and Sir George II, two of the great turf greats are seen at their breeding farms. An auction is also seen in the reel, with Clem McCarthy handling it. The reel concludes with some good shots of a race. Frank Donovan produced the short.

“Joe Reichman and His Orchestra” Warners-First 5 mins. Smooth Musical Subject

Audiences that appreciate smooth orchestrations will be well pleased with this subject. Joe Reichman and his orchestra present five numbers expertly and tunefully, “Little Thoughts,” “Reichmaniana,” “Night and Day,” “March of the Cachet” and “Nightingale,” are the numbers played. Reichman plays several piano solo and a vocalist sings “Night and Day.” Reel is opened and closed with a fantastic amusing gag. Jean Negulesco directed.

1 Employee In Service To Receive 2 Weeks Pay

Chicago—Indiana-Illinois Theater circuit has notified its employees it will pay two weeks’ salaries and continue payments for group insurance during the tenure of military service whether employees enlist or are called by conscription. Positions will also be open on their return from service.

“Handsome” Gets Five Players West Coast Bureau of THE FILM DAILY

Hollywood — Cesar Romero, Virginia Gilmore, Charlotte Greenwood, and Milton Berle have been set in 29th Century-Fox’s musical production, “Tall, Dark and Handsome.” Picture goes into production Nov. 18 under the direction of H. Bruce Humberstone.

Golding, City Councillor

St. John, N. B. — W. H. Golding, manager of the FPC’s Capitol, was elected to the city council on the Civic Improvement League ticket. Golding has been a theater manager here for 33 years.

Mono. Host to 200 In Chi.

Chicago—Monogram will entertain 200 exhibitors at a luncheon today in the Congress-Royal Hotel. Eddie Leach, sales manager, will preside and will discuss the company’s new season product.

Imhof to M-G-M Chi. Office

Chicago — Joseph Imhof, M-G-M exec. in Milwaukee, has been named office manager of the firm’s Chicago exchange, succeeding John Kempson who goes into the sales department. Mr. Imhof takes Mr. Imhof’s Milwaukee position.

Craig Gets RKO Term Pact

West Coast Bureau of THE FILM DAILY

Hollywood — RKO has signed James Craig to a term contract. Craig played the second lead in the company’s “Kitty Foyle.”

“Parachute Squadron” for RKO

West Coast Bureau of THE FILM DAILY

Hollywood—Howard Benedict will produce “Parachute Squadron” for RKO. Story will concern the parachute division of the American Army.

Manila Trust Suit Faces 2-Year Trial

(Continued from Page 1)

and Inocentes de la Rama, Inc., circuit operator, will resume before Judge Jose O. Vera in the Manila Court of First Instance on Nov. 6. Tommacoy S. M. Brev, president of Acme Films, Inc., called as a witness by the plaintiff, is scheduled to be heard at that time. He may be on the stand through the three-day session, and possibly longer.

Without written permission from the Commonwealth’s Supreme Court Chief Justice, but three days during any month may be allotted for any case, and except for urgent reasons, only another three-day period may be obtained. This means that at least two days must be required in order to try the case, unless it should be sent to a referee.

An original complaint was filed more than four years ago. Case arises from difficulties allegedly encountered by the plaintiff’s Cine Mar, a company producing films for the Bataan and Orientals.

Gibbs & McDonough are counsel for the major distributors, involved while Perrier & Hill represent the plaintiff.

Jack Warner Speaks at Mark Hellingon Luncheon

(Continued from Page 1)

given by the club in Hellingon’s honor at the Waldorf-Astoria yesterday.

Warner praised Hellingon, saying, “Mark has the greatest capacity for work of anyone I know, and where he gets the hours to do all he does, I haven’t the faintest idea.”

Among those at yesterday’s affair were Charles Chaplin, Ray Bolger, Abbott & Costello, Jack Haley, Dwight Frye, Rollo Vincent, Gene Autry, James J. Walker, Walter Winchell, Gene Tunney, Ricardo Cortez and Bugs Baer, who emceed.

Nazi Bomb Breaks “U” Glass

Two plate glass windows covering displays for “The Boys From Syracuse” and “When the Daltons Rode” in the London office of Universal’s distributors were shattered by a Nazi bomb blast but the displays, themselves, were not damaged, the home office has advised.

Ind. Operators Ask Higher Pay

Chicago—Operators in Hammond and Whiting, Ind., are asking for higher wages for the new season. Theater owners are meeting to decide on their action.

STORS!

Denver—Born to Mr. and Mrs. Thomas Storr, Denver, Colo., was a boy, James A. Storr, a son. Father is booker at Universal exchange.
IT'S not with the idea of quibbling with the dictionary. That good book is too authoritative. But it does seem that its definition of the word "showman" might be made to apply more closely to most motion picture exhibitors of today via a slight but important change. As Mr. Webster sees it, a showman,—and we quote,—is "one who exhibits, or aids in exhibiting, a show." The word we don't like is that last two-letter suffix. We think that, as it now stands, you have a definition which fits the thorough showman. In the high standards of film exhibition, unless a man is a thorough showman, he is not deserving of that designation.

NEW canvass about the Defense Program, the equipment, and the national defense program. It's a showman (alas!) discriminating his own lines. At the day's end, you can take a point to call them showmen at all.

But it's a different story when a theaterman exhibits, AND aids in exhibiting, a film show. The more he aids the more of a showman he is. Then he is doing right in behalf of himself, his patrons, his sources of product supply, and the industry itself. Among the most vital aids the thorough showman gives to each of the foregoing is the proper equipment and maintenance of his theater. He caters to the delicate and discriminating senses of his customers,—for everywhere such senses are the same, by.

Public Is Wide-Eyed at Equipment "Show" Display of newseed equipment, both old and modern, including many of the cameras that have been widely photographed some of the world's outstanding events, gave the recent formal opening of the Airlines News Theater in the Airlines Terminal, 42nd St. and Park Ave., a genuine equipment flavor. The cameras and kindred gadgets attracted a host of attention, proving that John Q. Public is definitely interested in the causes back of his entertainment, as well as the effects.

New Methods of Protecting Film Against Scratches Devised by Eastman Kodak

By RALPH WILE
West Coast Bureau of THE FILM DAILY

Hollywood—Film industry experts speaking before delegates to the SMPE Fall Convention, disclosed that yesterday's session a group of four standout developments viewed as certain to contribute valuablely to the technical field of motion pictures. The advances described comprise a new type silent movie camera; a method of protecting motion picture film against scratches and surface damage; a portable film sound recording unit whose weight is only 60 pounds; and a better method of rating camera and projector lenses.

The session, one of the 11 technical lecture and discussion periods scheduled.

(Continued on Page 6)

Griffith-S"western In Expansion Move

Oklahoma City — Griffith-Southwestern Theaters have purchased an interest in the local Blue Moon Theater, which Ted Griffith, formerly operator of the Film Exchange—

(Continued on Page 6)

Equipment Demand Firm In Chicago Territory

Chicago—Latest supply orders for record, filled by local NTS branch, comprise E. Shafer's Shafer, L—

(Continued on Page 7)

Glass Industry Aided by Fair Execs. of Four Companies Cite Benefits

Warners Reopen House Planned by Ebersons

Bristol, Conn. — Warner's have re-opened the 800-seat Bristol Theater here. The house, built on the site of the former Bristol destroyed last year by fire, is completely fire-proof construction.

John and Drew Eberson are the architects, and the construction was supervised by Herman Maier, chief

(Continued on Page 7)

Defensive Program as Spur to Building

SMPE Told of Silent Camera, Tiny Sound Unit

SILENT camera, small enough to fit in a handkerchief pocket, and designed specifically against scratches, has been invented by Eastman Kodak Company, according to letters received from that company's West Coast bureau.

The patents on the invention were assigned to the company by the late J. Stuart Blackton, noted American artist and director, who received the patents as a result of an interest in the development of the motion picture for the entertainment of the public.

(Continued on Page 5)

Sentimental For Oriental

Astray in Honourable Jam—So Erpi's Heart Melt

Miles Goldrick, Erpi assistant general, foreign manager now on a tour of a Western Electric office for a Western Electric audiophone.

"Many thanks for your kind letter of the 24th Instt. In reply I beg apology for words which displeased and offended you. As I am exceed—

(Continued on Page 5)

Flow of Money for Arms Aids Both Theater Men and Equipment Companies

Manufacturers of equipment utilized in film theaters stand to derive large-scale benefits, both directly and indirectly, from the current national defense program, a canvas of sources competent to pass judgment.

In addition to huge Government orders to meet war preparedness needs, the companies face mounting revenue from circuits and exhibitors generally as, their receipts responding to the spending trend, the latter move to build and re-build, equip and re-equip.

George H. Bucher, president of Westinghouse Electric and Mfg. Co., points out that his organization is working on approximately $94,000,000 of orders for material needed in the national defense program, and

(Continued on Page 4)

Remodeling Active in Detroit Sector

Detroit—Wave of remodeling, including large and medium-sized jobs, is evident under way in this territory, evidenced by reports from various

(Continued on Page 6)

Further Service Deals Are Finalized by Altec

Altec's recent activities in the South are highlighted by a brace of new contracts and contract renewals in the Atlanta territory.

Frank Merritt has renewed Altec agreements for his six theaters in

(Continued on Page 7)

Christens New Movie After Cage Squad

New Philadelphia, O.—This city's new $100,000 theater, which will be formally opened to the public about Nov. 1, has been named the Quaker, after the New Philadelphia high school basketball team, state champions. New theater which will accommodate 800 patrons is nearing completion, according to Ray Hickman, district manager for Sheaf Theaters. Colored plaster is being used in the decorations of the theater auditorium.

(Continued on Page 7)
Plain Talk

...about equipment

(Continued from Page 1)

and large, and have nothing to do with whether his house is "classy" or "mass," or whether the scales are roadshow or nickelodeon. The best projection is none too good,—nor the finest sound, the most luxurious seats, and the clearest screen, and all of the many, many things which spell complete oral, visual and physical comfort.

Three wise men, all of different eras before Edison's brain gave movies commercial life, have projected their barbed phrases on sight, sound and comfort. Said John Ruskin: "There is only one way of seeing things right, and that is the way of the people." Said Pope: "And empty heads console with empty sound." Said Shakespeare: "O, my good lord, that comfort comes too late." These are not all suited for lating by the not-so-thorough "showmen" on their desk pads.

Garwick Gets Nod To Build New Texas House

Houston, Tex.—Contract for construction of a new $120,000 theater building here for the O. K. Theater Corporation has been awarded to Arthur K. Garwick, Dallas contractor. The new house will be known as the Lindale and will seat 900.

Oscar Korn is owner of the O. K. Theater Corporation. Work on the project gets under way immediately.

R. I. House Remodeling

Providence—Extensive improvements are now in progress at Pay's Majestic, including installation of modern seats, construction of an up-to-date marquee, side-stripe box-offices, redecoration of the lobby, re-carpeting throughout and installation of a cooling system. A mezzanine lounge in the balcony is also included in the remodeling plans.

Dividend Payable Today On G-E Common Stock

A dividend of 35 cents a share of common stock is payable today to holders of $11 stockholders, making a total of $1.05 in dividends for the first nine months this year, compared with 75 cents paid for the same period last year.

Charles E. Wilson, G-E president, has announced that net sales billed by the company during the nine months of 1940 amounted to $287,249,930, compared with $217,900,154 in the same 1939 period.

RCA Equipment Placed In 10 Mid-West Stands

Chicago.—A. E. Klein of the local offices of RCA lists the following recent installations in the territory:

New York, N. Y.—Photo-Phone, Inc., has put in a station at Chicago's new Glencoe, Glencoe, Ill.; Aylon Theater, Highland Park, Ill.; Irwin, Bloomington, Ill., Roxey, Berwyn, Ill.; Palace, Milwaukee; The Cornertown, Green- tona, Wis.; Dreamland, Fowler, Ind.; and the Indiana and Oliver Theaters in South Bend, Ind.

Louisiana House Has Pittsburgh Glass Front

New Iberia, La.—Extensive remodeling of Slimon Bros.' Evangeline Theater at a reported cost of over $61,000, is complete here. The house, which serves the sugar producing county of Iberia, has been completely redecorated in the modernistic manner.

A new front of Pittsburgh Plate Glass, and a marquee by Industrial Electric of New Orleans, are features of the improvements effected.

Laurence Gets Hearing Aids

Paris, Tenn.—Manager Hal Lau rence announces installation at the Capitol Theater of an auxiliary sound system for the benefit of patrons with impaired hearing. The system was made and installed by Western Electric. Seats in one section of the theater are wired so that head phones, obtainable at the office, may be plugged in for what is said to be perfect sound reception for even persons with impaired hearing.

CAC Remodeling Stand

Chattanooga—Cumberland Amuse ment Co. plans a complete remodeling of its Winchester Theater at a cost of $20,000. A neon-lighted marquee and modern front, with new seats and interior fixtures, give the house a completely modern appearance.

Spending $8,000 on House

Chattanooga—Independent Theaters of Chattanooga have spent $8,000 for the con struction of a new front and otherwise remodeling its house at 823 Market St. New seats and projection equipment will be installed.

Sparks Building Plus Modernizing in Florida

The Sparks Circuit is erecting a new theater at Lake Wales, Fla., and will remodel two other Florida houses. The new house is to be known as the "Lake" and will seat 900. It will have the latest RCA Photophone sound equipment.

Photophone deals have also been closed by Sparks for the 1000-seat "Palace" at Bradenton, managed by Harry Botto, and the 600-seat "Queen" at Ft. Lauderdale, managed by Alex Ninninger.

Plans Being Drawn for Schlussel's New Theater

Detroit—Plans for a new 1500-seat theater to be called the Mel, in the south end suburb of Melvindale, are being drawn up by architectural firm of Wright and Rovoguy, for Louis Schlussel, owner of the Farmarn Theater in Hamtramck.

WB Circuit Bettering Theaters in Chi. Area

Chicago—Warner Bros. Theater circuit is continuing improvements in the local territory. The Grove is receiving 1,000 new seats of special design, worked out by the company's theater department.

Seats are of extra depth, with moah air backs, leather air breathing cushions, all steel panels and ball bearing hinges.

House Is Carroll-Planned

Wilmington, Del. — Armand Car roll, Philadelphia, is designer of the $200,000 theater to be built by the Carpenter Co. at suburban Edge Moor Terrace. House will have a seating capacity of 800. As noted, long-lease term on the Edge Moor Theater has been signed by Albert J. Fischer, Jr., Glenside, Pa., owner of the Keswick and Narberth theaters in the Philadelphia suburban area.

Slasee-Smith Design Another

Elvira, O.—The Rialto, long closed, will be rebuilt and reopened as soon as possible, by the Rialto Theater Co. Alterations are being designed by Slasee & Smith, Elvira architects, and include a new front, general exterior and interior decorations, new seats and air-conditioning.

Carnahan Leases Ky. House

Irvine, Ky.—Frank Carnahan, who bought a theater here has taken a lease on the old theater at Revenna, dark for some time. Following remodeling, Carnahan will reopen it.

Large Advertiser Sacrificed

20 De Vry 16mm sound-on-film outfits each complete with 750 W Lamp; 1600' reel; AC/DC motor; FL 65 lens; amplifier: loudspeaker, cables. two carrying cases.

Now's Your Chance

You've always wanted your own sound-on-film projector. Here's—originally $550—excellent condition.

$125.00

Act quickly if you want one

Box No. 190

THE FILM DAILY

1501 Broadway

N. Y. C.
THEY'RE ALL TALKING ABOUT THE "One Kilowatt" ARC!

THEATRE OWNERS SAY:
"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really natural — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."

PROJECTIONISTS SAY:
"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"

PATRONS SAY:
"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

CARBON ARC PROJECTION LAMPS ARE OPERATED AT A SAFE VOLTAGE. THEY ARE STURDY AND DURABLE AND ARE NOT COMPLICATED BY WATER COOLING

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

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New York • Pittsburgh • Chicago • St. Louis • San Francisco
Arms Program Aids Equipment Companies

(Continued from Page 1) that, despite accelerated manufacturing efforts, some of the more than 245 orders cannot be delivered before 1943, assuring the company of capacity until then. It is significant that much of the equipment on order at Westinghouse is for other industrial concerns which themselves are expanding for their share of defense work.

General Electric is in much the same position, and faces a big upswing in revenue as a result of the preparedness drive. Charles E. Wilson, G-E president, gives some indication of the volume of business now on hand and expects further orders via citation of the 48 per cent gain in organization's net during the first nine months of 1940.

RCA recently announced the borrowing of $15,000,000 to effect expansion, and Bausch & Lomb, makers of lenses employed in the first film houses, have reported appreciable boost in revenue, while Wall Street analysts to the conviction that this company appears certain of further gains as the defense program picks up momentum. Eastman Kodak is laden with defense orders, and is expanding the Hawk-Eye Works via a six-story building to increase plant's capacity by some 50 per cent.

B. F. Goodrich Co., of Akron, O., among whose products are the latex sponge rubber gaining immense favor in film theater seat cover,—are declared to be expanding manufacturing facilities as a result of the defense program.

Camp Zone Building Boom

Manufacturers of projection equipment, screens, carpet, sound, reproducing units, fabrics, fixtures, and an impressive list of other film house equipment are in line also in the current profit parade. Tenting camps, according to the War Department, will have suitable films, extensions of the Army of the Labors and equipment for the presentation of motion pictures.

That a theater building boom is on in every locale in which training camps have been, or are to be set up, is patent from reports issuing from various sections of the nation that radio exhibits, and circuit operators are having houses built immediately adjacent to camps, or within reasonably easy access.

Economists hold public purchasing power is certain to advance sharply in the near future, and that indices show that among the very first industries to benefit by such a course is the film business, and the present upswing of that industry to profit is the exhibition end. Widespread employment, originating from the defense program, will be the chief wellspring of public income rises, it is asserted.

Peretta Makes Replacements

Mahoningtown, Pa. — Louis Peretta is completely re-equipping his house and projection setup for the local Crescent.

OF MATERIAL INTEREST

PHIL M. HOUSE

UP in Rochester this week . . . years of patient experimentation in night aerial photography . . . reached a brilliant and successful climax . . . albeit the gein's-on did frighten scores of citizens . . . as "bombs" burst in air . . . But it all proved to an Army expert . . . that movies of troop movements and areas previously shielded by nightfall . . . can be made . . . Working in co-op with Eastman Kodak technicians atop a Kodak Park building . . . where special light-measuring equipment had been set up . . . Major George W. Goddard, U. S. Army photographic chief, staged the display . . . from a bomber piloted by Lieut. Marcus Cooper.

MAJOR GODDARD was pleased with results . . . and announced that several of the pix taken in the multi-billion candlepower light furnished via the secret bombs . . . "came out all right" . . . Each of the 12 flares dropped from the plane . . . from an altitude of about 5,000 feet . . . illuminated an area of five square miles . . . and was accompanied by an explosion which shook buildings . . . Each brilliant illumination . . . during which synchronized photographic apparatus in the plane automatically took pix of ground objectives . . . was described by the Major as . . . "equivalent to that which you get when the sun is on the horizon . . . He predicted that the secret bomb and its synchronized photo equipment would be widely accepted . . . by our fighting forces . . . and praised Kodak scientists . . . working under Dr. Walter Clark, research chief . . . for their co-operation.

THAT was dumb clever blueprint broadside . . . which E. B. Fensin . . . general manager of General Seating Co. . . . concocted out in Chi . . . to clarify the birth of his daughter . . . christened Janet Susan Fensin . . . The announcement of the arrival of this new 1940 Model . . . described the product fully . . . even to specifications and guarantees.

TWAS a right versatile delegation RCA shipped out to the SMPE Coast conclave: Eugene Ritter, Ralph Austrian, Dr. V. K. Zworzykin, Dr. E. W. Kellogg, G. L. Dimmich, Julius Haber, et al . . . Mister Ritter, by-the-way, led the delegation and carried along its new title which runs somethin' like this: vice-president in charge of all RCA's manufacturing and production engineering activities (past from which he rose was general manager of radio tube manufacturing) . . . Other RCA promotions announced: H. L. Sommerer, former manager of manufacturing, appointed assistant to Ritter . . . E. W. Engstrom, former director of general research, made manager of all research activities. . . . E. E. Lewis appointed assistant vice-president as exec. head of accounts and finance . . . and H. B. Beisswenger, I. T. Kitzmiller, and E. M. Moore were appointed assistant controllers in respective charge of budgets, taxes and insurance.

FROM Chicago comes word that C. B. Ketcham has been named manager of the Cincy offices of Westinghouse . . . and that C. G. Jewett goes to Columbus, O., as manager of that office . . . About as neat a new "trick" for your domicile is the latest home recording radio instrument just announced by G-E's K. G. Patrick of the company's N. Y. offices in behalf of the radio and tele department . . . Speaking of G-E, Dave Fitzgerald has been appointed assistant to Manager G. H. Shill of the Plastics Dept . . .

Glass Execs. Praise Results from Fair

(Continued from Page 1) for us here in the city one of the people of the U. S. through one of the many Owens-Illinois Glass Co. plants in various parts of the country. It would afford us an opportunity to show the wonders of glass manufacture and from-it we are sure would be a better appreciation of glass and the science which goes into its making.

Harold Witherell, president of the Pittsburgh Plate Glass Co., whose product is increasingly used in film theaters, said that more than 10,000, 000 individuals visited his and other glass companies at the Fair.

Amory Houghton, president of the Corning Glass Works stated that the original hope of his company, with its extensive research, was that the Fair would enable it to achieve for the public understanding of the nature and possibilities of glass, and that the realization of this hope has served indirectly to further the advancement of one of the most vital materials of the World of Tomorrow.

H. N. Boeschein, president of Owens-Corning Fiberglas Corp., praised the Fair and called attention to the fact that glass fibers were so new in form, remote in uses from the concept people had of glass, that to many only from this seeing could believing come.

Comerford's Pushing Work

Bloomsburg, Pa.—Work has been progressing rapidly on the Comerford's new Columbia Theater here with the grand opening expected before Thanksgiving. Nearly all the plastering has been completed and work is now in progress on the interior trim. New Simplex projectors are expected to be installed in the projection booth along with other Simplex equipment.

Glass Hearing Aid Ready

Chicago—The Aurex Corp. of Chicago has perfected a high Fidelity sound reproduction hearing aid for the theater trade. The instrument weighs five ounces, which result is accomplished by the use of moulded plastics for the hearing case.

McGowan Calls It Lark

Larksfille, Pa.—After renovating and installing new seats, floors, carpets, projectors, screen in the old Lark, Mr. Timm, operator of the theater, McGowan has reopened the house as the Lark.

Shook Plans New One

St. Clair Shores, Mich. — Roy Shook, owner of the Shores Theater here, will erect a new 1,000-seat theater in the community.

Re-seated Palace Open

McAdoo, Pa.—New Bedi-Form seats were installed in the Palace Theater here. The house was closed for two days to permit the installation.
Fluorescent Carpet Asset to Showmen

New film house construction and renovation operations in existing outlets have brought into extensive use the new Fluorescent Carpet manufactured by Alexander Smith & Son.

This carpet, available in a wide variety of designs, is being widely favored not only by circuits and independent exhibitors, but by a large number of film theater architects serving their clients needs. Checkup discloses that since the new carpet came on the market, demand for it has been steadily on the upgrade, not only because of the fundamental characteristics demanded of serviceable floor covering in the present-day motion picture house, but also for the reason that, under near-ultraviolet radiation, it presents the phenomenon of phosphorescence by giving off a glow which has resulted in its rapid acceptance by the film houses interested in the novelty aspect and the safety factor.

J. B. Gardner to Run New Black-McCrum House

Charleston, W. Va.—Construction work is going forward on a $50,000 motion picture theater at the corner of 39th Street and MacCorkle Avenue, Kansas City.

The new house is being built by Dr. W. P. Black and A. B. McCrum and will seat 900. It will be leased to John B. Gardner, present manager of a South Charleston theater, who hopes to open the new house about Jan. 1.

Gold Leases Park

Nashua, N. H.—Dark five years, the Park Theater has been leased by Ben Gold, manager of the Colonial here for 10 years, and will be opened about Nov. 1. Exterior and interior alterations are being made, the stage is being enlarged for vaudeville and new movie sound equipment. The Park, one of Nashua’s oldest theaters, has a seating capacity of 750.

Bailey Bros. Ready Westville

New Haven—Work is nearing completion on the 752-seat Westville Theater, being constructed by the Bailey Bros., operators of the Whalley and Whitney. It is expected the house will open early in November. Interior decoration and installation of marquees are in progress now. RCA sound will be installed, and seats will be in in the next few days.

Mrs. Inks Redecorates

Ligioner, Ind.—Mrs. A. J. Inks, operator of the Crystal Theater here, has just completed the redecorating of her house and the installation of a new Hertner Transverter.

Conway Installs Simplex

Cannelton, Ind.—William Conway has installed new Simplex sound equipment in his Irwin Theater here.

Morgan Reports Pickup in Denver Area Trade

Denver — Sales at the Denver branch of National Theater Supply are picking up this autumn, according to J. J. Morgan, manager. Predominant in recent sales are four E7 Simplex projectors along with a number of Bausch & Lomb F.2 Cinephor Treated Lenses.


Rook Places Orders To Outfit House

(Continued from Page 1)

Rook Electric Company of this city was awarded contract for a 30-ft. electric sign with silicone letters.

Southern Desk Company, Hickory, N. C., was awarded contract for 340 upholstered seats.

Cannon Shuttles for Job

New Haven — John Cannon has darkened his 700-seat Cannon’s The- ater for three weeks, during which time renovation activities will be completed.

Modern Theater Equipment Co. will install International floating comfort chairs, stage drapes, curtain, carpets, screen, lighting fixtures, and rebuild booth equipment. Sound will be RCA, and lobby and marquee will be reconstructed and redecorated.

Sound for the Quilcene

Quilcene, Wash.—Frank S. Hart is putting new RCA sound equipment in his Quilcene Theater here.

"NO TIME FOR COMEDY"

If your attendance is falling off, it’s no time for comedy... it’s time for action. Many of the country’s most successful theaters have found Alexander Smith Carpet a tonic for box office ills.

ALEXANDER SMITH CARPET
Griffith-S'western in Expansion Move

(Continued from Page 1)

room for many years, purchased recently from H. and A. Waldron. The Waldrons also operate two houses at Alex, Okla., and one at Lindsay, Okla. Ted Griffith, (no relation to the Griffith Brothers identified with the Griffith Amusement Company) will become a Griffith partner and will operate the house as manager and partner. The house, seating 300 persons now will be enlarged in a $5,000 remodeling program which will add 25 feet at the rear making room for the addition of 200 more seats. The house will be closed immediately for the construction work.

The Joy Theater, Oklahoma City's only film and burlesque theatre which has been closed for several months, is undergoing remodeling and will reopen as the Gaiety. The house, operated by Griffith-Southwestern Theaters, will open with pictures and tabled musical comedy policy.

Organization now operates three other houses within a block radius of the Joy, they are the Asia, Pix and Reno, all 15-cent grind houses. When the renamed Joy is reopened there will be four theaters operated on four different corners: none of the houses are on corner locations.

Improve Warner Link

Canton, O.—William Harwell, manager of Warner Bros. Ohio here, has announced that renovation of the house will be started soon. Project will include interior reordering, installation of new cloth on the walls, new floor covering and modern lighting. Exterior will be given a new coat of paint, marquee improved.

New Malco House Seats 750

North Little Rock, Ark.—Malco's new community theatre, which will be constructed at Arkansas-Missouri Highway and D St. in Park Hill, will have a seating capacity of 750 and will be a prototypical stadium-type design. Work on the new house is expected to start soon.

WHO'S WHO IN EQUIPMENT

EMERY HUSE. Born in Newburyport, Mass., on Feb. 24, 1897. Attended Central High School, Washington, D. C. Following graduation, matriculated at George Washington University in the nation's capital. At the conclusion of the World War, joined Eastman Kodak Co. in whose research laboratories he spent some nine years. His experience proved invaluable to him, first at the plant that sound films were coming into their permanent own. Huse was assigned by his company to handle its technical research and service to the motion picture industry in Hollywood. Now he is studio manager of West Coast division of Eastman Kodak Co., a major figure in the motion picture industry. He is active in the affairs of SMPE. At the latter body's Fall Convention held this week in Hollywood, he was elected to the presidency of that organization to succeed E. A. Williford.

New Silent Camera Perfected

SMPE Hears of Four Standout Developments

(Continued from Page 1)

uled for the five-day convention which closes tonight, was held in the new Walt Disney Studio Theater. The session also included a description of the studio by W. E. Garity and J. L. Ledeen.

Camera Developed at 20th-Fox

The new camera, which fulfills the requirements for sound-stage work without the necessity for the cumbersome anti-noise housing or “blimp,” needed to silence standard movie cameras, was described by B. D. Clark, Executive Director of Photography, and Grover Laube, of 20th-Century-Fox, where it was developed and is in use.

The new camera achieves silent operation by the use of sound insulating mounts for the film mechanism and lens, by a new shutter, and new accessories. The camera is further improved by a revolutionary new method of calibrating the light stops on lenses (described by Clark) and by incorporating with this practical use of photo-electric meters possible. The net result is more efficient operation and lowered cost of production, the paper reports.

New 50-Pound Portable Unit

The new 50-pound film recording unit, which can be carried from location to location in the baggage trunk of a car, and can be placed on a dolly or truck whenever desired, was demonstrated to SMPE. Its lightness, its ability to achieve a high output of pictures and its low cost of operation, are attributes which place it in a class far above other recording equipment now on the market, according to the manufacturer. The camera, when ready for use, can be set up and in operation in less than 10 minutes.

Protecting Film Against Scratches

A special lacquer is the agent used in Eastman Kodak's new method of protecting motion picture film in use by Production divisions. Developed by R. H. Talbot's discussion last spring. The lacquer coating is simply and quickly applied to one or both sides of a 16 or 35-mm film. Slight scratches caused by constant usage are absorbed by the lacquer and never reach the film. When the damage to the lacquer surface requires the lacquer is washed off and a new coating applied. The film is then as good as new.

New Rating For Light-Speed

A photographer's dream has been realized by the new 20th Century Fox portable photo-electric device for measuring the light-speed of lenses, Clark told the convention. He said new method was devised after camera men noticed that when lenses were interchanged during a shooting, often necessary, the quality of the picture was far further uniform even though all the lenses were set to the same f/ rating. He said some of the effects were due to the fact that a camera has less than a 1/100th second accurate in information when reduced to actual transmitting capacity of the lens.

Remodeling Active In Detroit Sector

(Continued from Page 1)

rious supply companies and contractors.

Cohen Brothers are doing a complete remodeling job on the Hollywood, third largest house in Detroit, with American Seating getting the heating and air conditioning from the new marquee, and Joseph Bowen & Co., the complete decorating.

Brown & Co. have also completed redecorating on the downtown Broadway-Capitol for the United Detroit Circuit.

Long Sign Co. is installing a huge vertical sign and marquee on the Parkside, being opened by Moss Brothers in Detroit, and on the new Orr in Fowlewiler, Mich., for J. B. Mellon.

Local remodeling jobs are being planned by architect Ted Rog- voy, of Wright & Rogvoy—new front on the Campan in the suburb of Hantrannick for Hillsboro Theatrical general remodeling on the New Home for J. B. Kruz; and complete renovation on the competition. Taken over by Wisper & Wetsam circuit.

Europe Looks Soon

Hauge C. Racs, vice-president of the Omnia Amusement Corp., and recently engaged in theatrical enterprises in Paris, announces that he will be attending the Europe Theater at 78th St. and First Ave., New York City.

NTS Outfits Temple

Pittsburgh — The National Theater Supply Co. is supplying the entire booth equipment, seats, carpet and fixtures for the new 1,000-seat Temple Theater which Fineman & Shapiro are building in Sheraden, a suburb of this city.

Dipson BETTERS LYCEUM

Bradford, Pa. — The Lyceum Theater, managed by Andy Gibson, is being renovated and renovated throughout. Complete new Bentrerk booth equipment has been purchased from the A. & S. Steinberg Co., Inc.

Harris Improves Booth

Pittsburgh — The Harris Amuse- ment Co. has purchased complete Brenkert booth equipment, including lamps and projectors, for their theater in St. Marys, Pa., from A. & S. Steinberg Co., Inc.

Bird, Jr. Modernizes

Arlington, Va. — Joseph W. Bird, manager of the Roxy Theatre, has undertaken a complete renovation program in behalf of his Arlington Theater in this town.
NTS Branch Active in Baltimore Area

Baltimore — Business upswing is noted here from reports by theaters and orders placed recently with the local branch of National Theater Supply.

Julius Goodman has just two Simplex Pedestals in his Ideal; H. W. Robertson has installed Peerless Magna lamps, G-E Copper Oxide reflectors and a Walker screen in his Strand, Covington, Ky.; Bernard Depkin, Jr., a Walker screen in his Rex, Martinsville, Va.; and Guy Flanary a pair of new B & L Super Cinephor F-2 lenses in the Star, Richlands, Va.

Morton Thalimer continues to add equipment to his Arlington Theater, Arlington, Va., via Simplex E-7, mechanisms, magazine, pedestals, Peerless Gaga lamps, Hertner-generator, Goldberg rewind, Neu- made film cabinet, booth table and trim molding to phone changeovers and floorswatches, Walker screen, Vallen curtain control and tractors. Nielon ticket chopper, Timco ticket register, Sea-lux poster frames, Simplex Type “A” sound and B & L Super Cinephor lenses.

Baltimore theaters to place recent equipment orders with NTS include James Rydlewski’s Aldine; C. W. Hick’s Westport; Flaka Bros., High- land; Doruke’s State and Boulevard Theaters; Gaertner’s Ritz; and War- ner’s Stanley.

More than a score of orders for considerable amounts of equipment and supplies have been filled for houses in the Baltimore territory.

Community Center Plan Includes Film Theater

(Continued from Page 1) construction is expected to start soon, M. S. McCord, general manager of the Malco Realty Corp., announces here.

The structure will contain a modern theater with a seating capacity of 750 persons, three stores 25 ft. in width each and one 40 ft. in width. Malco Theaters, Inc., which operates the Rialto and Princess Theaters in North Little Rock, has leased the building.

The theater will be of stadium-type design and will have a small stage. Interior of the structure will be finished in ornamental plaster and treated for proper acoustics. The projection booth will be installed against the front, behind the stage.

A parkway with trees and shrub-bery will be in front of the building. Ample parking space will be provided on the premises. Space at one end of the parkway will be reserved for erection of a service station.

Store fronts will be of plate and structural glass designed to suit the needs of tenants and in keeping with the general design.

Warrens Reopen House Planned by Ebersons

(Continued from Page 1) engineer for the WB theater department, assisted by C. P. O’Toole and D. W. Collins of the New Haven zone maintenance department.

Ideal chairs have been installed with 32 inch space between rows. The 350-seat balcony is semi-stadium type; RCA sound, super Simplex projectors and Ashcraft lamps, have been used, and the air-conditioning system is Automatic Refrigerating Co.

Further Service Deals Are Finalized by Altec

(Continued from Page 1) Birmingham and Northern Alabama; Hamrick Enterprises, Inc., have signed with Altec to service the Hamrick Theater in Gaffney, S. C.; R. S. Rogers has signed with Hahn’s for the Cheraw Theater, Cheraw, S. C.; and an Altec agreement has been signed for the new 900-seat Charles Theater in Montgomery, Ala.

H. B. Moore negotiated for Altec.

Baroudi House Ready

Phil Baroudi’s Happy Hour Thea- ter at North Creek, N. Y., has been thoroughly renovated and new seating, and projection equipment installed. Exterior and marquee have also undergone renovations.

Velas Ready to Go

Bridgeport, O.—Chris Velas, who recently purchased the building which houses the Old Home Theater, will start soon on a comprehensive remodeling program.

Moss Interests Open New House in Detroit

Detroit—Sydney and Irving Moss opened their new 900-seat Parkside Theater this week, with Eddie Jacobson, formerly of the Harmony Thea- ter, as manager.

New house was constructed by the Moss Brothers as their own contractors, with Bennett & Straight as architects. Ernie Porve supplied Brench-KRTA projection and sound equipment. Chairs are by American沿用; orchestra gallery, as well as the theater, and a cocktail bar, bing the three principal amusement attractions of the day for the first time in a building especially designed for that purpose.

Building is McMouth air-condi- tioned, with decoration by Anthony Eugenio. Long Sign Co. erected the sign and marquee, with Jackson Elect- Co. having the electric contract. House is equipped with 100 earphones for the hard-of-hearing.

Cost was $220,000.

“Aces” Use Flat Light

West Coast Bureau of THE FILM DAILY

Hollywood.—Members of the stage crew and projection staff of Grau- man’s Chinese are very enthusiastic over the clarity and brilliance of the new Flat Light type screen installed recently. John Sirigo, presi- dent of the Selectroscope Company of America, exclusive distributors of the screen, said, “Now that the two best known theaters in the country Grauman’s Chinese and Radio City Music Hall have installed our screen we expect others will see the light and follow suit.” The Flat Light screens are being sold to slide film, 16 and 35 mm. users, as well as theaters, studios and “soundies.”

C. ROSS for

MOTION PICTURE LIGHTING EQUIPMENT

RENTALS: A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for premi/ers and general. SALES: Everything in the line for motion picture and photographic studios.

SERVICE: We are prepared to offer the finest service, equipment and technical advice obtainable in the East. Your requirements token care of to the last minute detail.

As Sale Eastern Distributors, we carry the full and complete line of equipment manufactured by—

MOL-RICHARDSON Co., Hollywood, California

Incomparable Lighting Equipment — Estimates Cheerfully Given

Let Us Enlighten You on Your Lighting Problems

CHARLES ROSS, INC.
244-50 WEST 49TH STREET
NEW YORK CITY

Equipment Demand
Brisk in Chicago

(Continued from Page 1)

con., Ill.—Irwin seats, Simplex sound, Walker screen, Plastic Molded screen, Simplex projector and lamps; K. Child’s Times, Jacksonville, Ill. — same equipment plus Crestwood carpet and Hertner generator; N. Bernstein’s State, Elkhart, Ind. — Simplex sound, Walker screen, Simplex projector and lamps, and Crestwood carpet; J. Geert’s Sunset, Davenport, Ia. — Plastic Molded screen and Crestwood Fluorescent carpet; and M. Ewing’s Luxe, East Pecora, Ill.—Irwin seats and Crestwood Fluorescent carpet.


Acme Neon Expands

Chicago.—The Acme Neon Accesso- ry Co., has opened two new branches to service the trade, one at St. Louis, Mo., 2929 Locust St., and the other branch at Des Moines, la., 612 E. Grand Ave.

Completing Drive-In

Alamo, Tex.—First drive-in thea- ter of upper Rio Grande Valley, under construction here, is expected to open in 60 days.

COMPLETE THEATRE RENOVATION IS OUR SPECIALTY

Lighting Effects • Drape- ries • Acoustical Cor- rection • Wall Covering • Painting and Decorat- ing • Stage Rigging • Steel Tracks • Curtain Controls • Carpets

Send for circular showing other recent installations.

CHARLES H. KENNEY
STUDIOS, INC.
112-18 W. 46th St., NEW YORK CITY
Studebaker Has Device To Check Projectors

Detroit—G. M. Studebaker, of National Screen Service, here, has adapted the principle of the stroboscope to the checking of vibration, giving a sensational new mechanical movements in the working parts of projectors.

Using a Fea Wee spot light, an old man and rheumat and odd parts, he conducted a mechanism that allows synchronization of an intermittent light beam, causing the parts being checked in such a fashion that the part, at whatever speed it is moving, will be made to slow down, stand still, or run in reverse, while actual speed is unaltered. This utilizes the principle of the projector shutter itself.

Charity Wins Support

Detroit—Two brand new Simplex projectors have been given to Variety Club by the Film Building management, to be used for giving shows to shut-ins.

Brooks Builds Another

Detroit—Bernard Brooks, operator of the President Theater, is starting construction on a new theater in the suburb of River Rouge, which has only had one theater for 16 years.

Williston Re-equips

Louisville, Ky.—Dudley Williston's Palace Theater here has been re-equipped with Movietone projection and Ashcraft lamps, Robin Imperial generator and RCA magic screen.

Switow Gets Microphone

Seymour, Ind.—The Switow Circuit has installed Western Electric Microphone sound in their Majestic Theater here.

Simplex for New Moon

Vincennes, Ind.—The New Moon Theater here, operated by Theodore Charles, has installed New Simplex E-7 Mechanisms and 100 amperé Klieg spotlight.

Skouras-Altec Renew

Squara Theater Corp., renewed its agreement with Altec Service Corp. for service covering 58 Skouras theaters in nearly 30 points in the country area. Bert Sanford negotiated for Altec.

Triof Okla. Exhibs.

Improve Projection

Oklahoma City, Okla.—Homer Jones, operator of the Rialto, Alva, Okla., recently purchased a pair of Simplex Hi lamps for that house from the National Theater Supply Co.

Leonard Jones, operator of the Rialto, Letter is also purhased a pair of Simplex Hi lamps, Hertner generators, and Bausch and Lomb lens for that house from National Theater Supply.

A. D. Brawner, operator of the Mission Theater, Hooper, Okla., recently bought a pair of Movietone lamps for that house.

Many New Signs Up in Chicago

Chicago—Whiteway Sign Service, under management of Tom Flannery reports many sign jobs under consideration, at the present time. The Calo Theater and the Admiral Theatre jobs are in work now, while the new Beck Theater, going up in the Loop, will have one of the finest sign jobs in the city, when completed.

Davidson Improves Calo

Chicago—Arthur H. Davidson, who recently took over the Calo Theater on N. Clark St., is modernizing the house, using new Whiteway Canopy, new lighting fixtures, 835 Ideal seats and carpets from Mandel Brothers, with a thorough painting job.

Fox to Open Soon

La Junia, Colo.—Fox Intermountain plans to open their new Fox Theater here, seating about 700, in Dec. or Jan. The new house is on the site of the old Rourke Theater. About $43,000 was spent, the only thing saved from the old location being the four walls.

Lowtutter Gets Star

Star Junction, Pa.—The Star Theater, which has been closed for a number of years, has been taken over by Lawrence Lowtutter, who also operates the Fox Theater in Greensboro. The Star will be renovated and refurnished before reopening.

Allard to Manage Two

Springdale, Ark.—Clay Allard, manager of the Concord, announces that a new theater will begin soon. Allard will have charge of both theaters.

Technical Advances Assure Nearly Perfect Sound in Nubes as De Luxe Houses

West Coast Bureau of The Film Daily

Hollywood—Marked technical advances in motion picture sound recording, insuring more nearly perfect sound reproduction in motion picture theaters, were announced by Dr. E. W. Kellogg, of the RCA Research Laboratories, in a lecture before the SMPE Convention meeting here this week.

Dr. Kellogg described new circuits, filters and other devices which end "garden noise" in film reproduction—objectional background noise caused by dust and other minute foreign particles on the film sound track. Dr. Kellogg pointed out that the new noise reduction system is now in use by March of Time, Pathe News and the Republic studios.

"The Eternal Road" was the first film to be edited on the new SMPE 35 mm. film sound track.

Dr. Kellogg appeared on the program a second time to discuss a new method to utilize synchronous motors in motion picture sound. He explained a new type of interlocking driving system which produces better sound reproduction with synchronous motors than is now possible with sycme motors. He pointed out that the system does away with any tendency for music to "wow," or change pitch quickly because of mechanical irregularities.
Intimate in Character
International in Scope
Independent in Thought

THE FILM DAY

OL 78, NO. 84
NEW YORK, MONDAY, OCTOBER 28, 1940
TEN CENTS

SAY COURT CAN'T ORDER DECREE CHANGE

Rosten Heads Film Section of Defense Com'n

Editorial

Censorship
...perfect indictment

By CHESTER B. BARN

The perfect indictment of official censors
ship of motion pictures in these
United States is provided by the Pennsyl
nia State Board of Censors in what
may be described as its "World in Flames"
somewhat.
The Pennsylvania censors took a look at
the Paramount feature a little more than
a week ago and promptly advised the dis-
trict that, "in the judgment of the
Board, this picture has a tendency to cor-
rupt the public morals and it is not
proper."
The film already has been widely praised
by Federal officials, including the Secre-
taries of War, Navy and Commerce. Sen-
ate Majority Leader Alben Barkley, House
Speaker Sam Rayburn and others of note
in and out of official life. Subsequently, it
was as heartily recommended by the
President and Wendell Willkie.

PARAMOUNT, as was its right, asked
the Board to reconsider, and it did
late last week, reportedly when one of the
censors found it convenient to turn from
compaigning to official duties. The res-
ult was a reversal, passing of the fea-
ture without a single cut, and issuance
of the necessary State seal.

Obviously, the Board realized that if it
had pulled a price boner, and that it had it
no other course of action but to eat crow.
That it did, but was that enough?

FROM this corner, it appears that there
are a couple of exceedingly interesting
and highly pertinent questions left un-
answered.

For one: Exactly what footage in "World in
Flames" did the Board find "tending
to corrupt and debauch morals"?

For another: Just what does the Board
feel to constitute that which "corrupts
and debase morals," for, after all, such
phraseology is merely borrowed from the
statute?

And for a third: How can footage "de-
base and corrupt morals" one day and
the next, not do so?

Are there any answers?
The recent attitude of the Pennsylvania
Board would seem to reflect current
quite foreign to those principles enun-
ciated in historic Philadelphia by the
founding Fathers.

Former Professor to
Work With Producers On
Defense Plan Activities

Washington Bureau of THE FILM DAILY
Washington—Appointment of Dr.
Leo Rosten as chief of the Motion
Picture Section in the Division
of Information of the National Defense
Commission was reported here at
the week-end.

Dr. Rosten, former professor of
economics at the University of Chi-
fago, has been engaged in a sociological study
of the film industry on grants from
(Continued on Page 4)

MacArthur, Christie
Head New Company

Bernard J. Steele has formed an
independent production company
headed by Charles MacArthur and
Al Christie, who will produce their
first picture in Hollywood for a
major company. Title of the initial
feature is "Fathers of Madelon" by
Frank R. Adams. Distribution nego-
tiation
(Continued on Page 4)

Foreign Heads to Confer
With NBC on L.A. Programs

Heads of the foreign departments
of major companies will meet to-
morrow with NBC short wave offi-
cials in an informal luncheon discus-
sion of Hollywood's participation in
(Continued on Page 7)

Scent British Bomb
In Hamburg Pix Fire

Advisers have been received by the
20th-Fox foreign department from a
European branch that all films stored by
the company in a warehouse in Ham-
burg, Germany, had been destroyed by a
fire of "mysterious origin" in September.
Information was from an official German
source. Home office operated for a time as
whether the mysterious fire, which
the German source said was still being
vestigated by the Nazi police, couldn't
have been started by a British aerial bomb.

Ohio ITO to Hear
Myers on Consent

Columbus, O.—Annual convention
of the ITO of Ohio gets under way
unofficially tomorrow night with a
meeting at the Deshler Wallick Hot-
el.

Abraham F. Myers, Allied general
rason, is slated to address the dele-
gates on the probable effects of the
consent decree if it is approved.

Sidney Samuelson of the Philadel-
phia union will report on progress
(Continued on Page 7)

Best Bid in Four Years
In Prospect, Says Kent

West Coast Bureau of THE FILM DAILY
Hollywood—Twentieth Century-
Fonx looks forward to "a measure of
business success commensurate with
that of no other period in the last
four years," says Sidney R. Kent,
(Continued on Page 7)

ITO of Oregon Against Games
Opposes Initiative Legislation Measure

SMPE Com'te Studies
Film's Use in Tele

West Coast Bureau of THE FILM DAILY
Hollywood—The SMPE Television
Committee is continuing research
into the use of films in television
and the problems of visual fatigue
and sound. Dr. Peter C. Goldmark,
CBS chief television engineer and
committee chairman, told the SMPE
(Continued on Page 7)

Portland, Ore.—ITO of Oregon has
gone on record as opposing the initia-
tive measure in the November ballot
which would legalize what it calls
certain gambling and gaming de-
ices and certain lotteries. It is an-
ounced by O. J. Miller, executive
secretary.

Mentioned in the measure is Bank
Night, a move which the ITO con-
siders as strategic and dictated by the
belief that it would win exhibitor
(Continued on Page 6)

Can Only Affirm or Disaf-
firm. Gov't Officials Hold;
Means End of Exhib. Hopes

Virtually the last hope for modi-
fication, at exhibitor behest, of the
proposed consent decree ending the
New York equity suit against the
"Big Five" did a fadeout at the
week-end.

Government officials, taking cogni-
ance of the expressed exhibitor
dissatisfaction and the avowed in-
tention of exhib, organizations and
individual showmen to assail certain
provisions of the decree when it
comes before Federal Judge Henry
W. Goddard, probably tomorrow.
(Continued on Page 6)

Myers Sees Brandt
Views Like Allied's

A written "pat on the back" was
extended to Harry Brandt, ITOA
president, by Abram F. Myers, Al-
lied general counsel, for the for-
mer's declaration of position on the
consent decree.

(Brandt's complete statement was
printed in THE FILM DAILY issue
of Oct. 18).
Declaring that Brandt "came
(Continued on Page 6)

Pa. Superior Court Rules
Bank Night Illegal

Beaver, Pa.—Superior Court has
ruled theater Bank Night illegal.
Decision is described by Robert E.
McCready, district attorney, as
"precedent setting."

The high tribunal advised Mo-
(Continued from Page 6)

"It" Moves to Strike
Freiday Allegations

Application to strike out allegations
of the complaint of William Freiday,
company director, and plaintiff in a suit
against Universal, was filed Friday by
Joseph Frahm, attorney for the Uni-
versal claims that the allegations are
"entirely irrelevant and will prejudice
the defense of the suit which charges mismanage-
ment and asks for an accounting.
General Palace • Rivoi 1/2 • 26. by $10.00 graphic 20th Con. for Toll."

Loew's, Hemingway's Para. This Paramount 1st Film March Wilk, means copies. Hollywood STOCK 82 1 9-7121. of FRIDAY: 8, 25/8 MARKET 8%.


Representatives: HOLLYWOOD, Calif.—RALPH W. WILK, 6423 Hollywood Blvd, Phone Granada 6-6800. HOLLYWOOD, Calif.—W. T. FREDERICK, Imports & Exports, 137-13-7 Washington St, W. T. PALS.

This issue contains (Zarna)—Distributor of (Warner Bros.)—Radio (Scandinavian Inc.)—Warner (a) (c) (a-b) (d) Paris Ch.- (b) Chicago

FRIDAY, Nov. 29, 1940

FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 25)

NEW YORK STOCK MARKET

<table>
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Para. Pays $100,000 for Hemingway's New Novel

Paramount has closed a deal for the screen rights to Ernest Hemingway's novel, "For Whom the Bell Toll." Purchase price is said to have been $100,000 outright, plus 10 cents for each copy of the book sold up to $500,000.

This means that when 500,000 copies have been sold, Hemingway will receive $50,000. The new novel, which has a first printing of 50,000, is expected to be published in January.

The Broadway Parade

The Great Dictator (United Artists-Chaplin)—3rd week (d) Capitol Arlin

The Long Voyage Home (United Artists-Wanger)—3rd week A. C.

Hawks, My Life (Paramount Pictures)—Paramount Music Hall

Keitee Rocano—All American (Warner Bros. Pictures)—2nd week Central

Spring Time in the Sun (World Pictures)—5th week Rialto

Deep South (Twentieth Century-Fox)—2nd week Criterion

World in Films (Paramount Pictures)—Central

The Westerner (United Artists—Columbia)—Central

Meet the Wild Cat (Universal Pictures)—Palace

East of the River (Warner Bros. Pictures)—Palace

Chicken Every Sunday (United Artists)—Palace

Mercy Plane (Productions Exchange) (a) Central

No Name for Comedy (Par Pictures) 1-8-46 Palace

Gay Caballero (Twentieth Century-Fox) (a) Central

The Fugitive (Universal Pictures)—Little Carnegie

TWO-A-DAY RUN

The Great Dictator (United Artists-Chaplin)—3rd week

World Midsummer Night's Dream (Warner Bros. Pictures) (a) - 55th St. Playhouse

Heritage (French Films Import)—Belmont

Tours de Nesso (Espere Films)—Belmont

FUTURE OPENINGS

A Dispatch from Reuter's (Warner Bros. Pictures)—Broadway

The Mark of Zorro (Twentieth Century-Fox)—Nov. 2

The New Picture of Packard—Columbia Pictures—Central

Glamour for Sale (Columbia Pictures) (c) Bryant

From Mayor to Sarieche (Loew's)—Oct. 30

Puss in Boots (Paramount Pictures)—Oct. 29

Holiday in Hollywood (Paramount)—Central

Tortilla Annie (Sail Pictures)—Cinerama

Strand Christmas in July (Paramount Pictures) (e)—Central

Terror (Metro-Goldwyn-Mayer Pictures)—Central

The Face at the Window (Arthur Zink)—Oct. 30 (a) Central

The Torso Murder Mystery (Arthur Zink)—Oct. 30 (a) Central

City for Conquest (Warner Bros. Pictures)—Oct. 31 (a-b) Palace

Slippery Teapot (Universal Pictures)—Oct. 31 (a-b) Palace

Two Women (Zam) (c) Nov. 5

55th St. Playhouse

Mrs. Anderson's Cafe (Warners)—Central

Laren's Second Marriage (Scandinavian Talking Pictures)—Nov. 1 (a) 48th St. Theater

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved. (e) Re-issue. (f) Two-a-day run.

Dave Miller Testimonial In Cleveland on Nov. 20

Cleveland—Dave Miller, Universal district manager, who is celebrating his 20th anniversary with Universal, will be guest of honor at a testimonial dinner to be held Nov. 20 at the Hohlen Hotel in Cleveland. Miller is branch manager for Universal Cleveland branch manager, is general chairman in charge of arrangements. All of Miller's district executives were invited to attend the celebration. This includes in addition to Cleveland, Buffalo, Albany, Cincinnati and Pittsburgh. An attendance of 500 is expected.

Decentralize 20th-Fox Headquarters in London

Head offices of 20th-Fox in London have been decentralized due to continuous bombings and a new building is now being handled territorially by the branch offices, it was learned Friday.

Ben Plazzza Quits RKO

West Coast Bureau of THE FILM DAILY Hollywood—Ben Plazzza in charge of talent at RKO has resigned and plans to become independent. It is believed he will release through RKO.

Bartlett, Bros, Fly Circuit

Chicago—The Beechlea Theater Circuit was sold at the week-end to the Bartlett Bros. Circuit.

20th-Fox Execs to City For Premiere of "Zorro"

With all plans completed for the dual premiere of 20th-Fox's "The Mark Of Zorro" Friday in Cincinnati at the Albee and Shubert Theaters, a large delegation of home office executives and 21 persons on the Kate Smith show who will participate in the radio preview of the picture and the cast of the Fox Pop show will entourage the Fox executives tonight for that city. Herman Wobber, distribution head, and Charles E. McCarthy, ad. and pub. chieftain, will head the home office group.

Three-day celebration of the event will start Wednesday.

20th-Fox Asks $210,000 Assessment Reduction

Suit was filed Friday in N. Y. Supreme Court by 20th Century-Fox to compel the New York City Tax Commission to grant a reduction of $210,000 on assessments of the 20th-Fox office buildings and adjacent property. The property is assessed for 104-41 at $1,145,000.

Towne-Baker to Seek New Outlet

West Coast Bureau of THE FILM DAILY Hollywood—After completing one more picture, "How to Meet a Man," for RKO, Towne and Baker will make arrangements to enter a new distributing arrangement. It is believed United Artists will be their outlet.

COMING AND GOING

HARRY M. WARNER stopped in Chicago at the week-end en route to Hollywood.

CECIL B. DE MIKELLE arrived here Saturday on the Centurian.

SUGAR BAILEY and his wife are here for a visit.

MADELINE CARROLL arrives here today.

PHIL REISMAN arrived Saturday from South America on the Argentina.

WILLIAM GRADY, Metro casting director, is here from the Coast to look over candidates for roles in several forthcoming Metro productions.

MARJORIE RAMEAU is due from the Coast next week.

J. P. BURKE, 20th-Fox traveling auditor, will be in New Haven this week: T. J. CLEARY will be in Seattle; J. J. O'Leary in San Francisco; WILLIAM COREN in Memphis; G. F. COOPER in Cincinnati; RICHARD HILDEBRAND in St. Louis; L. LICHTENSTEIN in Indianapolis; M. SCHMALL in Washington; and A. C. WILSON in Minneapolis.

MICHELE MORGAN, French actress, arrived here Saturday from Europe on the Exocet for RKO.

HARRY M. KALMINE, of Warners' Pittsburgh branch, is at the Warwick.

MIKIAM HOPKINS is expected here this week from Hollywood.

UNNALLY JOHNSON, 20th-Fox associate producer, and his family, is scheduled to fly in from the Coast over the week-end.

ROBERT MOCHIE, RKO Eastern and Southern sales manager, returned at the week-end from a Southern trip.

JACK KENNEDY, a representative for RKO in Europe, is due in New York this week.

HARRY CAREY will come East upon completing his next RKO choro to appear in a Broadway play.

RAY BOLGER leaves on Friday for the Coast to confer with Herbert Wilcox on his role in "Dick Tracy."

NATHAN LAMPTON, owner of the Mondoos, East Hampton, and Colchester, Conn. theaters, is in from Miami Beach for three weeks.

NORMAN H. MARTIN leaves for the Coast in early November.

STANLEY HAND, Alstac representative, who returned from New York to a two-weeks' business trip in the Midwest.

Mayo Signs 20th-Fox Pact

West Coast Bureau of THE FILM DAILY Hollywood—Signed Archie Mayo to a two-year contract. His first picture will be "The Great American Broadcast."
TERRIFIC

is the word for

"NORTH WEST MOUNTED POLICE"

Tremendous opening at Chicago and State and Lake Theatres in Chicago!

Biggest opening in seven years at Providence Strand! Breaking records

in Toronto, Regina, Winnipeg, Calgary, Edmonton, Saskatoon . . . .

Watch for the amazing results every day this week on page two of this paper

GARY COOPER • MADELEINE CARROLL in Cecil B. DeMille's

"NORTH WEST MOUNTED POLICE"

Paulette Goddard • Preston Foster • Robert Preston • Akim Tamiroff • Lynne Overman

George Bancroft • Lon Chaney, Jr. • Walter Hampden • Produced and Directed by Cecil B. DeMille

Original Screen Play by Alan Le May, Jesse Lasky, Jr. and C. Gardner Sullivan A Paramount Picture

IN TECHNICOLOR!
MacArthur, Christie Head New Company

(Continued from Page 1) Theatricals are in progress. MacArthur will write the screen treatment and co-direct with Christie. Warren Murray will be in charge of production, with John Graham as assistant to the producers. Walter Brooks will head publicity.

Gloria Jean Starts P.A. Tour in Chi. Tomorrow

West Coast Bureau of THE FILM DAILY


She will arrive in Chicago tomorrow morning and the following night she will participate in the “Quiz Kids” radio program, originating in the studios of Station WMAQ, broadcasting over NBC’s Network.

The young star will be in Buffalo Thursday and will make a p.a. at the Local 21 radio station the following evening. Friday morning the motion picture critics of the Boston press will breakfast with Gloria in the Boston railroad station, after which she will proceed to Providence, R. I., for a three-day appearance at the Fox Theater there.

On the trip with Gloria are her mother, her school teacher, one of her three sisters and David Lipton, Universal’s Hollywood publicity representative.

50 to Speak for Daylight Saving Drive in Baltimore

Baltimore—A Citizen’s Committee for Daylight Saving Time has announced here that its 50 speakers available for the new time campaign. A petition consisting of 10,000 names was presented to Mayor Howard W. Jackson last month, so the measure will appear on the ballots for voting in November.

In 1930, when the electorate last passed on the daylight saving question, it was defeated 119,922 to 71,435.

RKO Closes 2 Southern Deals

Ned E. Depinet of RKO has announced the closing of deals for 1940–41 product with two important southern circuits, the Paramount-Palace Enterprises of Miami and the M. A. Lightman Circuit of Memphis.

Pare Lorentz Plans Negro Story Feature

Pare Lorentz, former head of the U. S. Film Board, plans to produce a feature about John Henry with a cast largely recruited among Negro talent. “Cactus” names would be included. It is not known whether it will be made next Spring on location along the Mississippi. Financing arrangements are under discussion. Lorentz feels that feature would be suitable for road-showing.

Rosten Heads Film Section of Defense

(Continued from Page 3) both the Carnegie and Rockefeller Foundations. It is to be published in early spring in three volumes.

Dr. Rosten will head up Hollywood in his new post.

According to Robert Horton, head of the Commissioner’s servicio, Dr. Rosten’s duties are to co-operate with the industry and assist producers and studios on the Coast in the production of defense pictures, or in any other films that might tie in with defense activities. Rosten will also make suggestions to studios for pictures that will utilize defense activities, Horton said. Much good material in Washington is being overlooked in the rush for Hollywood, Horton said, and Rosten will be on hand to bring such material to the attention of the studios. Hollywood activity will be strictly advisory.

Horton said Rosten was working under the auspices of the National Committee directly and was his representative on the Coast.

He spent several months here familiarizing himself with defense work before going to Hollywood.

Heywood-Wakefield Net Reported at $178,604

Heywood-Wakefield Company and subsidiaries report consolidated income from operations of some $178,604 for the third quarter of 1939, on net earnings of some $80,800 for nine months.

A balance sheet as of Sept. 30, shows net earnings for the nine months of $178,604, after provisions for all charges, including federal income taxes and conversion of Canadian earnings at the current rate of exchange. This compares with a net loss of $158,402 for the nine months ended September 30, 1938.

Sales billed for the nine months were reported up 1 2/3 cent in exchange of the same period a year ago, with incoming biz in all lines continuing at a favorable rate. Bank loans were further reduced in the third quarter, with the company’s bank debt now standing at $150,000.

San Antonio Drive-In Starts

San Antonio—San Antonio’s first drive-in theater opened on Fredricksburg road at the week-end with Hal Northcutt as manager. Capacity is 484 cars.

30 Min. Hollywood Air Show for F.D.R.

West Coast Bureau, THE FILM DAILY

Hollywood—Under auspices of Democracy National Committee CBS will carry a half-hour program, “Hollywood Salutes to the President” Thursday, Oct. 27. Show calls for music, skits and brief talks. Appearing will be Walter Huston, Henry Fonda, Groucho Marx, Hugh Herbert, Dorothy Lamour, Tallulah Bankhead, Andy Devine, John Ford and others. New Robinson and Rainier Regina Regina will be heard for the first time. Broadcast will originate in Studio KNX, Al Newman will handle the musical end.
**REVIEWES OF THE NEW FILMS**

*The Gay Caballero* with Cesar Romero, Sheila Ryan, Robert Sterling, Chris-Pin Martin

20th-Fox 57 Mins. **STRONGER THAN AVERAGE WESTERN, THIS ONE IS OKAY EXCEPT FOR SNOOTY-HEADED VIXEN.**

Fans who fancy praise pix in particular will like this well-rounded meller with Cesar Romero in the role of the redoubtable Cisco Kid. Footage is above average in its ability to make its hero, Cesar, and his horse, the Kid, shine. The climax, when the Kid wins the hand of Sheila Ryan at the finale, Score one up for sense in script. Romero as the Cisco Kid helps Montague Shaw and his daughter—Sheila Ryan—when the latter arrives to purchase a tract of land. The story, —an original by Walter Bullock and Albert Duff, —is clear and smooth and has its barbed moments of excitement, sufficiently frequent to give the patrons their money's worth. Best of all, the yarn appeals to reason in that Romero is portrayed as a law-abiding cowboy. The Kid wins his gal at the end and the film ends.

*Arizona Frontier* with Tex Ritter, Slim Andrews, Frank La Rue Monogram 60 Mins. **HARD-RIDING, EXCITING WESTERN GIVES RITTER GLOVE-FITTING ROLE.**

Here is a hard-ridding, exciting Western that should please Tex Ritter fans. It has none of the pot-luck ingredients that Edward Finney, while Al Herman's direction is effective and maintains the suspense nicely. Marcel LePicard's photography is exceptionally good, providing some unusual eye-filling shots. Robert Emmett concocted an interesting screenplay. Ritter is his usual appealing self, this time enacting the role of a Government agent, believed to be an Indian. In reality, he is white, but raised was borned from boyhood by Jim Thorpe, who was a close friend of his father. Slim Andrews provides most of the comedy as Ritter's companion. Evelyn Higley gives a fine performance as the heroine and an excellent rider. Frank La Rue, Tristan Coffin, Richard Cramer, Gene Alasce, Hal Price and Jim Pierce are among the principals. Cramer and his men raid Hal Price's freight lines and manage to place suspicion on Indians, Ritter investigates and is con- vinced that Rugger Coffin, a lieutenant, under La Rue, captain in command of an army post, accuses Ritter of leading Indians in the raids. Cramer's men kidnap Evelyn Higley, Price's daughter, but Ritter rescues her and also thwarts the gang's attempt to rob the freight line again. A fight ensues and Ritter, aided by the Indians, led by Thorpe, and soldiers, brings the culprits to justice. Ritter also proves that Coffin worked in conjunction with Cramer.


CREDITS: Producer, Edward Finney; Director, Al Herman; Screenplay, Robert Emmett; Art Direction, Homes and Alasce; Music, Schildkraut; Art Director, Alasce; Set Decorations, Thomas Little; Costumes, Herschel; Sound, Arthur von Kirbach, Harry M. Leonard; Musical Direction, Em New man.

DIRECTION, Efficient. PHOTOGRAPHY, Very Good.

**Goldsmith Has Scheme For Small Tele Tubes**

Dr. Alfred N. Goldsmith has patented an invention which it, he claimed, may revolutionize tele by stimulating mass production of small and small cathode ray tubes which scan only small section of a large screen pic. Dr. Goldsmith says these tubes may be made almost as cheaply as electric light bulbs, thus lowering costs by doing away with the expense of large cathode ray tubes.

In "Father and Son" Re-make

Hollywood—Warner Bros. has cast John Hodiak, Frieda Inescort and Billy Dawson for its re-make of "Father and Son." Studio has assigned Norman Reilly Rafferty to prepare the scenario for "Gambling Lady," by Doris Malloy.

Meet the Wildcat* with Ralph Bellamy, Margaret Lindsay, Joseph Schildkraut

Universal 65 Mins. **CROOK MELLER WITH LOTS OF COMEDY IS PUT OVER BY AN ENGAGING IF ODD CAST.**

Designed as a program offering, this release hits the bullseye. The story is ably contrived and well-paced, the cast is engaging, and there is sufficient mystery and suspense to give the picture that extra something audiences like. Audiences generally should give the picture a good reception. It has a number of exploration possibilities although the cast lacks any big stars.

Ralph Bellamy, Margaret Lindsay and Joseph Schildkraut head the cast efficiently and amiably. Jerome Cowan, Frank Puglia, Allen Jenkins and Robert O. Davis lend effective support. Arthur Lubin directed from an original screenplay by Alex Gottlieb.

Mexico City is in the throes of a crime wave in the person of a clever thief who leaves a card at the scene of his crimes marked "the wildcat" when Miss Linda, photographer for an American magazine, arrives in town. Miss Linda thinks she has identified the criminal in the person of Ralph Bellamy after a painting is stolen from an art gallery. Unknown to anybody but the police, Bellamy is a New York detective.

A smart gag is worked out by Bellamy and Puglia, the police chief, so that he makes an escape from the jail and gets in with a ring that Schildkraut, a proto-incipet agent, is the criminal they are looking for. Everything is straightened out and Schildkraut is caught in a fast-moving climax.

CAST: Ralph Bellamy, Margaret Lindsay, Joseph Schildkraut, Frank Puglia. Jerome Cowan, Allen Jenkins, Robert O. Davis.

CREDITS: Associate producer, Kenneth Goldsmith; Director, Low Landers; Original screenplay, Arthur T. Horman; Cameraman, Charles E. Enge.

DIRECTION, Good. PHOTOGRAPHY, Good.

Universal Sets Release For Reminder of Year


All Reserved for "Dicator"

Chicago — B & K is reserving all seats for the local premiere of "Dicator," the newest release of Louis B. Mayer. "Dicator" will be shown at the Roosevelt and Apollo Theaters on Oct. 31.

Joe Rosenfield Promoted

Portland, Ore.—Joe Rosenfield has been appointed city supervisor of the Storrie theaters, Seattle. He was formerly city manager at Spokane for Evergreen-State.
Say Court Can’t Order Decree Change

(pointed out that the Court’s power in the matter was sharply restricted.)

Judge Goddard, it was stated, can either affirm or disaffirm the decree as it is presented to him. He cannot make the decree, nor can he modify it.

It was observed that neither the majors nor the Government, having reached an agreement, would be likely to consider modifications, thus reopening the long-drawn-out negotiations.

Approval of a decree by both the Attorney General Robert Jackson and Assistant Attorney General Thurman W. Arnold is accepted as a clear indication at least of the major’s interest in striking down the order of the decree over the weekend, according to word from Washington, and it was pointed out that probably Jackson did likewise.

In the latter event, it is likely that the decree actually will be presented to Judge Goddard tomorrow. If not, of course, another short adjournment is in prospect.

Conn. MPTO to Get Arnold Views on Consent Decree

New Haven — Connecticut MPTO will meet today at Cerian’s Caf. with Attorney General Arnold, who is a vice-president, in the chair. Herman M. Levy, executive secretary, will report on the present status of the consent decree, and on the views expressed by Thurman Arnold, Assistant Attorney General, in an interview.

The executive secretary points out that the time and effort is being spent to substitute new provisions in the decree for some of those, more importantly, the block-of-five one, that have been disturbing exhibitors the country over. The executive secretary points out that the MPTO has already voiced its opposition to the decree in a letter to Arnold.

20th-Fox Starts 6 on Nov. 11

West Coast Bureau of THE FILM DAILY

Hollywood—Plans are being completed on the 20th-Fox lot to send six specials before the cameras on Nov. 11. Production on the lot will reach its top pace for the year when the cameras roll on that date.

3 Pa. Cities Seeki ng Premiere

Philadelphia, Pittsburgh and Altoona are seeking the privilege of showing the world premiere of Hal Roach’s “Broadway Limited.”

New Shea House Ready

Philadelphia — The new Quaker Theater here (Shea) will open Friday, Nov. 1, Manager William Gilliam announces. Policy will be single feature, first-run, for the time being.

DOMESTIC

CONSENT DECREE: Long-drawn-out equity suit appeared nearing an end of one phase with the five majors accepting decree’s provision allowing a film amended suit against the “Little Three.” Exhibit organizations are up in arms against the decree—even Allied having instructed Abram F. Myers, its general counsel, to intervene in court if possible, finally adopting stand similar to that long held by the MPTO and the ITOA.

The five consenting majors will probably soon effect on expected effects of the decree.

* * *

SMPE CONVENTION: SMPE at its annual convention at the West Coast and in Providence, RI, the year to Walt Disney for developing the film cartoon to its present high level... Emery A. Huse of East St., for the war-elected SMPE’s new president... E. A. Willford of National Carbon... Development of “cold” sound stage, at sub-freezing temperature where real snow may replace artificial, was announced at the engineers’ gathering.

* * *

THIS AND THAT: Paramount won its battle against the Pennsylva- nia censors who first banned the new reel feature, “The World Is Flames,” but reconsidered upon viewing the film a second time... W. J. Johnston branded as false published report that Monogram was going out of production and would act as distributing agent for outside product only. Mono, he said, would finance 90 percent of its relesaes... Robert Schles was named head of Warner Bros. foreign department... Maurice A. Bergman, resigned as head of Columbia’s ads. and publicity department, to become advertising manager for 20th-Fox... John X. Bradley, Col. for September reached $5,851,655, a jump of $1,444,557 over August, and of $5,009,389 over September 1938... Chaplin’s “Great Dictator,” captured 208 playdates through deal with Loew’s and FWC... Equipment dealers formed a national organization to be known as Theater Equipment Dealers Protective Ass’n.

FOREIGN

ENGLAND: British authorities were reported at mid-week as in the last moment, remittance money to be sent to U. S. distribs, for the next year. Later report said that Ambassador Joseph P. Kennedy was about to make an offer of 100 percent remittance for first $8,000,000 and 50 percent of the second $8,000,000, with a decision not expected to be reached.

* * *

FRANCE: New law was seen reorganizing the entire motion picture industry in France. Law would severely restrict film activities of Jews.

Paula Seligman Wins Para’s Idea Contest

Paula Seligman of the artists’ booking bureau won the grand award in Paramount’s production idea contest. It was presented with $100 at the annual Paramount Pep Club party at the Hotel Astor Friday night. Miss Seligman also won first prize in the home office employees group and was presented with an additional $50.

Charles Brouin of the legal department took second award in the home office group and was presented with $25. There were 60 other prizes of $5 each.

In the Paramount Theater employees division, Jack Bienstock won first prize of $50. While W. L. Chapman won second place with $25. There were 10 other awards of $3 each.

In the Netco Theaters division, Mildred Davis of the State Theater, Poughkeepsie, was awarded first prize of $50, and Tony De Felice of the Crotona, Poughkeepsie, was given $25 as second place winner. Ten others received $5 each.

Approximately 700 persons attended the event, which brought about 500 others attending the dance.

FHA Film Section Will Quit Production Field

Radio and Motion Picture Section of the FHA will drop its film production activities unless those retained its distribution setup, according to George Van der Hoef, Section chief. Decision means that further production will fall to private industrialists.

The FHA began the production of educational films for theatrical release six years ago, and for four years, financed them. In 1938, the FHA began to seek private sponsorship for some subjects.

The Government films, produced in Hollywood by Pathé and largely made in connection with the FHA, have gone to theaters without charge. FHA estimates that playdates have totaled 60,000,000, with an aggregate audience of 100,000,000. Approximately 15,000 theaters are serviced by the FHA distribution setup.

For further discussion on this Section is guaranteeing sponsor distribution in a minimum of 5,000 theaters and complete attendance reports on individual screenings. Up to five concerns may split sponsorship basis. Section believes it can handle four subjects in 1941.

(Continued from Page 1)

Myers Sees Brandt Views Like Allied’s

(Continued from Page 1)

clean” in response to Allied’s request for information, Myers, in a bulle- tin to Frank M. Ed Kuykendall, MPTO president, with dodging the issue.

However, he wrote, Brandt has removed the basis for the criticism which he allegedly has heaped on Allied, adding that “it now appears that he opposes the very features that Allied has been striving to have corrected. His reasons, in many instances, are similar to those urged by Allied in its representations to the Department of Justice.”

Continuing, Myers said:

“The most revealing part of Mr. Brandt’s answer is that he does not intend to define with a clear cut definition of a circuit. He rejects the principle that independent theaters should be protected against the buying power of circuits and buying combines. He says, “Quantity is not the size of the operation, but solely theater against theater.”

Allied has felt that the definition of an independent theater was too narrow and has so advised the Department. It has not, however, questioned that a group of theaters bound together in a common operation or buying combine constitute a circuit. Allied asked that Mr. Brandt give his views as to the classification of buying combines as circuits, and got its answer. The result will be pondered by independent exhibitors everywhere.”

Pa. Superior Court Rules Bank Night Illegal

(Continued from Page 1)

Cerey it had upheld a decision of the Beaver County courts against J. C. Lund, Aliquippa theater manager who was convicted last March of setting up a pool operating a lottery and fined $500.

Lund appealed the local court’s finding that the Bank Night at two Aliquippa theaters did not constitute a lottery since some of the patrons attended on passes and had the same chances of winning as those who paid admission.

ITO of Oregon Goes On Record Against Games

(Continued from Page 1)

support. The effect, however, has been quite the opposite. ITO represents some 90 theater operators in this state.

NWMP Clicks at Upper Prices

NWMP is clicking at advanced prices in several Canadian and U. S. situations, Paramount reported over the week-end. Chicago, Providence, Regina, Winnipeg, Calgary, Toronto, Edmonton and Saskatoon.
Ohio ITO to Hear Myers on Consent

(Continued from Page 1)

made by the Allied Information
Dept. in regard to product buys and
will analyze film selling throughout
the country.

Arthur W. Kelly, recently appoint-
ed vice-president in charge of domestic
distribution of United Artists, will
make his first appearance at an ex-
hibition convention in his new
capacity.

Martin Smith, ITO president, will
be the guest of honor at a testi-
monial banquet Wednesday night.
H. M. Clieby, M-G-M's director of
exhibition relations, will address the
Thursday sessions. The open forum
policy, introduced last year by Sec-
retary Pete Wood, will be retained.
Election of officers is scheduled for
the final session.

Screenings will include Universal's
"Seven Sinners" and Charles Chap-
lin's "The Great Dictator."

An equipment show is to be held in
connection with the convention.
Among those having displays will be
RCN, National Theater Supply Co.
Manannes Inc., Cratex Popcorn Ma-
 Chines, National Screen Service,
National Carbon, Altec Corp. and the
F & Y Theater Division.

Best Biz in Four Years
In Prospect, Says Kent

(Continued from Page 1)

company's proxy, who has just com-
pleted a two-weeks' studio visit.

Anticipation is based on what the
studio has been coming up in the way
of top-notch product, plus the economic
turnup and the approach of the post-
election period.

Kent said he was leaving the studio
"with the feeling that we will
want for nothing to turn the finan-
cial tide of the season" and added he
felt the earning power of at least five forthcoming productions was
"unlimited." He cited "Tin Pan Alley" as
"the best picture we have on the
 docket," and last two weeks' de-
tin "Tin Pan Alley" as a "sec-
ond 'Alexander's Ragtime Band'" and
asserted that the color in "West-
ern Union," "Chad Hanna," and "Run-
down's Bay," "Western Union" and
"Chad Hanna" are in Technicolor.
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"the best picture audience we have
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THE WHISPERING CAMPAIGN!  Listen!

"I see that the Gem Theatre is sponsoring the Red Cross Drive."

"They always are ready to cooperate on such things ... I like their community spirit."

"There's no collection in the theatre. They show a short but marvelous Red Cross picture."

"It made me join the Red Cross, and also made me a steady customer of the Gem Theatre."

Mr. Exhibitor, when the Red Cross Membership Drive starts on Nov. 11th, be proud that you're part of the industry-wide effort to make this truly American enterprise the biggest success of all time.
EXHIBITS. READY FOR PROTEST ON DECREE

Hays, Kennedy Will Meet on U.K. Remittances

New British Proposals on Quota and Money Expect To be Outlined at Parley

Will H. Hays, MPPDA prexy, and Joseph P. Kennedy, Ambassador to the Court of St. James, who arrived in the U. S. by Clipper Sunday to report to the President, are expected to confer later in the week on the new British remittance and quota proposals.

Hays was at the airport Sunday to greet Kennedy on his arrival, but their conversation was brief. Said the General, with a smile, "I'm going to give you a chance to get ac-

(Continued on Page 8)

Cuba Modifying Proposed Contract

Havana (By Air Mail)—Following a meeting of representatives of the distributors and theater interests to discuss the proposed uniform contract, it was learned that it had been agreed to drop Clause Eight from the contract and to petition the Secretary of Commerce as well for a suspension of the anti-block-book-

Clause Eight in the proposed con-

(Continued on Page 9)

Metro Signing Composers For Original Pix Scores

West Coast Bureau of THE FILM DAILY
Hollywood—Metro is forming a group of leading composers who will compose original themes for film scores. Group thus far includes Eugen Zador, symphony composer; Daniele Amfitheatrof, Russian com-

poser, and Mario Castelnuovo-

Tedesco, who collaborated with

(Continued on Page 4)

Lithvak Gets 2-Year
Warners Contract

Anatol Lithvak has signed a new two-
year directorial contract with Warners during his present trip to New York, it was learned yesterday.

First picture under it will be "King's Row." Lithvak leaves for Hollywood today.

Color 10 Times More Important to Tele
Than to Motion Pictures, Chaplin's View

Color is 10 times as important to television as it is to motion pictures, in the opin-

(Continued)

UA to Speed Release
Of "Great Dictator"

Charles Chaplin's "The Great Di-

cator" will be put into general re-

(Continued)

NWMP Para.'s Biggest
In 12 Years—Agniew

NWMP sizes up as "by far the biggest Paramount money picture in the past 12 years," Neil Agnew, com-

pany's sales chief, said yesterday.

(Continued)

Greek Prints' Fate Unknown

U. S. May Lose Half Million Yearly Revenue

Fate of a large number of Amer-

(Continued)

Research Council Will
Make 100 Army Reels

West Coast Bureau, THE FILM DAILY
Hollywood—Research Council of M. P. Academy expects to produce at least 100

(Continued)
RCA Loan to RKO Was Illegal is Dismissed

A charge that RCA made an illegal loan of $11,000,000 to RKO in 1931 was dismissed yesterday by New York Supreme Court Justice Bernard L. Shiettag in ruling on a complaint of stockholders filed against RCA, its officers, and a number of other companies.

The court held that the claim of an improper loan was barred by the statute of limitations because the transaction occurred over six years ago. A number of other charges in the suit were dismissed at the same time.

Friars Club of Boston Becoming Variety Club

Boston — The Friars Club of Boston will affiliate with the National Variety Clubs of America as Tent No. 28 as soon as merger plans can be completed. Friars Club is six years old, with Steve Brody as presby. Headquarters are in the Statler Hotel.

Geo. Dillon to Warner H. O.

George Dillon, former New Zealand manager for Warners, has been transferred to the domestic distribution department, operating through West Virginia out of Cincinnati. James Schmid has returned to the home office.

Booking Shorts for Election Night Bills

Hundreds of Columbia's accounts are booking complete shorts programs to run Election Night, it was said yesterday by M. J. Weisfeldt, company's shorts sales head. Exhibs. will start the shows at 9 p.m. and continue through midnight, announcing latest elections returns from the stage between each reel. Columbia's "Community Sing" reels are being largely booked.
NOW GO 'EAST OF THE RIVER'

JOHN GARFIELD
BRENDA MARSHALL
MARJORIE RAMBEAU
'EAST OF THE RIVER'
George Tobias • William Lundigan
Directed by ALFRED E. GREEN
Screen Play by Ered Niblo, Jr. • From the Original Story by John Fante and Ross B. Wills • A Warner Bros.-First Nat'l Picture

FOR THAT

November Flow

OF WARNER DOUGH!

JACK L. WARNER • HAL B. WALLIS
In Charge of Production • Executive Producer

Member flow "O of * "

V5Lh WITH RED HAIR (MIRIAM HOPKINS)

LADY WITH RED HAIR (CLAUDE RAINS)

TUGBOAT ANNIE SAILS AGAIN

All in November: DAVIS in 'THE LETTER' (HERBERT MARSHALL) • JAS. STEPHENSON

SOUTH OF SUEZ (GEORGE TOBIAS) • BRENT • BRENDA MARSHALL
UA to Speed Release Of "Great Dictator"

(Continued from Page 1)

In New York "The Great Dicta-
tor" will shortly enter the third week of its run at the Capitol and Astor Theaters. The Astor has announced an advance sale 8 weeks ahead.

Appeal From Dismissal

Notice of appeal from a dismissal of a stockholder's suit against Consol-
olidated Film Industries, Inc., Re-
public Pictures, of Chicago, Caco 
Co., and Setay Co., was filed yester-
day in the Appellate Division of the
New York Supreme Court. The Su-
preme Court has recently ruled af-
ter trial that charges of waste and
mismanagement against Consol-
dated officers were unfounded.

AGVA Holds First Carnival

AGVA carnival, first annual dance and entertain-
ment event of the American Guild of Variety Artists, was held last night at the Manhattan Center. A number of actors and actresses in current shows appeared at the affair.

Receivership Move Flops

Application of Harry Silverstein for appointment of a receiver for the French Cinema Center was de-
clined by Justice Lloyd C. Gilden 
in New York County Supreme Court. Silverstein charged that the company was insolvent.

Northwest Mounted Police

The Northwest Mounted Police, has been advised by the company’s counsel that the company’s rights in the "Snow White" music have been assigned to the company by the company’s counsel. The company’s rights in the "Snow White" music have been assigned to the company by the company’s counsel.

Metro Signing Composers For Original Pic Scores

(Continued from Page 1)

Jascha Heifetz on "The Prophets.

Studio plans to have all new scores composed of original music rather than of compilations. There’s the added financial advantage of no score charges.

Sues NBC for Getting Tele Rights to Films

Julius Singer yesterday filed suit in the New York Supreme Court against National Broadcasting Co. for $15,000, alleging that sum was due him for his services in getting television rights for the company to a number of motion pictures.

Plaintiff also seeks to examine vari-
ous NBC execs. before trial.

S-W Will Cut Election Returns Into Pictures

Philadelphia — WCAU and Stanley

Wagner have arranged a huge elec-
tion night tape which returns will be cut into the pictures to give the fastest returns. Special wire hookups, etc. are being set.

H. O. Expectations

Oklahoma City — Fred Lawrence, Re-
public booker and office manager, mar-
rried in Little Rock, Ark., was sent the following telegram to Little Rock from the Oklahoma City Republican exchange:

"Home office approves contract but expects increase next year."
New Box-Office Heroes from

JOHN FORD

who climaxes his magnificent record for great pictures by bringing to full realization the epic surge of EUGENE O’NEILL’S mighty drama of the sea!

“A superb picture!” —Walter Winchell

“Unquestionably one of the greatest motion pictures of all time!”

—Pare Lorentz, McCall’s Magazine
THE LONG VOYAGE HOME

Will Be Released On

NOV. 22, 1940

Walter Wanger presents
John Ford's
Production of Eugene O'Neill's
"THE LONG VOYAGE HOME"

With
John Wayne * Thomas Mitchell * Ian Hunter
Barry Fitzgerald * Wilfrid Lawson
John Quaile * Mildred Natwick * Ward Bond

Directed by John Ford
Adapted for the screen by Dudley Nichols * Produced by Argosy Corp.

Released thru United Artists
REVIEWS OF THE NEW FILMS

Tugboat Annie Sails Again

with Marjorie Rambeau, Alan Hale, Jane Wyman, Ronald Reagan

Warner

77 Mins.

MILD MARITIME MELLER WHICH LACKS SUFFICIENT PUNCH TO TAKE IT OUT OF SO-SO CLASS.

There's a fair amount of entertainment of the simple and direct type in this human-interest meller which finds the veteran actress Marjorie Rambeau in the role of Tugboat Annie, but the picture cannot be classed beyond a run-of-the-mine feature as programmers go. Essentially it is geared to the meller,ROS

Hullabaloo

with Frank Morgan, Virginia Grey, Dan Dailey, Jr.

Metro

FAIRLY AMUSING COMEDY HAS A RAGGED STORY, BUT FRANK MORGAN IS AT HIS BEST.

A combination vaudeville bill, musical review and one-man show with Frank Morgan as star, this picture should please the Morgan fans and provide some laughs for average audiences. Picture lacks any "names" beside Morgan and the stars is raged at the edges. On the plus side is Morgan at his best, although his material is not too good; Charles Holland, a Negro with a beautiful voice who puts over two songs nicely; and a pleasing cast of able veterans and engaging youngsters.

Morgan is supported by Virginia Grey, attractive and pleasant, Dan Dailey, Jr., Billie Burke, Nydia Westman, Ann Morriss, Donald Meek and Reginald Owen. Curt Bois and Barnett Parker will draw some laughs in two small roles. Edwin L. Marin directed from a screenplay written by Nat Perrin. Morgan is trying to get a job on a radio show. He is making a play for Miss Westman, half owner of a big company, when his present time to get a job comes to an end. She invites him on him because of a broadcast he makes which rips the Orson Welles show that started a small panic because of its realistic nature.

Faced with three previous wives seeking alimony and rent for the whole bunch, Morgan takes to the seas, first-off being the cause of her going on a wild goose chase to aid a beached vessel which turns out to be a whale. However, a real salvage job is encountered when a vessel is aground on a bar. This she succeeds in floating off.

Since her nemesis claims salvage when Annie's tow is rammed and straddled, but she wins out through her long memory and the seas.

CREDITS: Director, Lewis Seiler; Music by Max Steiner; Original Scriptplay, Walter DeLeon; Based on characters created by Norman Reilly Raine.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Eugene T. Crull Expires

Newport News, Va.—Eugene T. Crull, 57, prominently identified in the motion picture industry here for the past 25 years, died at a local hospital after an illness of about two months. He was a native of Norfolk, but came here about 25 years ago, and became associated with the daily, William F. Crull, who died in August.

"The Trail Blazers"

with Robert Livingston, Bob Steele, Rufe Davis

Republic

58 Mins.

RATES WITH THE BETTER WESTERNS, NEW PRINCIPALS IN MESQUITE SERIES AGAIN CLICKING.

Second release in the Mesquite series with the new cast comprised of Bob Livingston, Bob Steele and Rufe Davis, picture measures up favorably to its predecessors which means it is one of the better westers. Action is plentiful, the picture is okay, and the cast is able. Technical aspects of the picture are up to par and the locations are good.

Livingston and Steele battle the villains with abandon. Rufe Davis adds some good laughs to the picture. Pauline Moore is the attractive decoration for the western landscape, and a fine crew of villains led by Weldon Heyburn make plenty of trouble until they are shot out in the last reel. George Sherman directed.

The Mesquites are devoting their time and energy to helping a friend, Carroll Nye, establish a telegraph line that will link up the army posts and make the territory safer to live in. Heyburn, a newspaper publisher is the major villain against the telegraph. Nye is murdered and his efforts come to naught. It is not until Miss Moore gets her father, head of the army in the territory, to back the telegraph that it is really pushed through and Heyburn and his gang put behind bars.


CREDITS: Producer, Louis K. Sidney; Director, Edwin L. Marin; Screenplay, Nat Perrin; Art Direction, David O. Rees and Val Burton; Cameraman, Charles Lawton; Editor, Conrad A. Neroz.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

M-G-M Castings

West Coast Bison of THE FILM DAILY

Hollywood—Metro has cast Connie Gilchrist and Edward McNamara for "Zee World Girl"; Chill Wills and Morgan Conway for "Bad Man"; and Mary Nash, Lee J. Cobb and Henry O'Neill for "Men of Boya Town."

Coyne Heads Metro Pep Club

Cleveland — John Coyne, booker, has been elected president of the Metro Pep Club for the coming year. Elected with him were Sara Shellbey, vice-president; Sadie Meecker, treasurer, and Gertrude Shaw, secretary.

Republic Casts Dennis O'Keefe

West Coast Bureau of THE FILM DAILY

Hollywood— Republic has cast Dennis O'Keefe, Sam Fuller and Jimmy Lydon for "Bowery Boy" from a story by Sam Fuller. William Morgan will direct.

The Green Hornet Strikes Again

Universal

21-minute episodes

Lota O'Flaherty

The dramatic radio story, "The Green Hornet," is brought to the screen in this new Universal serial. Story concerns the battle of a newspaper publisher who masquerades as The Green Hornet when he fights the underworld. Warren Hull, Wade Boteler, Koye Luke and Ann Nagel head the cast. Serial starts off with a bang and maintains a fast pace, with the early episodes winding up on a climactic note that should bring the customers back for more.

SHORTS

"Recruiting Daze"

 Universal

6 2/3 mins.

Fair Cartoon

Punchy, a slightly wacky recruit, joins up as the government calls for conscripts. The generals are in a dither and Punchy wanders aimlessly about the camp with a wheelbarrow full of numberless. Modern mechanized Indians, big berths, little berths and beebe guns are displayed; a pursuit plane slices sausage off a sausage balloon and bombs fall all over the landscape. Punchy comes to an unlively end when he falls into a big berth after loading it.

Yorke Back from New England

Emerson Yorke, short subjects producer, and a camera crew returned to New York on the week-end from location in New England where they completed footage for the first reel of a two-reeler in Cinecolor which the Yorke Studio is making for national release. Burti Contner, ASC, handled the camera on the job, assisted by Sid Zucker. "Red" Angevin is production contact on the film.

Chicago Theater Bookings

Chicago — Max Turner, B & B booking manager, reports the booking of the Merry Macs and Abbott and Costello for the Chicago theater for the week of Nov. 15 to be followed by Cugat orchestra and Ray Bolger the week of Nov. 22, while for the week of Dec. 6 Orrin Tucker and Bonnie Baker will headline.

Jack Warner Wins Tax Case

Washington Bureau of THE FILM DAILY

Washington—The U. S. Board of Tax Appeals handed down a decision in favor of Jack L. Warner against claims of the Commissioner of Internal Revenue to gift taxes of $4,586.15 for 1932, 1933, and 1935.
Fate of Pix Shipped To Greece Unknown

(Continued from Page 1) per cent are said to be German and 72.7 per cent are reported to be French. These figures, it is understood, probably have undergone changes this year, but they are sufficient to show that the U. S. film industry probably has lost another market because of the war.

Annual of June 10, U. S. distributors from Greece is $40,000 to $500,000. One of the large Greek circuits is managed by Thomas Skouras.

Greece has 175 motion picture theaters, all wired for sound. A quota system, set up late in 1938, calling for 370 features to be imported yearly, was extended about a month ago to June 30, 1941.

Greece Imports U. S. Film Cameras, Home Projectors

Washington—The U. S. Assistant Commercial Attaché in Athens reported last week that there are now 200 16-mm. and 150 8-mm. U. S. amateur cameras in use in Greece, with about 150 8-mm. and 230 16-mm. home projectors, imported from America. This is exclusive of the home projectors owned by the Bureau of Educational Cinematography, 25 of its recent purchases of cameras being of American make, the rest Swiss and Austrian.

Most of these imports are reported as having been purchased from a single American firm which had carefully cultivated the Greek market.

Elmer Shard Dead at 53

Cincinnati—Elmer Shard, 53, owner of the Monte Vista and Lyric Theaters, suburban houses, died following a short illness. His wife, Lilly, and son, Elmer F., survive.

John Bartzen Dead

Sheboygan, Wis. — John Bartzen, 56, a director of the Strand Theater Corp., is dead here. He is survived by his wife, three sons and a daughter.

WEDDING BELLS

Holyoke, Mass.—Ethy C. Morrissey, cashier at the Suffolk Theater here, became the bride of Thomas F. Sheehan at Holy Cross Church.

Denver—Larry Moran, assistant manager at the Egyptian, and Rae Marie Gisler, cashier at the Oriental, were married.

Havana (By Air Mail)—Eladio Novo Pita, manager of the Ibero America Films, and Celia Roca Guinovart, daughter of Señor Capitolo’s owner, have announced their engagement.

Lowell Mayor Halts License Commission’s

Passes to Theaters After Exhibs. Complain

Lowell, Mass.—Mayor George T. Ash has directed the License Commission not to issue any more leases that their amusement passes and to modify all three leases since the first of the year in a determined effort to stop what he described as a "circuit." At the same time the mayor stated that Sunday theater and amusement licenses would be $20 instead of $10. As 10 such licenses are issued each Sunday the mayor pointed out the city would receive $200 a year increase in revenue. Theater managers have been complaining, the mayor said “of the constant increase in prices being fixed by the License Commission, each one of which would either admit bearer and a friend to any theater in the city at any time. Investigation has convinced me of the justice of their complaints.” The courtesy or privileges have been abused and I have decided to stop it forthwith.

Six Companies to Discuss

NBC L.A. Short Wave Plan

(Continued from Page 1) the coast to the advisability of sponsoring such a series, especially when they have garnered so much free time to date to plug releases in Latin and South America. Lunsford Yandell, head of the NBC International Division, who originally worked out the deal of the West Coast last summer, stated that while no contracts had actually been signed, there existed verbal commitments which he felt would be met by the film concerns. Talks today will center around the type of broadcast to be used. It is believed that each firm will supply disks plugging new releases slated for the South American market, with disks to be cut on the Hollywood lots, and shipped East for rebroadcast purposes.

Film reps. in New York yesterday stated that attendance at the meeting was indefinite, but a late check at NBC revealed that acceptance had been received from 6 firms.

Stearn, UA Branch Head. Tops V. C. of Cleveland

Cleveland—Bert Stearn, UA district manager, has been elected chief barker of the Cleveland Variety Club succeeding Nat L. Leighton. Installations will take place on Dec. 14. New roster for the year, in addition to Stearn, includes Lester Zucker, Columbia branch manager, 1st assistant chief baker; Frank D. Drew, Metro branch manager, 2nd assistant chief baker; Frank H. Boyd, American Seating Co., property man; I. J. Schmertz, 20th-Fox branch manager, dough boy.

The crew is composed of Jerome Friedlander, attorney; M. B. Horwitz, general manager of the Washington circuit; Dave Miller, Universal district manager; Harry E. Goldstein, Paramount district manager; John D. Kalafat of the Associated Circuit and P. E. Essick of the Scioville, Essick & Reif circuit. Advisers to the crew are past chief bakers Nat L. Leighton, Nat Wolf, Nat Holt and M. B. Horwitz.

Hays, Kennedy Will Confer on U. K. Offer

(Continued from Page 1) acquainted with all your children before we get down to business.”

Kennedy, who returned to New York from Washington early yesterday, cancelled a press conference which had been called for 11:30 a.m. at the Waldorf-Astoria. The ambassador speaks over CBS at 9 p.m. tonight.

Conference with Hays will be at Kennedy’s convenience, but is expected to be held at the earliest possible moment in view of the fact that the present remittances agreement terminates on Thursday.

British proposals which Kennedy is understood to be bringing were outlined in THE FILM DAILY last Thursday.

Madeleine Carroll Ends P.A.’s

Montreal—Madeleine Carroll completed a NWMP p.m. tour here last night, following earlier visits to Toronto and Ottawa. Consolidated Theaters was host at a luncheon here. Star proceeds from here to New York.

Kaltkas Heads Apollo Co.

Worcester, Mass.—Dimitri Kaltkas has been elected president of the Apollo Theater Co. here. Peter L. Bell is treasurer.

Warner May Do Spence Book as Legit. and Pix

(Continued from Page 1) Kaufman and Moss Hart to dramatize for Broadway, “One Foot In Heaven,” the Biography of a Practical Person,” the Hartsell Spence best-seller. Kaufman and Hart are committed to one deal with Warners for the screenplay of their current stage hit, “The Man Who Came To Dinner.”

Completed negotiations between Warners and the Kaufman-Hart team would bring about the unusual situation of having a stage version of “One Foot In Heaven” playing on Broadway while its screen version is exhibited over the entire country.

On Allied Exhibitors Council

St. John, N.B.—Added to the council of the Allied Exhibitors have been A. A. Fielding, St. John, and P. J. Halsey, of Halifax. Fielding is the chief assistant of F. G. Spencer, head of the Spencer circuit, and Halsey is manager of the Family, in the center of Halifax, and in the Franklin & Herschorn circuit (Franklin-Herschorn Theatres).

Alexander Advances Wolf

Richmond, Va.—Frank Wolf, Jr. has been promoted to general district manager by Alexander Film Company. O. J. Hill is Eastern Virginia representative.
Cuba Modifying Proposed Contract

(Continued from Page 1)

tract was said to have the same meaning as Clause Six. The clauses covered arbitration of disputes.

Representing the distributors at the meeting were E. F. O'Connor, Metro; J. D. Rappaport, Paramount; Basilio de Armas, Pedro Saenz and their counsel, Dr. George Cassuso.

Terms of the proposed contracts were published recently in THE FILM DAILY.

Lightfoot and Simpson In Associated Brit. Posts

London (By Cable)—Eric Lightfoot has been appointed managing director of Associate British and R. G. Simpson, chairman of board. Appointments fill the vacancies occasioned by the death of John Maxwell.

Legion of Decency Rates Chaplin Comedy for Adults

Legion of Decency has placed “The Great Dictator” in “Class A—Section Two—Unobjectionable to Adults.”

Joan Crawford on Air

Joan Crawford will appear before a WMCA microphone from 4:15 to 4:30 o’clock, tomorrow afternoon, in the first of a series of broadcasts which will be relayed by short wave to England and which are designed to bolster the morale of English listeners.

Soviet Pix to Open In Chi.

“The Great Beginning,” a new Soviet film, has been booked in Chicago to open at the Studio Theater on Nov. 7 for an indefinite run. This is the first of a series of new Soviet film releases to be distributed in this country by Artkino Pictures, Inc.

“Rockne” Nov. 15 in Chi.

Chicago — “Knute Rockne — All American” will have its first-run in this territory Nov. 15 at Warners’ Avalon.

STORKS!

Cleveland—It’s a girl over at the home of Joe Longo, director of publicity for Loew’s Theaters. Family’s first daughter weighed in at St. Anne’s Maternity Hospital at 7½ pounds.

Henry Reiner, National Screen Service metropolitan salesman, is passing out cigars. It’s a boy, born to Mrs. Reiner in the Lying In Hospital.

Leo Justin, of the Walter Reade circuit, became the father of an eight-pound daughter Saturday morning. Baby, which is the Justin’s second daughter, was born at the Le Roy Sanitarium.

Hollywood Speaking—

By RALPH WILE

—HOLLYWOOD

EDWARD H. GRIFFITH added another discovery to his list recently, when he tested Helen Slade, member of the Hedges Group of Players at Laguna Beach, for a role in his next production for Paramount. “There’s Always Juliet.” Miss Slade, it is understood, has been placed under contract at Paramount.


CHARLIE RUGGLES has sent letters to a host of his friends to bring to his See-Are Kennels, old books and magazines which the comedian will shortly present to Lt. Henry M. Fine at March Field, for Uncle Sam’s aviation group.

DIRECTOR Roufen Mounamulin believes in co-operative direction. On his most recent 20th Century-Fox directorial job, “The Mark of Zorro,” Mounamulun encouraged cast and crew to offer suggestions as to script, dialogue, makeup or anything that didn’t seem natural.

For a couple of dance sequences in his latest picture, “Three Girls and a Gob,” George Murphy, on loanout to RKO from M-G-M, has worked out simple methods of doing the Rhumba and the La Conga. In instructing Lucille Ball in the routines on the screen, he will also make the dances simple for the audience.

CLARENCE BROWN, directing “Come Live With Me,” for M-G-M, is putting the engineering knowledge he learned at the University of Tennessee to practical use on his Calabassas ranch. Brown has designed a cantilever bridge and is erecting it across an arroyo which cuts his ranch in two.

NORMAN TAUGRO, who would rather direct children than adults, has kept a file of pictures of all the kids he has directed since he first won the Academy Award with “Skippy,” in 1931. The file has 500 pictures, the latest addition being 12 shorts of Judy Garland whom he directed in “Little Nelly Kelly,” for M-G-M.

Coast Studios Starting Eight Features This Week

(Continued from Page 1)

starring Margaret Sullivan and Charles Bover with Richard Carlson. Frank McHugh and Frank Jenks; and “Where Did You Get That Girl?”

At Warners: “Januar Heights” starring Bette Davis with George Brent; and “Father and Son.”

At Hal Roach: “Topper Returns” with Joan Bennett, Joan Blondell, Roland Young, Billie Burke and H. E. Warner.

At Producers Releasing Corp.: “The Devil Bat” with Bela Lugosi.

GET ON THE MONEY SIDE OF THE STREET!

“Plenty of excitement and action” — Film Daily

“Lots of laughs…more than usual serving of suspense” — The Exhibitor

“Tense melodrama” — M. P. Daily

“Where ‘Dead End Kids’ are a draw, will do especially well” — Variety

“Kids do splendid work…Clarence Muse gives standout performance” — Film Daily
Exhibs. Ready for Protest on Decree

(Continued from Page 1)

representing Southeastern exhibitor interests.
Allied, whose board directed personal appearance of its counsel at today’s hearing, is expected to be represented, although it could not be determined yesterday if Abram F. de Groat, general counsel, would be present.

Trend of Indie Argument

The independents will argue that the decree is of no benefit to any branch of the industry and should be killed. Judge Goddard is expected to withhold his own decision for about two weeks and may grant a formal hearing on the independents’ objections during the intervening time.

It is generally believed the judge will have the document inasmuch as both the Government and the distributors, the latter being the actual litigants in the case, have agreed to its provisions.

Government attorneys said yesterday that it would take an adjournment of today’s session, indicating definitely that the decree would be formally presented to Judge Goddard.

Decree Okayed by Jackson

A telegram late last night from the Washington Bureau of the Film Daily brought word that the District Court for D of J executive had stated that both Attorney General Robert Jackson and Assistant Attorney General Thurman W. Arnold had passed the decree, and that before the decree is formally entered in court, the court will leave the way open to hear possible objections.

The decree will be submitted to the court, the message said, by the three Justice dept. officials who have actively worked on matter—Hayes, Sher and Wright, a ranking D of J executive being authority for the statement.

It was also said that neither Attorney General for Assistant Attorney General Arnold, or their immediate lieutenants, would appear in the New York court.

Jack Kirch, president of Illinois

TO THE COLORS!

Chicago—James Holquist of the Crocker Color staff has joined the U. S. Naval Reserves and is now in service.

St. John, N. B.—Lieut. H. F. Parkar, who was manager of the Majestic, Yarmouth, before going overseas with a Canadian army unit, has been assigned the command of a mechanized rifle company in the Harry S. Truman division and recently captured a German bomber pilot.

Richmond, Va.—Louis Starkey, doorman, Park, has enlisted in the Army. Terry Newcomb and Roger Owen, Punton service staff, have also enlisted. William Andrew, Loew’s, joined the National Guard.

B & K, Para. Thank Chi. for NWMP Gala

Chicago—B & K and Paramount, following ceremonies of NWMP gala, took dinner space in the dailies here to express to theMounted Police the appreciation of Cecill B. De Mille and the visiting Hollywood "name," and added: "Let us extend our gratitude to some of the officers of this grand organization who may have caused you much trouble on the road to citizenship.

Small Wisconsin Circuits Add to Their Holdings

Milwaukee, Wis.—Small independent circuits in Wisconsin have been enlarging their holding in recent weeks. The Fenway at Menomonee has been annexed by the Eskin Theaters, Inc., operators of about a dozen houses in south central Wisconsin; the Toza in Wauwatosa has been acquired from Ross Baldwin by Marcus & Svenoff, operators of houses in Ripon, Oshkosh and Sparta and the Parkway at Greenwood has been bought by the Wisconsin Amusement Co., operating seven houses in Wisconsin and Minnesota, and M. H. and Mrs. W. C. L. In each instance the new operators have completely renovated the houses.

Suspend Buben License, Claiming Taxes Unpaid

Columbus, O.—William S. Evatt, head of the Ohio Tax Commission, yesterday suspended for 30 days the Amusement tax license of F. C. Buben, operator of the National theater in Akron. Suspension, according to Evatt, was ordered because Buben failed to pay admission taxes and assessments amounting to $438.65 on the National and Palace theaters, latter was formerly operated by Buben.

Allied, who is in New York for a brief visit, yesterday issued a statement to the effect that the suspension of Buben’s license in blocks-of-five would operate in Chicago. His statement, in part, follows:

Kirsch on “Blocks of 5”

"In selling pictures in groups of five, as I understand it, a distributor may designate any five trade-shown pictures he wants in a single group, meaning, if you refuse to buy the first group and want to buy the second group, the distributor has the right to interchange pictures and can name pictures from the first group for your second group. Let me explain how this would work in Chicago.

Clearance in Chicago is based upon price admission, so if a 25 cent picture does not have to buy a Group and a 20 cent house buys it, how can the distributor expect a prior run to repeat a subsequent run? It is suggested to the Attorney General that pictures sold in groups of five pictures, they release, made a national release or local distribution, would be agreed to that exhibitors would all have the same set-up, but under the present arrangement the distributor can juggle pictures.

No Studio Personnel Changes, Stales Kent

(Continued from Page 1)

of the consent decree on production, said that there was no way to determine effects at this time. He added he would hesitate to give an opinion until it had been in operation for awhile.

M of T Offering Exhibition Study Guides for Teachers

M of T this month inaugurates a new promotion tie-up with schools—The March of Time Teacher’s Study Guide—a monthly question and answer guide issue of M of T, Albert E. Siddinger, Advertising and Promotion Director, announced yesterday. Study guide goes out to theater managers for first time as a part of the M of T Clip and Work Book, and managers then pass it along to the principals. This new feature follows the same promotion line of the Photo Reporter which formerly was sold to exhibitors when it then gave it to school children.

20 Warner Houses Will Get Coca Cola Machines

Coca Cola vending machines will be installed in some 20 Warner houses in the Chicago and Philadelphia areas, it was learned yesterday when Harold Rodner, theater department executive, returned from a survey tour of these territories. New machines will augment candy vending machines in the houses.

First “Bitter Sweet” Dates

Initial “Bitter Sweet” engagements were announced yesterday by M of T. The new Jeanette MacDonald and Nelson Eddy film will open Nov. 7 at the Palace, Cincy; Nov. 14 at the Loew’s, Columbus and Roosevelt, De Moines; day-and-date, and Nov. 22, at Loew’s, Montreal.

Blanco, Cuban Distributor

Buenos Aires (By Air Mail)—Senor Vincente Blanco, distributor of Argentinia Sonn Film in Venezuela and Puerto Rico, has accepted A.S.F. representation in Cuba. He will return to Cuba early in November.

Luncheon for Zuckmayer

Carl Zuckmayer, European playwright and novelist, will be guest of honor at a luncheon to be held today in the Russian Tea Room, and attended by the New York film critics.

“Grapes” at 40-50c in Cuba

Hisvana (By Air Mail)—“Grapes of Wrath”avail. at the Radio Cine here at 40-50c.

Up Prices for “Bridge”

Havana (By Air Mail)—Encanto theater advanced prices to 50-60c for the premiere of “Waterloo Bridge.”

BOOK REVIEWS

THINKING ON YOUR FEET, by Louis Nizer. Introduction by Bruce Bliven. 312 pages, fully indexed, priced, $2.50. Published by Lippincott Pubishing Corp., New York.

It is a happy circumstance for this timely, absorbing and highly readable book, unique in its particular field, found exactly the right author. Indeed, perhaps it would not be going too far to say that, canvassing the entire American scene as you will, there would be found no one so brilliantly equipped, from the dual standpoints of rich experience and literary attainments, as Louis Nizer, distinguished counsellor and notable orator and toastmaster, to be following on paper this volume, “Thinking On Your Feet.”

The author sub-titles his brain-child, “Adventures in Speaking.” It is an apt address, for, while Bruce Bliven’s foreword points out it will prove of inestimable value to all those who must speak and desire to do it well, Nizer is something far more than merely a splendid textbook for after dinner speakers and those whose professional task it is to present them. The average reader will peruse two highly entertaining parts—“Introductions and Thoughts About Speech” and “Thoughts Drops”—with zest and delight.

The character sketches embodied in the introductions are sheer delight. Not by Nizer, but the same scintillating charm in etching characters which won such a wide reading audience for the late Elbert Hubbard a quarter century or so ago. Those whom he presents parade before you as essentially human. The procession is Mabel Meek and Elbert Hubbard, Dorothy Thompson and Harry Hirschfeld, Roxy and James J. Walker, among many others.

Incidentally, not the least intriguing of the wealth of material at the reader’s disposal is the “Thought Drops” which complement or supplement both introductions and addresses.

For those who seriously propose to develop natural talents as orators and after dinner speakers, the book’s chapters devoted to technique must prove invaluable. What Mr. Nizer has to say about Speechgraph and Bookgraph is a reading and re-reading. Especially this sentence from the latter:

“The thought is the precious metal when all else is washed away.”

—BAIN.
Controversies Other Than Those Cited in Decree Can Be Submitted for Action

Settlement by arbitration of controversies other than those provided in the consent decree will be permitted, according to the Rules of Arbitration and Appeals made public yesterday.

Rules point out that such disputes may be submitted to the arbitration system provided at least one of the parties is a distributor defendant as defined in the decree and a submitter.

(Continued on Page 12)

Warners Set Basic Plans for 1941-42

Basic plans for the 1941-42 Warner production program were compiled in New York yesterday, it was learned as Jack L. Warner, company's studio chief, terminated a New York visit and departed for the West Coast.

Warner, during his fortnight stay

(Continued on Page 5)

NBC, Pix Execs. Confer on Short-Wave Activities

NBC officials met yesterday with representatives of four majors and the MPDA to determine international short wave activities by the

(Continued on Page 12)

Hanbury's Air Raid Shelter Undamaged

Ironic sidelight on the death of Ralph Hanbury, RKO's late managing director in Great Britain, was revealed yesterday when word reached here that the air raid shelter in the garden of his home was undamaged by the bomb which hit the house and took his life as well as those of several members of his family.

It was also learned that Earle St. John, former Paramount theater head in England who went over to Odeon when Para. made its deal with English theater circuit, had moved out of the house one week to the day before the bomb struck. Hanbury had moved in Monday of that week.

Industry Will Ask U. S. Unity Post-Election Trailer in 7,000 Theaters

Par'a. Astoria, London Suburban, Hit by Bomb

Word was received yesterday by the Paramount foreign department that the Astoria Theater, one of the houses taken over by Odeon in the Para-Odeon theater deal, had been badly damaged by a bomb. House, Seven thousand American theaters will join in presenting a plea for national unity on their screens immediately following the announcement of the victorious Presidential candidate late Tuesday night or early Wednesday morning.

Within the succeeding eight-day period, it is expected that the remainder of the American film houses

(Continued on Page 5)

EQUITY DECREES
MAJOR POINTS
"Blind-Selling" Ended; "Block-Booking" Is Modified

What the consent decree does:

Terminates "blind-selling."

Drastically modifies "block-booking."

Establishes a complete system for the arbitration by non-industry arbitrators of exhibitor-distributor disputes. (In this respect, the decree is similar to the arbitration provisions in the consent decrees in the National Broadcasting Company and United States television cases.)

Makes trade showings in respective exchange districts obligatory.

Prohibits the licensing of more than five pictures in a single group.

Permits the selling by distributor of more than one block of pictures at a time at the distributor's option. (The blocks of five and trade showing provisions become effective Sept. 1, 1941.)

Leaves the matter of cancellation rights to be determined by exhibitors and distributors.

Extends to exhibitors the right to cancel offensive pictures.

Binds the Government not to seek divorce.

(Continued on Page 5)

20th-Fox Draftees to Get Up to 4 Weeks' Salary

Policy for employees of 20th-Fox called into the U. S. armed services was announced yesterday by Pres. Sidney R. Kent. All employees with a year or more of service will be granted a year's leave of absence without pay, provided, however, that upon the expiration of service, such

(Continued on Page 4)

RKO English Biz Up 10% Despite Bombing

Despite terrific bombardments from the air, RKO's billings in England last week were 10 per cent ahead of normal, according to cable reports received by Phil Reisman, vice-president in charge of foreign distribution. In fact, Reisman declared, figures during recent weeks show that billings haven't been off more than 5 per cent from normal.

Reisman said that no successor to Ralph Hanbury, U. K. manager,

(Continued on Page 4)

Show Box, Inc., New Coin Picture Company, Formed

A new automatic slot movie company, Show Box, Inc., has been formed by Mitchell Hamilburg, advertising and artists' representative in Hollywood; Irving Starr, an independent producer, and Murray Briskin, a theater operator. Bell & Howell are manufacturing the projection sound equipment.

Show Box, Inc. has opened tem-

(Continued on Page 4)

51-Page Document and 14-Page Rules of Arbitration Formally Presented to Court; Trial of Suit Against "Little Three" Expected to be Deferred Until April

The Government's anti-trust suit against the Big Five—Metro, Warners, Twentieth Century-Fox, Paramount and RKO—finally turned the legal corner and moved rapidly towards the Exit sign yesterday.

James Hayes, Special Assistant Attorney General, on behalf of the D of J formally announced at a hearing before Federal Judge Henry W. Goddard that the Government had reached an agreement with the five negotiating companies on a proposed consent decree.

With the announcement, a copy of the document, covering 51 pages, was handed up to Judge Goddard,

(Continued on Page 4)

D of J Will Check Decree's Operation

The Department of Justice will "keep a constant check on the operation of the decree," and to that end, will establish a special unit in the Anti-trust Division, headed by Assistant Attorney General Thurman W. Arnold, "to keep in touch with

(Continued on Page 5)

Loew Theaters in Drive For Big Biz on Para. Pix

Paramount product to play the Loew theaters in the metropolitan area will be pushed by a concerted drive for maximum grosses. Plans for the launching of the campaign

(Continued on Page 4)

Metropolitan Tele Asks N. Y. Station Washington, D.C., THE FILM DAILY

Washington—Metropolitan Tele, Inc., New York City, yesterday filed an application with the FCC for a construction permit for a new television broadcast station. The proposed tele station will be on channel No. 1 162,000-169,000 kilocycles, power to 250 watts both visual and aural.
FINANCIAL

(Tuesday, Oct. 29)

NEW YORK STOCK MARKET

High Close Low

Am. Seat 8 1/4 8 1/4 8 1/4
Col. Pics. v/c (12½%) 8 1/2 8 1/4 8 1/4
Colin Mel Pict. pf. 20 2/5 20 2/5
Con. Fm. Ind... 8 1/4 8 1/4 8 1/4
Cons. Fm. Ind. pf 8 1/4 8 1/4 8 1/4
East. Kodak 134 134 134
Gen. Tel. 11 11 11
Loew's, Inc... 11 11 11
do pf. 8 5/8 8 5/8 8 5/8
Param. Pars 8 1/4 8 1/4 8 1/4
Param. 1st pf... 8 1/4 8 1/4 8 1/4
Paras. 2nd pf... 8 1/4 8 1/4 8 1/4
Path. Film Corp 10 10 10 10 10
KKO 25 25 25 25 25
Path. Century-Fox 2 7/8 2 7/8 2 7/8
20th Century-Fox pf. 8 1/4 8 1/4 8 1/4
Warner Bros. 25 25 25 25 25
Warner Bros. pf... 8 1/4 8 1/4 8 1/4

NEW YORK BOND MARKET

Keith B. ref. 6½ 102 100 100 100 100 100
Loew's deb. 3½ 3½ 3½
Para. War 3 ½ 3 ½ 3 ½
Para. Pics. 6 1/4 6 1/4 6 1/4
Para. Pics. ex. 14 7/8 14 7/8
Warner Bros. deb. 6 1/4 6 1/4 6 1/4

NEW YORK CURB MARKET

Monogram Pics. 8 1/4 8 1/4 8 1/4
Senvetone Corp... 8 1/4 8 1/4 8 1/4
Technicolor 8 1/4 8 1/4 8 1/4
Trans-Lux Universal Corp. v/c... 8 1/4 8 1/4 8 1/4
Universal Pict. 8 1/4 8 1/4 8 1/4

N.Y. OVER-THE-COUNTER SECURITIES

Bid Asked
Path. Film 7 pf. 4 1/2 4 1/2
Fos. Thea. Office Bidg. 1st 46 1st 46
Loew's Thea. Realty 8 1/4 8 1/4
Med. Playhouse 45 67 70
Roxy Thea. Bidg. 45 2nd 57 62 64

Watch those "NORTH WEST MOUNTED POLICE" figures MOUNT!

Newman, Kansas City.. 3 days... 41% more than "U. P."

Majestic, Houston... 3 days... 48% more than "U. P."

Malco, Memphis... 3 days... 99% more than "U. P."

Chicago, Chicago... 3 days... 152% more than "U. P."

Strand, Providence... 3 days... 50% more than "U. P."

Palace and Wisconsin, Milwaukee 2 days... 202% more than "U. P."

Paramount, Portland... 2 days... 40% more than "U. P."

Palace, Youngstown... 2 days... 80% more than "U. P."

State, Portland, Me. 3 days... 70% more than "U. P."

Denham, Denver... 2 days... 42% more than "U. P."

"Ramparts" Passed by Pa. Censors After Deletions

Adolph Zukor Addresses Paramount Pep Club

Philadelphia—With deletions said to account for some 70 seconds of running time, M of T's "The Ramparts We Watch," distributed by RKO, has been passed by the Pennsylvania State Board of Censors. After overnighting the appeal, had reversed its action following the insertion of the Nazi-made "Baptism of Fire" footage. An appeal from a lower court order upholding the censors was withdrawn last week. Feature, said to be "substantially complete," reopens in Harrisburg and Reading Wednesday.

Next Step in Sheridan Suspension Up to Star

Despite published stories that Warners have made overtures to Ann Sheridan, now on the suspended list following differences over a studio assignment, status quo applies to the actress's case, sources close to Warners said yesterday.

It was pointed out that Miss Sheridan's suspension was in line with the terms of her contract, and that the next move is up to her. Suspension will be lifted when she reports for work, but Warners have not made, nor do they plan to make, any new offer.

Adolph Zukor Addresses Paramount Pep Club

First of a series of talks sponsored by the Paramount Pep Club's educational committee was held last night in the clubrooms of the home office. Principal speaker was Adolph Zukor, chairman of Paramount's board, who predicted greater progress for the company due to the capabilities of President Barney Balaban in New York and Frank Freeman heading the studios, which he implied was an unbeatable combination.

Other speakers were Austin Keough, general counsel, Prof. C. E. Richard of New York University, J. S. List, noted psychologist, and Boris Morros, producer. Arthur Israel, Pep Club president, presided. Agnes Mengel headed arrangements.

Sears on Extended Trip To Warner Exchanges

Grad Sears, Warner sales chief, leaves New York the middle of next week on an extended tour of the company's exchanges, largely in the South and West. Sears will be in the field from six to eight weeks, his itinerary winding up with a visit to the Burbank studio.

The shortest distance between two points is Postal Telegraph

HERMAN WOBBER, general manager of distribution for 20th-Fox, leaves tonight for Cincinnati to attend the premiere there Friday of "The Mark Of Zorro," going from there to the Carol.
ONE THING THAT NEVER CHANGES!
Court Sets Decree
Hearing Nov. 14

(Continued from Page 1)

together with the Rules of Arbitration,
a separate 14-page draft.

Exhibitors to be Heard
At the Government’s request, the
Court set Nov. 14 as the date when
exhibitors and all other interested
parties may be heard on the decree.
The hearing will be held in Room
1105 of the Federal Court House at
10:30 a.m.

Nov. 14 was also fixed as the ad-
journed date of the trial of the suit
against United Artists, Universal
and Columbia. The proceedings yest-
Saturday occupied about five minutes.
It is understood, however, that the
latter postponement is merely formal
and that there is little possibility
of its actual start before April, 1941.

Frohlich to Say “Plenty”
Louis Frohlich, counsel for Co-
lumbia, requested a copy of the de-
cree and announced that Columbia
would oppose its approval. Froh-
lich stated that he would have
“plenty to say in opposition to the
decree.”

Jacob Scheeter, attorney for Al-
lied of New York, asked Judge God-
dard whether his organization would
be heard. In response, he was told
that “the Court will hear every-
body who has an interest in this
case.”

Show Box, Inc., New Coin
Picture Company, Formed

(Continued from Page 1)

porary offices in Essex House where
demonstrations of the machine are
being made and franchises arranged.
A franchise sales promotion cam-
paign is now under way, the organi-
ers state, on both a state-wide and
territorial basis.

Chl. Raises $11,000 for Fund
Chicago—The film industry in Chi-
icago has raised $11,000 for the
Community Fund. Pix drive is still
continuing under the direction of Jack
Kirsch.

RKO English Biz Up
10% Despite Bombing

(Continued from Page 1)

who was killed in an air raid has
been named. Temporarily, at least,
RKO’s operations will be co-man-
gaged by George Dawson, comptroller,
and E. Simon, sales manager. with
E. W. Holme, chairman of the board.

20th-Fox Draftees to Get
Up to 4 Weeks’ Salary

(Continued from Page 1)

employees shall promptly apply for
resumption of employment.

It was stated that any group in-
urance now carried by the company
on the life of such an employee will
continue to be carried, and that the
cost of any group insurance now
bore by such an employee through
the company shall be advanced by
the company.

Finally, it was announced that up-
on the commencement of such a
leave of absence each such employee
will be paid an amount equal to not
in excess of four weeks’ salary, the
number of weeks measuring such
payment to be at the discretion of
company officers.

Loew Theaters in Drive
For Big Biz on Para. Pix

(Continued from Page 1)

were discussed Monday night at a
meeting of 150 Loew executives and
Paramount sales heads in the Zieg-
feld Theater.

Group was addressed by Charles
Moskwitz, J. J. Unger, Cecil B.
DeMille, Boris Moros, Oscar Doeb,
Alx Moss and Sid Mesibov. A buf-
et reception and screening of
“Northwest Mounted Police” were
other highlights of the evening.

Draft Hits RKO’s A. Ferguson

Only RKO employee whose number
had been drawn up to a late hour
in yesterday’s selective draft was
Austin Ferguson of the theater aud-
iting department. His number was
120. Ferguson has been with the
company four years. His home is
in Queens Village.

Harman-y Injected
In Present Campaign

Coat lapels of gents and the gals of
pink and other camp purposes—so
figured Homer H. Harman, the local
RKO Theater’s publicity colon. This
next deduction led him to do a bit of
promotion for that pic palace. So cur-
cently you’ll see neat red-white-and-
blue buttons on many of the said lapels
and other places. No, the red, white and
circular buttons don’t boooom F. D. R. or
or L. I. W., but read: “All New York Goes to the RKO.”
The button-fanatical public hereabouts
like to see an utterance as much as a
new supply has been ordered to fill de-
mand. Just a note of Harman-y in the
hot political battle!
U.S. to Keep Constant Check on Decree Operation

Special Unit Will Be Established in Anti-Trust Division for That Purpose

(Continued from Page 1)

the operation of the decree and to handle complaints with respect to it.

This was disclosed by the Department in its press statement on the impending settlement of the New York equity suit against the "Big Five," issued following yesterday's hearing before Federal Judge Godfrey.

The statement, some 10 pages, summarized the provisions of the proposed decree and the Rules of Arbitration, and cited "benefits to be anticipated." With reference to the latter, the statement said:

**Anticipated Benefits**

"It is reasonable to expect that the provisions of the decree as to trading and sales in small groups will result in an improvement over the present system because the equity suit is likely to enhance the quality of local community tastes to be reflected in the selection of films, enabling the new method of selling to be open to independent producers a market now closed to them under the system of season sales. In addition, exhibitors will have greater and more frequent opportunities for control for picture.

"Although the method of selling provided for in the decree is new and untried in the motion picture industry, it is believed that it will be of benefit to exhibitors and distributors, as well as to the public. Whether or not the new method of selling will operate effectively can only be determined after a fair trial and that is provided for by the decree."

Further sections of the statement follow:

**Divorcement Action Deferred**

The National Adherents to the associations of the Big Five, the companies, the decree sets up a system for the arbitration of disputes between exhibitors and distributors to be administered by the American Arbitration Association. If the companies file a suit, the court will handle the matter in the regular manner.

"As a result of this practice, exhibitors have practically no opportunity to select pictures based on the local tastes of the community. The present practice will be remedied by the decree. In addition, the playing time of theaters is filled by pictures bought in broad blocks from the defendant companies and exhibitors have little screen time available for showing the product of independent producers.

**Selling in Blocks of Five**

"The decree prohibits the licensing of no more than five pictures in a single group. It does not prohibit the licensing of less than five pictures in a single group; distributors are in no way restrained in offering as few pictures as they wish to theaters and they may sell more than one group of five pictures to a theater. The decree does not prohibit the sale of one group of pictures on the sale of another picture or group of pictures.

"Under the method of selling prescribed by the decree, the number of pictures offered to the public in a particular group of pictures contains some that are objectionable to some exhibitors. The directors of the companies may be instructed to issue tickets for the sale of one group of pictures on the sale of another picture or group of pictures.

"The decree requires distributors to place in the advertising and sales materials and literature that the three non-consuming companies do not participate in the selection of the films and will not have any voice in the selection of the films to be presented by the defendant companies. The three non-consumers will not be supplied with pictures by the defendant companies. The decree requires the three non-consumers to inspect the records of the defendant companies to determine the quality and character of the films released, and the aggressive and efficient style of exhibition. It also provides for the inspection of the records of the defendant companies to determine the quality and character of the films released, and the aggressive and efficient style of exhibition. It also provides for the inspection of the records of the defendant companies to determine the quality and character of the films released, and the aggressive and efficient style of exhibition.

**Continued D of Supervision**

"The Department proposes to keep a constant check on the operation of the decree. The records of the arbitration system are subject to inspection by the Department at any time. The decree is subject to the operation of the anti-trust division which is to keep in touch with the operation of the system to ensure that it is working properly and to remedy any inadequacies. The decree is subject to the operation of the anti-trust division which is to keep in touch with the operation of the system to ensure that it is working properly and to remedy any inadequacies. The decree is subject to the operation of the anti-trust division which is to keep in touch with the operation of the system to ensure that it is working properly and to remedy any inadequacies.

**Warners Set Basic Plans for 1941-42**

(Continued from Page 1)

in the East, conferred here with Harry M. Warner, Albert Warner, Grand Sears and Charles Einfeld on the proposed line. The program is expected to be finalized in early January when further conferences will be held at the studio. Participating at that time, in addition to the executives mentioned, will be Jial B. Walls.

Number of pictures to be made next season still remains to be determined. Among the governing factors will be the proposed consent decree received by the Anti-Trust suit against Warners, as well as other major factors. Provisions of the decree are being closely studied, and Einfeld, who has been in the East since the end of last year, is busy for the coming season. He will return to New York in mid-January, immediately after the 1941-42 program is set.

**Para's Astoria, London Suburban, Hit by Bomb**

(Continued from Page 1)

which is said to be under repair, was in Brixton, a suburb of London. In Leicester Square, another Odeon house figuring in the deal, had its front badly damaged recently by a bomb that exploded in the street.

**Argentina Turning Out Good Pix, Says Reisman**

Argentina's film industry is making considerable progress in turning out good pictures, according to Phil Reisman, who attended RKO sales conventions in Buenos Aires and Rio de Janeiro, said that business in both Argentina and Brazil was running smoothly, although the diminished export business had had some effect on merchandise.

**Henry C. Wall Stricken**

Rockingham, N. C.—Henry C. Wall, 58, owner of the Richmond and Little theaters here, died of a heart attack. He was a former chairman of the board of county commissioners. Surviving are his widow and a sister.

**Holloway Is First in Draft**

West Coast Bureau of THE FILM DAILY

Hollywood—First actor's number called in the draft was that of Sterling Holloway.
LICENSES BY EXCHANGE

No license for features to be exhibited in theaters located in one exchange district shall include theaters located in any other exchange district. Licenses for exhibition in theaters located in one exchange district shall not be transferred to license of a feature or group of features located in any other exchange district.

Controversies arising upon a complaint by an exhibitor to the effect that the distributor defendant of features for exhibition in theaters located in one exchange district shall be subject to arbitration. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether the office of the distributor defendant shall be so made or conditioned; and, if the finding be in the affirmative, that the distributor may make such a penalty in an amount not be $500.00. Such penalty shall be payable into the arbitration fund referred to in Section XXII hereof.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

NO LICENSING REFUSAL

No distributor defendant shall refuse to license its pictures for exhibition in an exhibitor's theater on any term or condition that is unreasonable and discriminatory. All conditions fixed by the distributor which are not calculated to defeat the purpose of this Section, the exhibitor can satisfy reasonable minimum standards of theater operation and is reputable and responsible, unless the reception of a run on any terms to such exhibitor for said theater will have the effect of reducing the distributor's total film revenue in the competitive area in which the distributor also is located shall be upon the distributor.

Any distributor defendant affected by such an award may institute a further arbitration proceeding therefrom to the court in any other district in the state, district, or circuit in which the distributor shall be located, ground that since the making of the award the distributor's total film revenue in the competitive area in which the complainant's theater is located, and, in the event that the arbitrator finds that the granting of a run in compliance with the award has had the effect of reducing the distributor's total film revenue in the competitive area in which the complainant's theater is located, he shall vacate the award.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

In accordance with the provisions of this Section, the exhibitor may not be exhibited in any other theater or theater in the area.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

It is recognized that clearance, reasonable as to time and area, is essential in the distribution and exhibition of motion pictures. In determining whether any clearance complaint as unreasonable, the arbitrator shall take into consideration the following factors and accord to them the importance thus given to each as the arbitrator may see fit, and the order in which they are listed.

(1) The admission prices of the theaters involved.
(2) The character and location of the theaters involved, including the type of entertainment, appointments, transit facilities, etc.
(3) The policy of operation of the theaters involved, including rate of attendance, type of shows, etc.
(4) The rental terms and license fees paid by the distributor to the exhibitor for the runs of showing the feature involved.
(5) The territory involved in the clearance.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

THE JURISDICTION OF THE CIRCUIT COURT OF APPEALS

The Circuit Court of Appeals has jurisdiction of all appeals from the decisions of the arbitrators under this Act, including the question of arbitration under Sections 3 and 4.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

This part of the Act is designed to adjust the relative rights of the parties, to secure the settlement of controversies by arbitration, and to prescribe a method of compensating the exhibitors for the harm done them by unreasonable and discriminatory practices of the distributors, the exhibitors being entitled to recover the value of the feature, and the distributors being entitled to recover such part of the value of the feature as they have sustained by the exhibitor's failure to operate in an orderly and reasonable manner.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

The purpose of this Act is to provide a means of settling controversies by arbitration, and to prescribe a method of compensating the exhibitors for the harm done them by unreasonable and discriminatory practices of the distributors, the exhibitors being entitled to recover the value of the feature, and the distributors being entitled to recover such part of the value of the feature as they have sustained by the exhibitor's failure to operate in an orderly and reasonable manner.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

The provisions of this Act are not intended to affect the right of the exhibitor to operate in an orderly manner, and the arbitrators are directed to consider the reasonableness of the exhibitor's refusal, and to decide whether the exhibitor is entitled to compensation for the harm done him by the distributor's unreasonable and discriminatory practices.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

The arbitrators are directed to consider the reasonableness of the exhibitor's refusal, and to decide whether the exhibitor is entitled to compensation for the harm done him by the distributor's unreasonable and discriminatory practices.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

The arbitrators are directed to consider the reasonableness of the exhibitor's refusal, and to decide whether the exhibitor is entitled to compensation for the harm done him by the distributor's unreasonable and discriminatory practices.

(Clearance rights are held by the exhibitor of the theater in which the feature is exhibited.)

The arbitrators are directed to consider the reasonableness of the exhibitor's refusal, and to decide whether the exhibitor is entitled to compensation for the harm done him by the distributor's unreasonable and discriminatory practices.
FORBIDS WITHHOLDING AVAILABLE PRINTS

(6) The extent to which the theaters involved compete with each other for patronage.
(7) All other business considerations, except the fact that a theater is affiliated with a distributor with whom it has contracted to purchase prints.

The power of the arbitrator in deciding upon the award in the event of a controversy shall be limited to making (1) a finding as to whether or not there shall be an award; and, if the finding be in the affirmative, (2) an award fixing the maximum clearance between the wholesale and retail prices, such price to be in accordance with the terms and conditions of the contract between the exhibitor and the distributor, and (3) in the event that the arbitrator finds that a distributor has notified an exhibitor of a withdrawal of franchise, a redetermination of the maximum clearance.

(A) Licensees subject to arbitration.

Any distributor defendant or any exhibitor affected by such an award may institute a civil action in the circuit court of the state in which the arbitration hearing was held, or in any other state in which the exhibitor is located, and, in the event that the arbitrator finds that a distributor has notified an exhibitor of a withdrawal of franchise, a redetermination of the maximum clearance.

B. In any such arbitration no award shall be made unless the arbitrator shall find, unless the arbitrator shall first find the following facts:
(1) The complaining party is a defendant in the arbitration hearing.
(2) The complaining party has notified the exhibitor of a withdrawal of franchise.
(3) The complaining party has notified the exhibitor of the maximum clearance.
(4) The complaining party has notified the exhibitor of the maximum clearance.
(5) The complaining party has notified the exhibitor of the maximum clearance.
(6) The complaining party has notified the exhibitor of the maximum clearance.

The publication shall be restricted to 30,000,000 in the United States, but without any limitation as to the number of copies that may be printed, and the Superintendents of the Library of Congress shall, if requested, supply such copies to any distributor for the purpose of distribution to the public.

(4) If upon receipt of such information the exhibitor and distributor shall enter into an agreement, or an order shall be entered by the District Court, for the purpose of acquiring information, the Circuit Court, or any other court of competent jurisdiction, which it shall be restrained from further proceeding in such manner as may be necessary to prevent such proceeding as may be necessary to prevent such proceeding.

The publication shall be restricted to 30,000,000 in the United States, but without any limitation as to the number of copies that may be printed, and the Superintendents of the Library of Congress shall, if requested, supply such copies to any distributor for the purpose of distribution to the public.

(2) The complaining party has notified the exhibitor of the maximum clearance.
(3) The complaining party has notified the exhibitor of the maximum clearance.
(4) The complaining party has notified the exhibitor of the maximum clearance.
(5) The complaining party has notified the exhibitor of the maximum clearance.

The publication shall be restricted to 30,000,000 in the United States, but without any limitation as to the number of copies that may be printed, and the Superintendents of the Library of Congress shall, if requested, supply such copies to any distributor for the purpose of distribution to the public.

(4) If upon receipt of such information the exhibitor and distributor shall enter into an agreement, or an order shall be entered by the District Court, for the purpose of acquiring information, the Circuit Court, or any other court of competent jurisdiction, which it shall be restrained from further proceeding in such manner as may be necessary to prevent such proceeding as may be necessary to prevent such proceeding.
DEGREE APPLIES TO U. S.

APPLIES ONLY TO U. S.

XXII

Nothing contained in this decree shall apply to operations or activities of any con-

senting defendant outside of the continental United States, or to the benefit of any consenting defendant within the continental United States in so far as they relate to the distribution of motion pictures outside of the continental United States.

(Continued from Page 7)

for exhibition, Section III of this decree, either in whole or in part, shall

become inoperative and shall be deemed to be vacated, nullified, and set

aside by the United States District Court of the District of Columbia, with

respect to licenses entered into prior to the date of this decree, except for

features released prior to such date and subsequent to April 30, 1940.

(d) If, prior to June 1, 1942, a decree shall not have been entered against the de-

fendants United Artists Corporation and Columbia Pictures Corporation, to

leave pending a suit for or on account of any violation of this decree, it shall be

improper and of no binding force and effect upon the consent-


consenting defendants or any of them with respect to licenses entered into prior to

the date of this decree, except for features released prior to such date and

subsequent to August 31, 1941.

(e) If, prior to June 1, 1942, a decree shall have been entered against the defend-

ants United Artists Corporation and Columbia Pictures Corporation, and

shall not have been vacated, nullified, and set aside by the United States

District Court of the District of Columbia, to leave pending a suit for or on

account of any violation of this decree, it shall be improper and of no bind-

ing force and effect upon the consent-

verage, use, or license by the defendants United Artists Corporation and

them. The sum of $30,000, or such sum as may be agreed upon by the parties,

(as set forth in Section 1 to this document).
DISTRIBUTORS HAVE RIGHT TO SELECT CUSTOMERS

Wednesday, October 30, 1940

There is no image or document provided for analysis. Please upload the document for review.
GOVT. DETAILS PROCEDURE IN ARBITRATION

Full text of the proposed Rules of Arbitration under the pending consent decree follows:

RULES OF ARBITRATION AND APPEALS

I. Appointment of Arbitrators

An arbitration proceeding shall be initiated by filing with the Clerk of the Tribunal a demand for arbitration and a submission as provided in the contract or the decree of the Decree, and by paying a filing fee of $25.00 to the Clerk of the Tribunal.

II. Demand for Arbitration

A demand for arbitration shall be made in writing, stating the party's address to which notice may be delivered, the name and address of each arbitrator to be used and the name and address of each exhibitor or distributor. Where there is no exhibitor or distributor, whose business or property is believed by the complainant to be involved in the controversy, then the name and address of the arbitrator shall be submitted. All such demands shall be addressed to the Clerk of the Tribunal.

III. Arbitration Proceeding

No party shall be required to appear personally or by any representative of the party, except as hereinafter provided, unless the party shall have furnished to the Clerk of the Tribunal a copy of the demand for arbitration, the demand for arbitration and the summons to appear of any other party, or evidence of a waiver of the right to appear in person.

IV. Hearing of Arbitration

The arbitrator shall take the oath of office in the presence of the complainant and the defendant before proceeding with the hearing.

V. Submission of Evidence

All evidence shall be submitted to the arbitrator as provided in the arbitration agreement.

VI. Award

The arbitrator shall sign and file the award with the Clerk of the Tribunal. The award shall be made in accordance with the Rules of Arbitration, and shall be effective upon filing with the Clerk of the Tribunal.

VII. Appeal

Any party desiring a transcript of the stenographic record of the hearing shall pay the cost thereof and in the event that such party does not pay the cost thereof, the stenographic record shall be deemed to be a transcript of the stenographic record of the hearing.

VIII. Extensions of Time

The parties may in writing unilaterally extend the time prescribed in any provision of these Rules, and the extension shall be effective upon the filing of a written application of the party desiring the extension.

IX. Awards

The award of the arbitrator shall be conclusive and final upon the parties, and may be enforced in the same manner as a judgment of court.

X. Failure to Award

Failure to award a final and complete award within 30 days shall be deemed an agreement to arbitrate, and the proceeding shall be deemed dismissed.

XI. Stenographic Cost

(Under Rule XIV no appeal can be taken unless three copies of the transcript of the record or an arbitration thereof are filed with the Clerk of the Tribunal)

XII. Costs

The Clerk of the Tribunal shall and the parties shall pay their own costs.
The Appeal Board has the final decision. If a party is not satisfied with the decision of the Appeal Board, they may apply to the Tribunal to have the decision reviewed. The Tribunal will hear the case and make a decision. This process may be repeated up to a maximum of five times.
Arbitration Setup Said Unique in Consent Decree

Industry Trailor To Ask U. S. Unity

A Plea for National Unity

EDITOR'S NOTE: Upon the screenings of 7,000 American film theaters, the motion picture industry will present this stirring appeal for national unity immediately following the announcement of the election of the next President, either late Tuesday night or early Wednesday morning. Other theaters will present it subsequently.

THE democratic process has functioned. We have just concluded months devoted to free and untrammelled discussion and debate of the problems confronting the Nation and the qualification of the respective candidates for the Presidency to meet and effectively deal with them. After the fullest consideration, a majority of our citizens have solemnly expressed their choice of the Chief Executive to lead the Nation during the next four years.

The election campaign has taken place during a period of recurring critical national and world problems. It was inevitable that during the period of discussion and debate national unity would suffer. The great price we have paid for our democratic institutions is the fact that the Nation has given us its rule of national life—"UNIFIED WE STAND, DIVIDED WE FALL."

Academy Plans Founding Of a Museum in H'wood

West Coast Bureau OF THE FILM DAILY

Hollywood—Academy of Motion Picture Arts & Sciences will place before board of governors detailed plans for a Museum of Motion Picture Arts & Sciences, to be sponsored by the Academy in co-operation with film studios, local Chambers of Commerce and Museum of Modern Art Film Library of New York City.

An option has been taken on the entire main floor of the former Tordrero at 8610 Sunset Blvd., as a possible site for the museum.

Ohio ITO Backs Judge Day

Columbus, O.—ITO of Ohio, through Secretary Pete J. Wood, has addressed a letter to all exhibs, and exchange managers urging the recall of Judge Day, Arthur H. Day of the Ohio Supreme Court.

The Columbus film trade has already organized a futile, expensive and improper remedy for the settlement of disputes between distributors and exhibitors.

3-Man Appeal Board

"The motion picture machinery will be administered by the American Arbitration Association. The decree provides that a panel of not less than 10 arbitrators shall be established for each of the 32 exchange centers in the United States. The arbitrators, who are members of the American Arbitration Association, must be persons having no previous connections with the motion-picture industry. Arbitration can be obtained by application through the Motion Picture Arbitration Board in New York. Controversies are to be heard by arbitrators from different parts of the United States and Canada. The agreement of the parties or by the American Arbitration Board is established, whose influence or property may be affected by an award are given the right to appeal as parties and only to the Supreme Court."

N.B.C. Pix Execs. Confer on Short-Wave Activities

(Continued from Page 1)

latter over the NBC facilities. It was suggested by the film reps. that NBC submit specific specifications of the type of broadcast to be aired, and also to explore relationship of broadcasts and defense committee's activity with the Navy's office.

NBC executives stressed the political and good-will aspects of the plan at the huddle, but foreign department was not given the position that a decision under the circumstances should rest with the top executives of their companies.

In attendance at the special session were J.R. Hummel and Robert Schless, Warner Bros.; Phil Reisman, RKO; Alfred Dean, Paramount; Arnold Picker, and Larry Schneider, Columbia; Kenneth Clark, MPPDA, and John Royal and William Yandel, NBC.

Four of the companies that were reported to have expressed an interest in participating in the proposed series when it was first broached to executives of the film companies on the West Coast, were not represented at yesterday's session. It was stated, however, that the absentees were to be shown the specifications and the results of the study to be made by the network.

Switch Ford to "Tobacco Road"

"West Coast Bureau of THE FILM DAILY"

Hollywood—Twentieth Century-Fox, having shelved Geoffrey Household's novel, "Man Hunt," has switched Director John Ford to "Tobacco Road." He will leave for Georgia on Nov. 7 to seek locations for filming the hardy Broadway perennial stage play. Nunally Johnson has completed the script.

Industry Trailor To Ask U. S. Unity

(Continued from Page 1)

now operating will give screen time to the trailer, made through the medium of a 138-foot trailer.

The trailer results from industry leaders' recognition of the variety of issues brought to the fore by the Presidential campaign, a realization of the adverse effect upon national unity of their heated debate, and a sober conviction that the critical world situation demands that the nation rally unitedly behind the next President, whether Roosevelt or Willkie.

Production and distribution of the trailer is a dual project of five majors, it is understood. They are: MGM, Warners, Paramount, RKO and Twentieth Century-Fox. Cost is being borne jointly by the quintet. Trailer, however, carries no company credits.

Idea for the trailer is said to have originated with Harry M. Warner, proxy of Warner Bros., who also is credited with having much to do with the phrasing of the plea itself. Subject was shot here and prints are being turned out by the Warner laboratory. Plea is flashed against backgrounds of the U. S. Seal, the Stars and the Stripes. Patriotic melodies provide the score.

Total of 7,000 prints will be ready for Election Night use, with each company determining its own particular policy on use. Warners proposes to hook it on the back of a feature. Twentieth-Fox probably will do the same. Paramount expects to send it out individually. Metro probably will insert it in the News of the Day. RKO Radio has announced it will not be decided as to method, it was said.

M-G-M Options Connie Russell

Metro has taken option on the services of Connie Russell, 16-year-old singer, who has been appearing at the Open Door. Arthur Freed, M-G-M's music man, has plans to use her in a featured role in a forthcoming musical film.

RKO Shelves "Mr. Pinkle"

"West Coast Bureau of THE FILM DAILY"

Hollywood—RKO has shelved "Mr. Pinkle," the picture intended for Charles Laughton and Elia Kazan. studio has added Heather Angel to the cast of "Kitty Foyle."

Here's a Thought

Rochester—All patrons at Loew's Rochester on Hall'sway will get free cider tonight. It's a little gift with a downtown food store arranged by Manager Lester Pollock.

Twin for Ushersette

Now Philadelphia, O.—Two can get a job easier than one here. The theater chain has a job for an 8-year-old twin girl to serve as ushersette.

\[\text{Continued from Page 1}\]

\[\text{Continued from Page 1}\]
MYERS ANALYZES PROVISIONS OF DEGREE

H'wood Sees Decree Bringing Production Boom

**Leadership**

*...an answer*

By CHESIRE B. BAHN

ROBERT MONTGOMERY, who, addressing the New York Herald-Tribune Forum here last week, dwelt upon this industry's leadership for critical assault, has an answer today.

"Has it in a way he perhaps least expected? Has it, still more importantly, not in a deliberately prepared industry defense, but in the more effective "actions-speak-louder-than-words?"

Montgomery, you may recall, told the newspaper's Forum: "I am convinced the weakness of the leadership...will make it impossible for the industry to perform its function in national defense in the present crisis with any appreciable degree of success."

This conviction, he was careful to stress, did not reflect "the words of a disgruntled employee," but rather resulted from his study of "various industrial organizations."
The actor, of course, is entitled to his opinion, and to the right to express it, if he elects to do so.

But on the record, it would seem that he is more familiar with other industrial organizations than with his own, and the exact part the latter is playing and has been playing in national defense.

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**Feels 18 Months' Normal Picture Making Will Be Crowded into Next Year**

By RALPH WILK

West Coast Box of THE FILM DAILY

Hollywood—If Coast appraisal is correct, and film execs. here are confident it is, the proposed consent decree in the New York equity suit means boom times for production, at least for a year.

With the blocks of five and trade show provisions of the decree becoming effective next Sept. 1, it is Hollywood's notion that it will not only advisable but essential to

(Continued on Page 3)

Better Pix Sending FPC's Earnings Up

Toronto — A better-than-average run of pictures, according to officials of Famous Players Canada, has boosted the company earnings during the past year and revenue has also been increased by the spread of prosperity and a reduction of unemployment due to the placing of

(Continued on Page 8)

Exhib. Offers Free Passes; Sun. Pix Move Flops

Rensselaer—Cliff Swick, who recently took over the Uptown Theater in the only city upstate with out Sunday films, tried to do his bit to carry the vote in a Nov. 5 ref

(Continued on Page 3)

**K-A-O 52 Weeks' Net Climbs B.F. Keith Corp. Profit Dips Slightly**

Freeman Names Members Of Pix Defense Committee

West Coast Box of THE FILM DAILY

Hollywood—Y. Frank Freeman, chairman of motion picture industry's Production Defense Co-ordination Committee, announced the following names of members of the committee who will function in Hollywood:

Darryl F. Zanuck, Walter Wanger

(Continued on Page 8)

**Uniform is Pass at Sussman's Adelphi**

Chicago—"Your uniform is your passport," is the caption on a trailer which Louis Sussman, owner of the Adelphi, wrote house, is using to invite those in military service to attend, free, as often as they wish. The Adelphi is not too distant from both Fort Sheridan and the Great Lakes Naval Training Station. Sussman is a director of Illinois Allied.

"Little 3" Complaint In Wholly New Form

Federal Judge Henry W. Goddard will be asked on Nov. 14 to permit the Government to serve a new complaint upon United Artists, Universal and Columbia, Government officials said yesterday.

The complaint, which will be in an entirely new form, will seek a decree directing the defendants to change their selling methods so as to conform with those provided for the Big Five in the new consent decree.

Government officials explained that

(Continued on Page 8)

Fonda, Stewart, Milland Among Film Draftees

West Coast Bureau of THE FILM DAILY

Hollywood—Sixteen players and 13 technicians are subject to early call as a result of the draft drawings. Paramount players affected are Ray Milland, Wayne Morris, William

(Continued on Page 3)

**Says D of J to Eye Cases Where Desired Groups Are Sprinkled With Poor Pil**

By CECIL SANSBURY

FILM DAILY Staff Correspondent

Columbus, O.—"The fact that distributors must sell in blocks of five does not mean they cannot combine

(Continued on Page 5)

Adelphi Case Action Waits on N. Y. Decree

Chicago — Joseph Rosenberg, of Rosenberg, Stein & Rosenberg, at

(Continued on Page 8)

**One Night In T Ronies' Is Humor-Laden Film**

Universal unveiled its "One Night In The Tropics" last night in an atmoshetic preview at the Fabian Theater, Paterson, N. J., which was highlighted by audience wamrth accorded to a revue comedy from the Clinic's Production Co-ordination Committee, announced the following names of members of the committee who will function in Hollywood:

Darryl F. Zanuck, Walter Wanger

(Continued on Page 8)

Net profit after all charges for K-A-O's 39 weeks was $483,829.77, or $7.60 per share on the 7 per cent cumulative convertible preferred

(Continued on Page 3)
Leadership

... an answer

(Continued from Page 1)

will produce training pictures for the Army, the subjects varying in length from a single reel to five reels.

It is a fact that an existing temporary industry organization for defense participation is in the process of giving way to a permanent one.

And it is a fact that it was the industry which, acting wholly on its own initiative, at the instigation of H. M. Warner, determined to meet the serious threat to national unity engendered by the heat and issues of the closing Presidential campaign, by placing on all domestic screens an urgent post-election plea to all Americans to close ranks behind the next President, whether Roosevelt or Willkie.

Weak leadership? Montgomery simply doesn’t know his industry.

“NORTH WEST MOUNTED POLICE”
Still Galloping at TOP SPEED!

Newman, Kansas city - 5 days—172% of “U.P.”
Majestic, Houston - - 5 days—146% of “U.P.”
Malco, Memphis - - 5 days—200% of “U.P.”
Chicago, Chicago - - 5 days—140% of “U.P.”
Strand, Providence - - 5 days—150% of “U.P.”
Palace and Wisconsin, Milwaukee - - 5 days—255% of “U.P.”
Paramount, Portland - - 5 days—135% of “U.P.”
Palace, Youngstown - - 5 days—172% of “U.P.”
State, Portland, Me. - - 5 days—181% of “U.P.”
Donham, Denver - - - 4 days—127% of “U.P.”

National Broadcasting Company will telecast the presidential election returns on Tuesday over W2XBS, it was stated yesterday by Niles Trammell, president. This will be the first time that tele has served this purpose.

The program experiment will begin in the evening, probably with the regular radio news commentary of Lowell Thomas at 6:45 p.m. thereafter Baukhage, NBC’s Washington correspondent, will give a running interpretation of the presidential vote. In addition, Earl Gedwin, H. V. Kaltenborn, Raymond Clapper and John B. Kennedy are expected to make appearances before the cameras.

The election telecast will conclude the political series that began with the Republican convention in Philadelphia last June.

SEC Reports Col. Salaries Of 2 Stars and a Director

The SEC yesterday made public the salaries paid by Columbia during 1939 to two of its stars and one director, as reported in the company’s annual statement.

Cary Grant was paid $5,750 and Loretta Young $10,000, while Director Wesley Ruggles received $25,000.

COMING and GOING

LYNN FARNOL and TIM DURANT have returned to New York from Chicago.

CECIL B. DeMILLE was yesterday for the Coast. MRS. EMILY CLAUS ROSSON, his secretary, and WILLIAM J. FINE, his associate producer of “NORTH WEST MOUNTED POLICE” accompanied him.

H. M. RICKLY returns to New York tomorrow from Columbou, O.

JOHN HUBBARD is here from the Coast.

WILLIAM J. HEINEMAN, Western division sales manager for Universal, leaves New York to-night for Montana where he will spend a vacation hunting trip.

MUNNALLY JOHNSON returns to the Coast soon.

NAT HOLT, of RKO’s Cleveland office, is at the West Coast.

JOAN BENNETT has returned to the Coast.

JAN KIEFURA arrives here today on the Santa Rosa from South America.

MIRIAM HOPKINS has arrived here from Hollywood.

WALTERABEL flies to the Coast today via TWA.

OSCAR WELLES filled stating dates in both San Antonio and Houston yesterday, with Oklahoma City his next stop.

NORMAN ELDON, sales manager of Film Alliance of the U. S., left yesterday to confer with franchise holders.

BEN KALMENSON has returned after completion of several circuit film deals in the Chicago territory.

K. C. TWEEDY, New Haven premium distributor, back from a factory trip to Ohio and West Virginia.

Fort Worth First-Runs Eliminate Money Games

Fort Worth, Texas—“Buck Nite,” a weekly money giveaway feature at the Worth, Hollywood, Palace, and Majestic, Interstate first-run theaters for the past two years, has been discontinued. However, the Tivoli, Parkway, and Varity, Interstate nabs, are continuing their twice weekly Buck Nites, which have much smaller giveaways than the first-run theaters had.

Would Stop Operators’ Picketing

Milwaukee—Picketing of the newly opened New Era theater is seeking circuit court injunction to restrain the motion picture projectionists union from picketing the house. Operators of the theater contend they employ no outside help and that no labor dispute exists.

NATIONAL-WIDE—BUT NOT TOO BIG FOR FRIENDLY SERVICE!

Postal Telegraph

CHARGES FOR TELEGRAMS SENT IN APPEAR ON YOUR TELEPHONE BILL.
K-A-O 52 Weeks' Net Up $101,860

(Continued from Page 1)

stock. This compares with $476,940.75 for the 39 weeks in 1938.
B. F. Keith Corp.'s 39-week net profit was $279,685.05, compared with a 1399 net for the same period of $156,671.72.

For the 52 weeks ended Sept. 28, last, B. F. Keith Corp. and subsidiaries show a net profit of $888,382.29, compared with $540,301 for the 52 weeks in the 1939 period. K-A-O and subsidiaries reported a net profit of $988,346.15, compared with $887,486 last year.


(Continued from Page 1)

Irendum by inserting paid advertisements urging the public to "come at all this week to be our guests in a clean and modern theater." Swick also sponsored a letter writing contest with the subject "Why We Should Have Sunday Movies in Rensselaer."

Protestant clergymen, however, nullified Swick's efforts by appealing to the executive Board of Elections and securing a legal opinion that the referendum was invalid. The Board followed up by removing the question from the city's voting machines.

Until the nullification move, Swick and proponents were conducting a house-to-house canvass for votes, while opponents were doing likewise.

Swick, who took over the theater from Roger Marmon recently, maintains there is no ordinance banning Sunday exhibitions in Rensselaer and may make a test case of the matter shortly. The present city administration is in favor of Sunday day exhibitions but the ordinance has been blocked time after time by church groups.

Greer Garson With Pidgeon

West Coast Bureau of THE FILM DAILY


ALONG THE RIALTO

Phil M. Daily

... Paterson, N. J., went go-go last night... over the opening at the Fabian Theater of Universal's "One Night in the Tropics"... which starred the capable Allan Jones, Nancy Kelly, the team of comics, Bud Abbott and Lou Costello...[the latter a native of the premiere city]... and Robert Cummings, romantic hero of "Spring Parade"... Not even the sharp rain... could dampen the ardor of the Jersey folk... for this event which was the first of its kind... in civic annals... Outside the theater... dense throngs gathered... to get a peek at the Hollywood luminaries on hand for the event... and to cheer the exec, personnel of Universal... who crossed the Hudson to add luster to the proceedings...

... New York's trade and noose scribines were on hand in force... both for the banquet in the Alexander Hamilton Hotel... and the premiere itself... where proceeds went to the Paterson Community Chest... and to a special charity for the rebuilding of the local Church of St. Anthony... From Universal's home office came President Nate Blumberg, William A. Scully, Publicity Solo Lou Pollock (who spoke at the banquet)...

and other company magnates... Mayor William Furry saw to it that Paterson was in full support and civic array... the township not only being in bright festive garb... but also enjoying a half holiday by proclamation... Of course, the climax of the program of events was the presentation of the picture... which caused Patersonians to rock the rafters of the Fabian... with applause and hurrahs... 

... Good example of "when in Rome, do as the Romans":...

Charles Laughton, speaking before some 150 Oklahoma newspaper publishers and ad execs... launched his talk in very, very British accent... informing his listeners that he had... something on his mind about the great West and had to get it off... Thereupon the wildest "pipe-stem" roared from the Laughton larynx...

... We like that it'll aid which Chicago's Adelphi Theater ran a few days ago... and to a certain WB attraction... Here 'tis in part:

"Perfect Sound, Clear Vision, Comfortable Seats, Earphones for the Hard-of-Hearing, $7,000 Ladies' Lounge, Blue and Gold Men's Lounge, a Cordial 'Thank You' by Cashier,—"All This And Heaven Too"... 

... Texas Bob O'Donnell, v-p. and gen. mgr. of Interstate Theaters... and also the Chief Barker of Variety Club's Tent No. 17, Dallas... proclaims completion of plans for the annual New Year's celebration to be staged by the Dallas Tent... at the Hotel Adolphus... Dec. 31. Affair will be "An American Party" presented under Paul Short's direction (he's National Screen Service's division mgr.)... and featuring a cavalcade of American music, songs, dances and entertainment...

... STUFF:... Edward P. "Ted" Curtis is taking a year's leave of absence from Eastman Kodak to serve with the U. S. Army Air Corps in Washington (Ted was one of the greatest aerial aces for Uncle Sam during World War No. 1) French Cinema Center's Andre R. Heymann has dispatched invitations to premiere of "Heritage" set for Monday night, Nov. 4, at the local Belmont Theater. Ted Green is making a drive for the tin collection-containers of the British-American Ambulance Corps to go into N. Y. pic theaters... "Jeannie" is in rehearsal for run at Packer Mill Playhouse, Milburn, N. J., and Producer Frank Carrington plans to give it a Bway whirl later (Robert Allen, 20th-Fox player, is the drama's star)... 

H'wood Sees Prod'n Boom Under Decree

(Continued from Page 1)

crowd 18 months' normal production into 10 year's time.

That means, it is felt, that where a major studio ordinarily might have six or eight features under way, it will be pressed to step up the number to 12.

It is easy to visualize, exas, say, just what this will do to the demand for first-rate writers, directors, players and others whose services and talents are required in picture-making.

Especially, producers say, to stars whose b.o. pulling power places them in the top ranks.

In some quarters, there is a tendency to wonder if there actually are enough of the latter to go around, in view of the complaints in the past that there aren't enough of the former.

Nevertheless, Hollywood is preparing, and has been preparing indeed for some time, to meet the situation presented by the proposed decree. There is everywhere indication that pictures to be placed in the first blocks of five for 1941-42 will be completed in June, and ready for trade showing.

The decree's impact upon production and studio policies is expected to bring, sooner or later, the end of the "B" feature. And if and when that transpires, it is Hollywood's or at least a reasonable segment's—hunch that double features will fade.

Fonda, Stewart, Milland Among 16 Film Draftees

(Continued from Page 1)

Holden, Phil Terry, Rod Cameron and Don Castle; at 20th Century-Fox, Henry Fonda; at M-G-M, James Stewart; at Universal, Broderick Crawford, at RKO, Richard Carlson, James Craig; at Columbia, Richard Fleck, Stanley Brown, Donald Douglass, Sterling Holloway; joining in "Cheers for Miss Bishop," Richard A. Rowland production for United Artists; at Republic, Bob Livingston.

A. M. Schuman III

Bridgeport, Conn.—A. M. Schuman, president of Allied of Connec-
ticut and operator of Black Rock here, is confined to his home with the grippe.

1,300 at Scranton
Dinner for Walker

Scranton, Pa.—Postmaster General Frank C. Walker was feted at a test-
imonial dinner tendered by the Lackawanna County Democratic Committee at the Hotel Casey here with 1,300 in attend-
ance. Tribute was paid Walker by Sam Rayburn, speaker of the House; David L. Lawrence, national Democratic commit-
tee man from Pennsylvania; Lackawanna County District Attorney M. J. Eagen, who was toastmaster; Lackawanna County Democratic Chairman Joseph A. Linnen and Rep. Patrick A. Blażej.

President Roosevelt, Mayor LaGuardia, N. Y. and National Democratic Chairman Edward J. Flynn were among those who sent congratulatory messages.

Happy Birthday to You

OCTOBER 31
Lawrence Grant
Albert D. Levin
Blocks of 5 No Cure, Myers tells Ohio ITQ

(Continued from Page 4)

one desires the picture with four unremarkable ones," Abram F. Myers, general counsel for national Allied, told the Independent Theater Owners of Ohio in an address given here yesterday at the Deshler Wallick Hotel. Myers said he spoke for "an overwheIming majority of independent theater owners" in condemning the consent decree in the Government's New York equity suit. Explaining the decree in detail, he insisted that there was no pilot, no indication how one could buy a house and compare the universal problem of block-booking.

Kelly Urges Quality Pix

Address of Arthur W. Kelly, vice-president of Universal, was one of the highlights of the initial session.

"One cannot foresee tremendous profits from the current release "unless of course they are fortunate enough to produce and distribute a GW1W." While a fair return on the capital and time be the order of the day, at the same time it might be sacrificed to keep up the quality of motion pictures for the domestic market. It is important at this stage that every branch of the industry should take cognizance of each other's troubles so that the proper readjustment, if found necessary, can be brought about without creating harm.

Purpose of the AID

"Ultimate purpose of the AID is to provide exhibitors with data on their own business and to that possessed by film salesmen," was the tongue-in-the-cheek remark used by Sidney Samuelson of Philadelph to promote his explanation of the functions of the new AID committee.

Stating that the distributors have known more about the exhibitors' business than the owners themselves this since Adolph Zukor and his famous survey conducted in 1920 Samuelson said it was about time the operators knew something about existing conditions. AID, he stated, is prepared to supply this information, with the co-operation of each exhibitor, adding: "We contemplate no lynching, but will be firm with no monkeyshines."

Prexy Smith's Address

Prexy Martin G. Smith of Toledo in twice attending the convention, ignored precedent and chose to issue a plea that all "go to the polls Tuesday and exercise your God-given right to the suffrage." Asserting "this may be the last time in this century that free men will determine what man and what principles shall govern them," Smith said his organization had gone on record for one particular candidate because "America is going to be saved by millions of Americans—by you and by me working, working, working, it's good—or else it is not going to be saved."

"Escape" with Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova

M-G-M 73 Mins. 20th Century-Fox

STRONG ROMANTIC DRAMA WITH DYNAMIC ACTION AND ACTING; MANY ASSETS MAKE IT FINE B.O. BET.

Multiple sources supply the power of this version of Ethel Vance's novel. First, its story moves against the stark backdrop of the Russian concentration camp approximately a year before the outbreak of the current hostilities in Europe; hence the danger and sacrifice of the characters. Also, a host of tragic sequences, but it is melodrama that be goes, maimed as much as the plot is. The feature is to be cut to 100 minutes.

Thirdly, and by no means least, a prominent power-source is the cast. This is carefully chosen; uncommonly skillful; a "natural" to satisfy fans; and a great magnet to bring customers to the boxoffice. Additionally, Mervyn LeRoy's direction is superb, and the production a delight. Much of the effectiveness of the physical footage can be traced to the excellence of sets and set decorations.

"Escape" is a big, swift and rugged picture recounting the tragic search of Robert Taylor, an American citizen, for his actress mother, Nazimova, who has without his knowledge been sent to a Russian concentration camp to be executed for alleged treason. During Taylor's search for his parent, he meets Norma Shearer, cast in the role of the Countess Von Trecr, —widowed companion of the harsh General Kurt Von Keob, enacted by Conrad Veidt.

Although preoccupied with more urgent affairs, Taylor and Miss Shearer fall in love, despite the perils attached thereto. On the eve of Nazimova's execution, Philip Dunn, the camp doctor, has administered a drug to her which enables Taylor to take his supposedly deceased mother away in the crude coffin. Their rendezvous of safety is the home of Norma Shearer, who inherently detests the Nazis, and it is she who collaborates in making possible Taylor and Nazimova's escape to the border by plane.

Although there is an intimacy of the Shearer-Taylor romance culminating in like marriage later on in the free air of America, the feature ends with her remaining beside her Nazi General as he slumps into death a heart attack, following his feeblie efforts to have the fusing Taylor and Nazimova arrested. Characterizations are of the pricing and splendid kind. Miss Shearer is an eyeful and essays her role with that ability which characterizes her performances of the past.

"Escape" is a valuable exhibition property which is first-rate fare for all houses. They, Metro and the public will be better for its reviews.

CAST: Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova, Felix Bressart, Albert Bassermann, Philip Dunn, Bonita Granville, Frances Dee, Harry Von Keob, Robert Morley, and many others.

"East of the River" with John Garfield, Marjorie Rambeau, Brenda Marshall

Warner 20th Century-Fox 73 Mins.

JOHN GARFIELD AND THE LAW TANGLE AGAIN IN MODERATELY ENTERTAINING MELODRAMA.

John Garfield and the law tangle against the backdrop of the headlines of the picture, but despite its familiar theme it is a moderately entertaining melodrama. The cast is able and the story has a few new twists that are effective. Garfield and Miss Rambeau, Miss Marshall and Winian Lunda- gan are exploitable names, and the cops and robbers angles presents exploitation possibilities.

Performances by the principals are on the pass shoo in the acting regard and Miss Rambeau is a bit hardy, accent, making it entirely cretinable. George O'Cons stoms out in a supporting role, and Mervin O'Connell, Douglas Fowley, Jack La Rue, Neil Hamilton and Kessell Hicks are effective in bits. Alfred E. Green directed from a screenplay by Fred Nibio, Jr.

Garfield finishes a stretch in San Quentin and comes East, accompanied by his Miss Marshall, his "girl friend," to see his adopted brother, Lunagan, graduate from college. Miss Masrahn becomes a new woman when she lives with "decent" people, and Garfield spends his time planning to get even with Fowley and La Rue, who purportedly trained and sent him to the institution. But Fowley doesn't get caught and Garfield leaves town. Time passes and he learns that Lunagan is going to marry Brenda. He returns, tries to break up the wedding, is taken out of it by Miss Rambeau and creates Fowley's grown with getting arrested for Forging a check.


CREDITS: Associate Producer, Harlan Thompson; Director, Alfred E. Green; Screenplay, Fred Nolo; Jr.; Original Story, John Fante and Bess W. Wills; Camera, Cameron, Sid Hickox; Editor, Thomas Pratt.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Central New York Exhibs. to Form MPTO Unit Today

SYRACUSE, N. Y.—Organization of the Central New York unit of the MPTO of New York will be completed at a luncheon meeting called for the Hotel Syracuse here today, with Prexy A. Charles Hayman of Buffalo presiding.

Exhibs. in Binghamton, Whitney Point, Homer, Skaneateles, Marce-

lous, Auburn and Interlaken have been invited.

Officers and directors for the Syrac-\n
use area will be elected, and im-

mediate policies of the MPTO outlined.

Showmen's Club Open House

PHILADELPHIA—Showmen's Club will hold open house on Nov. 6 to show off the organization's new club quarters at 1515 S. Broad St. An opening is set for 10 a.m. The opening of the rooms will be held two days later.

First meeting in the new quarters was held last week. David Starkman, Louis Berger and Samuel Bosken were elected to the board.
Mr. Exhibitor, have you a few minutes screen time and a little lobby display space to help us?

The entire Motion Picture Industry is backing the Annual Membership Drive of the American Red Cross, beginning November 11. The amount of cooperation requested is little, the help it will provide is mighty!

—What You Do: —

**FIRST:** You run a 400 foot trailer featuring Deanna Durbin, the 1st week of the Drive!

**SECOND:** You run a 100 foot trailer follow-up featuring Priscilla Lane, the 2nd week of the Drive.

**THIRD:** During these two weeks you display Red Cross flags, banners, etc., all furnished to you by your local Red Cross Chapters.

**FOURTH:** Permit Red Cross representatives in your lobbies to answer questions on the Drive and accept such memberships as volunteer.

No Collections! No Solicitations!
The Film Daily's Calenda
^__^^^^^^^^^^^^^^^^^^___

COLUMBIA
Return of Wild
FD: 7-10-40.

Bill,

I

6-27-40

60 mins
Elliott,

Bill

Meredith,

Iris

George Lloyd

West

Abilene,

of

FD: 7-17-40.

10-21-40

58 mins

Charles Starrett, Marjorie

Cooley, Don Beddoe

Ann

Camp, 59 mins.
9-5-40
Jack Holt, Marian Marsh,

Terry

Phillip

Kelly,

7-18-40
Bobby Jordan,

David Holt, Jackie Searl

The

Myron McCormick,

Storrs

Haynes
for

9-11-40. Lionell
Ayres, Laraine Day

Douglas,

Melvyn

Young,

Loretta

Una O'Connor

Barton

FD:

Florence

MacLane

Cary

Grant,

Ann

Sothern,

10-4-40
Ian Hunter,

Lee Bowman.
104 mins
10-31-40.

Escape,

FD:

Norma

8-29-40
Martha Scott,

Shearer,

FD:

Jr.

?

69 mins.

6-30-40 Time

in

the Sun (World Pictures), 55 mins.

FD: 9-5-40. Edith Fellows, Dorothy PeterFD:

son

Mere-

dith

7-24-40
Married Adventure, 78 mins
FD: 9-25-40. Mr. and Mrs. Martin John-

I

10-8-40.

of

12-5-40
Iris

Historical-social

I

Blondie Has Servant Trouble, 70 mins.

Penny
Lake, Larry Sims

FD:

10-9-40.

Singleton,

So You Won't Talk, 69 mins
Joe E. Brown,
FD: 10-17-40.
Robinson, Tom Dugan

7-25-40
Arthur

Frances

Mexico

FD: 10-8-40. Stephen Haggard, Victoria
Hopper, John Loder

Here

Is

Ireland (Irish-American Film Corp.),

6-28-40
105 mins
FD: 6-18-40. Jeanette MacDonald, Nel-

Captain Is a Lady, The, 63 mins.. .6-21-40
FD: 6-26-40. Charles Coburn, Beulah
Bondi, Virginia Grey

Andy Hardy Meets Debutante, 86 mins.
7-5-40
Rooney, Judy Gar-

Pride and Prejudice, 157V2 mins

Greer Garson,
FD:
Olivier, Mary Boland
7-9-40.

8-2-40
Laurence

We Who

7-19-40
Are Young, 79 mins
Lana Turner, John ShelFD: 7-16-40.
ton, Gene Lockhart
7-12-40
Sporting Blood, 82 mins
Robert Young, Maureen
FD: 7-24-40.
O'Sullivan

8-30-40
Clark Gable, Spencer Tracy,
Claudette Colbert, Hedy Lamarr

Boom Town, 116 mins
FD: 8-6-40.

mins.

9-2-40
Is Guilty?, 69 mins
FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney

Range Busters, The, 53 mins
FD: 9-9-40. Ray Corrigan,

Mystery
(Arthur Ziehm,
70 mins
10-23-40
FD: 10-25-40. Bruce Cabot, Tamar Desni
Inc.),

Face at the Window, The (Arthur Ziehm,
Inc.), 65 mins
10-23-40
FD: 10-25-40.
Tod Slaughter, Marjorie
Taylor
Let George Do

Mercy

I

Want

mond
Kid from Santa Fe, The, 57 mins.. .5-23-40
FD: 9-20-40. Jack Randall, Clarene Cur-

(Film Alliance of U. S.),

World

(Producers

Distrib.

James

MONOGRAM
Last Alarm, The, 61

mins

6-25-40
MacDonald, Polly

FD: 6-25-40. J. Farrell
Ann Young, Warren Hull

Land of Six Guns, 54 mins
5-2-40

.

Flames, 60 mins

in

Documentary from news-

reel shots.

My

Love, 113 mins
FD: 10-17-40.
Claudette
Milland, Walter Abel

Quarterback, 74 mins
FD: 10-17-40.
Wayne
Dale

Colbert

Ray

Morris, Virginia

10-9-40.

FD:

10-7-40

64 mins

Ralph

Lorna

Byrd,

Gray,

Mantan Moreland
Miss Molly, 64 mins
Maureen O'Hara, Binkie
FD: 10-10-40.
Stuart,

Tom

Burke.

Old Swimmin' Hole, The, 75 mins.. 10-14-40
FD: 10-23-40.
Jackie Moran, Marcia
Mae Jones, Leatrice Joy
.

CORP.
Hold That Woman, 64 mins
7-15-40
FD: 7-12-40. James Dunn, Frances Gif-

Marked Men, 66 mins
FD: 9-23-40. Warren

Gun Code, 54 mins
FD: 10-17-40. Tim McCoy, Inna Guest,
Alden Chase

RKO RADIO
Millionaires in

FD:

86 mins

7-5-40
Akim Tamiroff, Gladys
Henry, Muriel Angelus

Ghost Breakers, The, 82 mins
6-21-40
FD: 6-13-40. Bob Hope, Paulette Goddard, Richard Carlson

7-26-40
Mori-

Patricia

Akim Tamiroff

of the

Mob, 61 mins

6-28-40

7-3-40.
Ralph
Bellamy,
Blanche
Yurka, J. Carrol Naish, Jean Cagney

Great McGinty, The, tfl mins.. . .8-23-40
FD: 7-23-40.
Brian
Donlevy, Muriel
Angelus, Akim Tamiroff

Mystery Sea Raider, 75 mins
8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens
Golden Gloves, 69 mins
8-2-40
FD: 8-5-40. Richard Denning, Jean Cagney, J. Carrol Naish

Rhythm on the

River, 92 mins
9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin,
Oscar Levant

Golden Trail, The, 52 mins
7-3-40
FD: 7-8-40. Tex Ritter, Slim Andrews, Three Men from Texas,
70 mins.. 11-15-40
Ina Guest
FD: 9-10-40. William Boyd, Russell HayBoys of the City, 63 mins
den, Andy Clyde
7-15-40
FD: 7-22-40. Bobby Jordan, Leo Gorcey, Rangers of Fortune,
80 mins
10- 1 1 -40
Dave O'Brien
.

Fred MacMurray,
Morison, Albert Dekker

Haunted House, The, 70 mins
7-22-40
FD: 7-23-40. Jackie Moran, Marcia Mae
Christmas in July, 70 mins
Jones, Geo. Cleveland
FD: 9-20-40. Dick Powell,
Laughing at Danger, 63 mins
8-12-40
Ernest Truex

Lee

Tracy,

Law, 59 mins
6-27-40. George

Prairie

FD:

son,

7-12-40
63 mins
Linda Hayes,

Prison,

6-27-40.

Raymond Walburn

PARAMOUNT

-Untamed, 83 mins
FD: 7-2-40. Ray Milland,

8-28-40
Hull, Isabel Jewell,

John Dlson

Ape, The, 62 mins
9-30-40
FD: 10-25-40. Boris Karloff, Maris Wrixon

FD: 6-11-40.
George, Wm.

Paulette Goddard

PRODUCERS RELEASING

ford

Double Trouble, 56 mins
FD: 10-15-40. Ray Corrigan, John King,
Max Terhune.

of All Flesh,

Police, 125 mins.
11-22-40
Gary Cooper, Madeleine

FD: 10-22-40.
Carroll,

of the Desert,

Corp.),

72 mins
Dunn, Frances

.

FD: 10-14-40.

ant

73 mins
8-31-40
7-12-40
George Formby, Phyllis Stagecoach War, 63 mins
FD: 7-10-40.
William Boyd, Russell
Hayden, Harvey Stephens

10-31-40.
Gifford

I

'Northwest Mounted

tis

9-23-40
That Gang of Mine, 62 mins
FD: 10-3-40. East Side Kids, Joyce Bry-

Queen

and

a Divorce,
mins
9J-20-4V. 1
FD: 10-4-40. Joan Blondell, Dick Powell,
Gloria Dickson

Arise

Rainbow Over the Range, 62 mins.. .6-29-40
FD: 9-10-40. Tex Ritter, Warner Rich-

Way

Arran

Comin' Round the Mountain, 8U mins.
8-16-40
FD: 10-3-40. Bob Burns, Una Merkel,
Jerry Colonna

Patricia

..10-18-40
Drew,

Ellen

6-14-40
O'Brien,

Virginia

Hogan

Vale, Dick

Cross-Country Romance, 68 mins.. .7-19-40
FD: 6-28-40. Gene Raymond, Wendy Bar-

Hedda Hopper

rie,

Ramparts We Watch, The, 90 mins.. 8- 16-40
FD: 7-24-40. John Adair, John Sommers,
Julia Kent

Meets the Women, 68 mins.

Dr. Christian

FD:

8-5-40.
Jean Hersholt,
Lovett, Edgar Kennedy

FD:
It

10-25-40.

Plane

8-22-40
John King,

Max Terhune.

in color

Murder

FD:

son Eddy, Mary Boland

FD: 7-2-40. Mickey
land, Lewis Stone

FD: 10-9-40. Travelogue
Torso

Calvert

New Moon,

Who

Mozart (Mozart Film Co.), 76 mins

FD:

M-G-M

8-12-40
to Die, 67 mins
FD: 9-3-40. Boris Karloff, Grant Withers,
Marjorie Reynolds

Doomed

8-19-40
9-30-40 Arizona Frontier, 60 mins
FD: 10-28-40. Tex Ritter, Slim Andrews,
Frank LaRue

11

9-17-40
Hang, 71 mins
FD: 10-4-40. Boris Karloff, Evelyn Keyes,
Bruce Bennett

FD: 8-20-40. Frankie Darro, Joy Hodges,
Mantan Moreland

document

son

Before

produc-

British

tion

Out West with the Peppers, 62 mins.

June 27, 1940, by companies.
players in the cast. Complete casts

Trailing

MISCELLANEOUS
Mein Kampf—
(Crystal Pictures),

After

Names are the principal

Little

77

FD: 9-20-40. Semi-factual

Thundering Frontier, 57 mins
FD: 9-16-40. Charles Starret,

11-1-40
Robert

Conrad Veidt, Nazimova

mins
10-25-40
10-29-40.
Frank Morgan, Virginia

Hullabaloo,

|

Drums

Grey, Dan Dailey,

Cedric Hardwicke

Sir

Whiteman

Third Finger, Left Hand, 60 mins. 10-11-40
DR: 10-11-40. Myrna Loy, Melvyn Doug-

Taylor,

of Virginia, The, 122 mins..

9-3-40.

Paul

Dulcy, 64 mins
FD: 10-3-40.

8-15-40
Durango Kid, The, 60 mins
FD: 8-23-40. Charles Starrett, Luana
Walters, Kenneth MacDonald

Howards

.

9-20-40
Up the Band, 120 mins
FD: 9-17-40. Mickey Rooney, Judy Gar-

8-8-40

Secret Seven, The, 62 mins
FD: 8-15-40. Bruce Bennett,
Rice,

.9-6-40
Barrymore, Lew
mins..

Strike

Breakfast, 89 mins.. 8-22-40

8-12-40.

FD:

Home, 78

Kildare Goes

las,

He Stayed

Carrillo,

Ann Rutherford
Dr.

Roland Young

Fight For Life, 69 mins

FD: 3-18-40.

review.

9-13-40

Wyoming, 89 mins

land,

Academy, 66 mins

Tommy

of English-speaking features released since

7-26-40
Gold Rush Maisie, 82 mins
FD: 9-6-40. Ann Sothern, Lee Bowman,
Slim Summerville

FD:

FD: 8-6-40.

FD: 8-6-40.

FILM DAILY

FD: 9-10-40. Wallace Beery, Leo

Dvorak, Helen Mack,

Fugitive From a Prison

Military

list

of

8-9-40
Love You Again, 99 mins
FD: 8-8-40. William Powell, Myrna Loy,
Frank McHugh

6-20-40

Girls of the Road, 61 mins

FD: 7-24-40.
Lola Lane

A

One Crowded

Lucky
FD:

8-9-40
mins
Seward, William Ha-

Night, 68

FD: 8-16-40.
ade,

7-5-40
Dorothy

Billie

Lang

Charles

Partners,

8-19-40.

102 mins
Ronald Colman,

8-2-40
Ginger

Rogers, Spring Byington

Stage to China, 59 mins
FD: 8-20-40. George O'Brien,
Vail,

7-26-40
Virginia

Roy Barcroft

Dance, Girl, Dance, 90 mins
8-23-40
FD: 8-28-40. Maureen O'Hara, Louis
Hayward, Lucille Ball
Stranger on the Third Floor, 64 mins.

8-16-40
FD: 9-3-40. Peter Lorre, John McGuire,
Margaret Tallichet

Men

9-6-40
Against the Sky, 75 mins
FD: 9-5-40. Richard Dix, Kent Taylor,

Wendy

Barrie

Dreaming Out Loud, 81
FD: 9-10-40. Lum

V

mins

Abner

9-13-40
(Chester

Lauck, Norris Goff)

9-27-40
Still Alive, 72 mins
FD: 9-30-40. Kent Taylor, Linda Hayes,
Ralph Morgan

I'm


f Current Feature Releases

Riding to date of review. Dates after titles are distributor release dates; FD: indicates date ion credits are included with FILM DAILY reviews. *Indicates Technicolor production.

**REPUBLIC**

Refugee, The, 79 mins. 7-3-40
FD: 6-14-40. John Wayne, Sigrid Gurie, Chas. Coburn
Carson City Kid, The, 57 mins. 6-27-40
FD: 6-9-40. Roy Rogers, George "Gabby" Hayes, Bob Steele
Wagons Westward, 70 mins. 6-19-40
FD: 6-24-40. Chester Morris, Anita Louise, Buck Jones, Ona Munson
One Man’s Law, 57 mins. 6-29-40
FD: 7-8-40. Dan "Red" Barry, Janet Wadia, Dub Taylor
Scatterbrain, 74 mins. 7-20-40
FD: 7-11-40. Judy Canova, Alan Mowbray, Ruth Donnelly
Carolina Moon, 65 mins. 6-15-40
FD: 7-16-40. Gene Autry, Smiley Burnette, June Storey
Girl From God’s Country, 71 mins. 7-30-40
FD: 7-23-40. Chester Morris, Jane Wyatt, Chas. Bickford
Ranger and the Lady, The, 59 mins.
FD: 7-30-40
FD: 7-24-40. Roy Rogers, George Hayes, Jacqueline Wells
Sing, Dance, Plenty Hot, 70 mins. 8-10-40
FD: 8-5-40. Ruth Terry, John Dwyers, Earl of Puddletown, 67 mins. 8-30-40
FD: 8-14-40. James and Lucile Gleason, Harry Davenport
Oklahoma Renegades, 57 mins. 7-30-40
FD: 8-15-40. Bob Livingston, Raymond Hatton, Duncan Renaldo
Ride Tenderfoot, Ride, 65 mins. 9-6-40
Colorado, 57 mins. 9-15-40
FD: 9-3-40. Roy Rogers, George "Gabby" Hayes, Pauline Moore
Girl from Havana, 69 mins. 9-11-40
FD: 9-6-40. Dennis O’Keefe, Claire Colletton, Victor Jory, Tula Kid, The, 57 mins. 8-16-40
FD: 9-6-40. Don "Red" Barry, Noah Beery, Luana Walters
Under Texas Skies, 57 mins. 9-27-40
FD: 9-12-40. Bob Livingston, Bob Steele, Rafe Davis
Young B’lackie, 59 mins. 10-24-40
FD: 9-27-40. Roy Rogers, George "Gabby" Hayes, Jacqueline Wells
Melody and Moonlight, 72 mins. 10-11-40
FD: 10-3-40. John Dwyers, Barbara Allen (Vera Vague)

**20TH CENTURY-FOX**

Manhattan Heartbeat, 72 mins. 7-12-40
FD: 6-5-40. Robert Sterling, Virginia Gilmore, Joan Davis
Earthbound, 67 mins. 6-7-40
On Their Own, 63 mins. 5-17-40
Girl in 313, 56 mins. 5-31-40
FD: 6-17-40. Florence Rice, Kent Taylor, Lionel Atwill
Lucky Cisco Kid, 68 mins. 6-28-40.
FD: 6-28-40. Cesar Romero, Mary Beth Hughes, Chris-Pin Martin
Maryland, 92 mins. 7-14-40
FD: 7-2-40. Walter Brennan, Fay Bainter, Brenda Joyce, John Payne
Street of Memories, 71 mins. 11-15-40
FD: 7-29-40. Lynn Roberts, Guy Kibbee, John McGuire
Sailor’s Lady, 66 mins. 7-5-40
FD: 7-3-40. Nancy Kelly, Jon Hall, Wally Vernon
Young People, 78 mins. 8-30-40
Man I Married, The, 77 mins. 8-2-40
FD: 7-16-40. Joan Bennett, Francis Lederer, Lloyd Nolan
Charlie Chan at the Wax Museum, 63 mins. 10-6-40
FD: 8-1-40. Sidney Toler, Sen Yung, C. Henry Gordon
Pier 13, 65 mins. 8-23-40
FD: 8-9-40. Lynn Bari, Lloyd Nolan, Joan Valerie
Return of Frank James, The, 92 mins.
FD: 8-16-40
FD: 8-12-40. Henry Fonda, Gene Tierney, Jackie Cooper, Henry Hall
Great Profile, The, 82 mins. 10-25-40
FD: 8-70-40. John Barrymore, Gregory Ratoff, Mary Beth Hughes
Brinkham Yinn, 114 mins. 9-27-40
Public Deh Nv. 1, 105 mins. 10-13-40
FD: 9-18-40. Brenda Joyce, George Murphy, Charlie Ruggles
Down Argentine Wav, 94 mins. 10-11-40
FD: 10-4-40. Don Ameche, Betty Grable, Carmen Miranda
Night Train, 90 mins. 10-18-40
FD: 10-25-40. Margaret Lockwood, Rex Harrison
Gold Diggers, The, 57 mins. 10-4-40
FD: 10-28-40. Cesar Romero, Sheila Ryan, Robert Sterling

**UNIVERSAL**

Private Affairs, 75 mins.
FD: 6-13-40. Herbert, Nancy Kelly, Roland Young
Hot Steel, 61 mins.
FD: 6-26-40. Richard Arlen, Andrev Devine, Peggy Moran, You're Not So Tough, 71 mins. 7-26-40
FD: 7-11-40. Noy Grey, Billy Halop, Huntz Hall
Boys From Syracuse, The, 73 mins. 8-9-40
FD: 7-5-40. Alan Jones, John Penniman, Martha Raye
Furitive, The, 76 mins. 9-20-40
FD: 7-25-40. Ralph Richardson, Diana Barrymore
When the Daltons Rode, 80 mins. 7-26-40
FD: 7-29-40. Randolph Scott, Kay Francis, Brian Donlevy
I'm Nobody's Sweetheart No., 64 mins.
FD: 8-6-40. Dennis O'Keefe, Constance Moore, Helen Parrish
Son of Roaring Dan, 63 mins. 7-26-40
FD: 8-9-40. John Mack Brown, Fuzzy Knight, Null O'Day
South to Karonga, 59 mins.
FD: 8-4-20. Charles Bickford, James Craig, Lali Desti
Leather Pushers, The, 64 mins. 9-13-40
FD: 9-9-40. Rosalind Russell, Brian Ahern, Virginia Bruce, Robert Benchley
Black Diamond, 69 mins. 7-19-40
Matric, 59 mins.
FD: 9-18-40. Tom Brown, Nan Grey
Spring Parade, 89 mins.

**WARNER BROS.**

All This and Heaven Too, 143 mins. 6-29-40
FD: 11-17-40. Davis, Charles Boyer, Barbara O'Neil, Jeffrey Lynn
My Love Came Back, 87 mins. 7-20-40
FD: 6-28-40. Olivia de Havilland, Jeffrey Lynn, Eddie Albert
Man Who Talked Too Much, The, 75 mins. 7-6-40
FD: 7-8-40. George Brent, Virginia Weidler, Richard Wendkos
They Drive by Night, 93 mins.
FD: 7-12-40. George Raft, Ann Sheridan, Idar Lupino, Humphrey Bogart
Sea Hawk, The, 127 mins.
FD: 8-24-40
Flowing Gold, 82 mins.
FD: 8-28-40. John Garfield, Frances Farmer
River's End, 69 mins.
FD: 8-10-40
FD: 8-28-40. Dennis Morgan, George Tobias, Elizabeth Earl
Ladies Must Live, 58 mins. 7-27-40
FD: 8-16-40. Wayne Morris, Priscilla Lane, Roccos Karre
No Time for Comedy, 93 mins.
FD: 9-14-40
City for Conquest, 101 mins. 9-21-40
Money and the Woman, 67 mins.
FD: 8-17-40
FD: 9-18-40. Brenda Marshall, Jeffrey Lynn, John Litel
Dispatch from Reuter's, A, 89 mins.
FD: 9-24-40
Knute Rockne—All American, 98 mins.
FD: 10-7-40
FD: 9-18-40. Pat O'Brien, Gale Page, Ronald Reagan, Donald Craig
Dispatch from Reuter’s, A, 90 mins.
FD: 9-18-40
FD: 10-4-40. Edward G. Robinson, Edna Best, Eddie Albert
Tugboat Annie Sails Again, 77 mins.
FD: 10-26-40
FD: 10-29-40. Marjorie Rambeau, Alan Hale, Robert Young
East of the River, 73 mins.
FD: 11-30-40
Decree Analysis Assumes Each of Five Majors Will Have Four Groups of Five

(Continued from Page 1)

the institution of the Government suit, Myers, speaking before N. J. Allied, summed up the case as being made of a bad bargain, but subsequently, Allied’s board directed him to oppose the decree’s provisions.

Myers, in the bulletin, made a complete analysis of the decree and a clause-by-clause interpretation.

Blocks of Five Arguments

Those who have opposed the selling of pictures in blocks of five have based their objections, according to Myers, on the grounds that (a) while it enables exhibitors to choose as between groups of five, distributors can still force unwanted pictures with desirable ones; (b) that it deprives exhibitors of their present cancellation privileges, such as they are; (c) that it threatens the continual flow of good pictures that exhibitors rely on in the operation of their theaters and (d) that it will impose a hardship on exhibitors in having to buy at frequent intervals and may increase prices.

Proponents of the system declare they favor it because (a) whereas he now has to buy from each distributor from 30 to 52 pictures, the new system will enable him to choose as between groups of five concerning which he can obtain all the information he wishes; (b) that the requirement that pictures must be trade shown before being offered will place them in the class of perishable commodities and distributors will be under compulsion to sell them as soon as possible, thus adding to the exhibitors’ bargaining power; (c) that they may be done in the flush days of the business when there is a high price psychology, and some buying can be done before Thanksgiving and Christmas, during Lent and in the summer months, and (d) that as exhibitors and distributors alike are sporting the blues; (d) that the stanglehold of the distributors on the screens will be broken, giving exhibitors greater freedom in shopping around and opening the way for independent producers to enter the market and compete with the Big Eight.

As to “Trade Shows”

Analyzing the “trade show” clause with respect to features released after Aug. 31, 1941, Myers points out that it “does not mean an exhibitor

Tough Break, Doc—But Three’s a Crowd

Another one of those irresistible results of having to bid death—this time from the marquee of the Baby L. I., Theater. “He Stayed For Breakfast”

and Dr. Kildare Case Home (editor’s note: Palisave, Doc)

Adelphi Case Action Waits on N. Y. Decree

(Continued from Page 1)
torneys for Illinois Allied in the Adelphi theater anti-trust case, said yesterday that the case will be kept under close watch by the New York equity suit decree is effective. Counsel will study the decree carefully before announcing decision as to whether the Adelphi case will be continued or not. Rosenberg stated that if the arbitration award under the decree became final, or several cases brought before it impartially, it would remove much cause of complaint by theater owners.

Korda Signs Stallings

West Coast Bureau of THE FILM DAILY

Hollywood—Alexander Korda has signed Laurence Stallings to write the screenplay based on Rudyard Kipling’s “The Jungle Book,” which is to be the next starring vehicle for Sabu. Zoltan Korda will direct.

“Little Three” Complaint

In a Wholly New Form

(Continued from Page 1)

an order permitting the amending of the complaint is necessary at this stage in the suit. It is understood that the decree has not been completed but will be ready for presentation to the Court on Nov. 14.

PDC Sets Seven Pictures For Dec-Jan. Release


Five more pictures are set to go into work shortly.

Freedman Names Members Of Pix Defense Committee

(Continued from Page 1)

E. J. Mannix, Samuel Briskin, Y. Frank Freeman for the producers; Jack Chertok and Gordon Hollingshead, for short subjects; Frank Capra, for the Directors’ Guild; Edward Arnold, for the Actors’ Guild; Sheridan Gibney, for the Writers’ Guild; Richard Day, art direction; Major Nathan Levinson, sound; John Arnold, camera; John Nicholas, labatory; Alfred Newman, music; Charles Belden and Meyers, industrial relations; Jock Lawrence, Howard Strickling, Robert Trapling, public relations; Mendel Silberberg, counsel.

This committee will serve as advisory group for all film productions while they are under co-production with various departments of the United States Government.

Erwin Acquires Fairplay

Denver—R. D. Erwin has bought the Fairplay theater in Fairplay, from R. A. Spurlock.

Better Pix Sending FPC’s Earnings Up

(Continued from Page 1)

war contracts and creation of new industries. Young people who have not had advantages in income in the past few years are beginning to find themselves with a little money to spare for amusement, it was added. Gross revenues of the corporation have been steadily improving for several months right across Canada, with most improvement shown in centers where there are concentration of troops or where new war industries have been established. Net earnings, it is learned, are also ahead of last year, but increasing taxation will have some effect in setting net profits which cannot accurately be forecast at the moment. Net profits after all taxes in 1939 were $51,942.70, while in 1940 a possibility that this year’s higher taxation may keep them from climbing much over that level.

War Dept Seeking Animation Artists

Additional animation artists are needed by the War Department in connection with the project of instructing through motion pictures on military subjects. The U. S. Civil Service Commission is endeavoring to secure qualified artists to fill the position of senior artist illustrator in the War Department. Salary of $2,000 a year is paid and an annual usual $25 per cent retirement deduction. Application must be filed with the Civil Service Commission not later than Nov. 28, if received from States East of the Mississippi River, not later than Dec. 1, 1940, if received from Colorado and States Westward.

MPTOA Still to Select Maker of Decree Scale

Columbus, Miss.—The MPTOA has not as yet determined who will appear to register its opposition to certain provisions of the New York equity suit consent decree before Federal Judge Henry W. Goddard in New York Nov. 14, it was said yesterday by Novy Ed Kuykendall.
MYERS SEES CIRCUIT EXPANSION 'JOKER'

Complete Industry's Setup for Defense Program

Will Provide a Clearing House for Such Plans as May Serve Nation's Needs

Contribution of motion pictures to the nation's defense program will be handled through committees announced yesterday by Francis Harmon, co-ordinator of the industry's voluntary organization to provide a clearing house for such plans as may best serve the national needs, insofar as the screen is properly concerned, according to (Continued on Page 7)

Kodak Profits Over 10% Back to Gov't

Rochester—Official announcement was made yesterday by executives of the Eastman Kodak Co., that it would refund to the Government any (Continued on Page 6)

LaCrosse Theaters Suit Under Way at Madison

Madison, Wis.—Taking of testimony was started here yesterday in U. S. District Court in the case of (Continued on Page 6)

UA Asks Nazis for 'Dictator' Corrections

United Artists yesterday cabled the Nazi propaganda minister, Dr. Goebbels, asking that he make corrections of German broadcast statements that "The Great Dictator" was playing to "half empty houses" in New York. Mosquito said that the German Consul in New York could verify that a midnight showing had to be added at the Capitol to accommodate the abnormally large crowds and that Astor advance sale was over $50,000, with seats selling eight weeks ahead.

RKO Virtually Closed With All Circuits:
Report Sales Running 56% Ahead of 1939

Closing of a product deal with the Minnesota Amusement Co. for RKO's 1940-41 program virtually represents the completion of deals with every important circuit in the U. S. Eighty-two theaters in Minnesota, Wisconsin, North and South Dakota are involved in the Minnesota Amusement transaction. It is reported that RKO's sales currently are running approximately 56 per cent ahead of the corresponding period last year, with more than 6,000 contracts to date.

20th-Fox Reports
Loss of $1,075,611

A consolidated net operating loss of $1,075,611 after all charges, including provision of $2,200,000 for reserve against foreign assets, for the 39 weeks ending Sept. 28, was reported yesterday by 20th-Fox. Figure compares to a profit of $3,182,385 for the first 39 weeks of 1939. Consolidated net operating loss for the third quarter, ended Sept. 28, was $1,192,824, including provision of $1,400,000 for reserve against foreign assets. A loss of $236,163 was shown by the company for the (Continued on Page 7)

Ohio ITO May Wake Dormant Neely Bill

By CECIL SANSBURY
FILM DAILY Staff Correspondent

Columbus, O.—That the members of the ITO of Ohio may consider it necessary to awaken the dormant Neely anti-block-booking bill was the sentiment of members following a final "bull session" of the annual convention at the Deshler Wallick Hotel yesterday, at which Abram F. Myers, general counsel for national Allied, conducted the question and answer forum. A detailed consideration of the consent decree in the (Continued on Page 7)

HAYS AND KENNEDY WILL MEET AGAIN ON U. K. PLAN

Hays and Kennedy Will Meet Again on U. K. Plan

A second meeting between William H. Hays, MPPDA head, and Joseph F. Kennedy, ambassador to Great Britain, has been scheduled for the latter part of next week for a further discussion of British monetary and (Continued on Page 6)

St. Louis Exhibs. for Singles

BFC Says Favorable Response Overwhelming

St. Louis — Theater owners and managers of St. Louis County have responded to the multiple feature showdown demand by the Better Films Council of Greater St. Louis by recording themselves as in favor of their elimination, it was announced yesterday by Mrs. A. F. Burt, founder and honorary president. Favorable response from the exhibitors was termed "overwhelming" by Mrs. Burt, who de- (Continued on Page 6)

Allied Exec. Claims Seven Words Pull "Teeth," Mark Full D of JCAPITULATION

Charges that the decree section dealing with acquisition of theaters by circuits has been robbed of all force by the addition of seven words were made by Abram F. Myers in a special bulletin for the information of allied directors. The seven words, he points out, are those at the end of a sentence which makes exceptions to the ruling against acquiring theaters; namely: "or for ordinary purposes of its business."

In Myers' own words, the Allied general counsel wrote, in partially quoting the decree: "No consenting defendant may enter upon a general program of expanding its theater holdings but this shall not be construed to prevent any defendant from acquiring the theaters or in-

Decree and Allied Assailed by Cohen

By JACK SCHUYLER
FILM DAILY Staff Correspondent

Syracuse — A large turnout of local exhibitors perfected organization of the Syracuse Unit of the MPTO of New York State, Inc., with Sidney Grossman as vice-president. Directors are: J. Meyer, Schine of (Continued on Page 8)

Would Re-affirm Accord Not to Use Star Ratings

At the instigation of several ad and pub. directors of the major companies who were in the accord (Continued on Page 8)

No FILM DAILY as U. S. Goes to Polls

No edition of THE FILM DAILY will be published on Tuesday, Nov. 5. Election Day, a legal holiday. Staff correspondents should govern themselves accordingly.
“NORTH WEST MOUNTED POLICE”

still CLIMBING toward that RECORD WEEK!

Newman, Kansas City - 6 days—175% of “U.P.”
Majestic, Houston - 6 days-148% of “U.P.”
Malco, Memphis - - 6 days—200% of “U.P.”
Chicago, Chicago - - 6 days—204% of “U.P.”
Strand, Providence, - — 6 days—157% of “U.P.”
Palace and Wisconsin, Milwaukee - - 6 days—257% of “U.P.”
Paramount, Portland - 6 days—138% of “U.P.”
Palace, Youngstown - 6 days—174% of “U.P.”
State, Portland, Me. - - 6 days—204% of “U.P.”
Denham, Denver - — 5 days—130% of “U.P.”

WILL H. HAYS leaves today for his home in Indiana where he will remain until after Election Day. He is expected back next Wednesday or Thursday.

W. F. ROGERS, M-G-M general sales manager, is due in from the Coast only next week.

RAY V. WEMPLE of Metropolitan Playhouse leaves Hollywood tomorrow for New York.

NORMAN MORAY, short subject sales man-ager for Warners, left Hollywood yesterday for an extended tour of the company’s branches. He will arrive in Hollywood around Nov. 18.

PAT CASEY, producers labor representative, is in New York for a week to 10-day stay.

A. MONTAGUE, RUBE JACKER, LOUIS WEIN- BERG, LOUIS ASTOR, MAX WEISFELT, MAU- RICE CRAD, GEORGE JOSSES and HANK KAU- MAN left New York tonight for the Commodore Vanderbilt for a two days’ sail to meet of Colum- bia’s Midwestern representatives over the week-end in Chicago.

RALPH BELLAMY sails today on the Santa Ros- a for a vacation trip.

MIRIAM HOPKINS is at the Piere.

VIRGINIA CHERILL leaves the Coast in about two weeks for New York and England.

OSCAR DOOR and HARRY GOLDBERG returned this morning from Washington where they con- ferred with newspaper publishers.

CLIFF WORK, producer, returned from Universal, plans to return to the Coast this week-end.

C. G. LARRINGTON, vice-president and gen- eral manager of Altec Service, has returned to New York from the SFME meetings on the Coast, making stops at Altec district offices on the trip.

AL HANSON, California exhibi., and his archi- tect, J. CHARLES LEE, have arrived in New York City.

MAX A. COHEN is in Buffalo.

St. Louis Indies Extend Operators Pact 2 Years

St. Louis—Fred Wehrenberg, presi- dent of the MPITO of St. Louis, an- nounced yesterday that the local in- dies have signed a new two-year wage scale and working agreement contract with Local 183, Operators. He said that there is to be no change in either wages or working conditions. Contract will be retroactive to Aug. 31. Union ratification is expected.

COMING and GOING

Friday, November 1, 1940

FINANCIAL

(Thursday, Oct. 31)

NEW YORK STOCK MARKET

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| NEW YORK BOND MARKET
|      |      |      |      |      |
| Keith B. F. ref. 464 | 465 | 465 | 465 | + 1% |
| Loews’ Inc. | 131% 46½ | 131% 46½ | 131% 46½ | + 1% |
| Pathe, B’way 455 | 455 | 455 | 455 | + 1% |
| Pathe, Picts. | 635 | 635 | 635 | + 1% |
| Pathe, Picts. | 21% 64½ | 21% 64½ | 21% 64½ | + 1% |
| Warner Bros. “d. 648 | 648 | 648 | 648 | + 1% |
| NEW YORK CURR MARKET
|      |      |      |      |      |
| Monogram Corp. | 1½  | 1½  | 1½  | + 1% |
| Sonorophone Corp. | 1½  | 1½  | 1½  | + 1% |
| Technicolor | 1½  | 1½  | 1½  | + 1% |
| Trans-Luxe | 1½  | 1½  | 1½  | + 1% |
| Universal Corp. | 1½  | 1½  | 1½  | + 1% |
| Universal Picts. | 1½  | 1½  | 1½  | + 1% |

“Great Dictator” Packs Two Chi. Houses at Debut

Chicago—Charlie Chaplin’s “Great Dictator” premiered here last night to packed houses at both theaters where it is being screened — the Roosevelt and the Apollo. The pres- ence received loads of advance pub- licity and exploitation.

B & K exec. look for a long run for the films in the Loop theaters.

Politics Hit Chi. Biz.

Chicago—The political campaign has slowed up business this week in all Chicago theaters.

“Escape’s” Opening Day Draws 22,000 Attendance

Metro’s “Escape,” off to a lively start at the Radio City Music Hall yesterday, was expected to run up an attendance of about 22,000 for the day. They would bring the day’s draw to slightly under that of “Pride and Prejudice.”

Place 400 Print Order For Warners “The Letter”

Upping the primary laboratory order on “The Letter” to 400 prints, Warners have scheduled a simultaneous Thanksgiving Day release for the Bette Davis film throughout the country, in 865 theaters. This figure tops previous studio high set by “Knute Rockne—All American” of 360 prints. William Wyler directed the picture which will open at the Strand Theater in New York.

GWTW in 18th London Wk. Going Strong Despite War

“Gone With the Wind” is in its 18th week in London and “still going strong,” according to a letter received from Harry Buxton, head of the Buxton circuit in England, by Producer David O. Selznick. Bux- ton said that under peace conditions, the picture would run at least a year.

Broy, Chief Engineer For B & K Tele Station

Chicago—A. H. Broy, formerly with Philco, has been named chief engineer of the B & K television station W9XBU. R. Wernenth is his assistant. Will Edly, plant man- ager, has named Helen Wescos his secretary. Work is being pushed on the station installation in the State Lake building.

Happy Birthday to You

From THE FILM DAILY to

November 1

Laurel LaPietro
M. A. Tucker
Ernest Ravehadt

November 2

Charles Kenyon
Ann Rutherford
Jock James

November 3

Paul Panzer
Myers Sees Circuit Expansion "Joker"

(Continued from Page 11)

(Continued from Page 17)

20th-Fox Reports Loss of $1,075,611

(Continued from Page 1)

second quarter of this year. A profit of $827,069 was shown for the third quarter of 1939.

Operating expenses of exchanges, home office and administrative expenses, etc., were listed in the report at $8,052,169.82. Amortization of production and other costs for the 39 week period was set at $224,822.692.12. Participation in film rentals totaled $3,093,206.36.

Purpose of the additions to special reserve against foreign assets is to exclude from current profits, those profits earned during the period in foreign currencies, principally sterling, which are not currently realizable in U. S. dollars and are therefore not available for use in the corporation's operations here. These profits are now represented by foreign current assets (principally cash) and at such future time when they may be converted into U. S. dollars, they will be included in the profits of the period in which realized, the company said.

No portion of the earnings of National Theaters Corp. is included in these figures since no dividends have been declared by that Corporation during the first 39 weeks of either year.

Technicolor's Dividends May Match 1939's Figure

Dr. Herbert T. Kaimus, Technicolor's president, announced yesterday that the board had declared a dividend of 25 cents, payable November 15 to stockholders of record at the close of business on Wednesday. The previous dividend was payable June 18, last, and amounted to 50 cents per share. Total Technicolor dividends in 1939 amounted to $1 per share. Since board will meet again before the end of the present year, indications are that the 1940 dividends will, in all likelihood, match the 1939 figure, Wall St. sources believe.

Appeal on Allowances

Kommel and Rosenberg, attorneys for H. Casset & Co., yesterday filed a notice of appeal from a decision of Federal Judge William Bosony. Court had ruled that they were not entitled to an allowance for services in the RKO reorganization proceedings. The applicants had sought $15,000.
REVIEW OF THE NEW FILMS

One Night in the Tropics

with Allan Jones, Nancy Kelly, Abbott & Costello, Robert Cummings
Universal

LAUGH-LADEN MUSICAL ROMANCE WHOSE BREEZY TEMPO AND TUNES COMMEND IT TO VIRTUALLY ALL STANDARDS.

L noch is the long suit of this romantic musical comedy which is light, frothy and studded with songs of the pop variety. These melodies are the compositions of Jerome Kern. There are five, all tall and the lyrics to all but one are supplied by Dorothy Fields—The exception being by Oscar Hammerstein, 2nd. By title, they are "Faranda," "You and a Kernel," "Chocolate Philosophy," "Your Dream" and "Remind Me."

For the most part, these numbers are artfully and pleasingly into the action of the story, which deals fundamentally with a love quadrilateral, the principal roles in which are Robert Cummings, Joan Blondell, seen cinematically in Universal's "Spring Parade;" Nancy Kelly, Allan Jones, and Peggy Moran. After dramatic shuffling and courtship, Jones winds up with the comedy, Kelly, while Cummings and Peggy Moran are finally united, but this result is not achieved until the finale.

In the meanwhile, amid scenes of New York, a cruise to the Caribbean island of San Marcos, and upon that fictitious strand, there are humorous situations poised to be exploited by the film fan, and the duo invested chiefly with this duty is the Bud Abbott-Lou Costello combo so popular on the airwaves. These clowns do their baseball bit and other belly-laugh routines which have brought them into show biz prominence, and do them well.

Because of the lifting nature of the footage, audiences will find "One Night in the Tropics" diverting enough, and it should be well received by the patron of this type of material generally. This opes int of particularly heavy gauge as musicals go, but it has enough to commend it solidly to its outlets. A. Edward Sullivan's direction is smooth and effective. Joseph Valentine's photography is neat.

CAST: Allan Jones, Nancy Kelly, Abbott & Costello, Robert Cummings, Leo Carrillo, Mary Boland, Peggy Moran, Barnett Parker, William Frawley, Nina Orla, Richard Carle, Don Alvarado, Kathleen Howard.

CREDITS: Associate Producer, Leonard Spiegelgass; Director, A. Edward Sutherland; Screenplay, Gertrude Purcell, Charles Grayson; Adapted by Kathryn Scala, Francis Martin; Author, Earl Derr Biggers; Musical Numbers by Jerome Kern; Director of Photography, Joseph Valentine; Art Director, Jack O'Brien; Associate, Arthur Edeson; Editor, Milton Cassir; Assistant Director, Joseph A. McDonough; Gowns, Vera West; Set Decorations, A. Garmus; Musical Director, Charles Previn; Orchestra, Frank Skinner; Sound Supervisor, Bernard B. Brown; Technician, Joseph Lapla; Dance by Larry Ceballos.

DIRECTION, Smooth. PHOTOGRAPHY, Good.

Who Killed Aunt Maggie?

with John Hubbard, Wendy Barrie, Edgar Kennedy
Republic

70 Mins.

MURDER MYSTERY WITH LOTS OF SENSE AND PLENTS OF COMEDY IS GOOD ENTERTAINMENT.

Three murders, a secret room, family secrets and a suspenseful constructed plot make this picture entertaining. In addition, it has been given a broad comedy angle that will get plenty of laughs in the person of Edgar Kennedy as the SCT. who investigates the murders. Picture is first rate neighborhood fare and will fit nicely on any bill. The cast is good, the action moves along at a fast rate, and the mystery and comedy elements are nicely synchronized.

John Hubbard gives a good account of himself in a top spot, and Wendy Barrie is attractive and effective opposite him. Edgar Kennedy is amusing as a Georgia scherzo; Walter Abel, Elizabeth Patterson, Conrad Stevens, Joyce Compton and Mona Barrie fit nicely in important roles, Wilse Best contributes some additional laughter to the picture and the remainder of the cast is capable. Arthur Lubin gets credit for a nice direction, and Stuart Palmer's screenplay is nearly turned out.

Miss Barrie and Hubbard, radio advertising man, get in a row over the improbable situations of a radio script and the leaves for her family home in Georgia. Hubbard follows her and scoffs at the disappearance of a corpse, but becomes more serious when a second one disappears and a third murder is committed. The murderer is finally uncovered and Miss Barrie and Hubbard get married in the midst of another row over a radio script.

CAST: John Hubbard, Wendy Barre's, Edgar Kennedy, Elizabeth Patterson, Onslow Stevens, Joyce Compton, Walter Abel, Mona Barrie, Willie Best, Daisy Lee Mothershed, Milton Parsons, Tom Dugan, William Haudo, Joel Friedman.

CREDITS: Associate Producer, Albert J. Cohen; Director, Arthur Lubin; Screenplay, Stuart Palmer; Based on a novel by Medora Field; Cameraman, Reggie Lanning; Editor, Edward Mann.

DIRECTION Able. PHOTOGRAPHY, Good.

Haunted Honeymoon

with Robert Montgomery, Constance Cummings, Leslie Banks
Metro

83 Mins.

MOROGENIC ABSORBING MURDER MYSTERY IS LEISURELY-PACED SCREENFAR.

One neatly contrived murder, as engaging a cast and a delightful setting for the crime are provided in this English import. Although there is an absence of nerve wracking suspense and weird noises in the night, the story holds its interest until the crime is solved. Action, however, is leisurely. Montgomery, Miss Cummings and Leslie Banks are salable marquees "names." and the author of the story in its novel form, Dorothy L. Sayors, is well known as a writer of mystery fiction.

Montgomery appears to advantage as a circulate aristocrat who is a brilliant crime analyst, and Miss Cummings attractively and capably fills the role of a writer of detective fiction who marries him. A fine supporting cast of British players implement the principals effectively, with Leslie Banks, Seymour Hicks, Robert Newton, Googie Withers, Frank Pettingell, Joan Kemp-Welch, Aubrey Malliame and James Mason among them. Arthur B. Woods directed, turning in a smooth job.

Montgomery and Miss Cummings are married and go to a country home he has given her as a wedding present to spend their honeymoon, accompanied by Hicks, Montgomery's servant. When a murder is uncovered they plan to leave immediately as they had taken a pledge to the Earl from solving crimes and writing murder mysteries. However, arrival of inspector Banks complicates matters and they become involved because they don't want to see any innocent party convicted. Montgomery finally solves the murder with a nice bit of criminal reconstruction and their interrupted honeymoon is continued.

CAST: Robert Montgomery, Leslie Banks, Constance Cummings, Sir Seymour Hicks, Robert Newton, Googie Withers, Frank Pettingell, Joan Kemp-Welch, Aubrey Malliame, James Mason, Eliot Makemah, Reginald Pardelle.

CREDITS: Associate Producer, Harold Huth; Director, Arthur B. Woods; Screenplay, Monckton Hoffe, Angus MacPhail and Harold Goldman; Based on a novel by Dorothy L. Sayors; Cameraman, F. A. Young; Editor, Al Barnes.

DIRECTION, Good. PHOTOGRAPHY, Good.

Revert to "Far Horizon"

West Coast Bureau of THE FILM DAILY

"Far Horizon"—Finally published titled of the Pola Banks' novel, will be the new title on Warners' picture version hitherto called "January Heights." Production starts today with Bette Davis and George Brent starred under the direction of Edmund Goulding.

Cash Quiz Trade Showing

New Haven—Premium Promotion Syndicate, Inc., is issuing invitations to exhibitors for screening of a new Cash Quiz idea on Nov. 12 at the 20th-Fox screening room.

SHORTS

It Is For Us the Living

Film Associates

19 mins.

Splendid Two-Reeler

Here is an eloquent, edifying and forceful exposition of the great humanitarian works being carried on by The Federation of Jewish Charities. It delineates the care extended annually to several thousand infants in order that they may be thoroughly fortified for the battle of later life; to the thousands of orphans that they may grow up to enjoy equality and opportunity which is both their divine and democratic right; to the thousands, likewise, who are in need, of educational, recreational and vocational advantages. It is pointed out that Federation does not separate and distinct institutions, is binding every effort not only to aid in the social salvation of the infant and youth, but also in assisting the adult. Those unfortunates who are afflicted with tuberculosis, for example, What Federation does for victims of the Great White Plague; how the organization finds a place in the business world for those discharged-as-cured from the sanitarium; and how even workshops are maintained to aid convalescents' careful return to normal pursuits—are brought vividly. The film, to be shown within Federation, and educationally to some 150,000 people, is narrated very effectively by Benjie Bartlett and Edwin Jerome. It was made by Film Associates, Inc., with the photographic assistance of F. O. Crosby and Ray Phelps. Production is technically excellent throughout.

FOREIGN

Mayerling To Sarajevo

(French dialogue, English titles)

Leo Films, Inc.

105 Mins.

DAILY NEWS: Interesting historical drama.

HERALD TRIBUNE: Occasionally it has haunting beauty and emotional power, but the whole is a slightly tedious conversation piece.

TIMES: Picture has been done with surprising efficiency.

POST: Picture is static, formal and too smoothly put together.

CREDITS: Produced by British Unity Productions; Director, Brian Donlevy; PLAYERS: John Lodge, Edwige Feuillere, Aimee Clarion.

Craven, Robert Flake, Dorothy Fay and Forrest Taylor are prominent in the cast. Serial starts off with a bang with the action maintained at a fast and furious clip.

SERIAL

The Green Archer

Columbia

21 mins. per ep.

Exciting And Actionful

Based on a novel by the late Edgar Wallace, this serial has it in it to keep audiences coming back to theaters week after week to see the next episode. Victor Jory and Iris Meredith have the lead roles. James

Friday, November 1, 1940

The Film Daily
The 1941

FILM DAILY YEAR BOOK

of over 1200 pages of valuable information and advertising will be ready for distribution in January 1941 to all subscribers to—

The FIRST daily motion picture trade paper.

The OLDEST daily motion picture trade paper.

The ONLY daily motion picture trade paper devoted EXCLUSIVELY to motion pictures and motion picture people—

THE Film DAILY

1501 BROADWAY

NEW YORK CITY
Kodak Profits Over 10% Back to Gov't

(Continued from Page 1)

profits in excess of 10 per cent on defense orders that have been placed with it. The company is manufacturing a special apparatus for national defense and expects to be engaged in its manufacture over a period of years.

Statement of the company's purpose, posted on bulletin boards at the local plant and offices, said that Eastman Kodak is "understood to be the first to request a pledge to the Government in connection with the national defense program."

The announcement stated that, following the first World War, Eastman Kodak, carrying out a similar pledge, refused a large amount to the Government. At each of its defense contracts will extend over a period of years, any profit up to 10 per cent retained by the company and spread over that period. It is pointed out that the 10 per cent profit will be subject to income and excess-profits taxes which are likely to amount to two-thirds of the 10 per cent profit.

Nazis Pushing Own Pix: Halt French Production

(Continued from Page 1)

mans told him they had 290 German films with French subtitles to show first, and they refused to let him Preview. Francen was greeted upon his arrival from France by execs of the France Film Co. which is releasing "Scandal" and "Serys L’Amour" in which he appears.

Saef Managing Shawmut

Boston—Jack Saef, long in various capacities with Paramount theaters—now M & P in this territory—has been transferred from publicity director at Boston Paramount to manager of the Shawmut, a nabe. Martin Glaser, who for past four years has been assistant publicity director at the Metropolitan, takes place vacated by Saef at the Paramount. Saef leaves Paul Levy in sole charge of publicity at the Met.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood — John Downs setor, will marry June Draper of Los Angeles.

Scranton, Pa.—Dorothy Rita Dolan and William L. Kays, manager of the Glode Theater, will wed in St. John the Evangelist Church Nov. 7.

West Coast Bureau of THE FILM DAILY


St. Louis Exhibs. for Singles

BFC Says Favorable Response Overwhelming

(Continued from Page 1)

clared that the Council “fully realizes the situation of the theater owners” and, to assist in meeting it, has “already launched an educational campaign to win public support for single feature programs.”

In addition to sending out printed material giving 1,000 reasons why we oppose double feature programs, the council is furnishing speakers to meetings of women’s clubs, parent teacher organization meetings, etc., Mrs. Burt asserted.

Commenting on the recent announcement that F & M considered its six-weeks’ test of single features at the Ambassador a flop and that therefore it saw no reason for their continuance, Mrs. Burt said:

“The Ambassador’s experience with a single feature program at advanced prices is hardly a fair test of the public’s response. Without any desire to reflect on the fine pictures that were shown at the Ambassador during the six weeks’ period it must be admitted that the public was able to bear the competition Loew’s Theater without paying higher prices.”

“A fairer test of the public’s attitude toward single feature programs would be for the Ambassador and all of the other first-run theaters to use single feature bills at the same time and maintain their regular price scales.”

Council’s annual Film Tea, at the Melba Theater yesterday, attracted about 1,000.

LaCrosse Theaters Suit Under Way at Madison

(Continued from Page 1)


An amended complaint filed at the opening of the trial increases the damages requested from $50,000 to $50,000. Defendants are charged with withholding certain films from the plaintiff.

The action is being heard before Federal Judge Patrick T. Stone and a jury of 11 persons.

Wall to Manage Circle

Boston—Thomas Wall, manager of the Capitol Theater in Allston, Boston residence district, has been named manager of the new Circle Theater which lies just over the border line between Boston and Brookline. Joe Marquis, manager of the Egyptian Theater in another suburb, goes to the Capitol to take place formerly held by Wall. Capitol now becomes a second-run house while the Circle will play duels, first-run.

May Reopen Negotiations

New Haven—Exchange employees may reopen negotiations on their contracts signed last November for two years, with the option of reopening after one year. No increases have been granted at the time of the signing. Meeting will be called locally in the near future, President Samuel Zipkin states.

Collo Rites in St. Louis

St. Louis—Funeral services will be held here today for Charles J. Calla, 65, a prominent of the Southern Real Estate and the American Theater Co. Operation of the Orpheum and Shubert-Rialto. Widow and two daughters survive.

Scammon vs. Henie Trial

A trial of contract suit of Dennis R. Scammon against H. W. Declaird, opera- tor of the St. Louis, healed Monday, started trial yesterday at New York Supreme Court Justice Aron Stenger, Solomon & Co. $122,000 allegedly due as 15 per cent under an agency contract made in 1934.

Starks

St. Louis—Fred Wehrenberg, president of the MPTO of St. Louis, Eastern Missouri and Southern Illinois, has entered the grandfather class. A son, Roy, was born to his father, Monday, Mrs. Paul Krueger at St. Anthony’s Hospital. Father is manager of the Southway and Leney Theaters.

Hays, Kennedy Again To Talk Remittances

(Continued from Page 1)

quote proposals. First hurdle was held the week.

While the present agreement expired last night, a status quo prevails over terms now under discussion. It is understood that the scope of American production for Great Britain during the coming year is directly tied in with the proposed agreements.

Has leaves New York tonight for his home in Indiana to be on hand for Election Day. He is expected to return to New York Wednesday.

250 Day-Date Bookings

In New York for “London”

“London Can Take It,” the one-reel British subject being distributed by Warners, will begin over 250 day-date engagements over the weekend in the New York-Metropolitan area. All Loew, RKO, Warner Bros and Greater New York circuits will show it simultaneously all next week.

Seven hundred and fifty other day-date engagements, making 1,000 in all, have been booked over the country for the week-end. This marks a record-breaking number of simultaneous engagements set on any film.

Crack Molests DeMille

Chicago—August Schwartzman, a crack, attempted to molest Cecil B. DeMille in the lobby of the Blackstone Hotel. Karl Krueger, Paramount publicity representative, and Ted Bonnet, DeMille’s publicity man, grabbed him and escorted Schwartz- man outside, only to find the hotel where he broke lose and fired. The police are looking for him.

Clay Houses to Frisina

Mexico, Mo.—The Frisina Amuse- ment Co. of Springfield and Taylor- ville, Ill., has added the 800-seat Liberty and the 450-seat Rex to its growing circuit. Houses have been operated by C. W. Clay.

Kridels Opening New House

East Orange, N. J.—After a lapse of many years, the Main and Grove Sts. section of this city is to have a new theater. The Beacon, operated by Moe, Jerome and Myron Kridel, will open Nov. 7.

Friday, November 1, 1940
Army Film Unit Establishes Headquarters In Jersey; To Make 3,000 Reels by July

Asbury Park, N. J.—Headed by 14 officers, unit to Hollywood for training, the national moving picture headquarters of the U. S. Army has been transferred from Fort Monterey, Calif., to Seahaven Hall, Neptune City. The Army has taken a one-year lease. Lieut. Col. Melvin L. Gillette is in charge, assisted by Maj. Robert Shaw. The local unit will eventually number 100 officers and men.

Formerly Army production was only 30 reels a year. Now it is planned to produce 3,000 by July, 1941. Shooting will take place on location all over the country, with development in Washington and editing here.

Ohio ITO May Awake Dormant Neely Bill

New York equity suit occupied most of the session.

Buick. M. E. Neely, Metro’s exhibitio

Newspapers Become Milwaukee Opposition

Milwaukee—Exhibs, who have looked hopefully for improved business after the election in November see their hopes dashed by promotional events which were staged that month in the Auditorium here by the Milwaukee theater management. According to the Milwaukee Journal, former newspaper, which is conducting a Feminine Fair, Nov. 25 to 30, with a new house as the grand prize.

Government Departments Setting Industry Contacts

Washington Bureau of THE FILM DAILY

Washington—Official announcements of who will represent several for the production of a motion picture industry available to the United States for the purpose of the production of a series of films to be used in training the nation's expanded fighting forces.

Y. Frank Freeman, chairman of motion picture production defense co-ordinating committee, announced the appointment of Daryl F. Zanuck, Sam Briskin and Major Nathan Levinson as a sub-committee to carry out the plans of General Joseph O. Mauborgne, chief Signal Corps officer of the Army. Zanuck will serve as chairman of sub-committee.

The Army will station an officer of the Signal Corps in Hollywood during filming of training pictures.

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Decree and Allied Assailed by Cohen

(Continued from Page 1)

Gloversville, Roy Pashley of Interlake, Ray Grossman of Rupt Marriman and Jack Karp of Syracuse and one vacancy left for Binghamton added.

The national organization was petitioned to hold its convention at the same time and place in the state, probably Rochester in June, 1941.

Max A. Cohen, president of the Allied Theaters of New York, a former national Allied unit, but now affiliated with the MPTDA, spoke on the consent decree. "This system is as obsolete as yesterday's newspaper," he said. "Much has been done to smear the MPTDA. It was never before disclosed that national allied directors in Chicago voted to accept the consent decree without a fight to four. We face in the consent decree as treacherous and vicious a piece of legislation as the 1890 Act of Congress and before we consent to its inferior to the Code it is not even this.

Indies Sold Down the River

"I charge that the cause of the independent exhibitors was sold down the river by Myers and Cole by the making of a deal with distributors with distributors for failure of the consent decree was conducted at Chicago. The inner circle of Allied has done more to injure the exhibitor than any other force in the industry. As a result of what happened at Chi-

cago, there must be an understanding between Myers, Cole and unknown persons to wreak the Code. If any two men without any stake in the industry, or no hands on the Code, wave the charge that Max A. Cohen sabotaged New York Allied and is now sabotag-
ing Allied, I assure you they will be the_fact that the national Allied rejected the decree. We cannot allow the trea-

son and treachery of national Allied leaders to make such inroads to secure adoption of the consent decree."

Unit to Protest to Goddard

It is expected that the local unit will join the national MPTDA in a strong protest against acceptance of the decree before Judge Henry W. Goddard. It is agreed here that the decree is the result of the work of distributors' attorneys at Washing-

ton after they had "tossed the buss of inexperienced Government young lawyers over the window and pro-

ounced to write themselves after the Department of Justice and Thom-

man Arnold had decided to rite the-

selves of the hot baby."

WHO'S WHO IN HOLLYWOOD

... Introducing Interesting Personalities...

EDWARD FINNEY, Producer. Born, New York, New York City. Educated at the College of the City of New York and Columbia University. Began in the engineering field with Western Electric, New York. Then joined Metro before the merger in the publicity department. Became press skect editor when Metro and Goldwyn joined forces. Was sales promotion director for Associated Exhibitors in New York. Later joined C. C. Burr-Johnny Hines Productions in Glendale, L. A., as property man. Was assistant manager in mail order division, B. Altman & Company. Afterwards joined United Artists as press book editor and was then identified with the company for six years, later becoming assistant advertising di-

rector. Then went over with W. Ray Johnston and Monogram Pictures as advertising director, retaining same post when this company was ar-

sorbed by Republic Pictures. With formation of Grand National Pictures became producer of sing-

ing westerns, starring Tex Ritter, also head of advertising and public relations for same company. Producing for six years, having made some 29


New Soviet Film to Open

In Chicago and New York

New Soviet film, "The Great Be-
ginning," has been booked for its New York premiere in the Miami Playhouse in mid-November. Film, which opens in Chicago at the Stu-
dio Theater Nov. 9, is the first of a series of new Soviet films to be leased in the U. S. by Artikino Pictures, Inc.

Others already received, in order of their release, are: "The Manner-

holm Line," narrated in English; "University of Life," based on a bio-

graphy of Dickens and Modestov; "Projects of a Man," story of the Soviet Na-

val fleet; "Homecoming."

Included in a new shipment re-

ceived are Kander and Dovjenko's "Liberation," a documentary feature of life and people in the new terri-

tories of Western Ukraine and Byelorusia, and documentary reels of Soviet Latvia, Lithuania and Estonia.

Five New N.W. Theaters Planned

S. Charles Leo, theater architect of Hollywood, now in New York, is completing plans for new theaters for Fort Bragg, Ukiah, Eureka, and Klamath, in Northern California. Projects have been bankrolled by Hollywood in-

terests and will have local partner-

ships. Each unit will cost about $35,000. Work on chain started Oct. 21 at Dinuba.

RKO Buys "Week End For 3"

West Coast Bureau of THE FILM DAILY

Hollywood — RKO has bought "Week-End For Three," by Budd Schulberg, and is seeking Irene Dunne for the leading role. Dorothy Parker and Alan Campbell will pre-

pare the screenplay.

Two Exhibs. to Build

San Diego Bowling Alley

West Coast Bureau of THE FILM DAILY

Hollywood — Two well-known the-

ater exhibitors in California, Al Han-

son (formerly assistant general man-

ager of Fox West Coast Theaters),

together with Lou Motzer (owner of

Spreckels Theater, San Diego), have

been announced a large bowling al-

ey project to be built in San Diego; retaining S. Charles Lee, Holly-

woood's own theater architect, it prom-

ises to be a combination of showman-

ship and bowling.

Seats for 500 spectators together with amusements are said to be included in the project.

Freeman to Make R. C. Talk

West Coast Bureau of THE FILM DAILY

Hollywood — Y. Frank Freeman, MPPA proxy, will make an address at the second all-star Red Cross benefit program to be carried by the three major networks Sunday, Nov. 17 from 1:30 to 3:30 p.m.

Warners Sign Mary Wickes

Hollywood — Warner Bros. yester-

day signed Mary Wickes, the Nurse

Preen of "The Man Who Came to

Dinner," for the same role in the film version.

Warners Sign Alex. Knox

Hollywood — Warner Bros. has signed Alexander Knox, who ap-

peared in its stagel production, "Jupi-

ter Laughs," to a two-year contract. His first film role will be in "The Sea Hawk."

Luenchloss Buys Avalon

Plattsville, Wis.—Carl Luenchloss, chief executive, has purchased the Avalon theater at Plattsville from the William Tracy estate.

850 Circuit Theaters To Hire NWMP Prices

(Continued from Page 1)

which have closed deals are: Fox Wisconsin Circuit; Fox West Coast Theaters, Los Angeles; J. H. Cooper Enterprises; Minne-

sota, Theaters; Minkoff, Morris & Co., Minn.; Fourth Ave. Amusement Co., Louis-

ville; Butterfield Theaters, Detroit; United Detroit Theater Corp., Det-

roit; Evergreen State Amusement Corp., Seattle; Fox Intermountain Theaters, Denver; M. & P. Theaters, Boston; Wilmer & Vincent, New York; Interstate Circuit, Dallas; In-

termountain Theaters, Salt Lake City; Tri-State Theaters, Des Moines; Gibraltar Enterprises, Denver and the Ralph Talbot Theaters, Tulsa.

Interstate Circuit has set the fol-

lowing prices for showing "North West Mounted Police" at advanced admission prices: Nov. 8 at the Mar-

tini, Galveston; Nov. 9 at the Maj-

estic Theater in Dallas and San An-

tonio; Worth Theater, Fort Worth, Plaza in El Paso and No. 16 at the Paramount Theater in Austin.

M & P Theaters will feature NWMP at advanced admission prices in theaters in Boston, Worcester, New Haven, Hartford and Spring-

field. William W. Bennett will own the attraction at advanced prices in Norfolk, Richmond, Harrisburg, Reading and Allentown.

Pix will be nationally released by Paramount Thanksgiving Week.

Union Dispute May Delay "Fantasia" Opening

Union dispute over jurisdiction threatens to delay the opening of Walt Disney's "Fantasia" set for the Broadway Theater. A dispute is between Local No. 1, IATSE and Local No. 3 IBEW and is over the question of whether the special sound recording equipment needed for the presentation of the production.

The theater handles electrical equipment in new buildings and the IATSE han-

dles maintenance of such equipment in theaters. The row has been in progress almost a week.

Joan Bennett Quits "Topper"

Hollywood — Joan Bennett has withdrawn from the cast of Hal Roach's "Topper Returns." Carole Landis has been substituted in the part.

Colleges Distorted In Pix, Says Cleric

Ministerial protest to the MPPDA against "distortion" of collegiate life in films is planned by the Rev. O. T. Newell, Fox Episcopalian rector, who voiced his criticism at the New York MPPDA confer-

ence which closed yesterday at Bear Mountain.

The cleric feels that films "make it appear that the college is the only world to students, while things in our colleges and that the professors are morons."
Canadian Clearance Plan Strikes Snags

Toronto — Establishment of the new National Clearance Board has encountered two snags.

First results from the fact that the Western provinces, entitled to a single representative on the Board, have actually designated two, N. A. Taylor of Toronto, named by the Anti-Protection League as temporary proxy and then ratified by the Winnipeg association, and Fred Guest, of Chicago, as permanent Representative

Ontario Sees Any New Tax at Least 10 Mos. Off

Toronto — Statement by Premier M. F. Hepburn of Ontario that there will be no change in the Government fiscal policy for the year starting April next providing no unforeseen developments arise, and that there will be no revision of taxation or no new

Third Quarter Earnings Show $1,234,000 Advance Over Figures for 1939

Paramount’s earnings for the nine months ended Sept. 28 were almost $2,000,000 more than the earnings for the corresponding period last year, while the third quarter earnings this year were $1,234,000 above those of the same period in 1938, according to estimates announced by the company Friday.

For the third quarter ended Sept. 28, Paramount estimates its earnings at $1,726,000 after providing for increased rates of income tax and the excess profits taxes. This is an increase of 28% over the $1,370,000 reported for the comparable period in 1938.

ARBITRATION BUDGET TAKES SHAPE
Will Involve Between $400,000 and $450,000; Minor Changes Made in the Rules

Agreement on a budget for the operation of the regional arbitration boards may be reached this week. Following a meeting on Friday of attorneys and J. Noble Braden, executive secretary of the American Arbitration Association, it was the consensus that the budget would involve between $400,000 and $450,000, but no official figure was set.

It was believed by some of the parties that the salaries of the three National Appeal Board members would be fixed at $17,500 for the chairman and $15,000 for the other two, although this point is still open for debate. Salary of the Tribunal clerks is expected to be $2,500 a year. The rules sharply define and restrict their duties.

Active work in preparing a map showing the boundary lines of the various exchange districts will get under way Thursday.

Changes in practically every page of the proposed Rules of Arbitration were completed on Friday and revised drafts were sent to all parties involved. The revisions were mainly in wording and definitions, and in some cases the footnotes were moved up into the body of the rules. No basic change in the rules were effected.

Hub B. O. Blz Said Best in Five Years

Boston — The cinema here is at the moment facing greater competition from both legitimate and burlesque than in the many years past. Yet despite this sudden increase of opposition, "Fantasia" Jurisdictional Dispute Ended by Browne

Possibility of a serious delay that might have delayed the world premiere of Walt Disney’s "Fantasia" Nov. 13 at the Broadway Theater, "Zorro” Debut Gives Two Cincy Theaters Top Biz

Cincinnati — Despite a heavy rain which fell all day, World premiere of 20th-Fox’s "The Mark of Zorro", held at the Capitol Theatre, was a sellout. The premiere was also attended by the world premiere of "The Mark of Zorro" at the Capitol Theatre, was a sellout.


Radio Spot Campaign for "Escape" on 55 Stations

Extensive radio spot announcement campaign is being conducted for "Escape", by Metro. Announcements, which will start four or five days before playdate, will be used in 45 of the country's largest cities, via 55 stations.

Estimate Based on Appeal- ed Case; Cheaper Than a Suit, But Exhibs. Wonder

Cost of taking a controversy to arbitration and appeal, as specified in the proposed consent decree in the New York equity suit has some exhibitors wondering whether the procedure is a "rich man's ordeal," considering the expenses involved.

This figure was determined by a reliable authority who sized up the picture as following:

Cost of filing, $10; half the ar-
(Continued on Page 4)

Single Real Indie
Unit Urged by ITOA

ITOA is willing to join hands with Allied and all independent exhibitors interests to put up a solid front against further obstacles that may be tossed in the way of smooth operation. Harry Brandt, ITOA president, yesterday told THE FILM DAILY that his organization “had no axes to grind” and is ready to co-operate.

Sunday Legit. Approved
By Equity’s Membership

In a nationwide referendum the membership of Actors Equity voted approximately five and one-half to one in favor of Sunday shows without extra remuneration, it was announced Friday after tabulation of the ballots had been completed.

"Santa Fe Trail" in N. M. Bow on Dec. 14

Warners will give "Santa Fe Trail" its world première in—guess where—Santa Fe, N. M., on Dec. 14, it was confirmed at the week-end. Following will have all the trimmings, plus, with the State and New Mexico film. In fact, the Bow will span three days. Earl Flynn, Olivia de Havilland, Alan Hale and others of the cast will make the trip.
**The Broadway Parade**

The Great Dictator (United Artists-Chaplin) — 4th week (d) — Rivoli

The Great Dictator (Paramount-RKO) — 3rd week, last day — Strand

Artic, My Love (Paramount Pictures) — 3rd week — Palace

Keene Rockey — All Americans (Warner Bros. Pictures) — 3rd week — Palace

East of the River (Warner Bros. Pictures) — 2nd week — Globe

Escape (Metro-Goldwyn-Mayer Pictures) — Music Hall

The Mark of Zorro (Twentieth Century-Fox) — Palace

Cayenne — Columbia Pictures (Columbia Pictures Corp.) — Central

Mexican Spill Film Out West (RKO Radio Pictures) — RKO

The Face Murderer (RKO) — Capitol

The Face at the Window (Arthur Zienh., Inc.) (a) — Central

Clown for Safety (Columbia Pictures) — Universal

City for Conquest (Warner Bros. Pictures) (a-b) — Palace

Slightly Tempted (Universal Pictures) (a) — Palace

**TWO-A-DAY RUN**

The Great Dictator (United Artists-Chaplin) — 4th week — Author

**FOREIGN LANGUAGE FEATURES**

_The Baker’s Wife (The Baker’s Wife Co.)—35th week — World_ (Two Women (Paramount Pictures) — 3rd week — World

Farewell for Aline Again (Warner Bros. Pictures) — Picture

Fantasia (Walt Disney World) — 13th (a) — Strand

Chester Strip (Paramount Pictures) — 11th

You’ll Find Out (RKO Radio Pictures) — Nov. 14

Dillon's Choice — (Metro-Goldwyn-Mayer Pictures) — Palace

They Knew What They Wanted (RKO Radio Pictures) — Nov. 7 (a-b) — Palace

A Little Bit of Heaven (United Artists) — Nov. 7 (a) — Menger

The Merry Wives (Edgar Lloyd) (c) — Bryant

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved. (e) Two-a-day run.

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**SPG Files List of Claimed Eligibles With the NLRB**

Complete lists of advertising and publicity employees in the home office deemed eligible for its collective bargaining unit were filed by the Screen Publicists Guild with Charles Krarmer, trial examiner of the National Labor Relations Board, on Saturday. Similar lists were requested of the several major companies by the NLRB, and it is expected that these will be forwarded at an early date.

Filings of these lists of employees by the Guild followed the hearings before the Board with the major companies on pending problems, to be named collective bargaining agent for all advertising and publicity department employees, during their respective contracts.

The companies that appeared at these hearings as a result of this petition were Columbia Pictures, Warners Bros., Paramount, United Artists, RKO, M-G-M and 20th Century-Fox.

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**RKO Passes Pld. Dividends; $4.50 Now Unpaid on Share**

RKO’s board, at a meeting held late last week, considered the declaration of a dividend upon the 6 per cent Preferred and determined to take no action. As of Oct. 31, the dividends accumulated and unpaid upon such stock were $4.60 per share

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**Court Reopens Allowances For Four in Reorg. of RKO**

Reopening of RKO allowances to four applicants was directed Friday by Federal Judge William Bondy, who ordered a hearing on an un-fixed date. The decision was made on application of William L. Schein, who received $9,325; Adolf Gottheimer and Bernard Bereu, who received $2,000; and David Stock, who received nothing. Rehearing in each case was sought on the ground that the awards were not commensurate with the amount of work done.

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**S-W Won’t Cut Election Results Into Features**

Philadelphia — Published report that Stanley-Warner, tying in with Station WCAU to present election returns to patrons, would cut into the feature to speed announcement of results is incorrect. Dave Weshner, who operates S-W, will use the theaters’ p.a. systems to give results before and after the feature, and again in and between shorts and newreels.

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**See At Least Three Weeks For “Dicator” in Boston**

Boston — “The Great Dictator” opens — first time at both Loew’s and Loew’s Amphitheatre at advanced prices to largest crowds since GWTW. Present plan is for Chaplin show to run at least three weeks in Loew house here.

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**COMING and GOING**

HERMAN WOBBER, 20th-Fox sales manager, left Chicago Friday for San Francisco.

WILLIAM C. CERINGHER, 20th-Fox Chicago Friday for Buffalo to visit his mother who is ill.

GABRIEL PASCAL is due here from England next week to arrange for release through U.S. of his just completed Shaw film, “Major Barbara.”

MRS. KNUTE ROCKNE, widow of the Notre Dame football coach, arrived in New York at the week-end. She will attend the Notre-Dame-Army football game Saturday.

FRISCELLA LANE arrived by train on Saturday from the Coast to start a p.a. tour on Nov. 8 at the Strand premiere of “Toebag Annie Sails Again.”

JEANETTE MacDONALD leaves the Coast this week to begin her concert tour which opens Nov. 11 in Little Rock. She will be heard in 11 other cities before returning to the Coast for the Christmas holidays.

RALPH MORGAN was due here at the week-end by plane from Hollywood to play the leading role in “Fugitive” stage play which Otis Field-Taylor is producing.

FRANCES LANCNFORD will leave with her husband, JOHN HALL, for a Florida vacation following her appearance at the N. Y. Paramount.

MRS. NICHOLAS BILA, wife of the screen writer-director, has returned to New York from Boston, and will leave shortly for Hollywood.

MAY WICKES, who plays the nurse in “The Man Who Came to Dinner,” was scheduled to fly to St. Louis after Saturday night’s performance to play the same role in the touring company.

SHELLER, playing the role on tour, comes to New York for the same role in the Broadway company.

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**Happy Birthday To You!**

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**FINANCIAL**

*(QUOTATIONS OF FRIDAY, NOV. 1)*

**NEW YORK STOCK MARKET**

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Block Copyrighting Held Legal by Capital Court

_The Washington Bureau of THE FILM DAILY,_ Washington — Block Copyrighting of features and convenes in legal by Capital Court.

_Theodore Daniel W. O. Donghoo ruled in District Court Friday, in a case instituted by King Features. A similar suit in California, involving 20th Century-Fox is now pending in the U.S. Court of Appeals here. In that case, Justice Jennings Bailey in California Court ruled in favor of 20th Century-Fox._
"North West Mounted Police" is the biggest money picture Paramount had since sound.

Neil Ayres
Canadian Clearance Plan Strikes Snags

(Continued from Page 1)

Hamilton, designated to serve by the Vancouver organization.

A. J. Mason, past president of Allied in Nova Scotia, and chairman of the Conciliation Committee there, has wired Toronto, stating that while he appreciates the need of a Toronto representative for the Eastern provinces on the National Clearance Board, Nova Scotia already has a conciliation board with powers, to deal with clearance and other problems, which is functioning satisfactorily. Mason asks if it is the intention of the new National Board to use the Nova Scotia Board, already established, to adjust clearance within the maritime provinces.

The problems are now being worked on by H. Alexander, Toronto, representing the Independent Theaters Association of Canada, and Thomas J. Brody, Ben Geldaer and Morris Stein, also of Toronto, who have been named to act for affiliated theaters in the Dominion.

“Fastas” Jurisdictional Dispute Ended by Browne

(Continued from Page 1)

disappeared Friday when all difficulties between Local 1, stagehands, and Local 3, electricians, were settled. Full crews from both unions went to work in the theater at 8 A.M. Friday after a huddle the previous night between union leaders to iron out the jurisdictional dispute.

Local 1 is handling the installation of all the Disney equipment in the house, and Local 3 is handling the removal of all permanent equipment and will also re-install it when the run of the Disney picture is completed. The picture is being run as a special sound equipment. George E. Browne, IATSE prexy, was instrumental in ironing out the dispute.

Seward Rites on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Rites for George H. Seward, 67, founder and president of the Television Engineers Institute of America and the Hollywood Television Society, were held Friday. Seward was a tele pioneer.

Metro Buttons for Two

F. J. Belmer and Warren Smith, of Quimby Theaters, have been awarded M-G-M Honor Roll Buttons for their outstanding exploitation campaigns for “Strike Up the Band” in the film’s Emboldy, Fort Wayne, Ind., engagement.

No Paper Tomorrow

No edition of THE FILM DAILY will be published today. It is a legal holiday. Staff correspondents should govern themselves accordingly.

See $375 Minimum Arbitration Cost

(Continued from Page 1)

bistrator’s fee if hearing lasts only one day, $25; transcripts by court reporters and extra copies, $90; minimum attorney fee for preparing brief, $25; argument by attorney before arbitrator for one day, $25; brief, $25; presentation to appeal board by attorney for one day, $25; railroad fare and expenses to New York, $125.

This totals up to $375 with all items held to a minimum, except the arbitrator’s fee. It is also pointed out that the arbitrator’s maximum fee is $50 a day, but smaller fees are possible depending on the importance of the case. On the other hand, it is pointed out that this figure is small compared with the cost of taking a case to the courts.

Ontario Sees Any New Tax at Least 18 Mos. Off

(Continued from Page 1)

levies is interpreted to mean there will be no new amusement tax in this province for at least another 18 months. Higher provincial taxes and wage increases are contemplated in lieu on profits, incomes or against corporations.

Canadian NFB “Newsreel” Give Camp Life Closeups

Montreal—Something new in motion picture production by the National Film Board is to be tried out, may find increasing use if it serves its purpose well. Four newscast-type five-minute subjects have been produced by Associated Screen News for the Board. Each one illustrates activities in one military camp in Quebec, will show the folks at home how the boys fare during their period of military training.

Canal Point House Opens

Canal Point, Fla.—The new Prince theater, a Gold-Dohrow house, opened yesterday. Malcolm Millar is manager.

Defer Conn. Allied Meet

New Haven—The regular Allied Theater Owners of Connecticut luncheon meeting, scheduled for tomorrow, has been postponed one week.

STORKS!

Peoria, Ill.—Bill Harding, manager of the Madison theater, announces the birth of John Robert Harding, weighing 1½ pounds.

Chicago—The former Betty Sand- ler, before her marriage an executive with Sugar & Rice, a theater equipment firm, is the mother of a baby boy in Indianapolis. She is now Mrs. William Marks.
WALLOP POLL SAYS ZORRO’S IN!

Roxy, N.Y., reports...

ZORRO BY A LANDSLIDE!

WE WANT ZORRO!

THE MARK OF MILLIONS AS NATION-WIDE BALLOTING BEGINS

THE MARK OF Zorro
Para 9-Mos. Profit Up Nearly 2 Million

(Continued from Page 1)

includes $316,000 representing Paramount's direct and indirect net interest as a stockholder in the combined subsidiaries of Pathe, which hold 100% of the share of subsidiaries and affiliates of the companies in which it has a controlling interest.

9 Months' Earnings $4,810,000

Earnings for the nine months ended Sept. 28, after providing for additional taxes, are estimated at $4,810,000, including $1,355,000 as its share of undistributed earnings of partially owned non-consolidated subsidiaries and $22,000 profit on debentures. Net earnings before allowing for increased taxes are estimated at $1,944,000. For the corresponding quarter of last year, earnings were $710,000.

DOMESTIC

CONSENT DECREES: Court hearing on the consent decree in the New York anti-trust suit against 20th-Fox and the "Man from Nowhere" was set for Nov. 14. . . D. J. W. exec. reported at mid-week that both Attorney General Robert Jackson and Thurman W. Arnold, Asst. Atty. Genl., had passed the decree. Full text of the decree and the ruling of the arbitrators were published in "The Film Daily" on Wednesday . . . Complaint against the "Little Three," which must stand trial, will be put in a wholly new form . . . Hollywood execs forecast a production boom resulting from the decree. . . Exhib. units were reported ready to protest to Judge Henry W. Goddard . . . Abram S. Myers, Allied general counsel, stated that the Allied unit passed the decree. He told the Ohio ITO that the blocks of five provision held no cure for the evil and saw in the decree "a Joke" on circuit expansion . . . Max A. Cohen, addressing a New York exec. unit of N. Y. MPTO, characterized the decree as "treacherous" and "vicious" and stated that the industry had "been sold down the river" by Myers and Col. H. A. Cole, Allied proxy.

FINANCIAL: Twentieth Century-Fox reported a net loss for the fiscal year of $1,076,511 . . . RKO reported a 39-week net profit of $489,259-.77, with a 52-week net, including subsidiaries, of $899,346.15, or $1,881,000 ahead of the previous year . . . B. F. Keith 39-week net was $279,385.05 and for the week $268,185.20.

Miscellaneous: Eastman Kodak Co. stated that all profits on its national defense contracts and contracts in the amount of 15 per cent would be returned to the Government, with income and excess profits taxes paid up to about thirty of the 10 per cent profit . . . Will H. Hays, Jr., PFPDA proxy, and Joseph P. Kennedy, U. S. Ambassador to England, now in this country, conferred on latest U. K. offer on re- mittances, with other confabs to follow . . . Ohio ITO re-elected Martin G. Smith proxy and members, dissatisfied with consent decree, expressed view that it might be necessary to revive the Needy anti-block-booking bill . . . UA stated it would speed releasing of Chaplin's "Great Dictator" . . .nit F. J. McGowen said the NWMP, booked in 850 circuit theaters at advanced prices, was Para's biggest success in 12 years. . . B. F. sisters set basic production plans for 1941-42 . . . St. Louis exhibs. came out in favor of singles. . . RKO Board of Managers Council with F & M re-creating to duals after singles experiment . . . Industry completed its second fee-financing deal with Dr. Leo Kosting by film division of national defense commission . . . Hollywood facilities are being used by Army disposal for making of training reels . . Industry trails being prepared for national unit for free contribution to exhibs. right after the election.

Ainley Stays With WB Through Suit's Settlement

A settlement agreement permits Rich- ard Ainley to remain as a salesmen for Warner Bros. Pictures was entered into yesterday between Select The- atres Corp., parent of Warners, and Ainley, former Warners, defendant. Suit had demanded an injunction against the defendants on the ground that Select had an exclusive contract with Ainley and was dickering with Metro. The agreement calls for weekly payments to Select totaling $10,000 for the first year, and further payments if the Ainley option is exercised by Warners.

20th-Fox Closes Product Deals

Chicago—William C. Gehring, central division manager for 20th Cen- tury-Fox, who left here Friday for Buffalo to visit his mother who is ill, stated before leaving that new season product deals had been closed with the B & K and the Schoenstadt circuits.

Pathé Film Offices Moved

Effective today the offices of Pathé Film Corp. and Pathé Labora- tories, Inc., will be located at 55 W. 45th St. Offices were moved from the week-end from 1250 Sixth Ave.

Report U. K. Offers New Monetary Plan

(Continued from Page 1)

agreement ended Oct. 26 and will remain in status quo until a new agreement is reached.

"Zorro" Debuts in London, Canada

(Continued from Page 1)

set opening day records for the year at the Albee and Shubert theaters.

Can Mobilize Industry Quickly, Says Nathanson

Montreal — "The film industry, both in the United States and Cana- da, can be mobilized very quickly to give assistance during war," de- clared N. L. Nathanson, managing director of Famous Players Canadian Corp., speaking at a conference during a tour of the company's theaters in Canada.

The remark was evoked by a ques- tion regarding the assistance the film industry in Canada had given to the nation's war effort. He empha- sized that not only had film the- ater greatly aided the War Savings Drive, which was backed by the U. S. industry, but that valuable work is being done by the National Film Board in presenting films which show the bravery of the Empire's fighting forces and the speed with which war in- dustry is being mobilized. In par- ticular, he lauded the "Canada Carries On" series and "Convoy," a Navy film.

Columbia Club Dance Tonight

Annual informal dinner-dance of the Columbia Club will be held to- night, starting promptly at 7, in the Century Room of the Commo- dore Hotel. Sammy Kaye and his show will furnish the music and en- tertainment. Arrangements for the "Fall Affair" were made by Philip Weisman, club's proxy, and a com- mittee.
Penn-Orpheum Team Take
Comerford League Honors

Wilkes-Barre, Pa.—The Penn-Orpheum team and its members walked away with all the awards at the first annual dinner of the Wilkes-Barre division of the Comerford Theaters Softball League here. The team was awarded the M. E. Comerford trophy for winning the intercity league; for Bill Comerford; for J. O. Leonard, for capturing the division title. In addition, individual members received inscribed plaques. Members of the winning team are Eugene Carroll, James Hefferman, John Walsh, John Joseph, Leo Hill, Norman Theater, Kansas City, pix did 23% per cent of weekly house average; at the Majestic, Houston, 175 per cent, and in Memphis, the Malco Theater scored 245 per cent.

Fair Equipment Goes
Into Army Theaters

Equipment from the Federal Building at the New York World's Fair will be placed in the two Army armory theaters in New York. In the plans for the equipment includes projection machines and theater seats.

Powell-Loy for 'Married Bachelor'

Hollywood—Metro has cast William Powell and Myrna Loy for "Married Bachelor," following their appearance in "Mr. Co-Ed." Dore Schary and Lionel Houser are making the adaptation.

Retchin on His Own

Chicago—Lester Retchin has re- signed as manager of B & K's Har- ward to operate the Oakley, acquired from the Langdon circuit.

Inson, James Craig, William Bakewell, Antonio Moreno, Russell Hicks, William Dav- idson.

CREDITS: Producer, Joe Pasternak; Di- rector, Tay Garnett; Screenplay, John Mar- chand and Harry Tuley; Original Story, Ladislau Fodor and Laslo Vazna; Camera- man, Manny Wat; Editor, Ted Kent. DIRECTION, Expert. PHOTOGRAPHY, Ex- cellent.

Erpi Scientists . . .
Put Bugs in Invention

Erpi's mathematical physicist, Dr. W. J. Albersheim, has been giving a lot of thought in the development by his associate and himself of an optical instrument for measuring the "density" or pattern of light and shade which com- poses motion picture film. "Instru- ment is known as—and don't let it overwhelm you—'Motion-Spektrum.' The good scientific Doctor Albersheim has been working on such extremes as lightning-bugs and lightning, as well as on snail arcs, and is very much obeyed.

Documentaries to Be
Shown at Columbia U

The Association of Documentary Film Producers will present a series of contemporary film programs, titled "Living History," in cooperation with the Institute of Arts and Sciences of Columbia University, beginning the next week. The films will be shown on alternate Monday nights throughout the Winter at the Man- sions, 1100 Fifth Avenue.

Among films on the program are "And So They Live," dealing with the Kentucky mountainers and produced by John Perino and Julian Roffman; "The White Flood," a Scientific film dealing with the geo- logical history of the earth; "Power and the Land," produced by Joris Ivens, which RKO is releasing; and "Youth Gets a Break," dealing with the work of the National Youth Ad- ministration.

Lectures on the art of the docu- mentary film will supplement the film programs. Scheduled as speakers are Ivens, Willard Van Dyke, Robert Flaherty, John Grier- son and Iris Barry, curator of the Film Library of the Museum of Modern Art.

Carolina TOA Convention
Committees Are Announced

Charlotte, N. C.—Committees to function at the convention of the North and South Carolina TOA which meets in Charlotte Dec. 1-2, were announced at the week-end. They are:

Resolution, M. S. Hill, Greens- bore, chairman; Fred J. Powell, Chester, S. C., and O. F. Kirby, Rox- byton, S. C.


Reception, H. H. Everett, Charlotte, chairman; E. L. Hearne, Albe- tona, Mrs. Richard Curtis Car- roll, and Mrs. T. Green, Manning, S. C.

Billie Burke for N. Y. Stage

Hollywood—Billie Burke will re- portedly return to the Broadway stage for the first time in years and be in a musical show with the tentative title of "Here We Go."

RCA Reports 9-Mos.
Profit of $5,113,943

(Continued from Page 1)

Mexico City (By Air Mail)—Do- mestic production, long creeping along at a snail's pace, is quickening, and no less than 10 features will be sent before the cameras within the next two months. This is in addi- tion to several now in work and others just completed and released.

Rafael Arzoz has camera work well along on his second production, "El Milagro del Cristo" (The Christ's Miracle), with Arturo de Cordova, Maria Luisa Zela, Auron Walker and Manuel Noriga with the cost under Francisco Elias' direction.

Trachyeta Elvira has completed "Mon Mon Loco" (For My Money), Alejandro Galindo directing. This is to be a first of a series of six two- reel shockers, each complete in it- self, adapted from the radio pro- gram of the same name which was broadcast over XEQ for over a year. Alicia Ortiz, Victor Junco and Ar- turo Soto are among the principals.

Miguel Contreras Torres has fin- ished camera work on his latest production, "Basta que Llovi en Sayula" (It Won't Be Long Now), with Carlos ("El Cha- llan") Lopez starring.

Two Firms In Fade-out

Albany — American Documentary Films, Inc. has filed dissolution pa- pers through Fielder & Mayer, with the Secretary of State. Dissolution papers have also been submitted to the Secretary of State on behalf of Sports Features Dis- tribution, Inc. through Chadbourne, Wallace, Parke and Whiteside.

Form 21st Cent. Film Corp

Albany—Charter papers have been issued to Twenty-First Century Corp. by the City Clerk of New York. Subscribers are Emery Stern, Jackson Heights, Maurice H. Weiss, and Arpad Szemera, New York. Weiss was filing counsel.

CA to Pay $3 on P'd

Montreal—Directors of Confederation Amusements, Ltd., have declared the dividend of $3.00 per share on the preferred stock, payable Dec. 4 to share- holders of record Nov. 15.
in reaching a common solution on independent problems. In some circles, an editorial in the ITOA publication has been interpreted to mean that it is flitting with Allied on a plan for united effort in putting up a solid front, even to the extent of merging. This editorial reads, in part: "The ITOA invites the substantial leaders of Allied to mend their fences, and clean their houses, so that it will be possible for Independent exhibitors to have one real independent exhibitor organization. Now, certainly, is the time for exhibitor leaders to come to the aid of their constituents."

Bemoaning the lack of a united front, the editorial, in a previous paragraph, said: "If the consent decree will not give exhibitors the aid they so desperately need, there is no hope that Government anti-trust suit, which was supposed to benefit exhibitors, is so inimical to their interests it seemed that survival legislation is the only salvation."

Nazi's Okayed Only Three U. S. Features in 8 Mos.

Washington Bureau of THE FILM DAILY

Washington—While the Nazi ban on U. S. films is in effect, only three American features were okayed by the Propaganda Ministry during the first eight months of the year. The Commerce Department reported Friday in the same period in 1939, 16 U. S. features were cleared.

Bernes, Switzerland (By Air Mail)—Second only to the U. S., Germany, and France in the number of motion picture theaters, according to a census which has just been completed, there are more than 7,000 "kinos" in the Reich, including the Eastern provinces, and licenses for 1,002 additional houses have already been granted.

Draft Hits Few in New Haven

New Haven—Only a few of the film people in this district have thus far had draft numbers drawn. In the low-lying towns like Madison, assistance at the Globe, Bridgeport, Robert Schaefer, son of Louis Schaefer, Paramount Theater manager, for John, son of Angel. Johnson of the Strand, Hamden, and Harold Rubin, manager of Metro Premium were over the 2,000 mark.

WB Schedules 'Bomb Shelter'

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has planned to lead out its production schedule "Bomb Shelter" by Ben Markson.

Church Finds Games Opposition Too Much

Pittsburgh—One of the suburban churches, which for many years had been holding its weekly benefit card party on Tuesday evenings, has just announced that in the future it will hold the card parties on Wednesday nights, giving as the reason that the theater had recently changed its Bank Night from Friday to Tuesday with the competition too much for the church.

Sunday Legit. Approved By Equity's Membership

Sunday shows permitted under the ruling will be allowed for a trial period extending to June 1, 1941. What effect this move may have on week-end grosses of film houses in key cities cannot be determined until the plan has been in operation for some time. However, legit producers would probably keep their houses closed either Monday or Tuesday if they are open Sunday, offsetting any bite into film biz, to their disadvantage.

Junior members of Equity, although their votes were not counted, duplicated the senior membership vote, and Chorus Equity voted two to one in favor of the proposal. A meeting of the Equity Council will be held today to formally ratify the plan.

125 on Contract Roster At 20th-Fox Studios

West Coast Bureau of THE FILM DAILY

Hollywood—As of Nov. 1, 20th-Fox had 125 associate producers, directors, writers and players on its contract list, it was learned Friday. This figure does not include department heads, composers, musicians, etc.

Latest report from the studio indicates that it will have a total of five specials in Technicolor on this season's program, including pictures already released. Latest candidate for the dye vat is "The Road To Rio," another musical.

Rule Pix Misrepresented, Revoke Theater License

Birmingham, Ala.—Operating license of the Galax Theater was revoked by resolution of the City Commission as a climax to a controversy over the pic "French Girls Club."

Commissioners of Public Safety of the City requested the action on the grounds that the theater's operators violated a city ordinance concerning representation in advertising. The film, billed to show "inside secrets of 200 love-starved girls in a dormitory," was reviewed and approved on moral grounds by Police Sgt. C. N. Kicker.

Theater has taken the case to the courts.

Hub B. O. Biz Said Best in Five Years

(Continued from Page 1)

Hollywood—The company said that this season's strength of more houses in bright light district report best business in five years. Metropolitan, Keith Memorial, Loew's State, KKO Boston, Paramount, Loew's Orpheum. For one way, all first-run houses say box office is steadily improving. Exhibit theaters get a bad name, and apparently so for the balance of the Winter and Spring are; the Shubert, Wilbur, Plymouth, Colonial, Copley and Civic Repertory. Last season for the greater part of the time not more than two theaters were open simultaneously. This season there are also three "little theaters" operating on Beacon Hill or nearby. The Civic Repertory, formerly a picture theater, has "Life With Father" turning away crowds and seemingly good for a six-months' run.

In a sentence the fielded cultural Hub now has Globe, Old Howard, Casino, Gayety and Bowdoin all running full time.

N. A. Taylor Adds 16th House to Canadian Chain

Toronto—N. A. Taylor has added a 16th house to his string of 20th Century Theaters by acquiring the Madison, 508 Bloor St., W., on a long-term lease. W. F. Brady is the present owner and manager. Seventy thousand dollars will be spent by 20th Century in completely remodeling the Madison. The theater will be closed for three months while it is rebuilt.

Chi. Exhib., Operators Reach New Agreement

Chicago—Operators' union officials report that a successful agreement on the new contract reached with theater owners after six hours' conference on Friday, subjected to approval by the entire membership on Thursday.

The terms were not given out but reports indicate a renewal of last year's terms.

"Great Dictator" Opens In Denver Para. Today

Denver—"The Great Dictator" will have its western premiere here, the Paramount here today, when one show will be given, in the evening at a seat. This is at a Fox house, and on the following day the film will start on a matinee and night basis, at 75 cents for matinee and $1 at night. The film has also been bought for all other Fox towns in the territory.

Max Turner Rites Today

Chicago—Funeral services will be held here today for Max Turner, 53, who died suddenly in a heart attack. His widow and a son survive.

HOLLYWOOD SPEAKING--

By RALPH WILK

FRANK MORGAN and Irene Rich, the husband and wife of "The Mortar Staircase," will appear in "Keeping the Company," first of Metro's new family features. Ann Rutherford will be their daughter, and will be romantically teamed with John Shelton. S. Sylvan Simon will direct this Samuel Marx production.

WARNERS have exercised contract option on Phillips and Julius Epstein, duo scripted "Four Mothers," to be released in December. Current assignment is "The Bride Came C.O.D."

RAY KLUNE has been borrowed by David Selznick by Dr. William Selkely to be production manager on "New Wire," which Selkely will produce at the General Service Studios in conjunction with Alexander Korda. Klune is now functioning in the capacity on Korda's "Lady Hamilton," on loan from Selznick.

"HOW Green Was My Valley," the film version of the Richard Llewellyn best-seller, is scheduled to start in production at 20th-Fox studios on Dec. 4 with William Wyler directing and Kenneth Macgowan acting as Associate Producer. The screenplay was prepared by Liam O'Flaherty and Ernest Pascal.

THE Lou Irwin Agency has placed Jean Fenwick in a very important role in the next Ernst Lubitsch production, "That Uncertain Feeling." Dorothy Fay is to have the leading role in the next Leon Barsa production for Columbia, as yet untitled, and Kay Sutton has one of the leading female parts in M-G-M's "Man With The Lady."""

The final title for the Stephen Longstreet story now in production, and known as "Silk Purse" and "Redden's The Earth," will be "The Golden Touch." Frank S. Nugent, former movie critic of the N. Y. Times, is preparing the script.

CAL SHRUMS' "Rhythm Rangers" are dickerine with George W. Weeks on a 24 picture deal. The option will be signed about Nov. 10. Eddie Dean will appear in the series as well.

TYRONE POWER has been cast by 20th-Fox for the male lead in "The Great American Broadcast." Archie Mayo will direct.

WALTER ABEI has been signed by Para- mount on a long term contract. Abel is being considered for top roles in three productions.

VIRGINIA VAN UPP, ace scenarist, has a new five-year contract from Para- mount. Miss Van Upp is currently working on the screenplay of "There's Always Jud."
"PRESSURE" GROUPS CRITICAL OF DECREE

Future Swedish Film Shipments Rest With Soviet

Russian Consent to Ship Pix to Finland is Also Expected to be Necessary

All future shipments of films to Sweden can be made only with the permission of the Soviet if the films are to be shipped through Petsamo, single "open port" in Northern Europe, it was learned yesterday. It was expected that Soviet permission to ship films to Finland would also be necessary as Petsamo is the only

La. Anti-Ascap Law

Ruled Out by Court

New Orleans—Louisiana Supreme Court on Monday declared the state's anti-Ascap statute unconstitutional. Law sought to tax those who collected royalties on music at the rate of $8,000 for each parish (county) in which they operated.

Supreme Court upheld a lower court decision of Judge Robert Rivarde who had turned thumbs down on the state law after an in-

Arbitration Changes

Get D of J Sanction

Washington Bureau of THE FILM DAILY

Washington—Revisions in rules of arbitration have been approved by the Dept. of Justice, according to Assistant Attorney General Robert Sher. Further conferences on the arbitration budget are scheduled for this week, but aside from that, Sher said, all is in readiness for the hear-

Justice Dept. Loses

Krieger to the FCC

Special Assistant Attorney General Seymour Krieger, long active in both field work and negotiations which led to settlement of the Government equity suit against five of the major companies, has resigned from the anti-trust division of the D of J. Krieger will join the legal staff connected with the Federal Communications Commission.

The American Way

... this, praise God, is America

By CHESTER B. BAHN

On 7,000 American screens today, the motion picture industry presents a post-election plea for national unity.

Within the next week, the same plea will find a place on virtually all other film theater screens, from the Atlantic to the Pacific, from the Canadian line to the Mexican border.

It is a voluntary and highly patriotic act by an industry that is essentially and typically American.

ESSENTIALLY American because it is heretofore that the motion picture was cradled and, within the span of a single lifetime, has attained maximum development.

Typically American because, like the nation itself, the motion picture is a product of the magic melting pot.

So it is wholly fitting and highly proper that the industry should be the first to sense the urgent need of the hour and, having sensed it, the first to speedily meet it. Here, indeed, is the American way, once again exemplified.

AND, as assuredly, it will be further exemplified by the response of those 60 or 80 million who this week will read these words on the country's 15,000 screens:

"Whatever the differences were among us before election, there should remain no doubt that there are no differences among us today. We must stand as one behind the man of the people's choice. We must not fail prey to the plan of 'divide and conquer.' The Great Liberator has given us our rule of national life—UNITED WE STAND, DIVIDED WE FALL."

This, praise God, is America. And by His grace, it so will remain.

Carman Deal to End

Graves Trust Action!

Philadelphia — An anti-trust suit will be ended, a theater will open out of receivership, and a de luxe first-run native vande-picture house will pass into new hands if U. S. District

RKO Reports 39-Week

Profit of $317,186

RKO Corp. and subsidiary companies on Monday reported a net profit after all charges of $317,186.95 for the 39 weeks ended Sept. 28, 1940.

Profits before depreciation, taxes

Spanish Export Plan Studied

Eight Majors May Send Over 80 Features

RKO Dropping Columbus

Admission Scales Friday

Columbus, O. — Effective as of Friday, RKO announces substantial b.o. reductions. New stage show prices ("George White Scandals") will be on boards of the Palace week of the.

Plan by which the eight major American distributing companies could export 80 pictures to Spain, on a basis of 10 pix per company, and would be allowed to export X number of dollars from the country is now being studied by the Spanish Government film commission, but a delay is anticipated in any decision

Expected to Follow Lead

Of Research Council and Call for Neely Enactment

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—With the Motion Picture Research Council already highly critical of the proposed consent decree in the New York equity suit, it was learned yesterday that the various women's, religious, fraternal and civic groups which, through "pressure" tactics, have been supporting the Neely bill will hold a conference here to discuss the decree's provisions.

The conference will undertake to determine whether the decree meets the objectives of the Neely measure, already passed by the Senate but

Gould to Act as UA

Foreign Dept. Head

Walter Gould has been appointed to act as head of United Artists' foreign department by Murray Silverstone, UA top executive. Thomas P. Mulrooney, foreign sales manager, will continue in that executive capacity under Gould's direction.

For the last eight years, Gould

Para. Execs. Start Trek

To Coast for Fall Confab.

 Paramount executives start trekking West today and the rest of the week for the annual Fall studio conferences. Sessions this year will be of unusual importance because of

Loew's 12-Week Net

Runs 75.100% Ahead

For the 12 months which ended Sept. 30, Loew's earned $4.75 a share on its common as compared with $5.50 for the preceding 12-month period, it was reliably reported Monday.

Loew net profits for the first 12 weeks of the new company year is understood to be running about 75 to 100 per cent ahead.
Allied of New Jersey
To Form Southern Unit

A South Jersey unit will be formed by New Jersey Allied at a meeting called for Nov. 18 at the Walt Whitman Hotel, Camden. All independent exhibitors in the area have been invited to attend the luncheon meeting. E. Thornton Kelly, field representative, is organizing the unit. Meeting will be attended by Lee Newbury, president of New Jersey Allied; Harry Loewenstein, secretary, and Ralph Wilkins, regional vice-president.

Meanwhile, the New Jersey unit has scheduled a meeting and beef steak dinner at the Ritz Restaurant, Passaic, for tomorrow.

White, Alexander Film Exec. Dies at His Desk

Colorado Springs, Colo.—John T. White, 41, treasurer and member of the board of directors of the Alexander Film Co., was fatally struck by a heart attack at his desk. White had just returned from a strenuous business drive through several Colorado stations.

Ed Foster has been appointed to the post of secretary-treasurer, and Vincent White takes White's place on the board.

"Zorro" Leaves His Mark At Roxy—It's a Record

New house record for receipts was set by "The Mark of Zorro" over the week-end at the Roxy, it was stated Monday. Picture, which opened Saturday at the house, outgrossed "Jesse James" and "Alexander" in its first two days. The 20th-Fox film is also running a race with records in its other openings throughout the country.

Para. Trade Screen In Saginaw Tomorrow

Detroit—Paramount Pictures will hold a second update trade screening for exhibitors from all parts of the state at the Michigan Theater, Saginaw, tomorrow. Luncheon will be served to exhibitors and audiences attending at the Banerst Hotel.

Fox Wisconsin Managers Meet In Wausau Today

Wausau, Wis.—More than 50 managers of Fox Wisconsin Amusement Co. theaters in Wisconsin and upper Michigan will hold their annual Fall meeting here today and tomorrow. Lawrence Belts, manager of the circuit’s Grand, is in charge of local arrangements.

Cox Funeral in Albany

Funeral services for Walter Montgomery Cox, 70, Bonded Film Storage Corp. board member and charter member of the Treasurers’ Club of America, who died Sunday in New York, will be held in Albany today.

Birdball Restriction
Angle In N. Y. Elections

Albany—Almost entirely obscured by the Presidential contest but not overlooked by candidates for the State legislature and the attention paid to members of the Senate and Assembly who have voted against restrictions on billboard advertising along highways.

With a great many of the candidates in cities polled by groups asking commitments on billboard advertising, attention was directed to the overwhelming defeat of such legislation in the past two years. For the main part, candidates seeking the support of organized labor did not commit themselves to voting for imposts or abolition, since labor and theaters, among other groups, are opposed to restriction of billboards and in rural territory, small posters.

**COMING AND GOING**

ROY DISNEY is here from the Coast.

KENNETH MCKENNA, Metro story head, is here from Hollywood for a two-week stay.

MARK HELLINGER and his wife, CLADYS GLAD, have returned to the Coast.

BUDDY DE SYLVA was scheduled to leave for the Coast within two weeks.

MILTON BERLE was scheduled to leave for the Coast Monday.

LILLIAN DAY, author, has returned from the Coast where he worked on a screen adaptation of one of her novels at Metro.

GLORIA JEAN arrives here tomorrow from Hollywood to make several p.a.'s.

LOU WEINBERG and VINCENT BORELLI of Columbia, leave today for Gloversville.

ARTHUR WIMMER, English author, has arrived in Hollywood to begin work at the Korda studios where he is under contract.

**Col. Shooting the Works**

On "Arizona" Premiere

Tucson, Ariz.—Columbia will shoot the works for the triple world premiere here of the Wesley Ruggles production, "Arizona" on Nov. 15. Fix will start at the State and the Academy of Music on the Temple of Music and Art.

Full week’s program is tied in, including a fiesta, barbecue, dancing in the streets, pageantry, official dinners and parades. Ruggles, Clarence Budington Kelland, author; Jean Arthur, William Holden, Warren William and others will come on from Hollywood for the opening.

Old Tucson, built by Columbia as a background for the piz 14 miles from this city, will hold open house all week as a wide-open frontier town. Propaganda should establish a village here for two days. Premiere ball is set for the Santa Rita hotel. Indian reception winds up the program Saturday.

"Escape" Ahoed of "Pride"

"Escape" in its first four days at the Radio City Music Hall, topped "Pride and Prejudice" figures for the same period, M-G-M reported Monday.
Dear Mr. Exhibitor:

Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER. Bette Davis' greatest is THE LETTER.
Carman Deal to End Graves Trust Action!

(Continued from Page 1)

Court Judge George Welsh approves a report deal now being completed, it was indicated here Monday.

Under the rumored agreement, the Carman, operated by George Graves until it went into receivership, will pass into the hands of Jay Emanuel, Frank McNamie, and Iz Rappaport on a 10-year lease. Emanuel has been one of three receivers for the house; Frank McNamie was recently RKO branch head here, while Iz Rappaport operates the Hippodrome, Baltimore. Under the reported arrangement, McNamie will be managing director of the house; Emanuel will book and buy, while Rappaport will handle the stage end. Frank Ackley remains.

If and when the final papers are signed, it will result in the elimination of the law suit filed by Brewster Rhodes v. George Graves, against Stanley-Warner and major distributors, and it will also end the receivership with the lease guaranteeing income on the current bonds and amortization, etc. Ownership will remain with the original owner, Graves, who has a recapture clause becoming operative on payment of a specified fee, it is understood.

Theater will, no doubt, remain on a vaudeville policy with Paramount and 20th Century-Fox productions. Vaudeville bookings will continue to be through the office of Edward Sherman.

Sunday Stage Shows
In N. Y. Start at Once

Council of the Actors' Equity yesterday authorized the start of Sunday stage shows in New York at once, and "Tobacco Road" has set its first performance for next Sunday night.

Council imposed but one stipulation—that box office prices should not be increased. Members of the League of New York Theaters also met yesterday to devise a plan for staggering lay-off days so they would not all come on Monday or Tuesday.

Henrie Suit Decision Reserved

New York Supreme Court Justice Aron Steuer on Monday reserved decision on the close of trial of the suit of Dennis R. Scanlon against Sonja Henie for $22,000 damages for alleged commissions due her agent. Defendant testified that she had earned $639,895 from 20th-Fox and was to receive $156,000 more before expiration of her contract.

Luke Farrell's Brother Died

Carbondale, Pa.—James P. Farrell, 80, brother of Luke Farrell, opera-
tor of local theaters, died in St. Joseph's Hospital here after several weeks' illness. He also was uncle to Al Farrell of the Comerford book-
ing office.

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RKO Reports 39-Week Profit of $317,186

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RKO Dropping Columbus Admission Scales Friday

(Continued from Page 1)

opening until 1 p.m.; 1 to 5 p.m., 40 cents; and after 5 p.m., 60 cents; children 15 cents at all times. Weekend prices will be 40 cents from opening until 2 p.m., 60 cents after. Old prices: weekdays, 40 cents after 7 p.m.; Saturdays, 55 cents; after 5 p.m., 60 cents; children 25 cents at all times. Weekend prices were 47 cents from opening until 2 p.m., 60 cents after.

Screen policy will have: opening until 1 p.m., 20 cents; 1 to 5 p.m., 33 cents; after 5 p.m., 55 cents; main floor 47 cents; children, 15 cents. Reduction comes with addition of the bargain two hour showings, previous prices being 55 cents to 5 p.m., 47 cents after with no balcony special at the Palace. Prices same as both at B & D and Grand, latter however, had balcony reduction for sometime.

From all indications admissions at the two Loew’s houses, Ohio and Broad, will remain consistent. Currently first-run prices are standardized, Broad having balcony reduction at night to contract price at Grand. Check with indie exhibitors reveal they feel times are tough and the theater must come up with a price to balance the consumer being business will pick up anyway with all the stimulus supplied by the defense program.

Joseph Donidis Dead

Rockland, Me.—Joseph Donidis, 56, owner of the Strand Theater here, died here. Besides owning the Strand, Donidis was in partnership with Blin W. Page of Skowhegan and Eugene Otis of Rockland, in ownership of the State Theater in Calais, the Queen Theater in St. Stephen, N. B., and the Strand Theater in Skowhegan.

Al Weiner Stricken

Detroit—Al Weiner, of the production department of Wilding Picture Productions, died suddenly as the result of a heart attack. Weiner at one time headed Embassy Talking Picture Service.

Ned Brown Opens Office

West Coast Bureau of THE FILM DAILY

Ned Brown has opened a new office at 8555 Sunset Blvd., and will handle writers and story material. He has made an affiliation with John H. Livings and will also handle Sanford Greenburger, Nanline Joseph and Nancy Park, New York literary agents.

REVIEWS OF NEW FILMS

“The Mark of Zorro”

with Tyrone Power, Linda Darnell, Basil Rathbone

93 Mins.

COLORFUL AND EXCITING MELODRAMA HAS STRONG GENERAL AUDIENCE APPEAL; SHOULD BE A SOLID B.O. AT RKO

The public wants entertainment and “The Mark Of Zorro” fills the bill with a more than liberal helping. Romance, adventure, a colorful background, a swashbuckling hero and plenty of action are embodied in this re-make of the Douglas Fairbanks hit of some years ago. It is a box office natural.

Nothing is lacking in production opulence and technical skill to put the picture above par on these two counts. And the cast is strong in name value.

Hitting a good pace with the opening scenes, director Robert Siodmak has carried the story and players along the rous.ng. climax without any letup. The action moves smoothly throughout and each scene is filled with thrilling adventures, and the lead role, accords him with hosts. The role suited him and he made the most of it. Miss Darnell is a lovely heroine for the story; Basil Rathbone is competently sinister in his characterization of the shrewd bully who dictates the policies of J. Edward Bromberg, political head of the territory, who also contributes a good characterization; and the rest of the cast is above par, with such capable performers as Gale Sondrergaard, Montage Love, Eugene Pallette and Janet Beecher prominent.

Power, one of the best swordsmen in Spain, is summoned to his home in California by his father. He returns to find his father has been deposed as Alcalde by Bromberg and his swordman army leader, Rathbone. Power claims the title of the land and enlists a band of renegades to aid in his endeavor. He has been deposed as Alcalde by his father, Rathbone. Power, a capable swordsman, is chosen by his father for his masquerade as Zorro, the friend of the people.

His father, Love, is naturally disgusted with his son’s masquerade, but Power, Tyrone Power, Linda Darnell, Basil Rathbone, Gale Sondergaard, Eugene Pallette, J. Edward Bromberg. MONTAGE LOVE, Janet Beecher, Robert Lowery, Chris-Pin Martin, George Regas, Belle Mitchell, John Bleifer, Frank Puglia, Eugene Borden, Pedro de Cordoba, EUGENE PALLETTE, JANET BEECHER, ROBERT LOWERY, GEORGE REGAS, BELLE MITCHELL, JOHN BLEIFER, FRANK PUGLIA, EUGENE BORDEN, PEDRO DE CORDOBA, RAY WILLIAMS.

CREDITS: Produced by 20th-Fox; Director, Robert Siodmak; Screenplay, Garret Ford and Bess Meredith; Based on a story by Robert Siodmak and Harold Arlen.

DIRECTION, Fine. PHOTOGRAPHY, Expert.

Paramount

“Cherokee Strip”

with Richard Dix, Florence Rice, Victor Jory

86 Mins.

ENGAGING CAST AND INTERESTING STORY SHOULD PUT THIS ACTION-CRAMMED WESTERN OVER SOLIDLY AT THE BOX OFFICE

General audiences should thoroughly enjoy this picture. It tells a story of bold men who lived by the speed of their guns in the days when the Cherokee Strip was the abode of outlaws and wanted men. The action is plentiful, the story smoothly threaded together, and an engaging cast puts it over. The title itself suggest action and adventure, and the cast has enough well-known actors to give exhibitors something to sell in the way of “names.” The story also permits the portrayal of a variety of grotesque characters, as its background is highly reminiscent of a glamorous and rough era in our history.

Harry Sherman started nothing in giving fans of his Starkey; a product-Novel. Director Leslie Selander approached his job with a full knowledge of getting the most out of his players and his material, and he is able to get at the same time making the characterizations believable. The fast-moving screenplay was written by Norman Houston and Bernard McConville, who also wrote the original story. Some fine photographic work is contributed by Russell Harlan.

The outcome of the situations are particularly good.

Dix gives a bangup performance as the head of the Loewll clan, with Victor Jory equally good as the head of the Barrett clan, mortal enemies of the Lovells. Miss Rice is adequate and attractive; William Henry is good in a bit; and Andy Clyde, George E. Stone, Morris Ankrum, Charles Trowbridge, Addison Richards and Douglas Fowley lend capable support to the principals.

Dix hangs his shingle in the town of Goliath, Oklahoma, as Marshal. He discovers that Jory and his clan have arrived there and run the bank, a big saloon and have banked in the strip where he suspects they hide cattle that have been rustled. Dix meets Miss Rice and her brother, Jory, Power and Arthur Gordon, who has plans to colonize the strip. Several things happen to lead Dix to believe Jory and his clan are robbing banks and selling rustled cattle. Action continues at a fast pace, climaxed by a rousing gun fight that winds up the careers of the Jory clan and the picture.


CREDITS: Producer, Harry Sherman; Director, Leslie Selander; Screenplay, Norman Houston and Bernard McConville; Original Story, Bernard McConville; Cameorren, Russell Harlan, Edward Schrader, Edward Schrader, Edward Schrader.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

Electoral Day Observed

Majority of home offices observed Election Day yesterday. In 48 different offices, closed yesterday. Exceptions were Paramount, Universal and Republic which were open to 1 p.m.

Gould to Act As UA Foreign Dept. Head

(Continued from Page 1)

has been division manager for Latin America. He joined UA in 1928.

Gould returned Sunday from a four-month trip through Argentina, Brazil, Chile, Peru, Columbia, Panama, Mexico and Cuba. He said that there were no import restrictions in Argentina, as had been reported, but said certain precautions were being made to safeguard the currency.

No difficulties are anticipated in regard to the release of “The Great Dictator” in South America where the selling policy will be approximately the same as in the U. S., Gould said. Theater business in the countries he visited is good and the outlook is particularly good.

Arbitration Changes Get D of I Sanction

(Continued from Page 1)

ing on Nov. 14 before Federal Judge Henry Goddard.

Reports that independent groups were planning to seek an injunction against the ongoing strikes in New York were in circulation in New York Monday. While it appeared improbable such a situation could be obtained, there were strong indications that a move to delay the finalizing of the decree until January was being launched.

Soy La Crosse Co. Sought To Avoid All Competition

Madison, Wis. — Charges by the La Crosse Theaters Co. in its $1,472,000 anti-trust action against three major distributors and two exhibiting companies that Paramount withheld product from the plaintiff because it wanted to force the La Crosse company to do business with Paramount, was denied by defense attorneys in U. S. district court here.

Counsel for the defense charged the La Crosse company with doing everything in its power to keep competition out of La Crosse and that as a consequence theatergoers of that city were not given the type of pictures available to citizens of other communities and that the showing of first runs only two nights a week prevented the distributors from securing the amount of revenue they were entitled to.

Taking of testimony was started Oct. 31 before Federal Judge Patrick T. Stone here and a 12-person jury and it is expected that it will require a week or more before all sides of the case have been presented.

Jack Shear Dies Suddenly

Cleveland—Jack Shear, 51, a shipper for his brothers, died suddenly of a heart attack. Shear was a charter member of Film Exchange Employees B-5.
Spanish Export Market Studied

(Continued from Page 1)
due to a recent change in the commission's personnel, it was learned yesterday.

Foreign departments are fearful that the personnel change in the commission will hold up a decision until next year, and with the season ending in Spain in April when the warm weather sets in a considerable amount of potential revenue would be lost, it was said.

The money exports would be on a basis of X dollars per picture, with the figure to be stipulated under terms of the agreement.

It is understood that Spanish distributors handling product from Republic, Monogram and other companies would also be allowed to import a certain number of pictures from those companies.

Para. Execs. Start Trek To Coast for Fall Confab.

(Continued from Page 1)

the necessity of arranging next season's production schedules to conform with the provisions of the contract decree in the New York equity suit.

President Barney Balaban leaves today for train. Stanton Griffin leaves today by plane, while Adolph Zukor goes Friday by train. Neil Agnew, general sales manager, and Russell Holman, Eastern production head, will leave before the end of the week.

Yates Still to Determine Decree's Effect on Rep.

H. J. Yates, CFI proxy, Monday denied a published report that Republic was contemplating any change in distribution policy as a result of the proposed agreement.

Yates said that he had not yet had time to analyze the decree and, therefore, was not in a position to say whether it would affect Republic operations in any way.

Civic Groups to Study Decree

Opposition Expected; Neely Bill Held Dead

(Continued from Page 1)

apparently shelved in the House Interstate Commerce Committee.

Research Council Rejects Decree

It is already apparent that the Research Council has determined that the decree fails far short. Condemned on the West Coast by Dr. Ray Lynwun Ilbuer, national president, the decree was made the target here for a blast from the Council's Committee on Legislation, headed by Mrs. Mary T. Bannerman.

Blat says:

"The open picture painted in the Government release about the contract decree filed with the Federal District court of Southern New York on Oct. 29, should not be permitted to side-track support for the Neely Bill, S. 280, to abolish compulsory block-booking and blind-selling of motion pictures. Why?

"(1) Only five of the eight companies sued by the Government in 1938 have accepted this decree. Unless the other three which prefer to stand trial agree by June 1, 1942 to similar terms, the decree so far as it applies to compulsory block-booking and blind-selling will terminate.

"(2) Under a so-called 'escape clause' of the decree, competing companies not bound by the decree adversely affect the business of the five consenting companies, these two trade practices may be revived after Sept. 1, 1942.

"(3) The terms of the decree, even while they last, still permit the forcing of pictures in blocks of fives—the good pictures carrying the poor ones. Let us continue to work for the Neely bill.

"We propose to confer are virtually certain to follow the Council's lead for Mrs. Bannerman also functions as chairman of the National Committee for the Legislation to Abolish Compulsory Block-Booking and Blind-Selling of Motion Pictures.

"The Council is a group of representatives of some 50 national organizations, ranging from the National Congress of Parents and Teachers to the Knips Ford Common and from the WCTU to Associated Church Press.

Slight Chance for Bill

Whether, however, the pressure these organizations can exact will be sufficient to bring House action during the remainder of this session is doubtful. Sliomer still is the prospects of national legislation at the next session. With Sen. Matthew Neely elected Governor of West Virginia, it is felt they may have some difficulty in getting a sponsor who will really press the bill.

Rep. Andrew Edmiston of West Virginia in all likelihood would introduce it as a favor to Neely, but so far Edmiston has shown little or no interest in actually working for film legislation, although he sponsored the companion bill in Congress.

Observers generally feel that the bill would have hardly any chance in the next session, because (1) the (2) the bill would lose an unanswerable argument to give decree a chance to assert certain if it will solve the problems complained of in the Neely bill.

Thus, the chances are the Neely bill probably will not be re-introduced at the next session and if it is it will be done primarily a matter of form with little or no chance of receiving serious attention.

Teddy Will Be Annual Warners Shot Release.

"Teddy, the Rough Rider," historical featurette, will be made an annual release by Warners. The short was first released last Washington's birthday in 118 theaters, a new high.

A series of test runs on re-release was made on Oct. 27, Theodore Roosevelt's birthday. As a result, the laboratory is putting through a new order of prints to be used for 1941 release.

Astor Business Running 33 1/3% Ahead—Savini

Business of Astor Pictures Corp. is running 33 1/3 per cent ahead of the same period last year, according to President Bob Savini. Indications are that the current year will show a 50 per cent increase over 1939. Streamlined versions of past successes have been the backbone of the Astor lineup.

Defense Program in Canal Zone Bringing

Boom Times to Exhibs.; Plan More Houses

Panama City (By Air Mail)—Panama's theaters are experiencing boom times as a result of the vast defense program now being conducted in the Canal Zone and which has brought employment through Panamanians.

Prospects point to sustained favorable conditions over a period of years in view of the fact that the peak of construction of the Canal Zone is believed to be behind for a period of years.

There are 32 motion picture theaters now operating in the Republics, total seating capacity is approximately 21,000. Due to the heavy influx of American personnel, a number of new theaters are projected.

Soviet Can Nix Film Shipments to Sweden

(Continued from Page 1)
avenue of entrance except through Russia itself.

Despite the fact that the Soviet government in this matter was recently transmitted to the Swedish government and subsequently the U. S. was informed. Whether this decision will have, whether or not the Russians will bar certain pictures, withholding permission for shipments or attempt censorship is not known.

All other territory is bottled up by the German army, and in the case of Baltic ports, mine fields, naval warfare and the British Navy stand in the path of any shipping.

Select to Hold Sales Meet in N. Y. or Chi.

Select Attractions, Inc., has completed its exchange setup with 20 branches in key cities. Charles Kranz, president, has returned from the trip through the country during which he installed the offices. These exchanges will be operated and controlled by Select and will handle exclusively the pictures released by the company.

A sales convention will be held in each New York or Chicago within the next two weeks when all branch managers will assemble to learn details of future pictures, first of which is George Hirliman's "Adolescence."

Cities in which exchanges have been established are New York City, New Haven, Cincinnati, Cleveland, Indianapolis, Detroit, Chicago, Minneapolis, Kansas City, Philadelphia, Washington, D. C., New Orleans, Dallas, Los Angeles, Seattle, Salt Lake City, San Francisco, Denver, Pittsburgh and Boston.

High Court Denies Writ

In Wagner-Adler Suit

Washington Bureau of THE FILM DAILY Washington—The U. S. Supreme Court, by denying a petition for a writ of certiorari, refused to review the judgment of the Circuit Court of Appeals that the Wagner patent No. 2,045,040 is valid and infringed by Adler Sign Co. and Ben Adler Signs, Inc.

By reason of such judgment the Adler companies now stand enjoined from manufacturing and selling, or contributing to the infringing use of, the notched flanged letter silhouette signs hitherto supplied by them. The Wagner patent is owned by Wagner Sign Service, Inc.

STORKS!

St. Louis — Ben J. Robins, UA branch sales manager here, has a new son.
THE BACKLOG OF QUALITY

TODAY—next week—next year—you know you can depend on each Eastman negative film to do its special work surpassingly well. This unvarying reliability—a true backlog of quality—keeps these films strongly entrenched as the favorites of the industry. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
That's the watch-word in America today...
Business is humming... the defense program is making new jobs by the thousands... people are working and going back to work...
There's more money in circulation... more people to spend it... they're looking for entertainment... crying for it... begging for it... you have it in the magnificent new pictures which every company in the business has in production or ready for release...
But... you must tell them about it! Lead them your way... Full Speed Ahead with advertising that stops 'em... sells 'em... moves that impulse to buy...
The Prize Baby of the Industry is matching that magnificent product with theatre advertising to sell that product... full speed ahead in all forms of advertising... TRAILERS... LOBBY-DISPLAYS... POSTERS... WINDOW-CARDS... STILLS... BANNERS... CUT-OUTS... everything that helps make good grosses bigger grossers...
Keep their feet moving your way... cash in on this new spending power... cash in with this new selling-power... cash in with the Three Best Sellers in the Business... FULL SPEED AHEAD!
**Arbitration Budget Fixed at $490,000**

Sunday Pix Make Marked Gains in Pennsylvania

Some 47 Towns Heretofore Closed Vote in Favor of Opening in Referendums

Harrisburg, Pa.—Despite a defeat in this city by 17,439 against 15,874 in favor of Sunday movies, after a hotly contested campaign, proponents of Sunday films made marked gains in Pennsylvania in Tuesday's election, a checkup disclosed last night.

Nearly 50 towns hitherto without Sunday films were obeyed by Smithfield, E. L., natives in Tuesday's referendum, but last out in Bridgeton, Woodbury and Paulsboro, N. J., complete returns yesterday established.

They will have them as a result of local referendums. In six only spots

(Continued on Page 10)

**Second Gala Debut To Re-Launch GWTW**

GWTW will have a second gala premiere to mark the picture's general release. Definite announcement by the distributor of Selznick's pix that effect is expected this weekend.

Atlanta, scene of the film's first premiere last December, wants to do

(Continued on Page 7)

**Review Sought of N. M. Ban Upon Bank Nights**

Santa Fe, N. M.—Counsel for J. E. (Ted) Jones, operating the Yuca theater, Roswell, have asked the State Supreme Court to review

(Continued on Page 3)

**War Sharply Trims Bermuda Attendance**

Washington Bar, THE FILM DAILY

Washington—Since the outbreak of hostilities in Europe, attendance at the bar in Bermuda has declined approximately 33 per cent, the U. S. Consular General in Hamilton has reported to the Commerce Department.

Censorship is normal, with newspapers only being strictly censored. The Consular General estimated approximately 200 features will be exhibited in Bermuda by 1940, with about 95 per cent of the films shown of American production and the remainder, British.

(Continued on Page 7)

**PASS USED 84 TIMES IN 11 WEEKS**

Lowell License Commission Annie Oakley Admitted 160 to Same Theater in That Period

Lowell, Mass.—So you think you know something about the pass evil, do you?

Well, one pass issued here by the License Commission was used 84 times in 11 weeks and admitted 160 persons to the same theater, according to Harry Sampson, counsel for the management.

This explains why Mayor George T. Ashe, acting finally after a flood of exhibits, squawks through the years, voided all passes issued by the Commission except those given City Council members. It also explains why Chairman Thomas B. Delaney asserts his Board will never relinquish any of the legal rights it has been granted—among them the right to issue Annie Oakleys by will.

First conference between exhibs. and the Commission, following the mayor's action, failed to bring a definite decision. However, it is expected passes will be issued to a list approved by the exhibs., or that theaters—not the Commission—will issue passes to persons suggested by the Commission.

(Continued on Page 7)

**Argentine Producers Spurn 'Co-ordination'**

Buenos Aires (By Air Mail)—The Argentine Film Producers Association, in a memorandum to the Argentine Minister of Justice and Public Education Dr. Guillermo Rothe,

(Continued on Page 4)

**Butterfield Adds Four Matt Theaters in Flint**

Detroit—In one of the biggest theater acquisition deals in several years, in this state, Butterfield Circuit

(Continued on Page 4)

**Metro Has 11 Ready For Release to '41**

M-G-M has 11 pictures completed for distribution between now and Jan. 1, according to W. P. Rodgers, general sales manager, who has returned from studio confabs. Rod-

(Continued on Page 10)

**Sears, Leserman Meeting With WB District Heads**

Warners district managers in the U. S. and Canada arrived in New York yesterday for home office con-

(Continued on Page 3)

**No MPRC Decree Appearance**

"Pressure" Groups to Stay Out of Court

Await Navicert Decision On Swiss Film Shipments

Film companies here are now waiting for a decision as to whether or not Navicert will be granted the shipment of films to Switzerland. It is virtually impossible to ship

(Continued on Page 7)

Appeals Board Chairman Will Receive $20,000; Two Other Members Get $17,500

First year's budget for the operation of the industry's arbitration system has been set at $490,000. This was determined at a meeting of industry and Government attorneys on Tuesday in New York. It was also agreed that the chairman of the appellate board would receive a salary of $20,000 a year, while the other two members of the panel would receive $17,500 yearly each.

Because the first year of arbitration under the proposed rules will be one of experimentation, the $490,000 budget may be increased or reduced.

(Continued on Page 7)

To Drop Individuals In Equity Complaint

Approximately 50 individuals, officers and directors of United Artists, Universal and Columbia, named as defendants in the original equity complaint filed by the Government in its anti-trust action, will be dropped as defendants in the new amended suit, D of J officials revealed yesterday.

The sources stated that the amend-

(Continued on Page 4)

**UA Will Ask Dismissal Of Goldwyn Suit Nov. 15**

Dismissal of the suit of Sam Goldwyn against United Artists for cancellation of the plaintiff's contract, damages and an accounting.

(Continued on Page 4)

Sez Neil to Frank

Ne all good-distanced Y. Frank Freeman at the Paramount studio to report grosses turned in by NWMP in the second week of its advanced admissi-

test run. Half way through the list, Freeman intercepted.

"I think I heard these figures correctly, Neil," the studio head drawled, "but read them over again and read them slowly. I want to really enjoy them."
**FINANCIAL**

(Wednesday, Nov. 6)

NEW YORK STOCK MARKET

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**JUMPING FROM 25-50c TO 75C-$1.10 FOR “DICTATOR”**

Montreal—“The Great Dictator” will be shown at advanced prices when it opens at the Orpheum, here tomorrow. Admission will be 75 cents from the opening until 6 p.m. and $1.10 after 6 p.m. This includes tax. Regular prices at the Orpheum are 25 cents until 1 p.m., 34 cents from 1 p.m. until 6 p.m., and 50 cents from 6 p.m. amusement tax included.

**FILM, MONTRÉAL FILM CENSOR, DIES IN OFFICE**

Montreal—Joseph Phyllis Filion, 69, City of Montreal motion picture censor, died suddenly yesterday of a heart attack while alone in his office. Filion, an actor, retired from the stage in 1930. He was appointed city motion picture censor in 1930.

Name Rosenberg Chairman of W. Pa. AMPO Directors

Pittsburgh—The AMPO of Western Pennsylvania, Inc., has elected ex-President M. A. Rosenberg as chairman of the Board of Directors, to succeed Dr. C. E. Herman.

**STEIN AW AITS CLIPPER**

Paul Stein, noted European director of Litho, Inc., is back today by clipper for the U. S. where he plans to produce three pictures for release through Select Attractions. Stein, tentatively is due to arrive Monday or Tuesday, depending upon his success in obtaining passage. Pictures will be made in Hollywood.

**Para. to Release NWMP On Dec. 27, Not Nov. 21**

Paramount’s “North West Mounted Police” will be released Dec. 27 instead of Thanksgiving Day, according to Neil F. Agnew, general sales manager, who explained that the decision was made because of the large number of requests for pre-release bookings.

Paramount’s field force has been advised to make no bookings on NWMP during the period from Dec. 14 to Dec. 25 so that the picture may not suffer in any situation from the usual pre-holiday slump. This arrangement, Agnew said, will give all exhibitors who have booked the picture at advanced prices the protection to which they are entitled.

**North West Mounted Police** opened a four-week engagement at the New York Paramount theater yesterday to business estimated at more than $10,000, according to Bob Weitman, manager of the house. The picture contains a glimpse of the recently concluded battle for the presidency of the Salvation Army, as well as the battle for the election of President Roosevelt in the Presidential election on Tuesday.

Picture opens today in Richmond, Va., with Preston Foster appearing in person.

**COMING AND GOING**

NICHOLAS M. SCHENCK has returned from the Coast.

WALTER E. GREEN, National Theater Supply head, left New York yesterday to visit company branches in the Mid-West.

J. A. MCINNVILLE, Columbia’s foreign manager, accompanied by JACK SEGAL, manager of foreign change operations, and CHARLES ROBERTS, home office supervisor for Latin American operation, were on a routine visit from Buenos Aires to Santiago, Chile, on their way back to this country.

DAVID A. LIPTON, of Universal’s studio office, has returned from the West Coast.

NORMA SHERRER is expected here this week from the Coast.

JEANETTE McDONALD leaves Hollywood today on the first leg of an extended concert tour.

PRISCILLA LANE leaves the Coast this week-end for New York.

DOROTHY PETERSON arrives this morning from the Coast via TWA’s Stratoliner.

JESSE L. LASKY is due today from the Coast.

L. B. TRIMBLE arrives the Coast last night.

MURRAY SILVERSTONE goes to the Coast this week-end.

CHARLES SCHWARTZ flies to the Coast today.

ROBERT M. GILLHAM, ad. and pub. director for Paramount, left for Florida yesterday. He was accompanied by ARMANDO.

GEORGE J. SCHAEFER arrived here from the Coast over the week-end and returns to Hollywood early next week.

PRESTON FOSTER, who has been making pacs. with “North West Mounted Police” leaves New York this morning for the Richmond opening.

BOB MOCHRIE, Eastern and Southern division manager for RKO Radio Pictures, is visiting exchange in the South. He is expected back in New York over the week-end.

E. M. LOEW has returned to Boston from Hollywood.

DICK HYLAND and ARTHUR LEONARD of Cinemasters planned to the Coast yesterday; they return by Monday.

SIDNEY MEYER, general manager of the Wometto Florida circuit, is in New York City on business.

HENRY KOSTER arrives by plane this morning from the Coast.

**Union Asks 44-Hour Week In All Cuban Theaters**

Havana. (By Air Mail)—The Confederation of Workers of Cuba has asked the Secretary of Labor to put into effect the new 44-hour-week law in all theaters here.

**WHEN MINUTES MEAN MONEY TELEGRAPH VIA**

**Postal**

**CHARGES FOR TELEGRAMS **PROTED IN APPEAR ON YOUR TELEPHONE BILL.**
No Research Council Decree Appearance

(Continued from Page 1)
decree because it permits a continuation of block-booking in modified form and because only five of the majors are parties to it, they do not feel they should become involved in the court proceedings.

The suit is strictly an industry affair, they feel, but are expressing their opinion because it covers a great extent the same matters involved in the Neely bill, which they will continue to support as the only real "cure."

No brief or statement either will be filed with the Court, it was said.

Sears, Leserman Meeting With WB District Heads

(Continued from Page 1)
ferences with Grad Sears and Carl Leserman. They are:

Robert Smeltzer, Central district with headquarters in Washington, D. C.; Rud Lohezen, Midwest district with headquarters in Chicago; Ed Schnitzer, Eastern district with headquarters in the home office; James Winn, Prairie district with headquarters in Kansas City; Fred Jack, Southern district with headquarters in Dallas; Henry Herbel, West Coast district with headquarters in Los Angeles; and Wolfe Cohen of Canada with headquarters in Toronto.

Ralph McCoy, Atlanta branch man-

ager, is also in for the confabs.

The men return to their respective territories over the week-end.

Poli Ban In Shawano

Milwaukee—Latest Wisconsin city to impose a ban on children attending theaters because of infantile paralysis is Shawano, where the quarantine will remain in effect until Nov. 11, unless new cases develop.

Variety Club for New Haven?

New Haven—Active film exchange men report another attempt will be made this winter to start a Variety Club in this territory. A previous try five years ago was unsuccessful.

ALONG THE

RIALTO

Phil M. Daly

• • • COASTING: Ex-exhibitors can be found occupying important posts at many of the studios on the Coast. Universal has several execs who got their start in the exhibition field. Cliff Work and his associates, Matty Fox and Milton Feld, won their cinema spurs originally via piloting theaters. Burt Kelly, one of the Universal producers, was for several years a booker for Publix. Jack Gross is another "U" producer, long on exhibition.

• • • THE story of how Louis B. Mayer transferred a run-down Haverhill, Mass., theater into a success...is well known to picture pioneers. Louis K. Sidney, one of the newest producers at M-G-M, is a veteran in the theater field...and handled important Loew houses for several years...Then, of course, there's Sam Katz...the Katz of B & K...the firm which revolutionized exhibiting methods in the Midwest...and streamlined showmanship.

• • • TURNING toward Paramount...we find Y. Frank Freneman who started in the deep South and soon became an important factor in the theater field. Nother Paramounteer is Harry Sherman who made his amusement field bow...as an operator of the Park, Minneapolis...This he followed by purchasing rights to "The Birth of a Nation"...for several states West of the Mississippi...He and his associate, Jack Elliott, paid $250,000 in cash for said rights.

• • • AH, YES...the Warner Brothers broke into the exhib. pastures...in the early days of the industry...Richard A. Rowland, now producing "Cheers For Miss Bishop"...is another exhibition field pioneer...At one time he headed Metro and was later prexy of First National...Still another producer who was in the theater end...is Sol Lesser...whose product is released via UA...One of Samuel Goldwyn's lieutenants is Reeves Espy, long with Fox West Coast.

• • • ONE of the top gents at 20th-Fox is William Kenning who at one time operated theaters in Minnesota and Wisconsin...And there's Fred S. (20th-Fox) Meyer...who was an exhib. in Milwaukee...and for several years MP'TOA secretary.

• • • LOCALITIES: Probably happier than anyone that the election is over...is Paramount's Al Wilkie...Ever since Wendell Willkie was nominated, Al has been getting calls from friends (?)...who wanted to be appointed to key jobs. Al has been called Wendell on every telephone call...Even when he went to vote on Tuesday...the poll officials eyed him with a twinkle...and made up little quips...thinking themselves very, very original.

• • • UH-HUH, we said yesterday that we'd report on that election bet 'twixt Emerson York and Alvis Harrilla...Wager was that if F.D.R. won, Alvis would baptize Yorke's new short, "New England Tour"...and if Wendell Willkie won, York would pay Alvis double his haggling fee. But Alvis Harrilla happens to be with Mutual's air program, "Double or Nothing"...He doesn't get double from York...but nothing.

DATE BOOK

Dec. 12: Cinematograph Ex-employees convention, Royal York Hotel, Toronto.
Dec. 12: Dramatists Guild annual meeting.
Dec. 15: Cleveland Film Exchange Employes' Local 8-S dance, Moose Temple.
Dec. 16: Boston Motion Picture Salesmen's Club dinner dance, South End.
Dec. 20: Dave Miller testimonial dinner, Hotel Astor.
Dec. 29: Chicago Motion Picture dinner, Terrace Casino, Hotel Morrison.
Dec. 1-2: MPTO of North and South Carolina convention, Charleston Hotel, Charleston.
Dec. 9: Warner Bros. stockholders' meeting, Wilmington, Del.
Dec. 12: Washington Variety Club dinner, the Belle Vue-Stuart.
Dec. 18: ITO Employees' Association dinner, Stevens Hotel.

Review Sought of N. M. Ban Upon Bank Nights

(Continued from Page 1)
again its recent decision holding the nation's Bank Nights to be illegal lotteries.

Jones, in moving for a rehearing, contended that numerous other State Supreme Courts had held that Bank Nights were legal and criticized the New Mexico Court's action in reversing a previous ruling without a unanimous opinion.

Form Chi. MP Bowling League

Chicago—Film row bowlers have organized the Chicago Motion Picture Bowling League with Henry Porter as president, Christ Otto treasurer and Howard DeTamble, secretary. Games have been scheduled for the various teams in the league, up to and including the week of April 10, 1941. Eight alleys will be used.

Lichtman Forms Another

Richmond, Va.—The State Corporation Commission has issued a charter to the High Theater Corporation, Norfolk, with a maximum capital of $25,000. A. E. Lichtman, of Washington, is listed as president.

Would You Call This Theater Skin Game?

Montgomery, Ala.—Paramount Theater, tying in with a local department store, is giving a $100 fur coat every Thursday night. At the sixth and last, the give-away will be two fur coats.
Argentine Producers Spurn 'Coordination'

(Continued from Page 1)

rejected the plans for "co-ordination" of the Argentine film industry, drawn up by the Instituto Cinematografico Argentino, a semi-official entity under the leadership of Sen. Matias G. Sanchez Sorondo. The memorandum was signed by Julio Joly (E.F.A.), Angel L. Mentahti (Argentina Sono Film), Julio Lolego (Lumiton), Enrique Faustin (PampaFilm).

Harry Aronson Commands Legion's McCauley Post

Boston—The Liel, Vernon McCauley Post of the American Legion has been officially named as the Motion Picture and Theatrical Post of the Legion in this area. Harry Browning, Frank "Skip" McManus, Thomas Wall and others well known in the local area, along with those responsible for its growth and its position as one of the leading Legion posts of the New England states. Harry Aronson, manager of the Rialto theater in Scollay Square, has been elected Commander of the Post.

Ben Cohn Leaves Warners For Geo. Hirliman Post

Ben Cohn of Warner Bros. East Coast publicity department, resigned today, effective Nov. 15, to join George Hirliman as production assistant. His first assignment is a series of three Westerns.

On Albany's Film Row

Albany—West Coast contingent of exhibitors visiting film row includes: Sam Milberg, Family, Watervliet; Sam Davis, Phoenicia, Phoenicia; Mitchell Conery, who operates the Conery Circuit; Harry Lamont, running in Greenville, Philmont and Berlin; Barney Pearlman, Binghamton; Dave Rosenbaum, Strand, Ticonderoga, Chris Buckley, General Stark, Bennington, Vt., Walter Wertime, Chester, Chestertown.

B & K Employees at "dictator"

Chicago—B & K Employees Association will see "The Great Dictator" at the Roosevelt theater tomorrow night. Club’s dinner dance is set for the Stevens Hotel Dec. 13.

Unlucky In Draft—But Gets Horseshoe

West Coast Bur., THE FILM DAILY

Hollywood—Uncle Sam’s Army will have to be patient about making HalIo- way, movie comedian, reporting for training, Sterling himself is cur- rently labeled "patent." A horse hitched the film way, breaking the act- or’s leg. His draft number is 192, due second quarter. The horse isn’t eligible for the draft, being under 21, so what he’s kicking about

ATAH'T in Quadruple South American Opening

Rio de Janeiro (By Air Mail)—South America’s first four-theater premiere will take place Nov. 15, with Warners’ATAH'T opening in the Odicon and Sao Leit Theater. The showings will be in Sao Paulo, Rio and Buenos Aires. The four houses are collaborated on the Brazilian premiere. Day has been officially notified by Forrest Vargas of the country, who will attend the openings with high political and civic officials.

UA Will Ask Dismissal Of Godwyn Suit Nov. 15

(Continued from Page 1)

will be sought from Federal Judge today, according to a notice of motion filed in the Federal Court yesterday. The motion asks for dismissal on the ground that the plaintiffs in filing an amended complaint failed to comply with a recent order of Judge Vincent T. Leibell requiring the complaint to be separately stated and numbered. Alternatively, United Artists, demands that Godwyn serve a new complaint complying with the Court order.

Must Get SAG Consent To Drop Drafted Agent

West Coast Bureau OF THE FILM DAILY

Hollywood—When an agent vol- unteers or is drafted for military service, an actor may not discharge the agent without the consent of the Screen Actors’ Guild, according to a rule adopted by the Guild’s board of directors this week. The policy of the Guild to refuse such consent unless satisfactory arrangements are made for servicing of the member by another agent without additional charge to the member.

The Guild denied the Artists Man- agers Guild request that, if an actor enters military service, he must on his return to civilian life extend his contract with the agent by the num- ber of months between the time of his enlistment and the expiration date of his contract, or number of months of his absence from his civilian work whenever applies under these circumstances.

Harry Hondo Strohme

Wayne, Mich.—Harry Hondo, 55, manager of the Wayne Theater, died as the result of a heart at- tacks. He was better known in the distribution field, and was head book- er for Pathé about 1920, later be- coming booker and salesman for Favorite Films, Monogram, Royal- tie, and Monarch Pictures. His widow survives.

21 P.A.’s for Gloria Jean

Gloria Jean, Universal star, will make 21 personal appearances in RKO theaters in the New York area over the next few days. They arrive here today and will leave for Scranton, Pa., her home, on Monday.

"Bagdad for Christmas"

Alexander Korda’s “The Thief of Bagdad” will be released nationally during the Christmas holidays, it was announced yesterday by United Artists. Picture is in Technicolor.

Butterfield Adds Four Matt Theaters in Flint

(Continued from Page 1)

suit takes over four theaters from Lester Matt, independent circuit owner, at Flint. Houses involved are the State, Strand, Roxy, and Della. Deal gives Butterfield eight out of the 20 theaters in Flint.

Election Day B. O. Biz

Bad in Albany Sector

Albany, N.Y.—Empty seats greet- ed the election returns in the theaters of the Albany- Troy- Schenectady area. Aspirants lost belts as pix lost in a landslide to radio election returns. A comprehen- sive survey among indies and cir- cuits resulted in a unanimous state- ment of the poorest one-day biz in memory.

In contrast, last night’s attend- ances at the first-runs and downtown theaters were far above the average, especially considering that pictures venge, as in four locations today. Sub- sequent also reflected the return to normal after a month’s orgy of dial-twisting.

Piggy Wiggly Stores After Theater Tieups

Chicago—Piggy Wiggly, opera- tors of cash and carry stores, are urged by their headquarters staff, to arrange tieups with theaters for business boosters. They call atten- tion to the successful campaign put over by a San Diego operator, who is giving away three autos in a tieup with 12 the- aters in that territory.

Phono-Film in San Jose

San Jose, Calif.—First slot ma- chine movie installation in Northern California is reported here. It’s Phono-Film and, according to the management of the restaurant which has it, the machine is getting heavy use. Many Oakland and Frisco cafes are said to be slated for in- stallations.

Will Honor John Flynn

Detroit—John E. Flynn, M-G-M manager, is moving his headquar- ters and residence to Chicago, Dec. 1. Flynn, who was first Chief Bar- ker of Detroit Club, will be honored at a testimonial banquet given by the Club; tentative date is Nov. 25.

Joins Birdwell Staff Here


To Drop Individuals In Equity Complaint

ed complaint will name the eight major companies and their subsidi- ary organizations, but will list individuals.

Government attorneys feel that it is unnecessary to bring charges against officers and directors of the three companies, pointing out that a Court decree would have to be complied with by the companies with the alternative that company offic- ials would be subjected to contempt proceedings. Suit insofar as the five negotiating companies are concerned will be disposed of if Federal Judge Henry W. Goddard approves the de- cree. The original complaint charged individuals along with the companies with conspiring to create a monop- oly in violation of the Sherman Anti- Trust Act.

Settlement Worries Small Exhibs, Declares Morse

Boston—Charles Morse, of Morse & Rothenberg, asserts that small theaters throughout this territory are disturbed and disillusioned over the apparent settlement out of court of the New York equity suit against the “Big Five.” Small exhibitors are undoubtedly hurt greatly,” said Morse, “and there is not one who does not wish that the case might have come to trial since we feel that we might have won a great victory for independent exhibitors every- where.”

Gilson Hurt In Crash

Charles E. Gilson, March Of Time cameraman, was critically injured in a three-automobile accident in New Hampshire, it was learned yesterday. He is in the Porthsmouth (N. H.) Hospital, with full extent of his injuries still undetermined.

Mrs. Minnie Miller Dead

Detroit—Mrs. Minnie Miller died here following an operation. She was the mother of Mrs. Frank Drew, wife of the manager of M-G-M ex- change at Cleveland, and of Miss Rosalind Owen of FBI office here.

Jock Benny's Father Ill

Chicago—Meyer Kubelsky, father of Jack Benny, is seriously ill at the Embassy Hotel. Benny is here.

RCA "Fantasound" Named for "Fantasia"

What RCA terms its revolutionary new “Fantasound,” third-dimensional system designed by RCA engineers, derives its name from the fact that it was developed during Walt Disney’s revolutionary new film, “Fantasia,” its sources assure. They expect that within a few years all radio sets will be equipped with this new form of screen entertainment which, they feel, will have a tremendous impact on the public.
TECHNICOLOR
gave it brilliance!

NOEL COWARD
gave it song and story!

ZIEGFELD
gave it Broadway production!

M-G-M
gave it box-office immortality!

Jeanette MacDONALD

Nelson EDDY

in NOEL COWARD’S

Bitter Sweet

PHOTOGRAPHED IN TECHNICOLOR

with

GEORGE SANDERS
IAN HUNTER
FELIX BRESSART

Original Play, Music and Lyrics by Noel Coward • Screen Play by Lesser Samuels • A Metro-Goldwyn-Mayer Picture • Directed by W. S. Van Dyke II • Produced by Victor Saville
Arbitration Budget Fixed at $490,000

(Continued from Page 1) duced in succeeding years, depending upon the cost of operation.

American Arbitration Association officials stated yesterday that the arbitration system will probably be set in operation within 30 days from the date of approval of the proposed consent decree by the Court. These officials said that the Association, through its previous experiences in organizing nation-wide industry arbitration machinery, expected clear sailing in the creation of the motion picture system.

J. Noble Braden, executive secretary of the Association, will tour the country immediately following confirmation of the decree to organize offices in 33 exchange centers. As part of the work of the Association, Braden will select clerical staffs and arbitrators in each district and choose office locations.

Await Naviert Decision On Swiss Film Shipments

(Continued from Page 1) films to any place in Europe now without such permission.

The British Embassy held up permits for shipments of films to southwestern Europe for several weeks, indicating that Great Britain was aware of the newest axis war move in Greece some time before the actual blow was struck, it was learned yesterday.

All transhipments of films from England to southwestern Europe and direct shipments from that country have also been held up for some time, it was said.

Skouras Trial Again Over

Trial of the Federal action against George Skouras Theaters Corp., RKO Radio Pictures, and Harvey B. Newman, was ordered adjourned Nov. 20 by Federal Judge Samuel J. Mandelbaum yesterday.

REVIEW OF NEW FILMS

THE SHORTS

“The Homeless Flea” Amusing Cartoon 8 mins. Metro

The short introduces a young flea, wandering in search of a home. Noting a sign on a gate to “beware of the dog,” he immediately enters and looks up what he thinks will be his future home. All the flea’s plans go to naught, however, when the dog finally catches him and throws him out. Reel has lots of laughs.

“Quick’n A Wink” Excellent 9 mins. Metro

Of interest to everybody is a new invention shown in this comedy. The invention is a camera which films anything at incredible speed. A bullet is seen traveling through the muzzle of a gun, a horse back riding a black light bulb which is shattered. A cat is seen licking milk, with the camera revealing that the cat carries the milk into its mouth on the bottom of its tongue instead of the top side. A number of other equally fascinating shots were offered. The camera is special and a specially developed lighting process produces super slow motion pictures that should be of invaluable aid to science.

“Gallopin’ Gals” 8 mins. Metro

Derby Day, and all the four legged fillies are primping in their stalls for the big race. The girls have the usual catty gossip and their principal worries are about their coiffures and what their friends have been doing. Of course, there is an ugly duckling in the crew, and the aforementioned ugly duckling comes through to win the big race, homeing home a lot of laughs in the meantime.

“Utopia Of Death” 10 mins. Metro

Unusual Subject

Strange story of a vanishing race of Indians, the Seri tribe that inhabits Tiburon Island in the gulf of lower Mexico, is related interestingly in this short. Committing racial suicide by preventing the women of the tribe from having any more children, the story of this Indian tribe is indeed unusual. It is said that the tribe was once the most powerful in Northern Mexico and emigrated to this island in the search of a perfect existence, but disillusioned by a lack of change in life, and complete monotony, they became a dying race.

Williamson In Louisville

Louisville—Dudley Williamson, Indiana manager of Metro theaters in Indiana and Kentucky, has acquired the Dixie, dark for several months.

WEDDING BELLS

Canaan, Conn.—Anthony Boscari- dino, operator of the Colonial, announces the marriage of his daughter, Jean, cashier at the theater, to Lawrence Stone.

Fort Worth—Marydene Mahaney, cashier at the Majestic Theater, and Dick Gustin of Shreveport, La., will be married here Saturday.

Grand Rapids, Mich.—Warren Wardwell, manager of Keith’s Butterfield house here, is a father for the first time. It’s an 8-pound boy.

Arlington, Va.—W. Lee Johnson, manager, Ashton, has a new son.

The Museum of Modern Art Film Library will present a series of D. W. Griffith films covering the years from 1907 to 1924, commencing next Tuesday. The programs follow:

Nov. 12 and 13—“Rescued From an Eagle’s Nest” (1907); “The Cradle of Life” (1908); “Edgar Allan Poe,” “A Drunkard’s Reformation,” “Resurrection” and “The Lone Villa.” The last four were produced in 1909.

Nov. 14—1916, or The Hessian Renegades” and “Green River” (1908); “The Changing Sea” (1910); “The Lone Rider Operator” and “Echo” Arden” (1911); “The Musketeers of Pig Alley” (1912).

Nov. 15—“The New York Hat” (1912); “Jil of All Trades” and “The Fireman” (1912); “The Birth of a Nation” (1915).

Nov. 17—“Intolerance” (1916).

Nov. 18—“Hearts of the World” (1918).

Nov. 19—“Broken Blossoms” (1919).

Nov. 20—“Way Down East” (1920).

1,400,000 Saw Television At the World’s Two Fairs

More than 1,400,000 saw the RCA television demonstrations at the New York and the San Francisco World’s Fairs. The 1940 season’s RCA officials announced yesterday.

At the Metro Studios

West Coast Bureau of THE FILM DAILY Hollywood—Metro has assigned Duane Trumbull to prepare the scenario of “Some Day I’ll Find You,” which Pandro S. Berman will produce. Studio cast Eve Arden for the role that Rita Johnson vacated in “Ziegfeld Girl.” Rose Hobart has also been assigned to the cast.

WB Options Mary Astor

West Coast Bureau of THE FILM DAILY Hollywood—Warner Bros. has signed Mary Astor to play the second feminine lead in “Far Horizon” and has taken an option on her services for other pictures. “Far Horizon,” starring Bette Davis, is now before the cameras.

“U” Starts “Who’s Crazy Now”

West Coast Bureau of THE FILM DAILY Hollywood—“Who’s Crazy Now” has gone before the cameras on the Universal lot with Lewis Howard, Thomas Meighan, Jeanne Crain, Margaret Hayes, John Ireland, Sally Gray, Nancy Gates, George Peppard and Richard Lane in the cast.

Second Gala Debut To Re-Launch GWTW

(Continued from Page 1) it all over again, making the new opening a first anniversary premiere. Suggestion from Mayor William B. Hartfield and an Atlanta committee chaired by John Fenton Johnson of Howard Dietz’s department there last week-end.

But Atlanta faces competition. Charleston, Savannah, Augusta and Richmond, among others, are bidding for the second premiere. If Atlanta wins out, it will be the first time in film history that a picture has returned to a city 12 months after its original presentation for an anniversary premiere.

Parker Assumes Gamble’s Duties in Oregon Chain

Portland, Ore.—J. J. Parker is personally taking over the general management of his circuit upon the departure of Ted Gamble. Grover E. Hadley becomes assistant general manager. Calvin Heilig joins the organization in charge of road shows. William Fitchanny returns as booker for the circuit.

McDonald on “Arkansas Judge”

_Ho__ East Bureau of THE FILM DAILY Hollywood—Frank McDonald has been assigned to direct “Arkansas Judge,” a Republic picture which will star the Weaver Brothers and Evelyn. The picture is in preparation at this time with production set to get under way about December 1. The screenplay is from “False Witness,” a story by Irvine Stone. Armand Schaefer is in charge of production.

Ind. Towns Nix Ops Pay Rise

Chicago—Theaters in Hammond, East Chicago, Indiana, and Whiting, Indiana, have turned down the operators’ request for a wage increase and vacation with pay. Another meeting will be held next week.

8 Shooting at Warners

West Coast Bureau of THE FILM DAILY Hollywood—With eight pictures in production, Warners studios are nearing the peak of winter activity. Twelve stars and 28 featured players are currently before the cameras.

Hilton Novel to Metro

Metro has purchased “Random Harvest,” newest James Hilton novel, which is scheduled for publication in the Spring.

Films Licking Legit

Detroit—Faced with competition from television, distributors are planning a new time—time the first time in a decade—exhibitors locally will have a legitimate show. The Shubert-operated Willson is slated to close due to poor business under the new city policy. Rumors of a second closing in the air, but unconfirmed.
The Film Daily's Calenda
COLUMBIA

a Prison

Camp, 59 mins.

of English-speaking features released since

10-3-40.

Drums
FD:

Terry

FD:

Myron McCormick,

FD: 3-18-40.
Haynes

He Stayed

for

Douglas,

Melvyn

Young,

Loretta

8-8-40
Florence

MacLane

8-15-40
Durango Kid, The, 60 mins
FD: 8-23-40. Charles Starrett, Luana
Walters, Kenneth MacDonald

Howards of Virginia, The, 122 mins.. 8-29-40
FD: 9-3-40. Cary Grant, Martha Scott,
Sir Cedric Hardwicke
Thundering Frontier, 57 mins
FD: 9-16-40. Charles Starret,

12-5-40

10-25-40

mins

9-20-40
Haunted Honeymoon, 83 mins
FD: 11-1-40. Rooert Montgomery, Constance Cummings, Leslie Banks

MISCELLANEOUS
Mein Kampf —
(Crystal Pictures),

After

son

9-17-40
Hang, 71 mins
FD: 10-4-40. Boris Karloff, Evelyn Keyes,
Bruce Bennett

in

the Sun (World Pictures), 55 mins.

9-30-40
10-8-40.

of

Historical-social

PARAMOUNT
Way

Mexico

FD: 10-8-40. Stephen Haggard, Victoria
Hopper, John Loder

Singleton,

7-25-40
Arthur

10-3-40
So You Won't Talk, 69 mins
Joe E. Brown, Frances
FD: 10-17-40.
Robinson, Tom Dugan

M-G-M
Andy Hardy Meets Debutante, 86

Greer Garson,
Olivier, Mary Boland
7-9-40.

8-2-40
Laurence

11
in

color

Murder

Inc.),

Face at the Window, The (Arthur Ziehm,
10-23-40
Inc.), 65 mins
FD: 10-25-40.
Tod Slaughter, Marjorie
Taylor
It

FD:

10-25-40.
Calvert

Mercy
FD:

Plane

(Film Alliance of U. S.),

8-31-40
73 mins
George Formby, Phyllis

7-19-40
Are Young, 79 mins
Lana Turner, John Shel
FD: 7-16-40.

Distrib.

7-12-40
Young,

Maureen

125 mins.

11-22-40
FD: 10-22-40.
Gary Cooper, Madeleine
Carroll, Paulette Goddard

Cherokee Strip, 86 mins
Richard
FD: 11-6-40.

10-11-40;
Dix,

Florence

Rice, Victor Jory

CORP.

Marked Men, 66 mins
FD: 9-23-40. Warren

8-28-40
Hull, Isabel Jewell,

John Dlson

7-29-40
Gun Code, 54 mins
FD: 10-17-40. Tim McCoy, Inna Guest,
Alden Chase

RKO RADIO
Millionaires in Prison, 63 mins

FD:

6-27-40.

Queen

6-28-40
of the Mob, 61 mins
7-3-40.
Ralph
Bellamy,
Blanche
Yurka, J. Carrol Naish, Jean Cagney

FD:

Stagecoach War, 63 mins
7-12-40
FD: 7-10-40.
William Boyd, Russell
Hayden, Harvey Stephens

Great McGinty, The, jJI mins... .8-23-40
FD: 7-23-40.
Brian Donlevy, Muriel
Angelus, Akim Tamiroff

Lee

Tracy,

Linda

7-12-40
Hayes,

Raymond Walburn
Law, 59 mins
6-27-40. George

Prairie

7-26-40
'Untamed, 83 mins
FD: 7-2-40. Ray Milland, Patricia Morison, Akim Tamiroff

MONOGRAM
Boys of the City, 63 mins
7-15-40
FD: 7-22-40. Bobby Jordan, Leo Gorcey
Dave O'Brien

FD:

6-14-40
O'Brien,

Virginia

Hogan

Vale, Dick

Cross-Country Romance, 68 mins.. .7-19-40
FD: 6-28-40. Gene Raymond, Wendy Bar-

Hedda Hopper

rie,

Ramparts We Watch, The, 90 mins.. 8- 16-40
FD: 7-24-40. John Adair, John Sommers,
Julia Kent

Meets the Women, 68 mins.
7-5-40

Dr. Christian

FD:

8-5-40.
Jean Hersholt,
Lovett, Edgar Kennedy

Mystery Sea Raider, 75 mins
8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens

One Crowded

Golden Gloves, 69 mins
8-2-40
FD: 8-5-40. Richard Denning, Jean Cag
ney, J. Carrol Naish

Lucky
FD:

Dorothy

8-9-40
mins
FD: 8-16-40. Billie Seward, William Haade, Charles Lang
Night, 68

Partners,

102

mins

8-19-40.

Rogers,

Ronald Colman,
Spring Byington

8-2-40
Ginger

River, 92 mins
9-6-40 Stage to China, 59 mins..
7-26-40
FD: 8-20-40. Bing Crosby, Mary Martin
FD: 8-20-40. George O'Brien, Virginia
Oscar Levant
Vail, Roy Barcroft

Three Men from Texas, 70 mins.. .11-15-40
den, Andy Clyde

8-23-40
Dance, Girl, Dance, 90 mins
FD: 8-28-40. Maureen O'Hara, Louis
Hayward, Lucille Ball

Rangers of Fortune, 80 mins
10- 1 1 -40
FD: 9-19-40. Fred MacMurray, Patricia
Morison, Albert Dekker

Stranger on the Third Floor, 64 mins.

Christmas in July, 70 mins
FD: 9-20-40. Dick Powell,

O'Sullivan

10-18-40
Ellen Drew,

8-16-40
FD: 9-3-40. Peter Lorre, John McGuire,
Margaret Tallichet

Haunted House, The, 70 mins
7-22-40
9-6-40
Men Against the Sky, 75 mins
8-30-40
1 16 mins
FD: 7-23-40. Jackie Moran, Marcia Mae
Ernest Truex
FD: 9-5-40. Richard Dix, Kent Taylor,
FD: 8-6-40. Clark Gable, Spencer Tracy,
Jones, Geo. Cleveland
Wendy Barrie
Claudette Colbert, Hedy Lamarr
Comin' Round the Mountain, 80 mins.
Laughing at Danger, 63 mins
8-12-40
8-9-40
9-13-40
8-16-40 Dreaming Out Loud, 81 mins
Love You Again, 99 mins
FD: 8-20-40. Frankie Darro, Joy Hodges,
FD: 10-3-40. Bob Burns, Una Merkel,
Abner (Chester
FD: 9-10-40. Lum
FD: 8-8-40. William Powell, Myrna Loy,
Mantan Moreland
Jerry Colonna
Lauck, Norris Goff)
Frank McHugh
8-12-40
7-26-40 Doomed to Die, 67 mins
9-27-40
Want a Divorce,
mins
9-20-40 I'm Still Alive, 72 mins
Gold Rush Maisie, 82 mins
FD: 9-3-40. Boris Karloff, Grant Withers,
FD: 10-4-40. Joan Blondell, Dick Powell,
FD: 9-30-40. Kent Taylor, Linda Hayes,
FD: 9-6-40. Ann Sothern, Lee Bowman,
Marjorie Reynolds
Gloria Dickson
Ralph Morgan
Slim Summerville
9-2-40 World in Flames, 60 mins
9-13-40 Who Is Guilty?, 69 mins
10-18-40
10-25-40 Laddie, 70 mins
Wyoming, 89 mins
FD: 9-10-40. Wallace Beery, Leo Carrillo,
ence de Marney
reel shots.
Spring Byington
Ann Rutherford

Boom Town,

1

V

1

Dr.

Kildare Goes

Home, 78

Lionell
9-11-40.
Ayres, Laraine Day

FD:

mins..

.

.9-6-40

Barrymore,

Lew

Range Busters, The, 53 mins
FD: 9-9-40. Ray Corrigan,
Max Terhune.

.

.

8-22-40 Arise My Love, 113 mins
John King,
FD: 10-17-40.
Claudette
Milland, Walter Abel

11-8-40
Ray

Colbert

*

ford

7-5-40

dard, Richard Carlson

Corp.),

72 mins
James Dunn, Frances

Gene Lockhart

Sporting Blood, 82 mins
Robert
FD: 7-24-40.

Police,

Rhythm on the

(Producers

10-31-40.

86 mins

6-21-40
Ghost Breakers, The, 82 mins
FD: 6-13-40. Bob Hope, Paulette God-

mins.

Mystery
(Arthur Ziehm,
10-23-40
70 mins
FD: 10-25-40. Bruce Cabot, Tamar Desni

Torso

of All Flesh,

6-11-40. Akim Tamiroff, Gladys
George, Wm. Henry, Muriel Angelus

Ireland (Irish-American Film Corp.),

Gifford

We Who
ton,

Is

Let George Do

mins.

7-5-40
FD: 7-2-40. Mickey Rooney, Judy Gar
land, Lewis Stone
Pride and Prejudice, 157V2 mins

Here

I

^

Northwest Mounted

FD:

document

Mozart (Mozart Film Co.), 76 mins

FD: 10-9-40. Travelogue

Blondie Has Servant Trouble, 70 mins.

Penny
Lake, Larry Sims

Burke.

8-19-40
Arizona Frontier, 60 mins
FD: 10-28-40. Tex Ritter, Slim Andrews,
Frank LaRue

I

10-9-40.

Tom

9-30-40
Ape, The, 62 mins
FD: 10-25-40. Boris Karloff, Maris Wrixon

tion

Time

pt\

7-15-40
Hold That Woman, 64 mins
FD: 7-12-40. James Dunn, Frances Gif-

?

69 mins.
FD: 9-20-40. Semi-factual British produc-

FD:

Married Adventure, 78 mins.. .. .7-24-40
FD: 9-25-40. Mr. and Mrs. Martin John-

FD:

77

Frank Morgan, Virginia
1U-29-40.
Grey, Dan Dailey, Jr.

and

PRODUCERS RELEASING

Robert

Shearer,

Mere-

Iris

dith

FD:

rianabaioo,

Norma

Conrad Ve.dt, Nazimova

Arrangh

Old Swimmin' Hole, The, 75 mins.. .10-14-40
Jackie Moran, Marcia
FD: 10-23-40.
Mae Jones, Leatrice Joy

....11-1-40

l-D:

Una O'Connor

Rice, Barton

Before

1

Taylor,

Secret Seven, The, 62 mins
FD: 8-15-40. Bruce Bennett,

I

104 mins
10-3 -40.

Escape,
l-D:

Breakfast, 89 mins.. 8-22-40

8-12-40.

FD:

Storrs

by companies.

1940,

Double Trouble, 56 mins
FD: 10-15-40. Ray Corrigan, John King,
Max Terhune.

Trailing

Fight For Life, 69 mins

The

Stuart,

Lee Bowman.

las,

10-7-40
Lorna Gray,

Little

1

Phillip

of the Desert, 64 mins
10-9-40. Ralph Byrd,

Mantan Moreland
Miss Molly, 64 mins
Maureen O'Hara, Binkie
10-10-40.

Young

Third F.nger, Left Hand, 60 mins. 10-11-40
DR: 1U- 1-40. Myrna Loy, Melvyn Doug-

5,

Dale

ant

10-4-40
Sothern, Ian Hunter,

Ann

July

players in the cast. Complete casts

9-23-40 Quarterback, 74 mins
10-4-4Mto
That Gang of Mine, 62 mins
Wayne Morris, VirginM
FD: 10-17-40.
FD: 10-3-40. East Side Kids, Joyce Bry-

Whiteman

64 mins

Koianci

9-5-40
Jack Holt, Marian Marsh,

FD: 8-6-40.

Paul

land,

Dulcy,
i-D:

From

FILM DAILY review. Names are the principal

9-20-40
Up the Band, 120 mins
FD: 9-17-40. Mickey Rooney, Judy Gar-

of

Fugitive

list

of
Strike

10-21 -4C
Abilene, 58 mins
Charles Starrett, Marjorie
FD: 7-17-40.
Cooley, Don Beddoe

West

A

11-1-40
Girls, 85 mins
FD: 10-4-40. Lucille Ball, Richard Carl-

Too Many
son,

Ann

Miller

|*


Metro Has 11 Ready For Release to 41

73 Indie Producers Sign Sound Technicians Pact

West Coast Bureau of THE FILM DAILY

Hollywood—Thirty-seven independent producers have signed minimum payment pacts with Local 695, sound technicians (IATSE). Among important provisions of agreement is a minimum call of one day's pay, a four-man crew on all units and jurisdiction over all sound work.

"Tarzan" Rights to Hoffberg

Hoffberg Productions, Inc., has acquired distribution rights in the United States for "Tarzan And The Green Goddess." Oliver Unger, sales manager for Hoffberg, leaves New York next week for an extensive sales trip through the territory. Picture was acquired from Burroughs Tarzan Productions.

Dieterle Buys Benet Work

West Coast Bureau of THE FILM DAILY

Hollywood—William Dieterle has purchased "The Devil and Daniel Webster," by Stephen Vincent Benet, and will produce the picture as his first picture for RKO release. It will be re-titled.

TO THE COLORS!

West Coast Bureau of THE FILM DAILY

Hollywood—Capt. James Roosevelt leaves today to assume his post as company commander in the 22d Marine Reserve Battalion at San Diego.

West Coast Bureau of THE FILM DAILY

Hollywood—Alvino Shauber, RKO Radio studio messenger and department, volunteered for radio work in the U. S. Navy and has been sent to four weeks of training in England. Shauber has volunteered for Army service. Frank Whitton, carpenter, leaves Friday for flying duty with the English air forces.

Fort Worth—Albert Kanu, floor manager at the New Island Theater for the past seven years, has enlisted in the Navy.

47 Pa. Towns Vote in Sun. Pix

Trade, Labor in Favor, Churches Against

(Continued from Page 1)

out of 11 where Sunday films were sanctioned six years ago did the voters elect to close theaters on Sundays. At least 147 municipalities voted on the question. In 94 cases the ballotting made no change; in 53 the voters favored opening the theaters Sunday. Of 83 spots which had previously prohibited theaters from opening on Sunday, 47 decided to let them open.

Harrisburg five years ago defeated the Sunday Movie Movement by a vote of two to one, majority being 1947.

Hazleton, White Haven and West Hazleton, which voted against the measure in 1935, turned in large affirmative ballots. John B. Dill, Conyngham Township, which has no theater at present.

The opponents repeated their victory this year. William Fleenor, Manager by a bigger margin and also in Shickshinny.

In Lackawanna county, Taylor and Clar- kens Summit, only two towns voting on the question there, favored the question. Towns Voting Favorably

Towns which approved Sunday films:


Towns Voting Against

Towns which rejected Sunday films:


Voting figures reported:

Fort: Hazleton, 5,007 to 4,245; Whitehaven, 309 to 206; Conyngham township 298 to 92; West Hazleton, 1,057 to 957; Taylor, 821 to 812; Clarks Summit 610 to 30.

Against: Shickshinny, 472 to 334; Kingston, 3,671 to 3,253.

Under the law the referendum cannot not be again submitted until 1945 in towns which voted this year.

Detroit Variety Club Names Howard Barker

Detroit Variety Club elected new officers, to take office Jan. 1, as follows:

Howard, branch manager, Paramount Pictures; First Assistant Chief Barker, David Ideal, manager of Fox Theater; Second Assistant, John F. Whetman & Wemtman of Producers' Releasing Corp.; Prop- erty Master, David Newman, Pas-adena Theater; Dough Guy, John W. Conwell, treasurer of Monogram Pic- tures.

Directors: Frank Wetenham and John H. White of Detroit Theaters; Wade Allen, Fine Arts Theater; Frank J. Downey, M-G-M branch manager; Barney Kilbridge, circuit owner; and Carl Buncuro, general manager of Co-operative Theaters.

Garden, Marion, Acquired As Garbett Circuit's 6th

Des Moines, Ia.—The Garbett Thea ter Enterprises, Inc., of Des Moines, moved into the Iowa field with pur chase of the Marion theater. Des Moines and bringing its string of theaters to up to six. Purchase, was the Garden theater at Marion, formerly owned by J. A. Diebold of Cedar Rapids.

E. M. Garbett, general manager of the Garbett Enterprises, announced Saturday that the firm would complete- ly remodeling the theater and the name of the house would be changed to Marion theater.

Plans include finishing the bal- cony, new seats on the main floor, new lights, screen, heating system, an entire new marquee, box office and glass panels. Sound equipment will be re-conditioned.

HOLLYWOOD SPEAKING—

By RALPH WILK

DIRECTOR Norman Taurog and Scene- rist James K. McGuinness have been con- ferencing with Loyola's coach, Marty Cun- ohan, for advice in writing the script of M-G-M's "Men Of Boys' Town." The dialogue between Spencer Tracy and Mickey Rooney deals with a series of football plays.

I n preparation for the filming of "Topper Returns," for Hal Roach, Director Roy Del Ruth is conferencing with Dennis O'Keefe and Joan Blondell, who will play leading roles in the picture. Del Ruth had worked out plot details with Victor Mature, but O'Keefe replaces Mature in the leading male role.

W HILE viewing the Jesse L. Lasky-pro- duced "I'll See You In Paris," which is highlighted by a seduction scene, James B. Carson, veteran Broadway comedian, commented seduction scenes have never been successful in the theater. "Even in the Garden of Eve," a columnist added.

PR O DUCER-DIRECTOR Albert Rogell has divested his rights to the European production, "Fisherman Gregory," to Bud Barsky. Rogell is now considering three western spectacles, scripts for which have been submitted to him by Dunstan Steele, western writer.

OR Passing Show: George J. Schaefer, Jesse L. Lasky, Henry Hoeben, Edward Ludwig, Thornton Sarent, Carlisle Jones, Hallam Cooley, Bill Woolfenden, Mr. and Mrs. Michael L. Simms, Ed Lowry, Jr., Jerry Wald at "Quiet Please."

WESLEY RUGGLES, Columbia producer- director, writes from Buenos Aires that he has conferred with several South American theater operators and finds that the Latin countries do not like Holly- wood's interpretation of life in South America. They prefer North American action and Western pictures.

A BE ARSONOH, owner of the "400" and the "Embassy," swankiest night clubs in London, is in town looking for a spot.

HOLLYWOOD premiere tickets for Charlie Chaplin's "The Great Dictator," at the Carthay Circle on Nov. 14, sell for $5.50, including tax.

ALEX ELOVE of the Warner Bros. pub- licity department has been named as assistant to Bob Tolin, director of stu- dio publicity. Elove has been with the studio publicity department for five years, and six years previously, served in the New York publicity office.

METRO yesterday named Spencer Tracy for the male lead in "Random Har- vest," the new and as yet unpublished novel by James Hinton, author of "God- dard, for Mr. O'Hara in "Lost Horizon," which it recently purchased.
REMOTE CHANCE FOR DEGREE INTERVENTION
U. S. Pix Replacing French in Quebec’s Theaters

Lock of New French Films Causing Exhibs. to Shift To Hollywood’s Product

By ROY CARMICHAEL
FILM DAILY Staff Correspondent
Montreal—With no new French films coming into Canada, theaters in purely French-speaking Quebec districts of Montreal and the province of Quebec are feeling the deprivation. While France Film Co. has a large stock of Peruvian imports—enough, if rationed, to last over two years—the absence of new product has resulted in some theaters dropping French pictures, and others which ran them regularly, alternating with Hollywood films.

A late survey disclosed only

Jackson Mentioned For Supreme Court

Washington Bureau of THE FILM DAILY

Washington — Attorney General Robert H. Jackson is being mentioned as a possible choice of President Roosevelt for the Supreme Court should Chief Justice Charles E. Hughes retire.

Hollywood Comedy Cycle Under Way on Broadway

Broadway is in for a cycle of Hollywood comedies on the boards. Three are now definite, and there may be others if producers accept

“Arizona” Will Get Heavy Radio Plugs

Columbia has set radio plugs for “Arizona,” via the Katz-Smith house, Fox Pop. (both CBS) and George Fisher’s Hollywood Whispers (Mutual). In addition to the Heser, which will be broadcast Tuesday, May 18, on NBC, the Westinghouse Radio Network in New York, the Ballantyne Company in San Francisco, and the Mutual Network in Chicago are all setting up exclusives.

Author of Production Code of Ethics Sees It as Industry’s “Minimum of Government”

St. Louis—The Rev. Daniel A. Lord, S. J., author of the industry’s Production Code of Ethics, explains in the forthcoming issue of The Queen’s Work, national Solidarity publication, that “the Code is a minimum of government. It does not lay down Catholic doctrine. It lays down principles that should be accepted by any decent man or woman. It did not pretend to present the law of Christ.”

Commissioner* then explains that Roman Catholics are obliged to take a slightly different angle when the judge of a motion picture: “The country permits divorce; it writes, ‘and the film’s plot is solved when the heroine divorces her husband and marries the hero. We cannot approve. Nor can we allow our emotions to go along with her.”

Play Financing Pact Hitch is Eliminated

Last hitch standing in the way of resumption of film company financing of Broadway production has been eliminated, it was learned yesterday.

Hitch concerned managerial arrangements. Under the amendment to the Dramatist Guild basic agreement as now written, a film company must offer the play to two regular commercial managers satisfactory to the author on reasonable terms.

Discuss SPG Contract at Hays Office Parley

Meeting was held yesterday at the Hays office for a discussion of the proposed contract the Screen Publicists Guild is offering to film company home offices. Representatives of the film companies, with the exception of Universal, and their agents and associates are to participate.

Amusement Stocks Gain on Big Board

Amusement stocks generally moved upwards yesterday on the Big Board, registering gains that ranged from 1/8 to 4/4 points. Trading was active, only four issues failing to record transactions.

Major factor in the upward movement, which saw gains of one to eight points recorded in non-amusement stock issues, was the news that a $15,000,000,000 increase in the U. S. debt limit was to be asked by the Secretary of the Treasury.

However, amusement issues also

Shapiro Anti-Trust Suit Hearing Over Three Weeks

Philadelphia — Hearing in the $28,000 anti-trust suit brought by Ruben Shapiro and the Harbub Amusement Co., operators of the Admiral Theater, against Warners

Games Lose Out in Oregon

Constitutional Amendment is Defeated

Expect Star Rating Ban Pact to Include Theaters

An agreement whereby the ban on star rating pictures in advertising will be reaffirmed is expected shortly following a meeting yesterday of advertising department executives. Agreement partially depends upon getting the co-operation of the Rivoli

Decree Change by Protest Said to be Without a Precedent in History

Possibility of successful intervention by exhibitor interests in the consent decree of the New York equity suit appeared remote yesterday when legal sources pointed out that they knew of no case on record where protests caused a revision of a decree. One of the most extensive drives to change a decree by parties not named in a suit was one involving the meat packing industry about 25 years ago, they said.

Indications are, however, that exhibitor groups are determined to break legal precedents and are hopeful of convincing Federal Judge Henry W. Goddard at Thursday’s hearing that the blocks-five clause of the decree should be drastically

All Greek Theaters Reported as Closed

All theaters in Athens, Greece, have been closed, it was learned yesterday from authoritative sources, and it was indicated that all the houses in the country have been closed. Shutdown was ordered on

Para. Theater Executives Open Chi. Meeting Today

Chicago—Paramount theater executives open a two-day meeting here today, after which they will go to Hollywood to join production conferences. The home office is repre

Skourtes’ Nephew With Greek Legions

Sporo, Demetrios Skouras, nephew of Sporo, Charles and George Skouras, is fighting in the front line in Greece with a Greek division that stemmed the Italian advance, it was learned yesterday. He is the son of the late Skouras, and is affiliated with his brother, Thomas Skouras, in the operation of a chain of theaters in Greece.
Cuba's President Giving Silver Cup for Best Pix

Havana (By Air Mail)—Antonio Vilazon, secretary of the newly organized Federation of Theater, Motion Picture and Radio Writers of Newspapers and Magazines, has announced that the President of Cuba and Col. Jaime Marine, chief of the presidential palace press bureau, has presented to the Federation a silver cup which will be given on Dec. 20 to the producer-distributors of best picture exhibited in Cuba this year.

The jury on award has been named as follows: Antonio Rodriguez Moro, of the Academia de Artes y Letras; Juan J. Otero for the Lion Club; Juan Costa Marteote for the Distributors Association; Fernando Gonzalez, president of the National Union of Exhibitors of Cuba, and five members of the Federation.

Kobak, NBC Vice-Prexy, To Be Ampa's Speaker

Guest speaker at Ampa's meeting Thursday at the Hotel Edison, will be Edgar Kobak, NBC vice-president, who will discuss with the exhibitors "The Show Business, Too." Kobak was for four years vice-president of the Lord & Thomas advertising agency. His talk before the Ampa will be primarily concerned with radio as an exploitation medium for motion pictures. He will be introduced by Bert Flumstone, Warners Eastern publicity and advertising head.

"Great Dictator" Ahead Of GTW In Cleveland

Cleveland—The "Great Dictator," which is now playing at Loew's Stillman Theater, is outgrowing GTW, which played the same house record to local Loew's officials. Also, because of the continuing policy now in force, as against the reserved seat policy of the Chas. F. Davis Cinematograph printing is playing to more people in its opening week. Prices are the same as with GTW.

Juve Admish Restriction May Be Lifted In Toledo

Toledo, O. — Rules committee of Ohio Council is considering a appeal of a 1919 ordinance which bars unaccompained persons under 17 years of age from theaters and dance halls, because it is considered by juvenile authorities as "obscure and unenforceable." Measure would be replaced with a new ordinance conforming with other state laws.

Reids In Film Field

Monton, N. B.—D. S. Reid & Son have entered the production-distribution-equipment field here, serving as producers against Prince Edward Island. The Reids had concentrated on still photography for many years, with studios at St. John and Monton.

Court Grants Striking Motion in Shulman Suit

New Haven—Motion of Lam pert Theater of Windsor, Ind., operator of the Windsor Theater, to strike out the answer of defendant, Joseph F. Shulman, in the corporation's Superior Court action against Vitagra, Inc., has been granted, although motions to expunge and drop for misjoinder have been denied. In memorandum of decision, Judge William H. Comley states that "... the procedure and position of Mr. Shulman in this matter is of such uncertain consequence that it would be wise to send the parties back to the beginning for a fresh start." Shulman has filed a new motion to amend the motion to intervene, showing that he is the owner of and doing business as the Plaza Theater Co., Windsor.

Suit was brought last February asking $225,000 in damages for repudiation of the contract, and injunction against Vitagra restraining performance of its second-run contract with Shulman.

Halifax Dailies Campaign For Sunday Film Shows

Halifax, N. S.—The Chronicle morning daily, and the Star, its afternoon edition, have come out flatly in favor of Sunday picture showings in the local theaters. This is the first time a Canadian newspaper has endorsed a Sunday opening.

Papers point out the men of the Navy, Army and Air Force must be entertained in warm and comfortable theaters, and not be forced to wander aimlessly on the "cold and cheerless streets." The campaign is vigorously opposed by the ministerial association, composed of local Protestant pastors. Exhibitors are taking no part in the wordly battle, but are willing to open their theaters on Sundays as a patriotic gesture.

Two More N. J. Towns Favor Sunday Films, One Against

Two more New Jersey communities have okayed Sunday films, referendum results disclosed yesterday. Westfield passed the Sunday measure 4,395-2,925, and Livingston 2,023-265. North Ridgewood, however, rejected Sunday shows for a third time, 4,385-2,925.
WAIT TILL YOU HEAR FROM THE MOB
—when you play
UNIVERSAL'S
RIOT ROMANCE
set to music...and comedy...
to make a nation’s heart glow
and its feet itch to dance!

ONE NIGHT IN THE TROPICS

starring
ALLAN JONES • NANCY KELLY
Song-Star of "The Boys from Syracuse" At her loveliest since "Jesse James"

BUD ABBOTT & LOU COSTELLO
Radio Sensations of "I'm a bad boy" fame

ROBERT CUMMINGS
Romantic Hero of "Spring Parade"

with MARY BOLAND • LEO CARRILLO • WILLIAM FRAWLEY
PEGGY MORAN • NINA ORLA • RICHARD CARLE

Directed by A. EDWARD SUTHERLAND
Associate Producer: Leonard Spigelgass
Screenplay by Gertrude Purcell and Charles Grayson
Adapted by Kathryn Scola and Francis Martin from the novel "Love Insurance" by Earl Derr Biggers

A THRILLING JEROME KERN SCORE:
Topping his "ROBERTA" and "SHOWBOAT"!

At last...the screen presents the newest comedy sensation of radio and Broadway...Abbott and Costello, kings of hilarity!

NATIONAL RELEASE 'NOV. 15th
SENSATIONAL GALA WORLD PREMIERE AT BROADWAY’S GIGANTIC ROXY THEATRE NEXT THURSDAY, WITH KAY AND HIS BAND IN PERSON

POSITIVELY LIMITED TO THE ONE WEEK ONLY!

THANKSGIVING WEEK ATTRACTION ALL OVER THE NATION! . . .
KAY KYSER
IN THE MYSTERY WITH MUSIC
YOU'LL FIND OUT
WITH THOSE THREE BAD BAD-HUMOR MEN

PETER BORIS BELA
LORRE KARLOFF LUGOSI
HELEN PARRISH

DENNIS O'KEEFE · ALMA KRUGER
and KAY KYSER'S BAND, featuring
GINNY SIMMS
HARRY BABBITT · ISH KABIBBLE
SULLY MASON AND
“THE COLLEGE OF MUSICAL KNOWLEDGE”

Produced and directed by
DAVID BUTLER
Screen play by James V. Kern
U. S. Pix Replacing French in Quebec

(Continued from Page 1)

Hollywood films being played by Confederation theaters, even in the Chateau, Carrier, Dominion, and Maisonneuve, which are in French districts, and no Parisian films were on the programs of the United Amusement Theaters, including the Plaza, and Papineau whose clientele is almost entirely French-Canadian.

In the smaller centers in Quebec province where the population is overwhelmingly French-speaking, Hollywood films are being given alternate runs in many theaters which would prefer to show only French pictures if attractive enough films could be secured. This may have an advantage in helping to spread a knowledge of English in French-speaking districts.

Curiously, British films, although almost spectacularly successful in Montreal, are regarded as "poison" by exhibitors in rural districts, who steadfastly refuse to introduce them to French-speaking audiences.

At the present time, independent theaters in French districts of Montreal, which formerly showed a proportion of Parisian films, but are now showing only American or British pictures or alternating them with French, include the Laval, Electra, Orleans and Lord Nelson.

Montreal theaters which remain faithful to Parisian films and are showing them exclusively include the Cinema de Paris at St. Denis, first-run houses, the Beaubien, Nationale, Arcade, Stella and Rex, the last-named alternating with Hollywood pictures. At the Cinema de Paris, the highest-priced house, which is a small theater on St. Catherine Street West, adjacent to the large first-run houses, Maurice Chevalier in "Pieges" is showing for the third week. Outlining French films are sometimes run as long as nine weeks there.

Mrs. Thorp, Conference Speaker

Margaret Farrand Thorp, author of "America at the Movies," will be a featured speaker at a session of the annual conference of the National Board of Review of Motion Pictures, which will meet at the Hotel Pennsylvania for three days beginning next Thursday.

TO THE COLORS!

Toledo, O.—Howard Feigley, Jr., manager of the Palace, has gone to Canada to take entrance tests for the Canadian Air Corps.

Lester Cowan, producer, has been called into service in the Army as of Jan. 1. Cowan, who is a captain in the Signal Corps, will report on that date to the Army Industrial College in Washington.

Little Hope Seen For Intervention

(Continued from Page 1)

revised or substituted with a cancellation arrangement.

Ed Kuykendall, MPTOA president, is slated to appear at the hearing and is due in New York from Columbus, Miss., early next week. Abram F. Myers, Allied general counsel, also is expected to appear at the hearings but it is reported that he will make no direct plea to the judge for re-vamping the provisions. Other associations also will be represented.

All Theaters in Greece Are Reported Closed

(Continued from Page 1)

Tuesday of this week after Italian bombers had instigated raids on civilian areas.

At the same time, the entire theatrical business has been brought to a standstill due to mobilization of all Army classes for immediate service. Step has taken majority of personnel from all branches of the business.

Expect Star Rating Ban Pact to Include Theaters

(Continued from Page 1)

and Globe Theaters in not quoting the newspaper rating by stars in their advertising. These two theaters were not in the original agreement.

Union to Punish Operators Projecting Obscene Films

St. Louis—Officers of Local 143, Operators, have decided to "crack down" on any member who lends any aid in the showing of obscene pix. Top punishment will be expulsion.

Postal inspectors are conducting an investigation in an effort to uncover the top men in what is believed to be a "ring" operating in the Midwest for the trafficking in lewd film. One basement theater was raided here recently. Operator is said to have admitted to the postal inspectors and police that he had built up a library of 107 reels of obscene pictures by making copies of those he received via parcel post and express.

STORKS!

Cleveland—Richard Miller, UA salesman, has a new son. Mrs. Miller is a daughter of M. B. Horwitz, general manager of the Washington Circuit.
The Golden Fleecing

with Lew Ayres, Rita Johnson, Lloyd Nolan
Metro 68 mins.

FAIRLY AMUSING COMEDY HAS A GOOD STORY TWIST AND AN ENGAGING CAST.

General audiences should get a number of laughs from this comedy. At the same time, exhibitors should be able to find plenty of exploitable material to sell it. The cast boasts some well known marquee names and the story has a novel plot idea which is exploitable. The cast's engaging, technical aspects of the film are first rate and the story has a nice pace.

Leslie Fenton's directorial job is on the plus side, and the dialogue in the script written by by Vidal and Stewart is highly amusing most of the time. One particularly funny situation has Spencer Charter, a small town judge dismissing all the cases in his court because Nolan is using the jail as a hideout. A number of other situations are also good for lots of laughs.

Lew Ayres performs capably in the lead role as a shy insurance salesman. Rita Johnson and Virginia Grey attractively and ably contribute to the proceedings; and Nolan gives the proper degree of menace to his role as a gangster. Leon Errol and Nat Pendleton are amusing. Marc Lawrence, Ralph Byrd and William Demarest are okay in small roles.

Ayres sells Nolan a $50,000 life insurance policy only to discover that night after his fiancee, Miss Johnson, has quit her job, and he has gotten a raise, that there is a price of $25,000 on Nolan's head which is offered by the police dead or alive. From that point on Ayres protection of his client and some involved financial deals keep things hopping at a lively clip until everything is straightened out.

CAST: Lew Ayres, Rita Johnson, Lloyd Nolan, Virginia Grey, Nat Pendleton, Leon Errol, Marc Lawrence, Richard Carle, Ralph Byrd, Thurston Hall, James Burke, Spencer Charters, William Demarest.

CREDITS: Producer, Edgar Selwyn; Director, Lee Sholem; Screenplay, S. J. and Laura Perelman; Based on an original story by Lynn Root, Frank Fenton and John Fante; Cameraman, Leonard Smith; Editor, Conrad A. Frank.

DIRECTION, GOOD PHOTOGRAPHY, Good.

Test Foster for "Skylark" Writers of the Film Daily Hollywood—Paramount has signed Preston Foster for the role of Bill Blake in Samson Raphaelson's "Skylark," which the studio will produce as a stellar vehicle for Claudette Colbert and Ray Milland.

Lee Tracy Trying Out Play West Coast Bureau of The Film Daily Hollywood—Lee Tracy is trying out in Santa Barbara a play "Every Man for Himself," by Milton Lanza. Alice for weeks in Frisco, Tracy hopes to present it on Broadway.

Friends Nearby" with Leon Weaver, Frank Weaver, June Weaver
Republic 67 mins.

STRICTLY FOR AUDIENCES THAT AP- PRECIATE HILBILY COMEDY AND MUSIC.

Butterfield in place of Otto Preminger, who is on a tour of duty in Europe; and changes in outlying districts that appear highly histrionic and music will probably be amused with this release, but that is the limitation of its sphere. The story is fanciful. Technically, the picture is okay, the cast is adequate and it keeps moving at a fairly even pace.

Leon Weaver, Frank Weaver, June Weaver and Loretta Weaver are supported by Lois Ransom, John Hartley, Cliff Edwards, Thurs- ton Hall, Al Shean, Spencer Charters, Mar- garet Seddon, J. Farrell MacDonald and Clarence Wilson. All the capable performers, Nick Grinde handled the direction, with the screenplay credited to Dorell and Streeter.

The Weavers leave their home because of the drought, They fall in with a gang of hoboes who are guided to a certain extent by Hartley. After a brawl with a sheriff they wind up in the deserted town of Williamsville. From there on all holds are allowed as the story runs riot with all the hoboes settling down in the town after they have cleaned it up, and Governor Hall has promised a levee to protect it from flood waters through the machinations of the Weavers.

CAST: Leon Weaver, Frank Weaver, June Weaver, Loretta Weaver, Lois Ransom, Spencer Charters, Cliff Edwards, John Hartley, Al Shean, Thurston Hall, Margaret Seddon, Clarence H. Wilson, J. Farrell Mac- Donald, Al St. John.

CREDITS: Associate producer, Armand Schaefer; Director, Nick Grinde; Original Screenplay, Dorell and Stuart McGowan; Cameraman, Ernest Miller; Editor, Charles Craft.

DIRECTION, O. K. PHOTOGRAPHY, O. K.

MBC Asks K. C. Tele Station Washington Bureau of The Film Daily Washington—Midland Broadcasting Co., Kansas City, Mo., has filed an application for a new television broadcast station, the FCC announced yesterday. The station is to be operated on 50,000-56,000 kilocycles, produces 1,000 watts visual and 500 watts aural, emission A5 and A5. The application calls for the station to be in Class 1.

Coast Wants Phyllis Brooks Hollywood—David Butler, RKO Pictures, is seeking Phyllis Brooks now appearing in the Broadway musical, " Panama Hattie," for one of the leading roles in "Blood Will Tell." She is under contract to RKO.

RKO Cuts Anne Shirley Has New Bureau of The Film Daily Hollywood—Anne Shirley is returning to the RKO studios after being away from films for six months in Hollywood—Anne Shirley is returning to the RKO studios after being away from films for six months in Brooklyn Bridge. She has signed a new three-year RKO contract.

The Trouble with Husbands" Paramount 11 mins.

Robert Benchley's first comedy short for Paramount, this is sure fire as a mirth provoker—just what the doctor ordered in these times of stress and concern.

Benchley is introduced as a lectu- rier, his subject those little hus- bandly traits which, all too often, mar the serenity of the domestic scene. The lecture is an illustrated one, of course, with the actor-humorist doubling in brass as the horrid—example. Or three of them, being factual.

First example is the husband who waits until dinner is on the table to shave and wash up and then complains because the chamber is cold. Second is the good man who points out that it costs money to patronize the delicatessen rather than the gro- cer, then returns with some $9 worth of fancy goods but minus the needed half pound of butter. And third is the husband who is "handy about the house"... with reverse Eng- lish.

The footage is laugh-grammed, with Benchley never in better form. Which should be enough for any ex- hib. or any fan.

Fight in Fla. and Ky. for Right to Build Theaters Ft. Lauderdale, Fla.—Denied permission to erect a theater building on Las Olas Boulevard, E. R. Ben- nett has appealed the building in- spector's decision to the board of adjustment.

Pinerville, Ky.—Suit has been filed here to compel the City Council to act immediately on a proposal to erect a new theater by Don Reda, who has already broken ground. One protest asked that the building per- mit be denied by the city as a pro- tection to local industry.

At 20th-Fox Studios West Coast Bureau of The Film Daily Hollywood—Marc Lawrence and Frank Jenks have been added to the cast of 20th-Fox's "Tall, Dark and Handsome." Marjorie Weaver will have the lead opposite John Hub- bard in "Murder Among Friends." Oliver H. Green has been assigned to write the screenplay for "Brook- lyn Bridge."

TAC Peace Mobilization Theater Arts Committee will stage a special ARMISTICE Day meeting for American Peace Mobiliza- tion at Mecca Temple Monday night.
Jackson Mentioned
For Supreme Court

(Continued from Page 1)
Hughes, who will be 79 in April, will retire to receive a
This is one of several changes of
direct industry interest reported in
prospect as the President re-shapes
his cabinet and the ambassadorial ro-
ters for his third term.
To succeed Jackson as Attorney
General, Francis Biddle is being
mentioned, with Thomas Corcoran
said the likely choice for Solicitor
General.
Retirement from the Cabinet of
Frances Perkins as Secretary of
Labor is anticipated by Capital ob-
servers. There is a strong possi-
Bility that Dr. Harry A. Millis of
the University of Chicago will be the
new NLRB chairman.
Resignation of Joseph P. Kennedy
as Ambassador to the Court of St.
James would not be a surprise. He has
been mentioned for several other im-
portant Government posts, including
the chairmanship of the National
Defense Commission.

Discuss SPG Contract
At Hays Office Parley

(Continued from Page 1)
torines, huddled with counsel for
the Guild. Pat Casey, producers’ labor-
ator's representative, sat in at the meeting.

AudiVision Associated
With Luther Reed Co.

AudiVision, Inc., which makes
training and merchandising pro-
grams, has become associated with
Luther Reed, Inc., non-theatrical
producers, in the sale and production
of commercial pictures. Identity of
each company will be maintained,
but the facilities of each will be
available to the other.
Under the new setup, Summ
Stowers, vice-manger of the slide
division of AudiVision, G. C.
Jones will head the motion picture
department. Henry Hobart becomes
vice-president of Luther Reed in
charge of sales and John Butler, for-
merly with Paramount, becomes pro-
duction manager.

Atlas Sues Mexican Firm

Suit for unspecified damages was
filed yesterday in the New York
Superior Court by Atlas Film Ex-
change, Inc., against the Mexican
company, German Camus Y Cia.
Breach of an alleged contract made
in October, 1940, whereby the plain-
tiff secured the U. S. distribution
rights to the film “Cafe Concordia”
is charged.

WB Retains Priscilla Lane

Priscilla Lane, now in New York
for a P. A. at the Strand Theater, has
been handed a 90-day deal locked up by
Warners. Star’s most recent picture was
“Four Mothers.”

Modernization
Stratford, Conn.—The Stratford
Theater modernizes everything. This advertise-
ment states it simply.

THE RAMPHUS WE WATCH
“Baptism of Fire”
Air-Conditioned.

Play Financing Pact
Hitch Is Eliminated

(Continued from Page 1)
ments, consistent with those prevail-
ing.
Both must decline in writing and
the author must waive any objec-
tion to the company being permitted
to choose its own manager or
itself act in that capacity, through
an employee.
Membership of the Dramatists
Guild will consider the amend-
ment at a meeting Tuesday. The Guild’s
Council already has indicated its ap-
proval.

Para. Theater Executives
Open Chi. Meeting Today

(Continued from Page 1)
sented by Sam Dembom, Leonard
Goldenson and Bob Weitman. The-
at-commerce includes M. A. Light-
man, Robert O’Donnell, M. J. Mullin,
Sam Pinsanuk, E. J. Hudson, J. J.
Fitzgibbon, Ralph Branton and John
Balaban.
Home office officials en route to
the Coast are Barney Balaban, Stan-
ton Griffin, Neil Agnew, Russell Hol-
man, Adolph Zukor, Paul Raibourn
Loebo before the company is to
be permitted to choose its own manager
or itself act in that capacity, through
an employee.
Membership of the Dramatists
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ment at a meeting Tuesday. The Guild’s
Council already has indicated its ap-
proval.

Shapiro Anti-Trust Suit
Hearing Over Three Weeks

(Continued from Page 1)
and the majors was postponed for
three weeks yesterday in Federal
Court here, giving further color to
recent reports that negotiations,
looking to a settlement were under
way.
C. Brewster Rhoades, prominent at-
torney who has represented other
local exhibitors, in similar actions,
had been retained as associate counsel
by Shapiro.

New St. Louis Theater
Will Be 30th for F & M

St. Louis—Negotiations for the
erection of a new 1,500-seat film
theater at Hampton and Oleta
Aves, in the Southwestern part of
the city have been closed by Harry
C. Arthur, Jr., for the St. Louis
Amusement Co., and Robert Hanna,
contractor. New theater will be
the thirteenth unit in the Fanchon
& Moore fleet.

Actual construction will get under
way within the next two weeks and
the new house should be ready early
next Spring.

Ohio Co-op Set With Six

Cleveland—Milton Al Mooney,
head of Co-operative Theaters of
Ohio, has closed 1940-41 product
deals with Metro, 20th-Fox, Univer-
sal, Columbia, UA and Monogram.
Deals are pending with Paramount,
Vitagraph and Republic.

Price Leases Fla. Casino

Lancaster, O.—F. E. Price, New-
ork, O., theater owner, has leased the
Florida Beach Casino in Sarasota, Fl.,
for two years, and will have it
in operation Dec. 1, with Winston M.
Lee as general manager.

Amusement Stocks
Gain on Big Board

(Continued from Page 1)
responded to the traders’ belief that
the national defense program will
materially increase company earn-
ings during the months immediately
ahead.
Eastman Kodak led the amuse-
ment procession, its common closing
at 141 1/2 for a gain of 4 1/2 points.
Loew’s common also went ahead 2 1/2
points to close at 29 3/4, while 20th-
Century-Fox preferred was up 2 1/4
to close at 18.
On the Curb, fractional gains were
recorded by Technicolor, Trans-Lux
and Universal Corp., etc. Single is-
due to gain on the Bond Market was
Warner Bros. dts. 64 3/4.

Hollywood

SPEAKING--

By RALPH WILK

HIS years as a sports cartoonist on
the Philadelphia Inquirer enable Director
Roy Del Ruth to act as his own production
designer. Preparing “Topper Returns” for
Hal Roach, Del Ruth is plotting the picture
with sketches and has already completed
14 sequences, scaling 86 sketches.

OUR Passing Show: Purnell Pratt, Lou
Irwin, Robert Sterling, Sam Frey, Stan-
ley Cortez, Bernard Lubin, Irving Apple-
baum, Walter Lundin watching Stanford
win from U.C.L.A.

POSTPONING his trip down to Mexico
waters, Eddie Albert, Warners’ star, is
cooking up his business before going to
New York to appear in a George Abbott
show. He has had his Schooner yawl, the
“Mollie,” put into dry-dock until his return
to Hollywood next Spring.

IRVING BACON, every comedian’s favor-
ite character actor, was spotted in the
Harold Lloyd production, “Three Girls
And A Cobbler,” as an agent, in a scene,
the first time in eight years, seldom
rises a Lloyd picture. He had a choice
chore in the comedian’s last production,
“Professor, Beware.”

CLAUD BINYON, Columbia scenarist,
has completed an original screen play
on an untitled horse racing story and mailed
it to Producer-Director Wesley Ruggles in
Buenos Aires. The idea was born while
Binyon was relating racing experiences
to Ruggles several weeks ago.

GEOFFE MURPHY spoke to New York
next month to appear at the Police-
ment’s Charity Ball. In addition to screen-
ing “Little Nelly Kelly,” the M-G-M pic-
ture in which he plays a cop, Murphy will
put on an exhibition of Irish step dancing.

BOOK publication of “The Lady With
Red Hair,” is scheduled for simultane-
ous national release with the Warner
picture, Nov. 30. By Palma Wayne, the story
ranoriginally in Liberty, Grosset & Dunlap
are the publishers. Miriam Hopkins plays
the title role in the film, which was dis-
acted by Kurt Bernhardt.

BOB FELLOWS, Warner Bros. associate
producer, has returned from a two weeks’
vacation in Oregon and is now read-
ing manuscripts. Fellows’ previous assign-
ment was “Knute Rockne—All American.”

MELVYN DOUGLAS has been signed to a
new long-term contract at Metro.

TWENTIETH CENTURY-FOX has signed
Charles Grapewin for the role of Jette
Rathbone in the new picture, “A John Ford
will direct. A company is now on location
in Georgia for background scenes.
NO SHORTAGE OF EQUIPMENT MATERIALS
Sees Larger Stands Using New Sound

Third-Dimension System Has Been Developed By RCA Engineering Staff

Within a comparatively short time, all of the bigger movie stands will have to install sound equipment, known as "Fantasound" if they expect to play films like Walt Disney's "Fantasia," which will disclose to the trade and public an entirely new type of motion picture sound recording and reproduction, which projects a complete third-dimensional effect of sound and music, RCA engineers assert.

Christened "Fantasound" because, like the picture itself, it represents a
(Continued on Page 6)

Erpi Device Speeds Developing of Film

Development of the Integrating-Sphere Densitometer, an optical instrument which will speed up film developing and finishing as well as increasing the uniformity of the final product, is announced by Erpi. Dr. W. J. Albersheim, Erpi's mathematical physicist, states that
(Continued on Page 7)

U. S. Air Conditioning Lists New Installations

Minneapolis—Several recent and outstanding installations of heating and air conditioning equipment have
(Continued on Page 4)

Altec Renews Circuit Packs Will Again Service 58 Skouras Theaters

E. M. Loew's Latest Will Debut Tomorrow

Boston—The handsome new Plaza Theater, E. M. Loew's newest venture in this territory, opens tomorrow in Salem, the Witch City of historic fame. The new theater is one of the most up to the minute in the New
(Continued on Page 5)

They Must Have Pix ... Whether or Not

Des Moines—Two theaters will be connected at the new Seventh Corp. Area train center to be built near Loon, ia., according to plans announced by the War Department. Some 23,000 men will be sent to this area for training. No de-
tails on the operation or ownership of the houses was disclosed in the War Depart-
ments announcement.

Many Jobs Reported By Wil-Kin Supply

Atlanta—Wil-Kin Theater Supply, Inc., lists an imposing number of current orders filled for theaters in this section of the country, indicating the brisk demand for equipment items.

Brenkert projectors have been sold to Wilby-Kiney circuit for the Para-

mcunt, Montgomery, Ala., and to Florida State Theaters for the Flor-

ida, Jacksonville. Migratograph pro-

jectors have been shipped to Wilby-

Kiney's Carolina, Hendersonville,
N. C., to J. L. Sim's Carolina, Orange-

berg, S. C., and to Pal Amusements.
(Continued on Page 4)

Cooper Set To Better Big Nebraska Theater

Lincoln, Neb.—J. H. Cooper, Para-

partner here in the Lincoln Theaters

Corp., is making arrangements for ex-

tensive improvements in the 1,884-

seat Stuart, Lincoln's largest house. Part of the spending will be by him
(Continued on Page 7)

Survey Shows Defense Program Will Not Bring On Shortage of Essentials

Materials—are the fundamental sources of all film theater equipment,—are held sufficient to insure manu-

facturers ability to turn out their present lines of products regardless of what peacetime conditions may be imposed on American industry for many months to come, an Equipment News survey reveals. This condi-
tion is also held to promise circuits and indie outlets of a generally firm schedule of fill orders on the many items they must use.

Less than two per cent of the ma-

terials needed for the manufacture of electrical equipment, for example,
(Continued on Page 5)

Alabama Profiling By Defense Program

Montgomery, Ala.—Most tangible evidence of advanced purchasing power in this city, due to the na-

tional defense program with its huge building projects now in full swing, is the theater business.

From four Nordic and three Negro theaters here six months ago, the
(Continued on Page 4)

Droll Org. Expanding With Trade Growing

Chicago—Droll Theatre Supply Co. have opened a new branch at Mil-

wauke, 709 West Wells Street, under the management of Oscar Olson, well known to the trade in that ter-

(Continued on Page 5)

Such a Moving Yarn—

But Not To Exhib.

Wenon, O.—Dan Robins, local theater owner, is convinced that he has on his hands a literally moving picture theater. The city fathers decided to widen the street on which Dan's Ohio pic emporium is located, so they ordered him to move the house. Although the distance is rela-
tively small, as distances go—a mere 71/2 feet,—Dan has had to transplant the edifice in its entirety.
A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every Second Friday, expressed holiday, by Wyl's Films and Film Folk, Inc., 5120 Brooding, New York City. John W. Alpert, Publisher; Donald M. Mersebeau, General Manager. (W.B.) Editor George H. Morris, Equipment Editor. West Coast Bureau, 6439 Hollywood Boulevard, Hollywood, Calif. Ralph Wilk, Bureau Chief.

**PLAIN TALK...about equipment**

(Continued from Page 1)

men bought "conditioning" contraptions which froze the auditorium in the warm months, and proved of no practical advantage in the cold months.

In short, these contraptions were unloaded without any such sane recourse as that to the theater architect,—or the reputable manufacturer of units, whose field representatives were always in a position to not only give excellent advice,—but deliver the goods which would be good for the exhibitor.

Many situations are still trying to get along without inefficient air conditioning equipment. But there are now evidences that considerable replacement activity is current. Moreover, houses which never have had air conditioning are installing it. Further, there is some evidence that a better-than-this is being constructed which doesn't include TRUE air conditioning. As we said,—theatermen are wise-Ing up.

IN a spirit of constructive suggestion, we opine that a number of film houses should look into a practice which we feel should be curbed, and that is the tendency of houses in cold months to blow warm air about their entrances to the lobby or to pass this same air into the theater to prevent a "cold" lobby. This is an absolute waste of fuel. A bath is that very often the warm air which is blown-out is far from fresh. Instead of saying "Come on in", it says: "Stay out!" to the more sensitive nostrils. Only pure air should be an apostle to the public,—and the theater is a public place.

Air conditioning—TRUE air conditioning,—is the practical atmosphere of the modern film theater. Anything less is a canard.

**Remodeling Cuba Theater**

Havana, Cuba.—Lopez y Rouco circuit has started a scheduled remodeling program to the Cuba Theater here. A new RCA screen will be installed immediately, as will 810 chairs and new booth equipment.

**G-E Air Promotion Set**

Alan Kent and Ginger Johnson, stars in the field of one-minute radio spot commercials, have produced a series of 50 one-minute spot broadcasts as part of the General Electric holiday drive on home appliances.

**NATIONAL THEATRE SUPPLY COMPANY**

**OF MATERIAL INTEREST**

- **PEOPLE**...about and about people...Norbert A. McKenna has been elected vice-president and director of U. S. Plywood Corp., and in his new post is in charge of moulded plywood plastic products...And a proponent—the Chicago moulded Products Co. recently completed a precision job for International Research Corp. of Ann Arbor, Mich., for their Argoflex camera...Yep—Harold Bernstein, proxy of Cincinnati ITO, has received that permit to build a $28,000 brick-rocket-steel-wood theater at 6042 Montgomery Pike...E. R. Weinstein, W. N. New and D. Scourtes have organized the Helical Products Co. in Chicago, with offices at 129 North Clark St., to distribute lighting equipment to the theater trade...Clarence L. Knowlton, general contractor of Bellefontaine, Ohio, has been awarded a competitive bidding the job to construct the new Schine Theater in Norwalk, Ohio, which house is designed by John and Drew Ebersen...

- **GLEANINGS**...From Frisco comes news that a new theater featuring Chinese all-talking pix...will open this month in that city's Chinatown...J. Sun (who is described in the dispatch as "a rising Chinatown figure") is financing the new house...everything will be heavenly for the patrons...if this turned out to be an enterprise of Schine...In their 14 metropolitan Oakland, Calif., houses—the Golden State Circuit Theaters are giving away 24-volume sets of the Wonder Books...patently for "volume" biz...Hot from the Coast, too, is the item that Hal Daipley...for some years past connected with the Hamrick-Evergreen theaters in a managerial position in both Portland and Seattle...has purchased an interest in the well-known equipment company of B. F. Shearer Theater Equipment Co.—Hal will carry the title of Supervisor of Operations...

- **FRED Mathews**, Motographer's head man, spent a few days in New York this week...and then entrained for Boston...where he's now week-ending...prior to headin' back to Chicago...From what we can find out from Fred it looks like his outfit is going big places in a big way...By-the-by, Fred's firm has supplied a lotta projectors to the Government...and even now is filling a sizable order for Uncle Sam...Indeed those are right convenient initials that H. O. Davis, Oklahoma City m.p. supply dealer has...H. O's h.q. (home office) is 522 N. Broadway...in that there city...Via L. R. Holl, Johns-Manville vice-p-x, wends word that Dr. Edward Bartow (recently granted a year's leave of absence as emeritus professor of the University of Iowa's department of chemistry and chemical engineering) has joined...the research laboratories of Johns-Manville Corp., at Manville, N. J. ...

- **DOWN Pittsburgh way...E. B. Morton, who's manager of National Theater Supply's Smokey Branch city...is raisin' some smoke of his own...by burning up the sales trail...with a lotta current orders...Hopping fra'minute to the Blue Grass State...we understand that Max (Louisville) Goldberg is planning a new theater at Beatyville, Ky., and that Charlie Mitchell...has broken ground for his second theater...in Barbourville, Ky...Nice goin', boys!...Ell Arkin and George Gross...manager and assistant manager respectively of the Avalon (W.B. Chicago house)...have a new equipment "turin'kle"...They use weighing scales which vend cards...and if a picture of an attraction's star comes out...the patrons goes in...—free...

**COMING and GOING**

WALTER E. GREEN, NTS president, left New York for a trip to visit company branches in both the Mid-West and South, and will return to headquarters in about two weeks.

NEAL BISHOP, vice-pres of Chicago operators' union, has returned to that city following a visit to New York, hometown.

FRED MATHews, Motographer head, is currently in Boston on a business visit.

E. M. LOWE, New England circuit operator has returned to Boston from Hollywood, and will open his new Pizza Theater tomorrow in Salem, Mass.

JOE HORNSTEIN, head of Joe Hornstein, Inc., has left New York for Florida.

E. M. HARTLEY, in charge of circuit contacts, National Theater Supply is planning a business jaunt to the Mid-West.

HERB GRiffin, of International Projector, is scheduled to return to New York this week from Hollywood.

GEORGE FRIEDL, IPC salon, is on route to the home office in the Coast.

J. W. SERVIES, of NTs's sales promotion staff, is visiting Cleveland, Indianapolis, Detroit, and other key cities.

JAMES FRANK, Jr., has returned to New York from California.

DREW EBERSON, of John G. Drew Ebersen, film theater architects, returned to New York yesterday from Philadelphia.

Two Plans Purchased By U. S. Plywood Corp.

U. S. Plywood Corp. has purchased all of the stock of the Algoma Plywood & Veneer Co., of Algoma, Wis., and the Hamilton Veneer Co., Orangesburg, S. C., for approximately $900,000 in cash.

U. S. Plywood Corp. controlled the purchase of the two plans under contract, prior to this purchase.

Augments Ad Device Line

The Wesbar Stamping Corporation of West Bend, Wis. have added a practical car top sign carrier to their line of products for Car Top Utility Carriers, the function of which is to easily and securely mount signs to many car tops, for general and film theater advertising, without permanent fastenings and with no drilling of holes or injury to car.

**HONORED by Photo Society**

Rochester.—Four Rochester men have been named fellows of the Photographic Society of America. They are: Dr. C. E. K. Mees, Dr. John I. Crabtree and Dr. E. P. Whightman, all of Eastman Kodak Company, and Carrol B. Neblette of Mechanics Institute.

**Reade Branches Out**

Miami Beach, Fla.—Walter Reade of New York, owner and operator of a chain of more than 50 theaters, is heading a syndicate which has purchased ground on the ocean front and will erect a 500-room hotel on the beach. Plans provide for a $1,500,000 structure.
THEATRE OWNERS SAY:
"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really natural — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."

PROJECTIONISTS SAY:
"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"

PATRONS SAY:
"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW "ONE KILOWATT" ARCS
USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS
CARBON ARC PROJECTION LAMPS
ARE OPERATED AT A SAFE VOLTAGE.
THEY ARE STURDY AND DURABLE AND ARE NOT COMPLICATED BY WATER COOLING

The words "National," "Suprex" and "Orotip" are 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
Alabama Profiting By Defense Program

(Continued from Page 1)

number has been added to by a new $75,000 first-run movie on Commerce, the city's main business street; an auto movie six miles out of town on a paved highway; opening of a legitimate season for the first time in 13 years, with five Broadway successes scheduled; and permit for the city's first nabe theater.

In addition, the recreational center of new Municipal Field, primary training camp for the government's air corps, will have a movie house with ample facilities for seating upwards of 500, according to Major Derderick of the Quartermaster Corps, who has charge of letting all contracts.

No falling off in attendance is noted now because of the national defense tax added some months ago.

The new theater owned and to be operated by Charles Rook, Oklahoma theater circuit man, is scheduled to be opened Nov. 4, original date having been delayed because of inability to get seating equipment on time, another indication of advanced business in theater supply houses.

U. S. Air Conditioning Lists New Installations

(Continued from Page 1)

been reported by the United States Air Conditioning Corp.

The Goethe Theater, Crockaston, Minn.; Grand Theater, Mankato, Minn.; Garden, Hibbing, Minn., and the Moorehead, Moorhead, Minn., have installed complete ventilating, heating, and cooling systems using deep well water with air washers for cooling.

The Sunset Theater, Davenport, Ia.; the Cavalier, Waynesboro, Va., and the Smithfield, Smithfield, W. Va., have installed heating and cooling system using cold water coils for cooling.

The Empire Theater, Fort Richmond, L. I., N. Y., has installed an evaporative cooling system.

International Seats Ordered

Goodwater, Ala.—R. P. Higgins botham has ordered International seats for his Rex Theater here.

Many Jobs Reported By Wil-Kin Supply

(Continued from Page 1)

Pal, Hinesville, Ga., plus Brekken projection lamps and a Robin Imperial generator for the latter stand.

Motograph projectors have also been supplied to the Dix Hill Sanatorium, Raleigh, N. C., and to the State Hospital, Morgantown, N. C. Both of these institutions also purchased Brekken projection lamps and Forest rectifiers.

Alexander Smith carpt has been installed for Boswell & Reynolds' Greenlatitude, Greenbore, Ga., as well as Wil-Kin draperies and International seats. International seats have also gone to the Little Theater in Raleigh, N. C., Martin Theaters' Martin in Andalusia, Ala., and Wilby-Kinney's California, Burlington, N. C. Additional Brekken projectors include those for the Howell, Palatka, Fla., John Carbondell's in W. Va.; and Wilby-Kinney's Tivoli, Chattanooga.

J. C. Holland has ordered Alexander Smith carpt for his Lyman, Lyman, S. C.

Wil-Kin draperies have been purchased recently for the Prince, Palatka, Fla.; the Florida, Tallahassee; Ritz, Brunswick, Ga., and more than 12 additional theaters.

New Lamps Selected

New Haven — Harry F. Shaw, Loew-Poli division manager, reports all Poli houses in the circuit now equipped with Loew-Blue-Glo lamps, designed by Lester Isaacs, chief projection engineer. The amber bulbs were formerly used. The new type is considered superior for year-round use, and especially effective with Technicolor.

Remodeled Stuckey Bow

Everett, Pa.—The newly remodeled and enlarged Stuckey Theater, which is operated by the Stuckey Bros., had its grand reopening on Wednesday with a gala celebration, in which many exhibitors and exchange men took part.

Curry Buys Rectifiers

Horse Cave, Ky.—B. J. Curry has installed new rectifiers in his Strand Theater here.

Robertson Adds Seats

Springfield, Ky.—A. H. Robertson, manager of the Majestic here, has installed 60 additional chairs.

Seville's Front Bettered

Detroit — Bukwile and Danawki are erecting a new marquee and signs on their Seville Theater.

Shulman Improving Rivoli

Hartford—Max, Maurice and Joseph Shulman will re-cover and re-decorate the walls of their 900-seat
See No Shortage of Equipment Materials

(Continued from Page 1)

must now be brought into the U. S. from abroad. Principal items that must be imported include cobalt, antimony, Chile copper, Kanthal mercury, copper, nickel, tin, capalum, white and amber mica, shellac, Japanese paper, varnished treated silk, asbestos, and long-fiber cotton twines and tapes, tungsten and China wood oil. All but nickel (Canada), mercury (Mexico), Chile copper (Chile), and antimony (Mexico) come from sources outside the western hemisphere.

There are only two factors, it is said, by which can conceivably cause shortage of materials and consequent price rises. These are hostilities involving the U. S., and some abnormal upswing in the pace of national defense operations over and above those now planned.

Impression received from the National Defense Advisory Commission’s survey of iron, steel and code, is that there is no justification for a rise in these base items. Textiles of virtually all types, including a wide variety of fabrics used in film theaters, appear certain to continue to be available in present quantity, quality and approximate price.

From the theater facade to the rear party wall, there is not an item which now appears in danger of withdrawal from the market because of a materials shortage,—nor looms as a sharp price-fluctuation possibility, barring abnormal contingencies.

Result of the materials’ back-up begins with the fact, that the present market offers every inducement to showmen to construct new houses and improve existing ones.

Will Improve In Welsville

Welsville, O.—Paul Vogel, who took over the family interests in the Liberty Theater here, following the death of his father has announced the local house will be completely modernized. Vogel supervised the building of the new Russell Theater at Millersburg, recently opened.

Jersey Stand Bows

Elizabeth, N. J.—The New Theater has just opened here at 51 Broad St. In the downtown area, as a subpeated-run house, House has a streamlined stainless steel box-office and outer lobby of Vitrolite glass, fluorescent type of lighting fixtures. All interior equipment is new and of the latest type. Opening day receipts went to the local Red Cross chapter.

Roh’s Places Order

Cynthiana, Ky.—Roh’s Opera House here has just been equipped with a new screen and projector supplied by Midtown Theater Supply Co., Cincinnati.

Companies Manufacturing Film Equipment
To Join in Health Drive for Employes

Rochester—A. F. Sutskever, vice-president of Eastman Kodak, is chairman of a committee arranging a series of industrial health conferences which are designed to discuss methods of protecting the health of workers who man defense production machinery. The Rochester meetings will launch a nation-wide educational campaign to stress factors health programs. Many firms manufacturing motion picture equipment are expected to participate in the plan.

E. M. Loew’s Latest
Will Debut Tomorrow

(Continued from Page 1)

England area and seats approximately 1,000 persons, with earphones for several rows of seats. E. M. Loew returned from a visit to Hollywood this week and will soon announce new plans for further expansion and for new policy in several of his theaters.

Mid-November Opening
Expected For New Apex

Washington—The Apex Theater, Washington’s newest neighborhood house, will open about the middle of this month, Charles P. Olive, owner and managing director of the Apex Amusement Corporation has announced.

Olive is one of the local Allied leaders and operates the Atlas Theater. His new house will serve suburban communities.

The cost of the new theater is approximately $200,000 and is constructed of sandstone and marble with unique lighting effects borrowed from the World’s Fair school of architecture. It will contain a sound proof, glass-fronted nursery and playroom for children.

$40,000 Columbus Project

Columbus, O.—City Department of buildings has issued a permit to the Beechwood Enterprises, Inc., for the construction of a brick and steel theater building; estimated cost is $40,000. Contractor for the project is the F & Y Construction Co. here.

New Front for Chi. Roxy

Chicago—The Schonstead circuit has installed a new front for the Roxy Theater, they recently took over from the Lasker circuit.

Whitmeier air conditioning equipment has been installed as has new booth equipment.

Frisch Plaza Reopened

Youngstown, O.—O. F. Flaherty has reopened the Plaza Theater here after complete renovating. House is owned by L. J. Frisch of Campbell and Ashtabula Harbor.

Winkenboer Buys Lenses

Huntington, Ind.—C. Winkenboer has installed new Bausch & Lomb P.2 Super Cinephor treated lenses in his Gem Theater here.

House Gets Marquee

London, Ky.—O. J. Minnix and H. V. McClure have outfitted their recently acquired Southland here with a new marquee.

31 Fabian Theaters
Will Get RCA Service

Thirty-one theaters of the Fabian chain, including eight Staten Island theaters not heretofore covered, will receive RCA Sound service under a new contract which also includes parts and tube replacement, according to W. L. Jones, RCA National Service Manager.

Negotiations were handled by Sam Rosen for Fabian, and by Bernard Sholz and W. J. Jones, New York Photophone executives, for RCA. The eight houses not included in previous RCA service contract comprise the Par-Land group. These houses are the “Slater,” New Dorp; “St. George,” St. George; “Caps,” West New Brighton; “Stadium,” Totenville; “Paramount” and “Liberty,” Stapleton; “Ritz,” Fort Richmond, and “Strand,” Great Kills.

Bailey Opening House

New Haven—When the 732-seat Westville, to be operated by Bailey Bros. and managed by Samuel Bailey, opens its doors November 19 or 20, it will be with a novel open house party and free show. The new house, one of which Jacob Weinstein is the architect and Jack Halprin, general contractor, is predicted to be one of New England’s most attractive and unusual modernistic houses of this size.

“CITY FOR CONQUEST”

Alexander Smith Carpet has plenty of oomph too. And it costs no more than oomphless carpets ... one reason why you’ll find it in most of the country’s successful theatres.
Altec in Renewals Of Circuit Contracts

(Continued from Page 1)

cluding the Liberty, Bagdad and Venetian. Barclay Ardell negotiated for Altec.

Further, R. S. Rogers contracted with Altec to service the Cheraw Theater, Cheraw, S. C., and Hamrick Enterprises, Inc., has signed for service the Hamrick, Gaffney, S. C., with H. B. Moog negotiating for Altec.

Another important pact concluded a few days ago was "Mike" Kallet's renewing a service agreement with Altec for the 24 Kallet houses in New York State. A. J. Rademaker represented Altec not only in this deal but in one with the Jayem Management Corp. which signed for Jayem houses in West New York, N. J., Cliffside, N. J., and Brooklyn.

New Toledo 1,800 Seater To Be Ready About May 1

Toledo, O.—The Bryden Michigan Building Co. of Cleveland has taken a 30 year lease on the 1800-seat deluxe motion picture theater which will be part of a million dollar building project to be erected on W. Central Ave. at St. Bernard Drive. The lease includes a parking space for 600 cars. George Ebling, Cuyahoga Bldg., Cleveland, is preparing the plans. The building is expected to be completed about May 1.

The Bryden Michigan Building Co. includes Sam Stecker, M. S. Fine, Abe Kramer and other members of the Associated Theaters Circuit of Cleveland.

LaFayette Is Bettered

LaFayette, Ala.—Improvements to LaFayette Theater include new sound equipment and new paint on the exterior. Manager E. M. Jennings reports other improvements are planned.

WHO’S WHO IN EQUIPMENT


Member of American Society of Heating and Ventilating Engineers, American Society of Mechanical Engineers, Refrigerating Machinery Association, Theta Delta Chi and Sigma Xi. Is also member of the Onondaga Golf and Country Club, Syracuse, and the Penn Athletic Club, Philadelphia. Hobbies: fishing and golf. Resides 1055 James St., Syracuse, and commercially headquarters at 302 South Geddes St., Syracuse.

NSS Announces Shifts In Its Chi. Personnel

Chicago — John Mednikow, for many years prominent in the film trade field, has been named manager of the Milwaukee offices of the National Screen Service, succeeding Lou Patts, who goes to the Des Moines offices, where "Chick" Friedman has resigned.

Roy Alexander, country sales, has been transferred to the Chicago sales district and his territory has been taken over by Arthur Phillips.

Chicago friends of Mednikow will have a farewell dinner for him tonight in the Florentine Room of the Congress Hotel.

Int. Seats For 3 Stands

San Francisco—Jim Riley of Pacific Coast Theater Supply Co. reports the sale of International seats to Blumenfeld's Marion Davies Theater, the New Sunset Theater and the Berkeley Bowl. The Marion Davies Theater is using 1,000 logs. All three places will open within the next 30 days.

New Selector Control Is Announced by G-E

Schenecktyda—A new selector control for maintaining constant temperature and humidification and dehumidification control in process air conditioning has been announced by the General Electric Co. here. It is also entirely suitable for automatic control of air and comfort control. This new selector-control unit, when used with a three-wire, "floating" type thermostat or humidistat, provides close control of temperature or humidity under widely varying conditions.

Outstanding features of the new device include a synchronous timing motor to assure accurate timing; control relays for single-pole, double-throw switching; conveniently located high-voltage and low-voltage terminals, and a trim, aluminum-finish case.

Celotex Trade Brisk

Chicago—The Celotex Corp. reports a good demand from the theater trade for their line of acoustic foams. Among the recent installations are the Bonham Theater at Fairbury and the World Theater at Kearney, Neb. The State Theater, Pierre, S. D., and the Priest Theater at High Springs, Fla., have also made installations.

Mundo to Open New House

Little Rock, Ark.—C. C. Mundo, owner of the Rex, will open a new 300-seat house, the Liberty, at 313 Main St. in December. RCA sound will be installed.

Uses Ampitheater Design

Cincinnati—Charles Mitchell is completing a new theater in Barbourville, Ky., 500-seater, of amphitheater design.

Improve Amity Theater

Amity, Ark.—The Amity Theater is using new seats and improvements are being made in the booth.

Sees Larger Stands Using New Sound

(Continued from Page 1)

revolutionary technique in sound reproduction, the new system of recording and reproducing sound-on-film employs the new principle invented in the studio production and in theater presentation. Three years of work by Disney and RCA engineers went into its development.

Development causes sound actually to move with all action on the screen. This realism in sound is accomplished by the use of a number of loudspeakers placed at different points behind the motion picture screen. If a bee buzzes into the scene, for instance, to circle around the screen and off again, loudspeakers are put on electronically so that the sound will follow its progress. This drone can also be heard traveling all around the theater.

"Fantasound" plays an enormous part in "Fantasia." The music of the 103-piece Philadelphia Orchestra under the baton of Leopold Stokowski is the chief and sometimes the only actor. But to achieve the unusual orchestral effects required a staggering number of equipment operations, the entire orchestra and other performers who produced the picture had difficulty in believing their own ears when they first beheld their handiwork. They heard sound comes forth with flexibility for the first time. They followed the music with their ears and eyes all over the screen. In addition, they heard it coming from all around them in certain of the more exciting or dramatic parts.

"Fantasound" should prove an important step forward for the motion picture art, its sponsors claim. At present line is "Fantasound," because of the elaborate sound reproducing system required for the theater. It is estimated that several years will be needed to form the basic for further research and development in the realm of sound on film from which eventually will come new sound equipment which the average theater can afford to install.

Three More for Mid-West

Galesburg, Ill.—Kenneth F. Childs is planning to build a motion picture theater on East State St. as soon as the site is cleared of old buildings. M. B. & Sons have let contracts for a 500-seat theater that will go up on 31st St. and 23rd Ave. in Blue Island, III., and plans are under consideration for another theater, to be erected in the Tri Cities when the suitable site is secured.

Strand Shuttered Rialto

Bridgeport—Strand Amusement Co. closed the 740-seat Rialto on the week-end for complete renovation and reconstruction, including new stages, lighting, marquee, seats, air-conditioning and decorating. The house will be closed for 10 days.
Erpi Device Speeds Developing of Film

(Continued from Page 1)
not only does the film industry's new device boast a sensitivity five times keener than the human eye, but it has been designed so that, like the eye, it can tolerate the blinding glare of Hollywood's most powerful sun-are without impairing its delicate perception in the slightest.

In developing the instrument, Erpi engineers sought a scientific method of measuring the "density" or pattern of light and shade which comprises the image on a motion picture film. To make such measurements, the Integrating-Sphere Densitometer traps that portion of a beam of light which succeeds in penetrating a test sample of motion picture film. The trap consists of a hollow ball or sphere, the inner surface of which is finished in white, and fitted with a "photocell electric eye." Light entering the glabular chamber is reflected many times and finally falls on the photocell cell as a thoroughly mixed or "integrated" product. Its value or brightness is then translated into electrical current in terms of density, on a meter. This information enables technicians to regulate with extreme accuracy the chemistry involved in developing or "finishing" the film.

According to Dr. J. G. Fryane and G. R. Crane who developed the instrument in Erpi's Hollywood laboratories, it functions to indicate the time of development of the film in much the same manner that the camera fan's exposure meter indicates the time of exposure for the film in a hand camera. However, there are many times more accurate and, moreover, can be used for control of the development of both positive and negative film.

Henceforth, density measurements have been taken with an instrument that relies for much of its accuracy on the eye and on the judgment of the individual operator. In this older method, light transmitted through a test sample of film was compared visually with that given off by a standard sample. Fatigue, eye strain, and individual differences between operators often resulted in error. By eliminating the human element, therefore, the new method gains in speed, accuracy, and consistency.

New Fronts Reported
Rockford, Ill.—Bert and Kasper Johnson are building a new front for their family's new theater. The Theater, under Mike Kikheart management, is also receiving a new front, while the Johnsons here are planning a new neighborhood theater in the northern section of the city. The Rialto Theater at Elgin, Ili., under a Gene Brumman campaign, has installed new sound equipment for the house.

To Build Jacksonville's Only Indie First-Run
Jacksonville—The local St. Johns Amusement Corporation of Jacksonville announces the conclusion of negotiations with the Atlantic National Bank for the long-term lease of the property now occupied by the Blum Building and Castle Hall Building, located on the north side of Forsyth Street, between the Atlantic National Bank and the Barnett National Bank.

Development of the present three-story structures will commence immediately to make way for a modern theater and commercial building which the owners hope to have completed by March 1, 1941. This theater, to be known as the St. Johns, will be Jacksonville's only independently operated first-run theater and will exhibit Warner Brothers' and First National motion pictures, among others.

Nine More Chi. Theaters Now Air Conditioned
Chicago—Commonwealth Edison Co. reports nine theater air-conditioning installations to date this year, with a horse power of 258 and a tonnage of 546. Houses equipped are the Ark, Crest, Lex, Rex, Monroe, Sunnydale, Gold, Rialto and the 29th Street Theater.

General Electric will install air-conditioning equipment through Advance Heating Co., contractors, for the new M-G-M offices in the Warner Film building at 1387 S. Wabash Ave. It will be a 20-ton outfit with 28 hp.

Wisconsin Houses Improve
Milwaukee—Both the Majestic at Madison and the Ritz here are undergoing remodeling of their fronts. The former house, operated by Arthur Rollo and George Fawcett, is equipped with a new porcelain front and four-line canopy, while the Ritz, owned by M. H. Brumman and leased by Fawcett is being equipped with a porcelain face, new marquee, box-office and outer lobby.

Remodeling Fla. Theater
Belle Glade, Fla.—The Everglades Theater is being remodeled. New seats have been installed and a general sprucing up. Although the Interstate chain now has three separate sections (for Nortecians, one for Negroes, and one for Seminoles Indians) and mosquitoes are so bad that smudge pots adorn the porch as well as the theater itself. Some fun!

NTS Fills Orders For Two New Film Houses
Pittsburgh—National Theater Supply Co. in this city, through its manager, E. B. Morton, reports that 660 irwin chairs, a Walker screen, Simplex E-7 projector, Simplex SI projection lamps, Alexander Smith car- pet and a Hertner generator have been installed in Sam Hanauer's new State Theater in Beaver Falls, Pa. The order also called for Simplex 8 Star A 15 sound, as well as all other equipment. Theater opens Nov. 15.

Princess-Rex Theater Co. has ordered 80 Irwin chairs, Walker screen, Simplex projection lamps and National rectifiers, Simplex 4 Star A 30 sound, Simplex E-7 heads in 18 in. magazines, type 1 pedestals, and all booth equipment for the house in Shinnston, W. Va. This house has not yet been given a name.

Cincinnati Times Theater Equipped by Midwest Co.
Cincinnati — RKO Times Theater has opened. Harry M. Price, Cincy, and John Eherson, New York, were associated architects.

Equipment was supplied by Midwest Theater Supply Co. Ventilating and air-conditioning duct work was furnished by Air-Conditioning & Heating Co., and control is by the Advertising Coins, 500 house will serve RKO as a third and fourth run.

Brooks Incorporates Venture
Detroit—Bernard Brooks, owner of the President Theater, is incorporating the $10,000 Rouge Theater Co. to operate the new house now being built in River Rouge.

There Are Strange Things Done 'Neath the Florida Sun by Exhibs. Who Told For Gold
So you're going to Florida this winter! Maybe you'll stumble on one of the following oddities: (1) At Lincoln and Monroe, Fort Lauderdale, you are served to pauper at any time during the show in the respective lobbies; (2) At Tavernier,—The Tavernier Theater's seating capacity is larger than the total population, and it is constantly operated at a loss; but is kept running inasmuch as its owners find that it attracts a lot of eats to the drug store and restaurant which they also own; and (3) At Everglades, the Everglades Theater is a converted residence and is used as a church on Sunday; presenters show "off." (4) In Miami Beach, this house has three separate sections (for Nortecians, one for Negroes, and one for Seminoles Indians), and mosquitoes are so bad that smudge pots adorn the porch as well as the theater itself. Some fun!

Cooper to Improve Big Net. Theater
(Continued from Page 1) and part by the Stuart Investment Co., the house landlord.

It will be an expenditure of about $75,000, it is predicted, and will take care of furniture, upholster, general interior decoration, re-doing of the logos, and installation of new projection equipment.

Deal is in the early stages now and will probably be completed at the next Cooper visit here from New York, scheduled in a couple of weeks.

Boston Supply House Reports Installations
Boston—Independent Theater Supply Co. here reports installation of Strong projection lamps and rectifiers in E. M. Loew's Hartford, Conn., theater, and his new Plaza in Salem. Latter house, which opens tomorrow, also ordered a Wenzel projector from ITS.

Supply house also is filling orders placed for equipment by E. M. Loew's Capital in Sanford, Me.

New International chairs have been installed by ITS in George Husson's Wilmington, Wilmington, Mass.

New Cyclax Lamps Double Illumination of Screen
Waterloo, Ia.—New Cyclax lamps to double the screen illumination and minimize the flicker of projection light have been installed in the Palace Theater.

The new lamps use alternating current and synchronization of light and projection shutter frequencies which reduces the flicker normally apparent, especially in front-row seats.

Enlarging La Caridad
Santa Clara, Cuba—Management of Negrete y Hno. will start renovation work at once to the La Caridad Theater. Operations include boosting seating capacity to 1,000 seats. Marcelino Cherta Calderin has opened a new theater in the nearby town of Palmira.

C. ROSS for MOTION PICTURE LIGHTING EQUIPMENT

Rental: A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for premieres and general lighting activities.

SALES: Everything in the line of equipment for motion picture and photographic studios.

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.

As Sole Eastern Distributors, we carry the full and complete line of equipment for motion picture and photographic studios.

MOLE-RICHARDSON CO., Hollywood, California

Incomparable Lighting Equipment — Estimates Cheerfully Given

Let Us Enlighten You on Your Lighting Problems
**Four New Theaters For Oklahoma City**

Oklahoma City, Okla.—Chet Humphreys, operator of the Ritzy at Britton, who is remodeling a building for a theater on the site of the old Loew's, said Wednesday that his new theater, which is in the 2600 block on N. W. Thirty-ninth St., is putting on the finishing touches. The new Uptown theater at 1212 N. Hudson which is being built by R. G. Seiber, hotel man, and leased to Charles Ferris for operation, is scheduled to be opened soon after Nov. 15. House will cost an estimated $50,000 according to Charles Suttle, general contractor.

The new $50,000 theater will be constructed here by Louis Barton, Stroud, Okla., exhibitor, at S. W. Twenty-ninth St. and W. Ave., is a $50,000 venture. After this house is completed, Caporal will ex-say the construction of a fourth house here at a site at N. W. Forty-third St. and Western Ave., which will also cost about $50,000.

**Stamm Co. to Remodel The McNair for Thimmig**

St. Louis — Walter Thimmig has acquired the contract for the remodeling of the McNair Theater, to the Stamm Construction Co., of Maplewood. The architect in charge of the plans is O. W. Steigemeyer, of St. Louis.

The improvements will include a modern structural glass front with ornamental aluminum trim, Marlite wood veneer and Ludlite board will be used in the interior work. New lighting fixtures will be installed. Work will cost upwards of $7,000.

**Long Sign Gets Biz**

Detroit—Several new jobs on theater fronts are under construction by Long Sign Company, including the sign and marquee on the new Civic Theater being erected by Joseph McKi- nis here, a new soflett on the Midway, in Dearborn, for Joseph Stoia, and a new vertical sign on the Wayne Theater at Wayne for Walter Shaffer.

**Western Serves Iowa Stand**

Omaha — Plans and construction work for M. Smith's Norka Theater, Iowa house, are entrusted to Western Theater Supply Co. here, which organization is also furnishing drapes and lighting fixtures.

**Proscenium Chatter**

A. A. Feinberg, president of U. S. Air Conditioning Corp., of Minneapolis, announces that the company’s export biz is now being handled through its Export Division, 810 Graybar Building, New York. Arrangement became effective on Nov. 1.

Well, Milwaukee has its first newsreel theater, converted from the former Little by Lawrence L. Brown and William Nolte, who are partners in the new venture. House is a right spacious affair, having 1,110 seats.

Flash from Minneapolis, S. C., informs that Bob Talbert, city manager of Wilby-Kincey theatres, announces that the city’s newest movie house, to be erected at the corner of East Main and North Liberty St., will cost about $60,000; that it will seat 800 and 900; and that contracts will be let at an early date.

Out of Jacksonville, Fla., issues news that Architect Roy A. Benjamin is preparing plans for a 600-seater theater to be built by Sparks Enterprises at Pearl and 28th Sts. This will be a one-story house, located in a new section known as Brentwood.

Exhibitor Lester Miller is getting new sound from RCA for the Palace in Coweta, Okla.

Malcolm Miller, manager of the Gold-Dubuque Theater, claims that the Everglades Theater in Belle Glade, Fla., is to be remodeled,—in fact contracts have already been let and initial work is under way.

Herman Kerwin, candidate of the May- fair in St. John, N. B., for the versatility championship among film theater employes at large, took suddenly ill while in uniform as doorman, and had to be moved to his home for a rest of about 10 days. Trouble was with his heart. He has been a doorman and chief of ushers at the Mayfair since it was founded about eight years ago, and pre- viously worked in a theater in his home town of Ottawa, Ont. His varied talents in- clude painting, decorating, carpentry, en- gineering, metal working,—and is equally at home in uniform or overalls.

Jack Gross, proxy of the Amsterdam Amusement Co., operator of the Hill Theater, 1763 Amsterdam Ave., New York City, has arranged for installation of air conditioning. The Hill operates as a Harry Harris affiliate.

J. Lewis Cannon, Jr., top solon of the Grand Theater Corp., operator of the Grand, New Haven, Conn., is letting contracts for the complete renovation of the house.

An oil strike in Falls City, Neb., changed Oscar Johnson’s plans in naming his new theater which will be operated in December. Had intended to call it the New Rivoli, but the black gold discovery has him now designing a marquee labeling the showplace, The Oil City.
NEW COMPLAINT AIMED AT "LITTLE THREE"

Student Admission Prices Face Federal Taxation

Exhibs. Must Collect Levy Based on the Prevailing House Scales for Adults

Theaters which have adopted a policy of special student admission prices face the necessity of collecting Federal taxes based on the prevailing scale for adults, it was revealed by the Department of Internal Revenue in a letter to the ITO of Radio.

This means that if a theater admits students for 15 or 20 cents, (Continued on Page 8)

NW Allied to Seek Law Against 16 mm.

Minneapolis.—A bill which would prohibit the showing of 16 mm. pictures in taverns and clubs, as well as the banning of coin-in-the-slot film devices, will be sought in the Minnesota legislature by Allied Theaters of Northwest. Present plan calls for the introduction of such a measure when the lawmakers reconvene and is said to be the first organized campaign against such alleged competition. Allied members claim 16 mm. pictures are hurting patronage in regular theaters.

Republic’s Regional Sales Meet Opens Tomorrow

Republic will hold its next regular quarterly regional sales meeting at the Eastern territory at its home office tomorrow. H. J. Yates, president of CIP, J. R. Grainger, president of Republic, and other home office executives will attend. Among the exchanges’ representatives.

(Continued on Page 8)

Anti-Nazi Pix Bring Top Biz in Argentina

Buenos Aires (By Air Mail)—Pro-American and anti-Nazi trend in Argentina is nowhere more noticeable than in the film field. Metro’s “Moral Storm” and 20th-Fox’s “Four Sons” are top box-office hits in both local first-run and second-run houses. Film audiences are cheering shots of Roosevelt in the newsreels, while Hitler and Mussolini footage is rounded hissed. 

TIMES REVIEW BRINGS PICKETING
Heymann Takes Exception to "Heritage" Razzberry; Police Halt Parade Before Times Building

First case of a distributor biting a critic became a matter of record last Friday when Andre R. Heymann, president of the French Columbia Center, flanked by John Shane, manager of the Belmont theater, and four ushers from the house, picketed the New York Times building in protest over a review by Bosley Crowther, Times film critic, of "Heritage,” a French film being distributed here by Heymann. Picture is currently playing at the Belmont.

Heymann was halted at his patrol duties by the police. The police told Heymann he couldn’t picket, it was against the law, and that what was more, they accused Heymann of (Continued on Page 4)

Only 76 Theaters To Get "Fantasia"

Walt Disney’s "Fantasia" will play in a maximum of 76 theaters in as many U. S. cities during the next two years, but will be shown in no more than 12 at the same time. It is anticipated by Disney that the picture will gross $15,000,000 during its entire run.

"Fantasia" has its premiere at the Broadway Theater, New York, on (Continued on Page 4)

Discuss Greater Para. Partner "Cohesion"

Chicago—Greater cohesion among Paramount theater partners and subsidiaries was among the principal topics for discussion at a weekend conference of Paramount operators at the Drake Hotel. Other subjects included maintenance of production schedules, foreign market losses and general management problems.

Those who attended the sessions (Continued on Page 6)

Lipton Leaves "U" Dec. 14; Takes Columbia Post Jan. 2

David A. Lipton’s resignation as publicist at Universal Pictures’ studio becomes effective Dec. 14 at which time he will go to Columbia’s studio to co-ordinate plans with Lou Smith, (Continued on Page 4)

Low’s Amortizing Table Now Shows 75% Domestic

Due to war conditions abroad, Loew’s, Inc., again has revised its table of amortization of film costs. Applicable to all pictures released after Sept. 1, 1939, such costs will (Continued on Page 6)

At Last,—A Method To Make Receipts Rise!

Oklahoma City, Okla.—Rudolph Smith, operator of the Royal Theater in Mountain View, is a model of efficiency. When his cashier goes home at 9 p.m., the ingenious Smith takes over the job of helping operate the projection machine. Persons who present themselves at the theater after the cashier has screamed homeward just knock on the glass door of the house, and Smith on duty in the booth—or the regular projectionist—lets down a cloth over a string. The patron pinches his money in the cloth and Smith is called up to the booth, making the way clear for the customer to enter the theater. 

Venezuelan Proposes Film Import License

In addition to new motion picture and theatrical censorship regulations enacted by the Municipal Council of the Federal District of Venezuela, the Venezuelan Government has pro- (Continued on Page 5)
Lieut. William Chambless
On Active Naval Service

William Chambless, 20th-Fox publicity department contact with the New York newspapers, starts active service today with the Naval Air Force. Chambless is a lieutenant, and for the past few years has been flying a dive bomber. He left the film company as of Friday with indefinite leave of absence granted to him by Charles E. McCarthy, publicity and advertising director.

William Wingert, of the publicity department, will fill Chambless' duties in his absence. It was also announced that George Fraser, former head of Paramount's public relations department, had joined the 20th-Fox publicity department. Chambless will temporarily be on duty in New York and will return to the Naval Air Force station in Jacksonville.

Illness of Counsel Halls
LaCrosse Trust Suit Trial

Madison, Wis.—Federal Judge Pat T. Stone has postponed indefinitely the hearing in the $1,476,000 action of the La Crosse Theatres Co. vs. Paramount, United Artists, 20th Century-Fox, Minnesota Amusement Co., and Welworth Theatre Co., now in its second week in U. S. District Court, due to the sudden illness of Robert A. Hess, Milwaukee counsel for the plaintiff. Hess became ill at a local restaurant, and was taken to the Methodist Hospital.

N. Y. Film Bill Sponsors
Re-named to Legislature

Albany—Figures well known in exhib and distributing circles as sponsors of bills affecting the industry were generally elected in last week's legislative contests, the chief casualty being Assemblyman Joseph Teague of Queens, author of several hillroad restriction measures. Teague was topped by Robert Archinal, Phelps of New York Democrat and Assemblyman Bob Crewe, Brooklyn Republican, co-author of the full crews or "in-a-booth" bill, will be back in their seats for the 1941-42 sessions, as will Assemblyman William T. Condon of Westchester County, who won a stringent projection booth safety bill during the last session.

Assemblyman Anthony J. Canney of Buffalo, sponsor of anti-AEAC legislation, however, retired to accept a state position, while Sen. Thomas C. Desmond of Newburgh and Assemblyman Abbot Low Mofat of New York, who authored the housing Bills which permitted cities to help defray costs by taxing one cent on the first 50 cents, were also returned to office.

Virginia MPTO to Meet
In Washington Feb. 2-3

Richmond, Va.—Winter convention of the MPTO of Virginia will be held at the Shoreham Hotel, Washington, D. C., on Feb. 2-3.

It's "Behind the News"

Hollywood—Republic has changed the title of "The Flagpole Needs a Flag" to "Behind the News."
Hollywood's Top Current Productions Bear the Magic Brush of Technicolor

- BITTERSWEET
- CHAD HANNA
- DOWN ARGENTINE WAY
- FANTASIA
- NORTH WEST MOUNTED POLICE
- SHEPHERD OF THE HILLS
- THE SOUTHERNER
- THE THIEF OF BAGDAD
- WESTERN UNION

TECHNICOLOR MOTION PICTURE CORPORATION

HERBERT T. KALMUS, President
**Times Pix Review Brings Picketing**

(Continued from Page 1)

advertising the film and the theater. Heymann, indignant, immediately struck the Belmont Theater name from the signs.

Finally Heymann called off the picketing when it became a question of whether or not the police would arrest him after his attorney had been consulted. Later in the day Heymann issued a statement which concluded by saying that "Literary gymnastics were one thing, but sound criticism another." He stressed the fact that a motion picture critic assumed a grave responsibility. Heymann's special ice was directed at one line in the Times review which said "the story is turgid and silly—a drag."

Crowther had no comment when reached on the phone.

**Lipton Leaves "U" Dec. 14:**

(Continued from Page 1)

publicity director at that studio, and on Jan. 2 will assume his new duties as director of advertising-exploitation and publicity for Columbia Pictures Corp. at the home office.

In the latter position, Lipton succeeds Maurice A. Bergman who recently resigned to accept the post of advertising director under Charles McCarthy at 20th-Fox, commencing Dec. 2.

Lipton, prior to joining Universal, had a special public relations assignment with CBS, and previously spent some 13 years in the advertising department of B & K in both Chicago and Detroit.

**Henie Suit Verdict Sealed**

A sealed verdict was ordered by New York Supreme Court Justice Aron Steuer after the jury in the suit of Richard R. Scanlon against Sonja Henie was deadlocked for over six hours on Friday. The verdict will be handed up tomorrow. Scanlon is suing for $92,000 damages, claiming to have secured the defendant's motion picture contract.

**Metro Closing at 1 p.m.**

Metro's home office closes at 1 p.m. today in observance of Armistice Day. Home offices generally, however, will be open all day.

**WEDDING BELLS**

Dixie Dunbar, screen and stage actress who is currently fulfilling an engagement in Philadelphia, and Gene Sperry, co-director of the Radio City Music Hall's Rockettes, have not yet determined the date of their wedding. Couple obtained marriage license last week at the Southampton, L. I., Town Clerk's office.

**DATE BOOK**

Today: A F of L convention opens, New Orleans.

Nov. 12: Dramatists Guild annual meeting.

Nov. 13: Canadian Picture Pioneers convention opens, Regina.


Nov. 15: Cleveland Film Exchange Employees Local 527 dance, Moose Temple.

Nov. 15-16: Republic regional meeting, Toronto.

Nov. 16: Washington Variety Club dinner, Willard Hotel.

Nov. 16: Boston Motion Picture Salute's Club dinner dance, Southland.

Nov. 17-18: 1940 Arkansas convention, Hotel Marion, Little Rock.

Nov. 19: UA stockholders' meeting, Hollywood.

Nov. 19: Republic regional meeting, Chicago.

Nov. 20: Dave Miller testimonial dinner, Holland Hotel, Cleveland, O.

Nov. 20: Republic regional meeting, Memphis.

Nov. 21: Motion Picture Associates ball, Hotel Astor.


Nov. 25-26: ATOP convention, Hotel Antlers, Indianapolis.

Nov. 29: Chicago Warner Club dinner dance, Hotel Lorillard.

Nov. 30: Dave Miller testimonial dinner, Holland Hotel, Cleveland.

Dec. 1-2: Met at North and South Carolina convention, Charlotte Hotel, Charlotte.


Dec. 12: Philly Variety Club dinner, Belle vue-Strattford.

Dec. 13: Motion Pictures Employees' Association dinner dance, Stevens Hotel.


May 5-8: SMPF Spring convention, Sagamore Hotel, Rochester.

**Conn. Allied to Appeared At Hearing on Decree**

(Continued from Page 1)

the consent decree, and appoint a committee of members to represent it at Thursday's hearing before Federal Judge Henry W. Goddard in New York.

**Alfred Alscherer Dead**

Chicago—Alfred S. Alscherer, veteran theater architect, died here at the week-end. He is survived by his wife and five children. Funeral services will be held at the North Shore Church, Glenview.

**STorks!**

Goshen, Ind.—Roy Hanson, manager of the Jefferson Theater of the Indiana-llinois circuit, has a new daughter, Susan Mary Hanson.

Hammond, Ind.—Henry Gierych of Warners'Parthenon Theater is passing out cigars to mark the advent of twins.

Chicago—Joe Anderson, assistant manager of B & K's Belmont Theater recites the arrival of his first born, a 7%-pound son.
SMPE Spring Meeting
In Rochester May 5-8

(Continued from Page 1)

ing on a plan for the Spring Convention to be overlapped by the meeting in Rochester of the Acoustical Society of America. Whether the latter will conclude its session so as to then immediately participate in the proceedings of SMPE, or have their conclave follow the SMPE huddles is being considered.

The Rochester meeting of SMPE will be the first over which its new head, Emyre Hays, West Coast manager of Eastman Kodak's motion picture film department, will preside. Hays was elected president of SMPE at the recent Fall Convention held in Hollywood's Roosevelt Hotel to succeed E. A. Williford.

One of the features of the Rochester conclave, and one which has suggested the advisability of the Acoustical Society event overlapping, is expected to be a special demonstration of Stereophonic sound. Bell Telephone Labs and Erpi officials are believing that to make this demonstration possible, it is understood.

Events being made by SMPE for the Spring Convention to be the largest in the organization's history and this is held virtually assured by virtue of the fact that the gathering will take place in the home city of Eastman Kodak and will have that company's support.

Venezuela Proposes Film Import License

(Continued from Page 1)
pessed a measure stipulating that distributors must have import licenses in order to get an official rate of exchange, it was learned yesterday.

How soon the license measure may be put into effect was unknown. It was also predicted that other districts in the country would follow the lead of the Venezuelan district in imposing censorship restrictions.

Sonovox Demonstration at Reception for Kyser

RKO Radio is holding a reception for Kay Kyser and his College of Musical Knowledge this afternoon at the Starlight Roof of the Waldorf-Astoria. At it, Gilbert Wright, son of the novelist Harold Bell Wright, will conduct a demonstration of Sonovox, his new development in sound. Sonovox will be used for the first time on the screen in Kay Kyser's "You'll Find Out," which opens on Thursday at the Roxy.

"Wotta Show! ! !

Manchester, N. H.—Credit the State Theater here effect was unknown. "Home Run" billing gams, as follows: "They Kept on Hitting the Ball—Seven Sinners"

REVIEWS OF THE NEW FILMS

"Prairie Schooners" with Bill Elliott, Evelyn Young, Dub Taylor Columbia 58 Mins.

WEEK WESTERN WITH VERY POOR SCRIPT IS BELOW PAR FOR ELLIOTT SERIES.

Hampered mainly by a very poor script, this new release in Columbia's Western series starring Bill Elliott is under par. The story is a little different from the usual run-of-the-mill Western material, but some stupid and implausible scenes pull it down. The Elliott and western fans will be disappointed with this one.

It tells the story of Elliott's leading a migration of farmers through Indian country into new farm lands in Colorado. But apart from some interesting stock shots the continuity is bad and the cuts don't match when you look them on the screen. Elliott is satisfactory as Wild Bill Hickok, gun fighter and plainsman. Evelyn Young, most of the time, devotes his time to playing the ace to Dub Taylor continues his role as stooge for Elliott; and the menace is provided by Kenneth Harlan and Ray Teal, Sam Nelson directed.

Harlan cracks down on the bankrupt farmers' working land he has mortgages on. Miss Young helps the farmers as much as she can, but upon Elliott's suggestion they all pack up and head West under his guidance. Harlan and Teal incite an Indian war and Elliott also manages to handle this.


CREDITS: Produced by Columbia; Director, Sam Nelson; Screenplay, Robert L. Johnson and Fred Myron; Story, George Franklin; Cameraman, George Meehan; Editor, Al Clark.

DIRECTION, Adequate. PHOTOGRAPHY, Okay.

Value of U. S. Films Imported by N. Z. Drops

Washington Bureau of THE FILM DAILY

Washington—For the first six months of 1940 the value of films imported from the U. S. by New Zealand dropped 8 per cent from the value of the imports for the first six months of 1939, and 28.7 per cent from the value for the same period in 1938, it is reported by the American Consul at Wellington.

Distributors and exhibitors report an increasing trend away from serials, westerns, war and gangster pictures to the light comedies, even in Maori communities where westerns were formerly extremely popular.

Atchison Option to Williams

Oklahoma City—John Atchison, operator of the Palace, Skiatook, has made a booking arrangement with the K. Lee Williams Theaters, Inc., of Oklahoma City, which includes a six-months' option by the theater circuit for purchase of the house from Atchison.

"Calling All Husbands" with Ernest Truex, Lucile Fairbanks, George Tobias Warners

MUSICAL COMEDY HAS WEAK STORY THAT DEFATS BEST EFFORTS OF CAST.

Mighty few laughs are contained in this mediocre comedy, and that lets it out. The book construction is weak, and the dialogue fails to help much. The cast is all right and the technical aspects of the picture are okay.


Truex is continually beaten around verbally by his domineering wife, Miss Bates, who compares him to her 90-year-old father. Tobias also frowns on the marriage of their daughter, Miss Fairbanks, to Reeves. Reeves, a singer, is treated with few drinks under his belt his courage mounts, and before long he also proves Tobias to be a crook and puts his wife in her place for all time. Trite plot lacks any twists in treatment.


CREDITS: Associate Producer, William Seiter; Associate Director, Robert E. Kent; From a play by Martin Flavin; Cameraman, Ted McCord; Editor, Frank Magee.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Early Closing Orders
Irking British Exhibs.

London (By Air Mail)—British exhibitors in various sections of the country are concerned over the growing orders for early closing hours which are now being introduced into cinema licenses. They are particularly irked in locations where, while they must close at 9:30 p.m., dance halls and other licensed premises are permitted to remain open until 10:30.

The CEA exec. committee has asked the Ministry of Home Defense for an interview on the subject. The North Western branch, at its Liverpool meeting, will voice opposition to the attempt to include a final closing time in licenses for the coming year for theaters in that branch.

Smilay on Draft Board

Detroit—Harold H. Smilay, partner in Associated Theatres, has been named to the Advisory Draft Board for the Detroit by Gov. Loren D. Dickson.

Tim Durant Recovers

Chicago—Tim Durant has recovered his health and will soon return to the film production activities.

Wangler and Selznick Pix Get Added Mexican Time

Mexico City (By Air Mail)—Wal ter Wangler's "Foreign Correspondent" was held a second week at the Teatro Alameda, Mexico's chief de luxe house with 3,600 seats. David O. Selznick's "Rebecca" continues to attract the crowds here in such a spectacular manner that the third-run Balmori house was forced to hold it over for a second week, the second picture ever to play two consecutive weeks in this smart neighborhood spot in the last two years. "Rebecca" previously had played four weeks at the Teatro Alameda, the first picture ever to hold over for two weeks and remained two weeks at the second-run Colonial Theater, which seats 7,200.

Joe Stout's Father Dead

Chicago—J. F. Stout, father of Jereable Stout, church deacon, of the Balaban & Katz circuit, is dead. Burial takes place at Chrisman.

SHORTS

“Waldo’s Last Stand"

Metro Moderately Amusing.

Our Gang is back at its old stand in this short. The gang decides to promote the lemonade business of a friend by putting on a floor show. An old barn is fixed up and the entertainment is lined up, but only one potential customer shows up, and he leaves without buying any lemonade. Finally it dawns on the gang that all the kids in the neighborhood are working in their "night club."

“Old New Mexico"

Metro Fair Travaglio.

Continuing his travels around the United States, James A. FitzPatrick focuses on his camera on the New Mexico landscape in this release, with just a fair amount of interest. Reel depicts some of the more interesting spots in the state topographically, and then devotes considerable footage to Indian pueblos and the Navajos.

“Goin’ Fishin’"

Metro Very Funny.

The Our Gang kids set out on a fishing expedition which has hilarious consequences. Laden down with equipment of every description, they finally board a bus. At first the fares can’t be found, then the bus is found going the wrong way. The bus conductor finally gives them their fares back and just ride them. Rate it as very funny.
Regional Arbitration
Setup by Feb. 1
(Continued from Page 1)

1, although Judge Goddard may an-
nounce his selection of the board
members shortly after he takes for-
mal action on the decree.

Kirsch Not to Appear
At Decree Hearing

Chicago—Jack Kirsch, proxy of Illi-
obnia Allied, will not go to New
York to appear at the consent de-
ree hearing before Judge Henry W.
Goddard on Thursday. He stated
that his unit endorses the stand of
national Allied fully.

Nothing of importance, he stated, was
transacted at the board meeting of
Allied.

Examine 20th-Fox Execs.
In Messeri Suit Nov. 28

New York Supreme Court Justice
Isidor Wasservogel on Friday or-
ered Sidney R. Kent, Walter J.
Hutchinson and Ben Miggins, of
20th-Fox, to appear for examination
before trial on Nov. 26. The examina-
tion is in connection with a suit of Marion Palmer, assignee of
Moses J. Messeri, for $8,112 dam-
ages. Messeri, who was the film company's Spanish representative,
until May 1940, claims an unpaid
balance on his salary.

Frank Shay Acquires
Theater

Schenectady—Metro Theater here,
formerly called Mount Pleasant when
operated by Mount Pleasant Thea-
ters, has been taken over by Frank Shay, who was city manager for Fabian Thea-
ters in Cohoes until recently. Shay
will rename house the Crane to con-
form with street.

Iris Adrian for Two Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Iris Adrian has been
signed by Paramount to play impor-
tant roles in "The Road to Zanzibar"
and "New York Town." Deal was
set by Louis Irwin.

Duals at Dime In Cuba

Havana (By Air Mail)—Favorite
theater of the Smith circuit offers
duels at 10 cents on Fridays.

"Grapes of Wrath"
Given Ampa Award

Twentieth Century-Fox production
of "The Grapes of Wrath" received the
AMPA and Book and Magazine Guild's
joint prize of $100 at the annual pic-
tion picture made from a book during
1940. The prize was awarded by the
AMPA, which wrote the screenplay of the John Steinbeck novel.

"Loew's Amortizing Table
Now Shows 75% Domestic"
(Continued from Page 1)

Reestablished in the proportion of
75 per cent to domestic distribution
and 25 per cent to foreign distribu-
tion, instead of the previous respec-
tive allocations of 70 per cent and 30
per cent.

Detroit Screening Room to
Be Enlarged Under Decree

Detroit—Detroit will be ade-
quately provided for in seating capacity
for the flood of new showings under
the consent decree's new block-off
selling policy, interview with Max Blumenthal, manager of the
Film Exchange projection room, dis-
closed.

Blumenthal's present room, used
for all screenings by the censor and
by all exchanges except Paramount
and 20th-Fox, holds 60 persons, but
provision for expansion is now being
made by Blumenthal, up to any
size to be required under the new
service policy.

Local sentiment appears to be
strongly against theater screenings.
Past experience has shown a heavy
preponderance of "patrons" from
outside show business at these
events, despite enforcement of usual
restrictions.

Platt Handling Stage
Bookings for B & K

Chicago—Nate Platt will supervise
Balaban & Katz stage bookings, for-
merly handled by the late Max Turn-
er, until a new chief booker is ap-
nointed.

At the RKO Radio Studios
West Coast Bureau of THE FILM DAILY

Hollywood—Gary Grant will prob-
ably play opposite Irene Dunne in
"Week-End for Three" for RKO.

The studio has bought James Gow
and Arnaud d'Usseau's "Repent at
Leisure." Jerry Cady is making the
adaptation. Lewis Milestone, who
will direct "Palm Beach Limited," has
left for New York.

Metro Studio News
West Coast Bureau of THE FILM DAILY

Hollywood—Nydia Westman and
Chris-Pin Martin have been added to
the cast of Metro's "Wallace Beery
starred, "Bad Man." Studio is con-
Sidering filming "Billy the Kid," new
Robert Taylor vehicle, in Technicolor.

Metro has bought "The Sun's in the
West," by Richard Carroll and Betty
Hopkins.

Keijo Theaters Still Showing U. S. Films
Despite Exhib. Pact to Stop Foreign Pix

Washington—American pictures are still being shown in Keijo, Chosen, despite
the decision of exhibitors there to stop showing all foreign pictures after Nov. 1, and the
prohibition is said to be postponed for several weeks, according to the U. S.
Consul General in Keijo.

Theaters are not operated directly by Chosen, but through Japan. American films
are preferred by the public, the report states, though there is no discrimination against
any foreign pictures.

Majors Confer on U.K.
Monetary Remittances

Discussions relative to monetary
remittances from the United King-
dom were held Friday morning by
heads of major company foreign de-
partments and by company presi-
dents in the afternoon. Details were
not revealed.

It is understood that prior to the
meeting Will H. Hays, MPPDA
president, had conferred with Joseph P.
Kennedy, U. S. ambassador to the
Court of St. James by telephone.

MPPDA board took no action on
the agreement to restore the ban on
filming of advertisements in advertis-
ing due to the new New York of Prexy Banalan of
Paramount.

Capra Resumes Shooting
Of "John Doe" Wednesday

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Capra will re-
sume filming of "Meet John Doe" at
Warners' studios Wednesday when he
returns from his duck hunt at Kla-
math Falls, Ore. The players to be
cast for the new scenes will be an-
nounced on his return. Two days
shooting is indicated.

Henry E. Jewett, Actor, Dies

Henry E. Jewett, retired actor and
theatrical producer, died on Friday
at his home near Scarsdale. He was
the son of Henry Jewett and Maggie
Knight Jewett, Australian players
who came to the U. S. when their
son was 13. He is survived by his
widow.

20th-Fox Signs Cobina Wright, Jr.
West Coast Bureau of THE FILM DAILY

Hollywood—Cobina Wright, Jr.,
18-year-old singer, has been signed
by 20th Century-Fox for a leading
role in "Muder Among Friends,"
with Marjorie Weaver, John Hub-
bard and Moira Barrie. Ray Mc-
Carey will direct.

Republic Signs Roger Pryor
West Coast Bureau of THE FILM DAILY

Hollywood—Republic has signed
Roger Pryor for the heavy lead in
"Iron Bowery" which William Mor-
gan is directing with Dennis O'Keefe
and Louise Campbell in the leads.

Baton on "Jungle Girl"
West Coast Bureau of THE FILM DAILY

Hollywood—Alfred Batson, author
of the best seller, "African Intrigue,"
has been signed by Republic to write
"Jungle Girl," a serial. The book is
by Edgar Rice Burroughs.

Discuss Greater Para.
Partner "Cohesion"
(Continued from Page 1)

and left Saturday for further talks
in Hollywood were Sam Dembow,
Leonard Goldenson, Leon Netter,
Jerry Litvak,1 Gilbert Clavell of
all of New York; Earl Hudson, De-
troit; R. J. O'Donnell, Dallas; A. M.
Lightman, Memphis; J. J. Fried-
man, Honolulu; Tracy Barham, Cincin-
nati; Harry Neese, Phoenix; Henry
David, Salt Lake City; J. J. Fitz-
gibbon, Toronto; A. H. Blank and
Ralph Branton, Des Moines; M. J.
Mullin and Sam Pinanski, Boston;
John Balaban and J. P. Rubens,
Chicago.

Heurst Claims Animals
Maltreated in Pictures

William Randolph Hearst, in his
syndicated column, In the News, on
Friday blasted at alleged maltreat-
ment of animal quotation pictures,
especially Westerns. Hearst criti-
cized the California legislature for
not appropriating money to enforce an anti-discrimination law on the
movies and accused the SPCA of
negligence.

Sunday Films Win Okay
Of Curwensville Voters

Pittsburgh—Add Curwensville to
the list of state towns which legal-
ized Sunday films. First ballot count
had indicated defeat of the measure.

To Start Seven for PRC
West Coast Bureau of THE FILM DAILY

Hollywood—Seven features, two
of them Westerns, for PRC distri-
bution, will go into production dur-
ing the current month, according to
Prexy Harry Rothern, who returns
to New York next week. PRC has
opened branch offices in Seattle and
Portland, Ore., making a total of 35
exchanges now operating.

Para. Signs Constance Moore
Para has signed Constance Moore to a term contract.
Her first picture under new pact will be "Las Vegas Nights" with Allan
Jones, replacing Ellen Drew. Studio
has also signed Catherine Craig to a
term contract.

Chl. Likes "Meet the People"
Chicago—"Meet the People," Hol-
lywood Theater Alliance show, will
play at the Grand Theater here until
Dec. 22, after which it will go to
Shubert theater in New York City for
an extended run.

Brazilian Projector
Tradeshow In B. A.

Bueno Aires (By Air Mail)—Brazilian
equipment firm of Byington & Co. is
introducing a new projector, developed
in Brazil. Projector was tradeshowed
at a local industrial exhibition.
In the past, projectors in South Amer-
ica have been imported from the U. S.
and Germany.
Only 76 Theaters
To Get "Fantasia"

(Continued from Page 1)
Wednesday and is expected to remain more than a year. Second engagement has been set for Dec. 27 in Los Angeles. Other early bookings include Chicago, Boston, San Francisco, Philadelphia, Salt Lake City and Seattle.

Form Company to Release Popkin's All-Negro Films

Albany—Million Dollar Distributing Corp., of New York has been chartered by the Secretary of State's office here. A preliminary announcement was made that it will issue 200 shares of no par value stock.

Subscribers are Abraham A. Levine, 639 Ninth Ave., New York City; and Estelle List and Frank E. Williams, 505 Fifth Ave., New York City.

Filing counsel for Million Dollar Distributing Corp., Irving Levine, said on the week-end that the new company will produce the East the all-Negro-cast features made on the West Coast by Harry Popkin.

Warner District Managers Return to Their Offices

Following home office meetings Wednesday, Thursday and Friday with David Sear, Carl Leserman and Mort Blumenstock on distribution and merchandising plans for forthcoming releases, Warner district managers returned to their respective territories over the week-end.

Among the company's features discussed were the upcoming "Letter to a Lover," the Maugham story starring Bette Davis; "The Lady with Red Hair," starring Miriam Hopkins; "Santa Fe Trail" starring John Wayne and Robert Mitchum; and "Honeymoon for Three," starring Ann Sheridan and George Brent.

Ralph McCoy, Atlanta branch manager, was also in town for these discussions.

Kopf Leases Iris Theater

Benjamin Kopf has leased the 600-seat Iris Theater, 1737 Amsterdam Ave., to the Amsterdam Amusement Co., Inc., clients of Berk & Krumgold, film theater brokers, it was announced on the week-end.

The house, according to agents of the owner, has been remodeled by the new lessee.

Wanger Signs Barrett

West Coast Bureau of THE FILM DAILY

Hollywood—William Hurd Barrett, magazine writer, has been signed by Walter Wanger to write the screen treatment of "The Eagle Squadron." Story will be based on the exploits and adventures of Americans flying with the Royal Air Force.

Si Rudnick Dead

New Haven—Si Rudnick, 46, stage employe at the Loew-Poli, here, for the past 10 years, died of a heart attack.

The WEEK in REVIEW

$490,000 Arbitration Budget—New U. K. Offer

By L. H. MITCHELL

DOMESTIC

EQUITY SUIT: With $375 seen as the minimum cost for an arbitration appeal under the rules in the consent decree, the arbitration budget was fixed at $490,000 for 45 new "safety" groups—M. P. Research Council, P-TA, etc.—are still critical of the decree, but MPRC will not appear before Judge Henry W. Goddard Nov. 14 to oppose it. But a very remote chance was seen for any ex- hib, or other organization to intervene in the matter. The Government will drop individual defendants in its new complaint against United Artists, Universal and Columbia, the “Little Three,” which refuse to accept the consent decree.

FINANCIAL: Paramount reported a nine-months' profit of $4,810,000—nearly $2,000,000 above its net for the same period in 1939. Hourly quarter net was $1,726,000 ... RCA nine-months' net was $5,713,943, with earnings down from $9,238, just double the 1939 figure. ... RKO Radio reported a 39-week profit of $317,186. * * *

SUNDAY PIX: Harrisburg, Pa., defeated Sunday movies by a vote of 17,439 against 15,574 in favor, in 127 towns to which the issue was submitted 47 of 83 that had previously prohibited theaters from opening on Sunday voted for the experiment. Of 11 spots which voted in Sunday pictures six years ago, six reversed their former verdict ... Smithfield, R. I., okayed Sunday films ... Westfield and Livingston, N. J., voted in favor of Sunday pictures, while Bridgeport, Woonsocket, Paulsboro and North Ridgewood rejected them. * * *

THIS AND THAT: Henry Brandt, TIOA proxy, urged a single real indie exhibit unit ... Actor’s Equity voted in favor of “Sundays” in 147 towns to which the issue was submitted in New York City, “Tobacco Road” being first to take advantage of the permission with a performance last night ... Louisiana’s anti-Ascap law was ruled out by the state’s Supreme Court ... Walter Gould was named as atty of United Artists’ foreign department. * * *

Boston’s box office returns were said for the past five years ... M-G-M will launch a second gala debut for “Gone With the Wind” next year, at a rate already being discussed for it on anniversary of its world premiere there ... On Nov. 15 United Artists will ask dismissal of Richard J. Goody’s suit seeking abrogation of his contract ... Metro has 11 pictures ready for release—six to carry it up to 1942. ... Passed by the License Commission in Lowell was used 84 times in 11 weeks at the same theater. Commission is fighting the Mayor’s order revoking its power to issue passes indiscriminately ... Constitutional amendment, making money games illegal in Oregon was defeated by the voters ... Hitch in the pact between producers and the Dramatists Guild, holding up film financing of Broadway way plays productions was overcome by negotiators ... Robert Jackson, Attorney General, who headed the Government’s equity suit against the majors, was reported slated for the S. Supreme Court. ... Graves anti-trust suit against the majors was seen as being ended if the Supreme Court agrees to acquiesce in Graves’ Camran Theater by Jay Emanuel.

FOREIGN

EUROPE: Report was current that Ambassady Kennedy brought back a remittance of offer of $12,000,000 from Great Britain ... Future shipments of films to Sweden were seen as resting with the Soviets ... Plan by which U. S. majors may send 80 features to Spain was under study. ... Shipments of U. S. films to Switzerland were waiting on Britain’s navicert decision ... All Athens’ theaters were closed and all showings of U. S. films in Greece were reported closed due to Italy’s war against Greece.

THE AMERICAS: Clearance plan in Canada was reported as having hit a number of snags ... U. S. pictures are replacing French films in Que- bec theaters ... Argentine producers were reported spurning the semi-official “co-ordination” plan for the film industry in that country.

9,000 Film Theaters
In Red Cross Drive

Between 8,000 and 9,000 motion picture theaters throughout the United States today are engaged in a two-weeks’ drive to help put over the Annual Roll Call of the American Red Cross. This Red Cross campaign to enroll new members is from Nov. 11-30 in most towns and cities. In some cities, the membership cam- paign will be conducted later, with the full co-operation of the local the- aters at the time of the local drive to enroll members.

In some of the smaller towns no Red Cross membership campaign is conducted, which makes it impossible for the local theaters to extend this co-operation. Otherwise the ac- tual theater co-operation is 100 per cent.

The Red Cross Roll Call is particu- larly important this year because of the added responsibilities placed upon the Red Cross by war relief activities.

Republic’s Regional Sales Meet Opens Tomorrow

(Continued from Page 1)
Amended Complaint
Aimed at "Little 3"

(Continued from Page 1)

for leave to file the complaint was attached to the amended complaint itself.

The Government said that it was required to file the amended complaint because the consent decree grants relief not sought in the original complaint; that it was dropping all officers and directors and that it had acquired additional information since the filing of the original.

In addition to arbitration, the amended complaint demands an injunction to restrain alleged conspiracy, monopoly and for a decree abolishing the three branches of the industry. No mention of the proposed consent decree is made in the body of the complaint but it is understood that the Government on approval of the consent decree will drop its case against the five negotiating companies.

The new complaint restates all charges of alleged unfair practices found in the original. Among those are the exclusion of talent from independent producers, upward libel and slander practices, agreements on run, clearance and minimum admission prices, block booking and blind selling; the alleged discrimination in favor of circuits and against independents in selling practices. These practices, the complaint states, are the granting of better terms, run, clearance, delivery of prints to circuits and the enforcement against indies of forced shorts and新闻记者's severe conspiracies and undercases and the prohibition of double features.

Featured in the complaint is a list of alleged reasons why the Government contends that licensing contracts are illegal. These reasons are as follows: The failure of license terms before the exhibitor has had an opportunity to view a film and estimate its value is unfair; the fixing of minimum admission prices in licensing agreements covering large groups of pictures is improper; the licensing of one or a number of films should not be conditioned on the licensing of another film or group; that the licensing of films to one theater should not be conditioned on the licensing of films to another theater; that clearance agreements are improper when calculated to suppress competition between exhibitors rather than to protect distribution revenue; the refusal of licensees to run a film on any terms offered solely to protect an exhibitor from competition and arbitrary withholding of prints to give one exhibitor a prior playdate not provided for in an agreement.

The number of interesting statistics are set forth in the complaint. Total net worth of all companies except United Artists is estimated to be $547,000,000, while gross income in that year is stated by the Gov-

M of T Canadian Subject
For Release in December

Montreal—Release of the March of Time film of the 11th Canadian war effort will take place in December, according to word here where one of the two camera crews has been active in photographing the local side of the Dominion's activities.

The camera crews have been traveling throughout the country taking pictures with official and civilian aid. One of the interesting shots was that of the cabinet meeting in Ottawa.

Louis de Rochemont, editor of the March of Time, is reported to have sneaked back in New York, this week, following personal supervision of location shots in Canada.

"A" Audience Reaction
Guides 'Ranch' Cutting

Reaction of a preview audience at Harry Zeitz's State theater, New Bedford, Mass., an "A" house, is that of Gene Autry's $500,000 "Melody Ranch." The picture was sneaked last week, with H. J. Yates, J. R. Grainger and M. J. Siegel present.

Fred Rowland to Operate
Twin-Auditorium Bexley

Columbus, O.—Fred Rowland, operator of four local nabc has acquired operators in Bexley, The five-year-old theater has twin auditoriums, plus projection and sound equipment; doors of the owners, Theodore Lindenberg, Sr. According to authoritative sources, the lease specifies use of the special equipment. Rowland has the Parsons, Columbia, Main and Hollywood Theaters. House is closed at present, but is scheduled to reopen at once.

Four Griffith Oklahoma City Theaters Half
Block Apart Use 1,144 Features Each Year

Oklahoma City, Okla.—To Griffith-Southwestern Theaters, Inc., should go some records for the number of features played at its theaters on blocks all located within half a block of each other. They show 22 feature weeks a total of 1,144 features a year. They are all 15-cent double bill houses, with the exception of the Griffith which shows one feature with tabloid musical comedy on the stage.

"Escape" Shaping Up as Strong B.O. Attraction

"Escape" has taken its place as one of the leading Fall B.O. attractions, with business far exceeding normal in each of its key centers engagements to date, M-G-M reported over the week-end.

Opening business ran up to 189 percent over normal, at the Stanley, Philadelphia. At Loew's, Akron, the percentage was 147; State, Cleveland, 140; Regent, Har-

20th-Fox Closes Deals
With Canadian Circuits

Toronto—Circuit deals with Western Theaters Ltd. Sharp circuit, Famous Players and Bernstein & Lieberman, have been closed by 20th-Fox district manager J. P. O'Loghlin. O'Loghlin was in New York for a few days last week, returning here Friday.

San Antonio High School
Teaching Film Making

San Antonio—Assertedly first of its kind in the U.S., course in motion picture making, complete from script to finished film, has been established at Thomas Jefferson high school under the supervision of five struct sets, make up, do acting and filming.

Conrad, N.Y.—Ansel N. Sanborn, film circuit operator in Wolfboro, Center Ossipee and Wakefield, was elected as a member of the Governor's Executive Council. He served as speaker of the House at the last session of the Legislature.

Student B. O. Prices
Face Federal Tax

(Continued from Page 1)

when the regular price is 30 cents, the tax on the regular priced ticket must be added to the special priced ticket. In other words, a person eligible to enter a theater for 50 cents must pay a two, three or four cent tax, depending on the price scale of the house.

The letter, in part, reads: "Section 1700 of the Internal Revenue Code provides that in the case of persons (except bona fide employees, municipal officers on official business and children under 12 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 accommodation.

"The setting aside of a certain section for students does not operate to exempt the students from the tax."

Newspaper Guild Support
Nationally Pledged SPG

Complete support of the Newspaper Guild throughout the country was pledged last week to the Screen Publicists Guild in their negotiations with film companies for contracts. Jack Ryan, organizer of the Newspaper Guild, made the pledge at a meeting of the SPG eastern branch.

Sanborn Wins, James Loses
In N. H. Councillor Race

Concord, N. Y.—Ansel N. Sanborn, film circuit operator in Wolfboro, Center Ossipee and Wakefield, was elected as a member of the Governor's Executive Council. He served as speaker of the House at the last session of the Legislature.

Sanborn Wins, James Loses
In N. H. Councillor Race

Chambrum-Maugham Reception
Jacques Chambrum and Warner Bros. will host a cocktail reception honoring W. Somerset Maugham on Thursday afternoon in the Carlton Suite of the Hotel Ritz Carlton.

Mills Succeeds Roosevelt

Chicago—Fred Mills has been named as president of the Soudies Club, a subsidiary of Panorams, succeeding James Roosevelt.

M. P. Associates to Meet

Luncheon meeting of the Motion Picture Associates will be held tomorrow at 12:30 p.m. at the Astor. Ned E. Depinet and Andy W. Smith, Jr., will be guests at the luncheon.
Product Buying Spurs as Exhib. Lethargy Fades

PREDICT QUICK COURT APPROVAL FOR DEGREE

Normal Stage in Number of Deals Reached: Exchanges Report Contract Avalanche

New season product buying has taken a sudden spurt in the last few weeks, distributors report. While buying is said to have started off slowly, in some cases almost unprecedented, contract signing has been gathering momentum until the situation today is reaching the normal stage in the number of deals.

One company which started its selling nine weeks later than usual (Continued on Page 8)

Film Regulation Board Under Fire

Pittsburgh—Proposed city ordinance to prohibit amateur movie camera addicts from showing their films outside their own homes was vigorously opposed and condemned by prominent medical, industrial, educational and civic leaders here at a meeting held in the William Penn Hotel. The ordinance, proposed by Lawrence J. Katz, IAMTE international representative, provides for a—(Continued on Page 3)

“Bingo Only” Policy in 1-4 Circuit Spot

Michigan City, Ind.—The Indiana and Illinois circuit has re-opened its Uptown Theater with a Bingo game instead of films. It will operate the Bingo theater five days a week. Circuit has three other theaters here, showing films.

Bradlen to Engage Arbitration Clerks

J. Noble Braden, executive secretary of the American Arbitration Ass'n, leaves Saturday on a trip which will take him to the nation's key cities where he will lay the groundwork for the operation of the industry's arbitration system. Braden will hire a clerk and possibly one assistant for each board. Clerks will be selected by the same standards as those in other lines of industry. They must have no const—(Continued on Page 8)

GWTW Returns to Atlanta Dec. 12 for Anniversary

GWTW will return to Loew's Grand, Atlanta, on the anniversary of its opening for a special limited engagement on Dec. 12, it was announced yesterday by Metro. Proceedings will go to charity designated by Atlanta officials.

While no stars have been especially invited to attend—the Atlanta opening last year attracted a notable—(Continued on Page 3)

AT&T Leaving Film Field?

Reported Retaining Only Erpi Sound System

Para. Executive Meetings On Coast May be Extended

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount's executive meetings on sales and production plans, which opened here yesterday, will be extended beyond the present week and perhaps longer.

Yesterday's opening sessions, (Continued on Page 8)

Finalization in 24 Hours Possible, Although Judge Goddard May Take Longer

Reliable reports indicated yesterday that the consent decree in the New York equity suit would be signed and approved by Federal Judge Henry will be heard on Friday, the day after the public hearing.

While these reports were from a reliable source, it is believed in some quarters that Judge Goddard will require more than 24 hours to consider the objections to the decree. Protests are expected to be lodged by attorneys for exhibitor groups, although it is understood that no oral objections will be voiced and that Judge Goddard will base—(Continued on Page 3)

Armistice Day Biz Rises on Broadway

With yesterday's crowds on Broadway greater than they have been in some years on Armistice Day, offices all along the stem reflected better biz than in 1929, managers at the same time reporting a healthy business. The Paramount, playing NWMP, led the Broadway parade with a new house record, claimed for the week-end since inception of—(Continued on Page 8)

Second "AID" Report At Indiana Convention

Indianapolis—Report on Allied's second national product survey by Allied Information Dept. will be submitted at the 14th annual convention and trade show of Associated Theater Owners of Indiana at the Antlers Hotel here Nov. 25-26. Convention will be addressed by—(Continued on Page 3)

Pu, Supreme Court Refuses BN Review

Albuquerque, N.M.—The State Supreme Court has refused to review the case of J. C. Lund, movie owner, convicted of conducting a Bank Night and fined $500 and costs by Judge Frank E. Read-er. Lund's appeal also was denied by the Superior Court.
National Board Opens Conference to Public

For the first time, the annual conference of the National Board of Review of Motion Pictures will be open to representatives of the Hotel Pennsylvania on Thursday, and be open to the public. General conference theme to be introduced at the opening session Thursday morning, is "New Frontiers for American Movies." New York University will be host at a session of its motion picture course Thursday night.

Speakers Friday morning will be Judge Stephen S. Jackson of the Court of Domestic Relations, who will talk about children and the movies; Oliver T. Griswold, who will present an analysis of Vyranno Donner, 20th-Fox fashion film expert. The afternoon session will open with Elka Chase, to be followed by Margaret Farrand Thorp, author of "America at the Movies"; and Catherine Edwards, of Parents' Magazine. Audience polls for movies will be discussed by representatives of the Gallup Institute of Public Opinion.

The Saturday morning session belongs to the Young Reviewers, and includes school affiliate groups, the Four Star Clubs. Films made by members are to be shown.

A celebrity luncheon on Saturday will close the conference.

Merrick-Alexander Will Make 6 Pix for Select

George Merrick and Max Alexander have signed to produce six pictures for distribution by Select Attractions, Inc. Charles Kranz, Select president, said that Merrick and Alexander would start work immediately on their first picture, "The Mask of Shame," and would follow with "The Right to Win" and "Decent." First release will be ready Dec. 30th. The policy is to offer an outlet to independent producers through the company's 20 exchanges.

"Dictator" Plays 111 Weeks in First 40 Engagements

In its first 40 engagements, Chaplin's "The Great Dictator" has played 111 weeks. UA reported yesterday. Home office said that all Loew theater engagements did unusually well in their second weeks, with Cleveland ringing up an all-time high of 357 per cent.

A. M. Goodman Recovering

Cleveland—United Artists report to Manager A. M. Goodman that he suffered a heart attack several weeks ago, is responding favorably to rest and is now sitting up for short periods at a time.

To Open In Batesville

Batesville, Ark.—New Melba, owned by Commonwealth Theatre Corp., opens Nov. 27.

Col. Executives Off for "Arizona's" Tucson Debut

Columbia home office execs have started leaving for the Tucson two and five-mile premiere of "Arizona," Nov. 15 and 16. A. Montague, general sales manager, and the sales and assistant, started for the Arizona city yesterday and Harry Cohn, now in New York, will head a contingent flying out tomorrow.

With Cohn will be Jack Cohn, B. Spingold, Louis Weinberg, Louis Astor and Max Weisfeld. In Tucson they will meet Phil Dunas, Carl Shalit and Sam Galanty, division managers, and Wayne Ball, Los Angeles branch manager.

Siegel to Head Florida Circuit Opposing Sparks

Arthur J. Siegel, who recently resigned from Warners, will be the operating head of the newly organized St. Johns Amendment Corp. The company, planning a string of first-run theaters throughout Florida, some of which will be in opposition to the Sparks circuit.

First of the new string will be the St. Johns, a 1,000 seat in Jacksonville which will compete with Sparks. Latter circuit has not bought Warner product for more than 18 months.

Paramount Will Sell "Raggedy Ann" Separately

"Raggedy Ann," two-reel Max Fleischer cartoon, will be released by Paramount during the Easter season and will be sold separately from the shorts program. Short originally was scheduled for Christmas week release but was set back so as not to compete with the first "Superman" subject now being prepared by Fleischer.

State to Censor Slot Machine, 16 mm. Films

Albany—The State Education Department will assume review and license jurisdiction over 16 mm. films and coin film machines "when exhibited in any place of amusement for pay or in connection with any business in the State of New York" as a result of a ruling by the Attorney General.

Di Pesca Fully Recovered

Boston—Joseph Di Pesca, veteran publicity man, dean of the New England picture show publicists, is expected to be well in time for some full return to health and is back on the job. Di Pesca is press agent for the Moevee Loew theaters here, the State and the Orpheum.

Deutsch Sells to Bleier

Cleveland—Sam Deutsch has sold his interest in the Sun Theater to Edward Bleier and has moved to Warren to operate his bowling alleys.

FINANCIAL

(Monday, Nov. 11)

The New York stock markets were closed yesterday—Armistice Day.

Montreal Abolishes Film Censor Post

Montreal—Montreal City Council executive committee has decided to abolish the post of city motion picture censor left vacant by the death last week of Joseph Philies Filion, noted character actor.

Salary pertaining to the post was $2,000 a year, but Filion and the city think it worth saving.

Union Guarantee Demand Bar to Stage Offerings

Cleveland—Because local Loew officials would not guarantee 20 weeks' work to local stagehands, there will be no spot booking of stand shows at Loew's State Theater this season.

"Hells Angels" to Wilby-Kincey

Streamlined version of "Hell's Angels" has been booked for first-run engagements over the entire Wilby-Kincey chain. Charles T. K. Deel was set following test engagements. Picture also will play most of the Wilby-Kincey second-runs. It is distributed by Astor Pictures Corp.

"James Lewis" as Lloyd "U" Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Acquiring the rights to "I, James Lewis" from Paramount, Frank Lloyd will make the Universal release under his three-picture deal.
Film Regulation
Board Under Fire

(Continued from Page 1)

Moving Picture Regulation Board, to be appointed by the Mayor
consisting of a representative of the Building Inspection Bureau and a
projectionist of at least 10 years’ experience.

Only operators licensed by the city
upon payment of a $2 examination fee and $10 license fee, would be
permitted to exhibit films at as-
semblies outside the home. Another
section of the ordinance stipulates
that persons applying for special
permits to exhibit films outside the	house must pay a $1 fee for each
day’s performance. Theaters show-
ing pictures regularly are exempted
from the latter provision.

Opponents charged that this or-
dinance would greatly handicap the
medical profession, and that sales-
men using 16 mm. film for customer
demonstrations would be required to
take out 15 or 20 permits every day
to comply with the ordinance. Mem-
bers of the Public School Board also
pointed out that this ordinance would
greatly hamper their work along
educational lines.

Represented at the protest meet-
ing were the Chamber of Commerce, Mellon Institute, Board of Educa-
tion, Community Fund Committee, YMCA, Pittsburgh Advertising Club and
Bureau of Recreation.

Neely May Postpone
Resigning from Senate

(Continued from Page 1)

Tuesday, Senator Rush Holt of West Virginia
predicted.

Holt said Neely probably would re-
maintain in the Senate to direct the cer-
emonies at the inauguration of Presi-
dent Roosevelt for the third term.

Neely, it was further hinted, may
elect to remain in the Senate for some
time instead of resigning im-
mediately as he is in line for the
chairmanship of the Judiciary Com-
nitee. His term still has two years
to run and under existing provi-
sions he could defer taking the
office of Governor for that period of
time with the President of West Vir-
ginia Senate serving in his place as
Governor.

Neely was not available for com-
ment on his plans yesterday.

Happy Birthday

To You

THE FILM

DAILY to

Jack Oskie
William Collier, Sr.
Gwen Lee
Murray Roth
Jacques Tourneur

Predict Quick Court
Approval for Decree

(Continued from Page 1)

his opinions only on submitted briefs.
The Government on Saturday filed
an amended complaint against the
eight major companies, asserting
that present exhibition contracts are
illegal and demanding an arbitra-
tion system for the entire industry.
With the signing of the decree, how-
ever, the complaint against the five
conceding companies is expected to
be dropped, leaving the Government
free to proceed with its suit against
the dissenting companies; namely,
Columbia, United Artists and Uni-
versal.

GWTW Returns to Atlanta
Dec. 12 for Anniversary

(Continued from Page 1)

list of guest—the anniversary pre-
mier will have a gala program ar-
ranged by Mayor Hartshied and a
citizens’ committee.

General release of GWTW at half
the roadshow price scale will be in
January.

Fine Organizes New ATC

Cleveland — Associated Theaters
Corp. has been incorporated in Co-
lumbus. Incorporators are listed as
M. S. Fine, Jerome Friedlander and
Robert I. Kopper. M. S. Fine is
president of the Associated Theaters

circuit, operating one of the largest
independent theater circuits in this
territory. Jerome Friedlander and
Robert Kopper are members of the
law firm of Benech, Marsdtler,
Friedlander & Morris, Cleveland.

Launch New Chi. Circuit

Chicago—Another theater circuit has
been organized here under the
name of the Alben Theater Corp.,
with offices at 2337 S. 52th Ave. B.
and M. Bartolestine and M. Abram
are its presidency. The company
will operate theaters taken over re-
cently from the Gus Brecha circuit.

Laird Replaces Atkinson

Miami, Fla.—Kenneth Laird is
succeeding Ed Atkinson as booker
for Paramount Enterprises, Inc. He
comes to Miami from Atlanta where
he was booker for the RKO Ex-
change.

New Ft. Smith House Opens

Fort Smith, Ark.—The new Plaza
has opened.

WEDDING BELLs

West Coast Bureau of THE FILM DAILY

Beverly Hills—Fritz Feld, film ac-
tor, and Virginia Kraft, radio actress,
were married here. Among the wit-
nesses was Ernst Lubitsch, director,
producer. He and Feld were actors
together in their native Germany 25
years ago.
One of the most memorable screen triumphs since the birth of the motion picture...
DECEMBER 25TH!

Wesley Ruggles'
ARIZONA
starring
JEAN ARTHUR
with
WILLIAM HOLDEN
WARREN WILLIAM • PORTER HALL
and a cast of thousands
Based on the Saturday Evening Post serial and novel by Clarence Budington Kelland
Screen play by Claude Binyon • Directed by WESLEY RUGGLES
A COLUMBIA PICTURE
THURSDAY’S THE DAY
AT THE ROXY, N. Y.!

World Premiere of the big mirth, melody and mystery show!

. . . Kay and his band in person for the special and spectacular engagement limited positively to ONE WEEK ONLY!

KAY KYSER

IN

YOU’LL FIND OUT

WITH THOSE THREE BAD BAD-HUMOR MEN

PETER

BORIS

BELA

FROM KAY KYSER’S BAND-FAMILY
THANKSGIVING WEEK ATTRACTION ALL OVER THE NATION!


Armistice Day Biz Rises on Broadway

(Continued from Page 1)

The band policy. Biz yesterday was said SRO and a $74,000 first-week was estimated.

The Autor, with "The Great Dictator" had sellouts while the Capitol was SRO yesterday and reported a peak week-end. "Christmas In July," at the Rivoli, gave the house SRO biz yesterday and a "very good" week-end. The Roxy reported an excellent Armistice Day business and a heavy week-end with "The Mark Of Zorro" on its screen.

"Escape" continued to pile up heavy business at the Music Hall. House was SRO yesterday afternoon and a "take" well over $90,000 was expected for the week, insuring a third week for the picture at the house. "Tugboat Annie Sails Again" continued to play to good business at the Strand, with yesterday's business 20 per cent better than last year.

Smaller Broadway houses also reported larger box-office "takes" yesterday.

Cleveland Stage Hands Rename William Fingean

Cleveland — William Fingean, who also heads the Cleveland Federation of Labor, has been elected business manager of the Stagehands union. John B. Fitzgerald, a local union officer for the past 27 years, was re-elected president to serve his sixth consecutive term. Fitzgerald is state manager of the Cleveland Public Hall.

The Union has adopted legislation lengthening terms of officers from two to four years. The Northeast Ohio Operating Engineer, re-elected for the new four-year term are: John Zittelto, vice-president; Clarence Gugle, secretary-treasurer; and George Burman, steward-at-arms; William Ables, Robert Potis, Delbert Mulheaven, Zish Shiffer and John Underwood, executive board; James Byun, Frank Raymond and George Swartzenberg, trustees; Ed Williams, Cy Perkins, John Short, Sam Kleinman and William Potts, financial board.

Stahl Opens in Munhall

Pittsburgh—John E. Stahl, who has operated the Stahl and Elite Theaters, Homestead, for more than 25 years, has opened the new Park Theater in Munhall, a suburb.

$2,500 for Community Fund

Chicago — The Warner Theater circuit will contribute $2,500 to the Community Fund.

STORKS!

Marion, Ind. — Thor Hauschild, manager of the Paramount Theater here, is the father of a baby boy.

'Risk Show' Proposed To Avoid Raid Danger

London (By Air Mail)—Sir Charles McGrath, clerk of the West Riding County Council and another Civil Defense Commissioner for the Northeastern Region, has had several tickets that before audiences leave that the theater be darkened for several minutes to simulate the air attack, the darkness before being turned into the dark street, which is so bright against the flak and car head-lights which provide a clear target for an enemy air raider.

Report A T & T Retiring From the Film Field

(Continued from Page 1)

ket. Erpi will also foreclose on Educational Studios to try to liquidate the $250,000 mortgage it holds against the studio.

Second "AID" Report At Indiana Convention

(Continued from Page 1)

Abrah F. Myers, Allied general counsel, on various phases of the consent decree.

Convention arrangements are in charge of a committee headed by Marc J. Wolf and including Truman Rembusch, Ernest L. Miller, Roy Harrold and Don Rossiter.

Skouras Leases Loew House

Skouras Bros. has leased Loew's Astoria Theater for 15 years. House goes under the new management on Thanksgiving Day and gives Astoria another first-run. It will be closed on next Tuesday and Wednesday to get ready for a celebration.

Col. Casts Luana Walters

West Coast Bureau of THE FILM DAILY

Hollywood — Columbia has cast Luana Walters opposite Bill Elliott in "Across the Sierras" which D. Ross Lederman is directing.

Saul Buys Hudson, Albany

Albany — Iasodre Saul has purchased the old Hudson Theater, at dark for several years but is silent on the question of re-opening. Theater was formerly operated by William Bernstein.

Bank Cashier as Exhib.

Nashua, N. H.—The Nashua Theater, owned and operated by C. A. Menold has been sold to G. H. Ballard, cashier of the Ackley state bank at Ackley, who took possession on Nov. 1. Improvements are being made.

Miriam Hopkins to P.A.

West Coast Bureau of THE FILM DAILY

Hollywood—Miriam Hopkins will leave soon for a p.a. at the New York Strand starting Nov. 30.

Ralph Calladine Recovers

Virginia, B. C.—Ralph Calladine, manager of the Plaza theater here, has recovered from a recent operation and is back at his post.

Braden Will Engage Arbitration Board Clerks

(Continued from Page 1)

necration, past or present, with film business and must have had excellent training in this work. In addition to the employment of personnel for the boards, Braden is slated to compile names for the panel of arbitrators. The list of names then will be submitted to the AAA's standards committee, which will study the records and abilities of the candidates and pass on their qualifications.

Arbitration boards are expected to be completed and functioning by Feb. 1. There will be 31 boards in as many cities and a map showing the location of each board is to be released this week.

Braden will be gone from a month to two months, which probably will make another trip in March to co-ordinate the activities of the boards and check up on their efficiency of operation.

Para. Executive Meetings On Coast May Be Extended

(Continued from Page 1)

which brought forth, nearly a score of top production, distrib, and theater officials, were held both at the studio and the Ambassador Hotel.

At the former, Neil Aurn met with theater reps, and at the latter, Y. Frank Freeman and Will Le Baron conferred with home office reps.

Today, a joint session is scheduled at the studio.

Warners Switches Two Titles

"The Wagons Roll At Night" is the title selected by Warners for the picture which entered production as "Carnival," while "Invitation To Murder" replaces "Trial and Error."

18 B & K Bowling Teams

Chicago—B & K female employees have organized two bowling teams under direction of Dorothy Melnerny.

Male employees have a total of 16 teams, 10 formed among theater employees by Jack Katz and six composed of headquarters staff workers, organized by Charley Davidson.

Warners Sets More Circuits

Chicago — Warner Exchange has closed product deals with Great States, the McCullum circuit, at Houston and the Anderson circuit at Morris. Single theater contracts so far closed this fall, are ahead of the same period last year.

$1,500 In B & K Drive Prizes

Chicago—Managers and their assistants of the B & K circuit will share in $1,500 cash prizes that will be awarded to the winners of the Full business drive, which starts this month and runs to Dec. 21.

New Miami House to Paro?

Miami, Fla. — Paramount Enterprise has purchased lease of a new 1,000-seat unit, still under construction in the Northwest section.

Pix Buying Spurts As Lethargy Fades

(Continued from Page 1)

is now only 500 contracts behind the mark of a year ago.

Reasons for the slow buying and the higher prices have varied. Some sources say that exhibitors held off buying in the hope of making better deals and that the time came when they were suffering a definite picture shortage. Others believe that the consent decree has been a factor inasmuch as exhibitors have been withholding buying until they were sure the decree would be signed. One sales half said that exhibitors were studying the programs more carefully than in previous years.

Whatever the reason may be, exchanges are reporting an abundance of contracts indicating a definite upturn in business.

Lipman on New Nick Carter Fix

West Coast Bureau of THE FILM DAILY

Hollywood—W. E. Lipman is writing the scenario for Metro's new Nick Carter picture, "Murder by Radium." Walter Pidgeon will again be the star. Studio has assigned Howard Emmett Rogers to prepare the scenario of "Episode in Lisbon" which may have Betsy Lamarr and Robert Taylor in the stellar roles.

"U's" Conspiration Comedy

West Coast Bureau of THE FILM DAILY

Hollywood—Two varieties of Fox has engaged the novelist, John Taintor Foote, to write the scenario for "Indiana." Studio has signed Basil Walker to a term contract.

Penny Singleton, Author

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia is interested in a new Blondie story by the star of the Blondie series, Penny Singleton. Title of the story is "Blondie Goes to Philadelphia."

Helen Morgan Ill

Oakland, Cal. — Helen Morgan, torch singer, is seriously ill at a local hospital. She has been appearing at a night club here.

"U" Teams Blondell-Powell

West Coast Bureau of THE FILM DAILY

Hollywood—Universal will team Juan Blondell and Dick Powell in "Model Wife," by Leigh Jason who will direct the film.

J. L. & S Gives $300 to Fund

Chicago—Jones, Linick & Schaef- fer circuit has contributed $300 to the Chicago Community Fund.
FIND WHOLESALE COPYRIGHT VIOLATIONS

Special MPTOA Counsel Will Battle Decree

Exhibitor Organization Engages Henry G. Gray; Aided by George Aaron

Ed Kuykendall, MPTOA president, announced last night that Henry G. Gray, of the New York law firm of Gray, Sage, Todd and Sims, will appear as the chief counsel for the MPTOA at the hearing on the New York Equity suit consent decree before Federal Judge Henry W. Goddard tomorrow, George P. Aaron of Philadelphia, who is associate counsel of MPTOA, will represent the

(Continued on Page 6)

De La Serna Heads Mexican Exhibitors

Mexico City (By Air Mail)—The Asociacion Mexicana de Empresas de Cines (Mexican Association of Motion Picture Theater Owners) has just been organized here, following long discussions. Majority of the houses in Mexico City and environs have joined.

Mauricio de la Serna, manager of the Teatro Alameda, Mexico's premier de-luxer, was named president of the Asociacion; Enrique Ren

(Continued on Page 6)

Nazi Military Controls Belgian Film Theaters

Belgium's film theaters are operating under direct German military control which reduces their owners and managers to office boy status, it was said yesterday by Lars Moen, long identified with the raw stock trade in Antwerp, upon his arrival

(Continued on Page 9)

Quality Films Click Despite Competition

Chicago—Exhibs, here are now competing with hockey, ice shows, roller skating derby, bowling tournaments, bicycle races, dance halls, Bingo games, radio shows, six legged attractions, grand opera and innumerable concert offerings. Despite this strong array, film house owners say business with the quality films is good, as compared with the same period last year.

(Wis. Governor Holds Out Hope of No New Taxation

Madison, Wis.—Wisconsin exhibitors who have been concerned over the possibility of the introduction of a sales tax in the 1941 legislature should Gov. Julius P. Heil be re-elected may find some consolation in a statement from the Governor when he expressed the belief that no new

(Continued on Page 6)

Compulsory Parking Space Requirement
In New Detroit City Zoning Ordinance

Detroit—Requirements of the new city Zoning Ordinance now being drafted have been sent back to the Council for approval in modified form by the City Planning Commission. Section covering theaters now provides that a theater must have 200 square feet of parking space (excluding driveway area) for each 12 seats. A small 50-seat hall would thus require 10,000 square feet for parking, or a lot 100 feet square.

Dramatists Guild Okays Film Pact

Membership of the Dramatists Guild yesterday approved the proposed basic pact between the Guild and film companies covering the making and purchasing of plays for films. Pact goes into effect immediately for a period of one year on a semi-probationary basis, with discussions to be reopened at the end of the year.

Principal feature of the new pact is a provision covering the payment of residuals

(Continued on Page 6)
Coast Writers May Come East on Defense Mission

West Coast Bureau of THE FILM DAILY

Los Angeles—Col. A. D. Bruce of the U. S. Army General Staff and the late Richard Schlesinger, chief of the photographic division of the Signal Corps, accompanied by Gordon Mitchell, manager of the Research Council of the Academy of Motion Picture Arts and Sciences, who has been in Washington, con-

vened yesterday to announce the establishment of a co-operative relationship between industry and the Signal Corps, regarding a series of training films to be produced under aegis of the Motion Picture Defense Committee.

Maj. Nathan Levinson, vice-chairman of the Council, S. J. Briskin and others also participated.

Interviews were held with several writers who may be sent to Mon-

kmouth, N. J., to work with Army experts on training films. Y. Frank Freeman, chairman of the Motion Picture Defense committee, announced that a meeting will be held late this week to discuss Navy films.

Accessories Committee Maps Drive Participation

B. S. Moss presided yesterday at a luncheon meeting in the Hotel Ar-

lor of his Accessories Committee of the Motion Picture Division of the annual drive of the New York and Brooklyn Federations for the Support of Jewish Philanthropic Societies. Plans were formulated and perfected for enlisting the active aid of all branches locally of the accessories field.

Present at the meeting, in addition to Chairman Moss, were Herman Sanders, Jerry M. Loeb, Max Seligman, A. L. Kerwin, Fred Lakeman, L. I. Barlow, Harry G. Drake, Jr., Ben Berman, Miss I. Garretson, and Charles Sonin.

Another meeting of the committee is planned for next week.

Fleischer Will Appeal Florida Tax Decision

Miami — Fleischer Studios, Inc., has filed notice in the Circuit Court that an appeal will be taken to the Supreme Court on Judge Arthur Gomez's ruling of Oct. 26 that the pictures involved in a tax that the city placed on real estate and personal taxes on the various bond debts. The studio company claims that under an act of the 1922 legislature it is exempt from all taxes.

The judge ruled that the company was not exempt because it was not a part of the state, county, school board, Inland Navigation district and Everglades drainage, district millage and sewage bonded indebtedness.

Ludwig Leaves Art Theater

Irving H. Ludwig has resigned as manager of the Art Theater in Greenwich Village which on Monday was taken over by the Brandt Cir-


ing.

Sonja Henie to Appeal $77,113 Scannan Verdict

Verdict for $77,113, inclusive of interest, against Sonja Henie and in favor of Dennis R. Scannan was handed up to New York Supreme Court Justice Aron Steuer yesterday.

The award was made on the basis of an alleged oral contract made between the parties in June, 1928, under which Scannan claimed to have secured the Twentieth Century-Fox film contract for the defendant. The case was for the defendant announced that he would appeal the decision after Justice Steuer denied a motion to set aside the verdict.

Scannan's attorney stated that the jury decision would apply to $135,

000 which Miss Henie is to receive for her next picture and for other pictures made by the defendant for any film company. The agency contract, Scanlan testified, calls for 20 per cent of the defendant's net earnings less any amount paid to Orsatti & Co., her regular agent.

Lowell Pass Racket Ends; 120 Annie Oakleys Voided

Lowell, Mass.—The pass racket that has ended here. Approximately 120 persons who have been given permission to film passes, will have their passes voided and replaced. The activity was started to be satisfactory to theater managers who have complained of abuses of the pass system. Each theater will be supplied with a list of persons entitled to use passes, and they will be transferable.

Detroit Refuses to Halt "Pastor Hall" Engagement

Detroit — Mayor Edward Jefferies and Police Commissioner Frank B. Emanun upheld the showing of "Pastor Hall" at the Town Theater in spite of protests of local groups on the ground that censorship applies only to immoral or indecent films and banning of this film would violate the freedom of speech.

Arthur Freed Rites Today

Requiem Mass for Arthur F. Freed, president of Local 21, New-

ark stagehands, will be solemnized at 9 a.m. today at Our Lady of All Souls Church, East Orange, N. J. A local luncheon fund service will be held tonight at his home, 90 N. 22nd St., East Orange. Freed died Sunday at the age of 48 after a short illness.

Repeal Daylight Saving

Springfield, Ill. — Daylight saving repeal was voted here.

COMING and GOING

JOSEPH P. KENNEDY, SONJA HENIE, MRS. ARTHUR WIRZ, and PLAINTIFF"WITZ plotted last night to send the Coast via TWA's Stratoliner.

MAYE PICKFORD and BUDDY ROGERS are at the Waldorf.

MIRIAM HOPKINS planes to Chicago tonight for a desired engagement, returning here the latter part of the week.

NATE SODKIMAN, Monogram exchange manager in Albany, is on the Schene Sue, Cleversville, Kellet Theaters, Oneida and Smalley Circuit, Cooperstown, this week or product shows.

HARRY LAMONT, exhib. who operates up

state in Philmont, Berlin and Greenville, is in New York today.

For the Summer he will open in Hudson Thanksgiving Day.

JACK SCHUYLER, FILM DAILY's synec
dose correspondent, is in New York for a week's deep

sea fishing.

LARS MOEN, one-time editor of the Motion Picture News, returned yesterday from Belgium after 12 years abroad.

BEN W. ROSCOE, Jr., of Republic Pictures, is at the Wardway.

ROBERT GILLHAM returns to his office the end of this week after a vacation in Florida.

DAN KELLY, Universal casting head, is here for home office conferences.

ROBERT RISKIN arrives here this week for a month's continued.

ARLINE JUDGE is scheduled to leave today for the Coast.

JOHN RUMBERGAARD has arrived here from Hollywood.

CARL KRUGEN, Paramount's publicity direct

or in Chicago, has resigned and returned to the West Coast.

Seal Reported Refused For "Tin Pan Alley"

West Coast Bureau of THE FILM DAILY

A seal from the Fox Exchange, with seal of the Fox official here said that the "Tin Pan Alley" office in the States was refused a non-committal yesterday after a report that a seal for "Tin Pan Alley" had been refused. It is understood, however, that William H. Hays is to view the picture Friday for a final decision. It is believed the Hays' office is finding fault with the "Sheik of Araby" sequence.

John Rappold Dead

Columbus, O.—John Rappold, one of the oldest local exhibitors in years of service, died here after an illness lasting two years. With his brother, George, he operated the Innis and Ideal Theatres, latter being opened only 18 months ago.

"Let ABBYE Do It" News Releases Our Specialty

Delivers every half hour to all Daily Newspapers and Press Associations, by special

ized messengers.

No other service company offers such comprehensive coverage of your deliveries. call

ABBYE ERRAND SERVICE

Circle 6-5314

Experience—Dependable—Economical
No other film company has a Christmas Week attraction to compare with

ALEXANDER KORDA'S

THE THIEF OF BAGDAD

IN MAGIC TECHNICOLOR

Released thru United Artists
Returns keep piling in!
Records keep piling up!
From every corner of the United States comes the sensational news: "N. W. M. P." is the biggest Paramount money-maker since the advent of sound!

Here's a partial list of theatres which have already booked "N. W. M. P. mail brings loads more! You, too, can play "N. W. M. P." at advanced

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CECIL B. DEMIL

THE MOUNTAIN MAN
WEST POLICE

"ADVANCED ADMISSIONS!"

300 THEATRES BOOKED!

200 NOW BOOKING!

SLIDE!

Let advanced admissions. And every

FARMERS and reap that golden harvest!

I want you to know that...
Dramatists Guild Okays Film Pact

(Continued from Page 1) by film companies for screen rights to plays on a scale guided by the weekly earnings of the plays. Negotiations were extremely lengthy before a final pact which had the approval of both sides was drafted. A number of film companies are reported to have already lined up stage properties for early production, with Metro, Paramount and Warners expected to announce plans shortly.

The Guild also approved a new five-year pact with the League of New York Theaters.

De La Serna Heads New Mexican Exhibitors' Unit

(Continued from Page 1) ner, of the Teatro Rex, was chosen secretary, and Luis Paguaga was installed as treasurer. The latter is the owner-manager of the Cine Paraisona.

Wis. Governor Holds Out Hope of No New Taxation

(Continued from Page 1) forms of taxation will be required to finance the state government during the next biennium. Attempts to introduce a sales tax in the 1939 legislature were vigorously opposed by exhibitors.

Hei, who was re-elected by the narrow margin of 12,076 votes, said that during the 1941 legislative session, "we'll try to clarify anything that needs clearing up."

"Dictator" to Reopen Surf

Miami—Wometco will reopen its renovated Surf Theater on Miami Beach for the Winter tourist season next Tuesday, simultaneously showing "The Great Dictator" there and at its Lincoln Theater for the first time in this area.

Joseph J. Krause Dead

Milwaukee—Joseph J. Krause, 60, former operator of the old Empress and Gayety Theaters here and former manager of a Los Angeles theater, died here.

"Happy Birthday" to You

THE FILM DAILY to Edward Algernon Edward Burrell
H. C. Patter
Gertrude Olmstead
Nicola Napoli

Notes

• • • NOTES from the "keys"... New Haven flashes that Joe Samartano, manager of the Palace in Meriden, Conn., has been elected manager of the Elks Club, New Haven, a member of the Empire Club of Philadelphia's 6th Annual Banquet, clara that even if held at the Bellevue-Stratford Hotel there on the night of Dec. 12, and that big preparations are being made to celebrate homecoming of member Frank C. Walker, Postmaster General of the U.S., and to honor Gay Emanuel, retiring Chief Barker, and the Board of Governors... in Tulsa on Nov. 17-18 will be staged a rousing world premiere celebration in behalf of Tex Ritter's latest Monogram musical squarebanger. "Take Me Back to Oklahoma"... Rochester. N.Y., film theaters are due to profit handsomely via their participation in the co-op promotion opening Nov. 25... "Come Downtown Week—Shop, Dine and Go to a Movie"—in which drive Lester Loew's Rochester Fulton, Lo (Temple) Mayer, and Chanley (Century) Freeman are on the steering committee... 

• • • LOCALIGHTS... On Thursday, RKO Radio's new Kay Kiser opus, "You'll Find Out," moves into the Roxie, and patrons' will find out that the film is plenty entertaining, and that Gil Wright's device, "Sonovox," is one of the thrilling assets... Those are slick, novel and practical golf's-on at the New York Military Academy at Cornwall-On-Hudson where cadets are training their dads (The New York Times says two of the dads: "One of the ex-sailors, Jack Goetz, 48, who runs a motion picture laboratory and lives at 115 Central Park West, said his only fear was 'fresh air poliozing';" and that Alvin (Beano) Hadley, 15-year-old son of 'Hop' Hadley, who used to draw 'Marly, the Marine' and 'Devil Dog Dave,' helped his dad make his bed")... Martin Starr is now in biz for himself o'er in the Chani Building where his activities will consist free lance promotional assignments in pix, radio and the legit (we understand that, at the behest of several borough presidents, mayors and governors, Martin will continue operation of the annual beauty pageant he instituted at the World's Fair).... Jacques Chambru and the Warners are tendering a cocktail reception this aft. to W. Somerset Maugham in the Carlton Suite of the Ritz Carlton Hotel... Vincent G. Hart has been appointed a member of the legal staff of the Selective Service Board to serve local boards Nos. 23 and 24.

• • • MONG the prominent NBC execs. who'll attend tomorrow's Ampa luncheon in the Hotel Edison (at which Edgar Kobok, NBC v-p. will be top speaker) are John Royal, v-p. Lansford F. Yandell, director of international broadcasting; A. H. Morton, v-p. in charge of television... Keith Kilgins, blue network sales mg.; Robert Soudek, assistant to Messrs. Kilgins and Kobok; Sidney Strong, v-p. in charge of programs; E. H. James, ad manager; Ken Dyke, director of national sales promotion; Clayton T. Morgan, director of institutional promotion; and Fred Thrower, blue network salesman... Among others who will be present are William Dieterle and Jessica Dragonetti.

• • • GIRDERs of the Paramount Bldg. will echo on Friday at 5:30 p.m. at the Paramount Pep Club's Choral Singers gather in Room 968... Mrs. Joseph Savage will direct the group whose honorary members are Adolph Zukor, Barney Balaban, Stanton Griggs and Austin Keough... Committee comprises Richard Bennett, W. J. Clark, Monroe Goodman, Alex Kiraly, Harry Nadel, Mrs. M. Allwize... and the Mises Josephine Azelton, Rose Weinberg, Julia Sullivan, Aileen Bowen, Lenora Korenstein, Catherine Miner, Algyd Reichenbach, Linda Salzberger, Rose D. Sarfatty, and Irene Sullivan... 

Special Counsel for MPTOA Decree Fight

(Continued from Page 1) Pennsylvania unit, the UMPTO, as well as collaborate with Gray. Herman Levy, representing the theater owners of Connecticut, and Sidney Pfeifer, representing Theater Owners of Western New York, MPTOA units, will participate in the hearings. There probably will be several exhibitor leaders of other MPTOA units appearing, it was stated.

MPTOA is vigorously opposed to the present form of the decree, feeling that they will work a tremendous hardship in particular on the small independent exhibitor, and will fight to the limit to prevent its becoming a law, Kuykendall said.

Afram F. Myers, Allied general counsel, is slated to represent his organization, while Milton Weisman will act for the CTOA. Bob Schecter has been retained by Max A. Cohen to represent the New York MPTOA unit. The Pacific Coast Conference of Independent Exhibitors is sending Paul Ziegler.

Whether Judge Goddard will permit counsel to plead orally or ask them to submit briefs has not been determined.

Too Much Arbitration Under Decree, Wis. Exhibs. Fear

Milwaukee—A survey among independent exhibitors in this territory indicates that they do not take kindly to the consent decree in the New York equity suit and that they are hopeful that it will still be ruled out. Exhibitors are mostly opposed to the decree on the ground that it will require too much arbitration to iron out disputed clauses.

Mono. Current Business At Peak. Asserts Golden

(Continued from Page 1) suit to have a beneficial effect on the industry inasmuch as he believed it would result in better pictures, place competition on a more open basis and add more salesmen.

WEDDING BELLS

Cincinnati—Bud Weigel, M-G-M, will marry Kay Richardson Nov. 20. Bud has been booking at the local exchange.

Des Moines—Miss Mildred Johnson of Paramount Pictures, Inc., was married to John Begley of West Des Moines in a church wedding here.

Harrisburg, Pa.—Alvina Elizabeth Muto, of the Colonial Theater staff, has been married to Robert L. Erb, of Harrisburg.
Mrs. Exhibitor, do you have husband trouble?

Pardon me, but...
Are You One of the 84% of 35,000 Wives
I have questioned personally who are sore because your husband always waits to clean up until dinner is on the table?

Are You A Delicatessen Widow, forced to wait at home in a lonely kitchen while your husband squanders the family budget at the corner delicatessen?

Are You One of the 64% of the 35,000 Women I questioned personally who wants to brain her husband on account of he thinks he's a Mechanical Genius Around the House?

Ahhhhhh... I thought so. Then let me advise you right now to put your foot down and make him book my first Paramount release immediately. It will make a new man of him... a happier one, too. For his box office will be absolutely mobbed by what I like to call my fans.

Paramount Presents
ROBERT BENCHLEY
in
"The Trouble With Husbands"
Directed by Leslie Roush • Photographed by William Steiner

THE CRITICS ROARED.... AND RAVED!

"Sure-fire as a mirth-provoker — just what the doctor ordered in these times of stress and concern. Laugh-crammed with Benchley never in better form. Which should be enough for any fan!"
—Film Daily

"Refreshing, funny. Will keep the spectators laughing steadily. It's in the Benchley style, with the Benchley touches which hit the spot!"
—Boxoffice

"Highly amusing. Certain to place any audience in a playful mood. For good hearty laughter, you can recommend it!"
—Showmen's Trade Review

"One of the funniest film comedians in the business. More than welcomed by exhibitors and audiences alike!"
—Jay Emanuel Publications

"BETTER BUY BENCHLEY"
Find Wholesale Copyright Violations
(Continued from Page 1)
and making false box-office statements. First-runs as well as subse-
quent-runs in large and small cities were declared involved.

The probe just ended is a con-
tinuation of an investigation which started last summer when the opera-
tors of a Chicago laboratory were convicted of making unauthorized prints of major company pictures. This investigation led to another in which "bootleg distributors" of pirated prints were rounded up. As a result of this situation, Levin launched a further probe into copy-
right violations by exhibitors in the Chicago trade territory.

See 55,000 Pounds Profit This Year for GUT
(Continued from Page 1)
over when it was heaved on the red and showing a loss on operations.

Breakdown of the profits shows that the theater company is respon-
sible for about $90,000 pounds profit; 8,500 pounds from British Empire
Films and the balance from Cine-
sound and National Theater Sup-
plies. Greater Union's only American product comes from Universal, Columbia, Republic and Monogram.

Protests Hall "Uncensored" Use in 'Pastor Hall' Ads

Detroi—Use of the word "uncen-
sored" in advertising of "Pastor Hall" at the Town Theater was ob-
jected to here by Police Censor Charles W. Snyder. Advertising re-
ferrred to the police ban in Chicago, then added: "If he had now—uncen-
sored—intact.

Snyder's objection was to the use of one word, much as the film
had necessarily been reviewed for censorship before being released. Protests from women's clubs and other organizations closely following local film censorship were also re-
ceived, and the word was dropped in subsequent newspaper advertising.

Lincoln Variety Tries Vaude

Lincoln, Neb.—Variety Theater, property of the Nebraska Theaters, Inc., is giving vaude a try this week. Theater seats 1,100, and the first show tomorrow is "Pardon Us, Please," which is set for three days.

STORKS!

Miami—Larry Johnston, auditor of the Wometco Theaters, Inc., is the father of a new son.

Coral Gables, Fla.—Two boys, Donald and Kenneth, the latter the acquisition of Mr. and Mrs. Wendell Thagard. Thagard is operator of the Gables Theater.

Trap Kid Robbers, Save Coin By Squeak
—but Cashier Heroine Finds It A-gnawing

Albany, N.Y.—Amicitia Day here billed its name as far as the Colonial Theater of the Jules Bernstein circuit was concerned and ordered on the
side of the front until a group of boys launched a unique blaketraking. Stalking up to the

—

Licke 'em or Puck the cuplits grabbed loose change from the b.o. sill, Miss
Singer recovered quickly enough to grab the offender's arm. Manager Everett Stutz
ran to the scene to recover the snatched dough. Incident was so unusual that it hit
the headlines of the local newspapers.

Strike Limitation Law Upheld by Wis. Court
(Continued from Page 1)
speech in the labor law and pointed out that all rights guaranteed under
its constitution are "subject to limita-
tion." The free speech test grew out of a year-old strike at two Milwaukee
hotels, one of them adjacent to the Newrereel Theater which has gone
dark following picketing by Local
164, Operators.

The hotel union claimed constitutional
rights were abridged when the State Labor Board upheld by the Cir-
cuit Court, called the strike illegal,
found the union guilty of unfair
labor practices and forbade picketing
to hold the blacklist.

Rulings of the labor board, accord-
ing the decision, are enforceable in the civil Courts, but the law does not contain any provisions for fines or imprisonment, in which respect it differs from the Oregon labor law, which was recently upheld by the Oregon Supreme Court, accord-
ing to the ruling.
The union will petition for a re-
hearing on the decision and if this is denied, or the court reaffirms its
decision, it will appeal to the U. S.
Supreme Court, according to counsel.

The law is being attacked by an-
other union on the ground that it
is being used to smuggle commerce in conflict with Federal laws.

N. W. Allied to Fight Student Tax Ruling
(Continued from Page 1)
against the interpretation of the tax
law by an acting deputy com-
missioner of the Treasury Dept.,
Adelbert Christie, who in a letter to Allied's general counsel, Abram F.
Myers, wrote: "It must be held that
students or other children 12 years of age or over, admitted for a price
less than the established price of
admission to adults, are liable for
tax based on the regular established
price to adults for the same or simi-
lar property to adults only.

Northwest Allied will ask and the
Treasury Dept. to review and re-
consider the ruling, and if unsuc-
sessful, will go to the Board of Tax
Appeals.

Screeno Introduced Again in Chi. Theaters
(Continued from Page 1)
similar games are prohibited by state
law and at the office of Commissioner
of Police Allman it was said that the
law will be enforced.

Griffith Exhibit Preview At Museum's Film Library

Museum of Modern Art Film Library held a special preview yesterday afternoon of its exhibi-
tion, "D. W. Griffith, American Film Master" under the supervision of
Director John E. Abbott, Curator
Iris Barry, and Richard Griffith, as-
sistant curator.

Preview—Originally scheduled for
last night but shifted to the after-
noon so as not to conflict with the
press showing of Walt Disney's
"Fantasia" at the Broadway The-
ater, included presentation of four
of the Biograph films selected from
the first three programs of the Grif-
ith series. Films shown were "A
Corner In Wheat!" (1909); "The Un-
changing Sea" (1910); "The Lone-
dale series" (1911); and "The Mus-
ketiers Of Pig Alley" (1912).

Feature of the exhibition is the con-
tinuous presentation of one se-
quence from "The Birth Of A Na-
tion," which may thus be studied in three parts as a "birthday" of one of the same sequence by scene, thus making it possible to analyze Griffith's foremost contribution to the
screen,—his editing technique.

Happy" Meinershagen Retiring
Chicago—"Happy" M. Ringer, vet-
eran and K. manager of the Berwyn
Theater, Berwyn, is retiring to his
old home in Fond du Lac, Wis.

Disney to Make 3 Features Annually
(Continued from Page 1)
of course, is "Fantasia," which rep-
resents a revolutionary system of sound presentation. He explained that the entire picture and sound accompaniment were experimental but that he could see vast possi-
ibilities.

Initial equipment, made by RCA, and
dubbed Fantasound, represents an expenditure of $200,000, but the mechanism for the other instal-
ations will cost between $30,000 and $40,000. Whether major com-
panies will incorporate the same principles in their future produc-
tions will depend largely on the suc-
cess of "Fantasia." Walter Wanger recently announced suspension of production to await "Fantasia's" re-
lease.

During the next 2½ years, "Fan-
tasia" will be shown in 12 zones. First showings, following the New
York premiere, will be in Los An-
egles, Boston, New York, Philadelphia, Washington, Atlanta, Minneapolis, San Francisco, Seattle, Salt Lake City and Miami.

Nazi Military Controls Belgian Film Theaters
(Continued from Page 1)
in New York by boat from Portugal.
Moen, at one time editor of the
old Motion Picture News here, said
that while all Belgian houses were open, attendance was light. British air raids and the fact that Nazi films, propaganda and otherwise, predominated were major factors re-
ponsible, he added.

American features have all but
disappeared from the Belgian scene, Moen said. However, admissions, Moen stated, not more than one in 20 played now being Hollywood prod-
ctions. Some German newreels are per-
misible.

En route to Lisbon, Moen passed
through both Occupied and Unoc-
cupied France as well as Spain. He
found French production stifled, but in Spain marked studio activity. Players and others with Hollywood background are now aiding the Span-
ish movement, Moen reported. Qual-
ity of pictures was termed "poor."

25 Screen Luminaries At "Arizona" Premiere

Tucson, Ariz.—Some 25 screen luminaries will journey here from Hollywood to participate in the fifth

weekly premiere of Columbia's "Arizona," which opened last night. Contingent will be headed by Jean Arthur, film's star.

William Holden, male lead, and
Porter Hall, Warren Williams, Regis
Toomey, Paul Harvey, Rita Hay-
worth, Glenn Ford, Paul Lukas, Jack
Holt, John Mack Brown, Fay Wray and
Guy Kibbee will be among others in the entourage. Charles Ruggles is slated as emcee.
Smart advertising and good business go hand in hand because smart advertising is NEWS and big news, at that. ★ This is as true in show business as it is in merchandising. As true in your theatre as it is in your retail stores. ★ The masses may not understand advertising but they succumb to its wiles . . . the better the advertising the more they succumb. They may not know a layout from a layette . . . or a headline from a clothesline . . . but you know when a combination of layout and copy hits them where they live, because that's the combination which makes them step up and buy . . . that's the combination you want in your theatre . . . that's the combination we give you in TRAILERS . . . LOBBY DISPLAYS and STANDARD ACCESSORIES . . . ★ And that's why we say “give yourself the breaks . . . Use All Three”. 
BIG FIVE, U.S. UNITE IN DECREED DEFENSE

Define Boundaries for New Arbitration Districts

Areas Differ Slightly from Trade Territories of the Key Distribution Points

Map showing the location of the proposed arbitration boards and the territories they will cover has been completed, by the American Arbitration Association in consultation with D of J officials.

Breakdown of the map reveals that

Rise in Film Firm Earnings Forecast

Rise in film company earnings this season is forecast by the Penner & Beane Industries Service.

SPG Would Bargain for "U" Publicity Workers

Formal request for recognition as the collective bargaining agent for all publicity employees of Universal was sent to the company yesterday by the Screen Publicists Guild. Forwarding of the letter to Universal completes the list of major companies the Guild is now negotiating with for contracts. Hearings before the National Labor Relations Board

Vote Sunday Films, But It's an Error

Philadelphia-Brynathax, which voted in favor of Sunday movies last week, found out yesterday that the vote was a mistake. The Montgomery County election board discovered that the referendum had been put on the ballot in error. The borough hasn't any theater, anyway.

BIG BONUS FOR EASTMAN WORKERS

$2,625,000 to be Paid on March 24, 1941 to Employees Who Worked 26 Weeks in 1940

Rochester—Directors of Eastman Kodak Co. yesterday announced that a "wage dividend," or bonus, of $2,625,000 will be paid to its employees who, at the date of payment, March 24, 1941, worked all or part of 26 different weeks for the company in 1940.

III. UTO to Co-op With St. Louis MPTO

Korda Testimony Sought By Goldwyn in UA Suit

Some 500 delegates from 37 states are expected to register today in the Hotel Pennsylvania for the 17th annual conference of the National Board of Review. Executive director, James Shelley Hamilton, will deliver the address of welcome at the initial session at 10:30 o'clock.

Disputes Under DG Pact To be Arbitrated by AAA

American Arbitration Association has been named by the Dramatists Guild and the film companies to arbitrate disputes that may arise between them.

'40 Mexican Production Down Maximum of 22 Features is Drop of 66 P.C.

FitzPatrick Preparing Capt. Cook Pic For M-G-M

James A. FitzPatrick plans to start production next Spring on his feature picture dealing with Captain Cook and the Hawaiian Islands. FitzPatrick, who will make the picture for M-G-M release, completed the

Map Strategy to be Used in Combating Exhibitor Attacks at Hearing Today

The five negotiating companies will unite today with the Government in a single defense of the proposed New York equity suit consent decree against the expected onslaught of exhibitor groups and non-participating majors, it was learned yesterday.

In preparation for today's hearing before Federal Judge Henry W. Goddard, Government attorneys yesterday conferred all afternoon at the Bar Association Building with counsel for the five companies.

M-G-M to Seek Clean Arbitration Slate

Dallas—M-G-M hopes that the first year of arbitration will pass without a single case having been brought against the company, H. M. Richey, director of exhibitor relations, told the Texas Allied convention here.

Louis Blumenthal Dies; Hold Services Tomorrow

Funeral services will be held tomorrow for Louis Blumenthal, well-known circuit operator, who died

"Fantasia" Seen as Several Milestones

Walt Disney's "Fantasia," given its world premiere at the Broadway Theater last night before a distinguished audience and a capacity audience of the American Legion and other service groups, was much more than a "symphony of pictorial music" as its creators had hoped. A masterwork for all times, assuming that mankind remains afloat long enough to see it. The first screen feature sound-film to be produced entirely by musicians, it is an achievement that will preserve an era's record for all time.

By MARCO-ARIELIO GALINDO

(Continued on Page 6)
British Exhibitors Seek Box-Office Stimulants

London (By Cable) — British exhibitors through the CEA, are seeking methods to start earlier opening and closing hours; moves to bring about permission for Sunday shows; shorter programs, and more frequent changes of bill. It is hoped that some means for building up the box-office applicable to all areas affected by Nazi air raids particularly, and to all cinemas generally, may be found.

Erpi Prexy Must Testify Before Oldden Suit Trial

Federal Judge John Ciancy yesterday directed T. K. Stevenson, president of Erpi, to testify before trial on Nov. 20, in the suit against Erpi, AT & T and Western Electric, of Stanley K. Oldden, stock holder of Pacific Electric Co. Suit involves $8,000,000 triple damages sought by Oldden for alleged violation of the anti-trust laws in the manufacture and sale of motion picture sound devices and accessories.

Placements of Extras Shrinks 63,727 in 10 Mos.

West Coast Bureau of THE FILM DAILY

Hollywood — For the first ten months of the year there has been a shrinkage of 63,727 placements of extra players as compared to the year 1939, according to a report from the regional Casting Corp. This shrinkage represents a decline as compared to last year, of 10 months period of last year, of 24% per cent.

Duals Plus Seven Acts At RKO Boston Theater

Boston — Beginning today, the RKO Boston theater returns to a regular schedule of seven acts of vaude and two features.

Wobber Forecasts B.O. Boom

West Coast Bureau of THE FILM DAILY

Hollywood — On his arrival here from New York, Herman Wobber, for 20th Century-Fox, declared that business is improving since the election and he looks for a boom at box offices of picture theaters, the result of the heavy defense money gets into circulation.

Bernie atampa Meeting

Ben Bernie will be an added guest at today's Anampa meeting.

4-Week Publicity Build-up For “Santa Fe Trail” Bow

West Coast Bureau of THE FILM DAILY

Hollywood — One of the biggest build-up, if not the longest, in industry annals is being played by Warners for “Santa Fe Trail,” which will have its world premiere in Santa Fe, N. M., Dec. 14. Pix will bow in at $2.20 top in the Lansing, Burro Alley and Palace theaters.

NORMA SHEarer is here for a short visit.

KENNETH McKENNA, Metro story editor, returns to the Coast tomorrow.

NORMAN H. MORAY, short subject sales manager for Warners, arrives in Los Angeles Monday after a swing through the company's exchanges.

MAX WOLFE, of the Loew’s home office, inspected the Hartford Loew-Poli houses, accompanied by HARRY SHAW, division manager.

LEO SPITZ is in Hollywood.

R. M. SAYVIN, president of Astor Pictures, leaves by plane tonight for Chicago on the first leg of a two-week business trip through the Midwest.

SAMUEL NEUMAN, owner and operator of the Roxy Theatre, Natoma, Pa., is vacationing in Paris.

LOUIS ROUSSEAU, Pathé News short subject director, is here from the Coast.

M. R. LEIDER, Cuban film executive, will arrive here in a couple of weeks from Havana.

CARMEN MIRANDA arrives on the Coast Sunday.

RALPH BELLMAY, MIS BELLMAY, D. P. BERRY, Hollywood story man and his wife, LEILA HYAMS, arrive here tomorrow on the Santa Fe from Los Angeles, will visit at the home office yesterday.

NAT LEVY, RKO Radio’s Eastern district manager, and CHARLES ZAGRANS, exchange manager at Philadelphia, were visitors at the home office yesterday.

TERRY TURNER, head of RKO Radio’s field office in New York, is back at the home office after a tour with Charles Laughton, followed by a visit to the studio.

Charles Staples Killed As R.A.F. Plane Crashes

Calais, Me.—Charles “Doc” Staples, 25, son of Charles E. Staples, partner of the State Theater here, and the Queen in St. Stephen, N. B., twin border towns, was killed when a R.A.F. plane accidentally crashed in England. Staples, who was a pilot, enlisted in the R.A.F., a year ago. He leaves a widow, infant son, his parents and a brother.

London Theater Bombed

London (By Cable)—Nazi raiders scored a direct hit with a bomb on a crowded theater here. There were casualties.

COMING AND GOING

WILLIAM DIETERLE and his wife are here from the Coast for a vacation. They are staying at the Waldorf.

ROY HANES, Eastern and Canadian sales manager for Warners, leaves today for visits to the Cleveland and Cincinnati offices, returning to the Burbank office November 20th.

NORMA SHEarer is here for a short visit.

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TO SPEED TELEGRAMS AT LOW COST—PHONE POSTAL TELEGRAPH CHARGES FOR TELEGRAMS PHONED IN APPEAR ON YOUR TELEPHONE BILL.
Extra! THE NEW ESCAPE CLAUSE!

In the event that a picture should immediately establish itself as a sensational box-office attraction —

For instance, if it should be playing a 3rd week at Radio City Music Hall, N. Y. and continue to do outstanding business —

Likewise, if in all early bookings such as cities like Philadelphia, San Francisco, Detroit, Denver, Akron, Cleveland, Harrisburg, Reading, Memphis, etc., it should be an extraordinary commercial success —

In such an instance, it is agreed that the showmen of America should clear their booking schedules to permit long and successful extended engagements of such a picture.

"Big 5," Gov't Unite In Decree Defense

(Continued from Page 1) Exhibitors were discussed at the meeting, it was reported, and confusion among the defendants because of the defendant's decree were mapped. In addition, attorneys discussed the necessary formalities for presenting the signed decree to the Court. Government attorneys explained that it was important for all technical requirements to be complied with preliminary to the presentation of the decree.

The decree has been circulating for the past few days among the officers of the various negotiating companies for the purpose of obtaining the necessary signatures. Government attorneys attending yesterday's conference were James V. Hayes, Robert Sher, Seymour Simon and J. Stephen Doyle, all special assistants to the Attorney General.

Three possible developments can result from today's hearings. The first and most likely result is that Judge Goddard will not allow those who are not parties to the suit to influence him, meaning that he will give the document his approval.

Second possibility is that he will send the decree back with suggestions for further revisions, and last, but least likely, he will reject the entire document.

Opponents of the decree are expected to ask Judge Goddard to defer approval until the exhibitors can file formal objections. It is the contention of some that even if the decree is signed by the judge, relief can be sought in another court.

Well-informed sources expressed the conviction yesterday that, in order to concentrate exclusively on the consent degree itself at today's hearing, no motion seeking permission of the Court to formally file the new amended complaint draft would be offered, but that such motion would be made at a later date.

Ira H. Cohn Week In Drive

Pittsburgh—In commemoration of the anniversary of his twelfth year as local branch manager, the 20th Century-Fox exchange has dedicated the last week of their national Drive, ending Dec. 14, as "Ira H. Cohn Week."

**ALONG THE RIALTO**

Phil M. Daly

- - - YES, "Fantasia" opened at the Broadway Theater last night...but something more than that....namely, amazing new avenues of screen entertainment...of which the Disney opus is the courageous, colorful pioneer...-courageous because it dared to blaze untried trails...—colorful because, in addition to its glorious Technicolor hues, it possesses the characteristics...which give life, vivacity and imaginative intensity to a work of art...which "Fantasia" is decided...Too, the picture is a work (and a big one) of science, making as it does realistic and impressionistic animation...unique advances in recording and reproduction...employment of the newly evolved RCA Fantasound...and Multiphase photographic technique at a new height of development...to name a few factors.

- - - WHAT is "Fantasia"?...Right off, it is the conversational topic....which is the successor to the recent national election...Certainly this is so in filmland's ranks...as well as among all those segments of the public which have seen the attraction...Everyone appears to differ as to the exact genus of "Fantasia"...It strikes this corner as an unprecedented composite...Fundamentally, It is a series of magnificent short subjects held firmly together by narrative introductions to each component by Deems Taylor...These narrative introductions form some of the most impressive and delightful footage...because Disney brings on The Philadelphia Orchestra and the renowned Leopold Stokowski...via visual patterns ranging from silhouettes to life-like cameos of both the conductor and the instrumentalists...Often, these cameos flash vibrant, hot-metallic colors born of light flashing on the copper shells of tympanies...the brass of trumpets, trombones and French horns...or the rich and ruddy expanse of a bass violin...Again, what is "Fantasia"?...It's a pageant of pictures interpreting compositions of Bach, Tchaikovsky, Dukas, Stravinsky, Beethoven, Ponchielli, Moussorgsky and Schubert...It is not being facetious to say that "Fantasia" is the attainment of perfection by the illustrated song

- - - ONCE more, what is "Fantasia"?...It's Disney's et al at their best...It's the closest and finest joining to date of music and films...It's seeing the former and hearing the latter (that's what the souvenir program says, and 'tis so)...Other things the Disney production is...a champagne oasis for audiences...celluloid canip for music lovers...dito for Walt's grand Army of followers...an emotional adventure...a vehicle of beauty, humor, tragedy, romance, amusement and excitement...a couple of industry milestones...and—husky competition for all houses unable to play it.

- - - NOTABLES of society, industry and public life...thundered their approval of "Fantasia" at last night's opening...Applause came from such distinguished hands as Mrs. Helen Huntington Astor, Mr. and Mrs. Walter Baker, Mrs. Hugh E. D. Auchincloss, Mrs. Henry Whigham, Mrs. Kermit Roosevelt, Mr. and Mrs. Winthrop Aldrich, John Hay Whitney, Mrs. Joseph Willard, Mr. and Mrs. George J. Schaefer, Major Edward Bones, David O. Selznick, Elizabeth Arden, Mr. and Mrs. Walt Disney, Mr. and Mrs. Roy Disney...Leopold Stokowski, Mr. and Mrs. Deems Taylor, Spyros Skouras, Phil Reisman, Jules Levey, Ned E. Depinet, Jules Brulatour, David A. Sarnoff, Arthur Loew...Just those few names will give an idea of the texture of the audience whoprecedented to aid the British War Relief Society, Inc...We can't recall any audience surpassing this in brilliance...We bend the knee to...Disney!

500 to Attend Meet Of Board of Review

(Continued from Page 1)

witness "Fantasia," and tonight the New York University's School of Education will view a film program consisting of the Joris Ivens-directed RKO Radio documentary, "Shell of a Town," and the Living Relief "Valley Town," directed by Willard Van Dyke and made available to the NBR program through courtesy of Educational Film Institute; and the Gaumont-British "The Face of Britain," directed by Paul Rotha.

Evening program will be under the auspices of Dr. Frederic M. Thrasher, professor of education at NYU, and a member of the NBR board of directors. A highlight of the session tonight will be the address by Richard Griffith of the Museum of Modern Art Film Library.

Tomorrow's setup calls for morning and afternoon meetings at the Hotel Pennsylvania. At former, Dr. Francis D. Tyson of NYU's department of economics and member of the Motion Picture Council of the National Board of Review will preside. Judge Stephen S. Jackson, Director of the Bureau of Juvenile Delinquency, will speak on "Movies and Juvenile Delinquency"; Mrs. Ralph T. Edwards, motion picture editor of Parents' Magazine, on "Children and Movies"; Oliver T. Griswold, representative of Rural Electrification Administration, on "Government Departmental Films"; and Vvyyan Donner of 20th-Fox Fashion Forecasts, on "Styles Are Serious."

The afternoon session at 2:30 o'clock will be a Walter W. Pettit, director of the New York School of Social Work, residing. Speakers and their topics are: Iloa Chase, film and radio commentator, "Fashions Can Be Funny"; Mark Sturr, educational director of International Ladies Garment Workers Union, "Adult Education Through Movies"; Virgil Thomasson, music critic of the New York Herald Tribune and composer of the music for "The Ploa That Broke the Plain" and "The River," will speak on "Composing for the Movies"; and Margaret Thorp, author of "America at the Movies," "The Audience Discovers the Director."

Saturday morning will be given over to the 4-Star Clubs' activities, Dr. Frank Astor presiding, and the conference will terminate with the 26th Annual Luncheon.

"What's New About Smellies," He Asks

The Detroit "Smellies" Page 1 Box in your favorite trade paper yesterday cut the following: "Says the signboard signed "Exhibitor," received during the afternoon:

"Why, what new about 'smellies' in the theater and, furthermore, why do we need that final campaign today?'"—injecting for us? Aren't we satisfied with that last campaign you gave us now and again?"
"The Letter"  

Bette Davis, Herbert Marshall, James Stephenson  

WARNERS  

95 MINS.  

SPLendid Dramatic Story BRILLIantly Enacted by a Fine Cast, WITH PRODUCTION AND DIRECTION TOP NOTCH.  

keyed by a brilliant performance by Bette Davis, Sonja Henie's splendid dramatic story has been brought to the screen with fidelity and gripping emotional power by Warners, the cast and director William Wyler. The production is opulent, the direction deft, performances by the entire cast excellent, and the technical work is way above par. Certainly, those who have a wealth of material to use in merchandising the picture, marquees "names," a lush tropical setting and a highly dramatic theme have not been neglected.  

Audiences generally should give the picture a warm reception, particularly women. It should have a strong appeal to the masses as the story is one that conceivably has happened to many women, although most likely in more drab surroundings, and certainly about the dramatic fireworks produced by Maugham.  

Director Wyler's crafty hand is apparent throughout the picture, guiding the players skillfully through the emotionally charged situations offered by the script and getting Miss Davis to play one important and fairly long scene with charge of projection. Jack Miss Davis enacts her role with consummate skill, sympathetic to the part and smoothly shading her lines to get the most from every sentence. Herbert Marshall perfectly fits his role. But James Stephenson in a juicy characterization runs the two-top-billed stars a close race for acting laurels, giving a sparkling performance that leaves nothing to be desired. Gale Sondergaard, Frieda Inescort, Bruce Lester, Sen Yung and Jeanne Marson make fine contributions to the acting.  

A working job of photography is turned in by Tony Gaudio, with the camera work adding much to the picture's lustre. Max Steiner also rates a hand for a moving musical score, and the entire technical crew has worked well. The story itself opens on a note of savage drama. Miss Davis shoots a man. Her husband, Marshall, and friends believe her story that he had made advances, but Stephenson, family friend as well as their lawyer, suspects her story is untrue. He discovers it is, but troubles himself back a letter she had written to a murdered man. Finally, after being acquitted by a jury, Miss Davis admits to Marshall she loved the dead man, and with another savage burst of drama Miss Davis is murdered by Miss Sondergaard, wife of the murdered man. Possibly the pace in between may seem leisurely, but the undertone of things to come is always there, and Wyler skillfully keeps the story semi-suspenseful, maintaining audience.  

Picture should rate high among the best offerings of the year, and it should be a winner at the box office for all concerned.  

CREDITS: In Charge of Production: John E. Seitz; In Charge of Photography: John F. Seitz; Executive Producer: Sidney Franklin; Assistant Director: James Stephenson, Frieda Inescort, Bruce Lester, Elizabeth Earl, Cecil Kellogg, Sen Yung, Doris Lloyd, Willie Fung, Tetsu Komai.  

"FANTASIA"  

Walt Disney  

WITH LEOPOLD STOKOWSKI AND THE PHILADELPHIA ORCHESTRA  

120 MINS.  

NOT MERELY ONE CINEMATIC MILESTONE, BUT SEVERAL OF THEM: AND AS CERTAINLY, IT IS BOX OFFICE FOR CLASS AUDIENCES.  

Walt Disney's "Fantasia" is not merely one cinematic milestone; it is several of them. This wedding of immortal melodies, glowing multiplane Technicolor and cartoon wizardry as breath-taking as the approach to Niagara Falls.  

It is as unforgettable as Nature's own masterpiece in color, the Colorado Canyon. It is as satisfying as the personal discovery of Schubert and ... and Disney crowns "Fantasia" with Schubert's magnificent "Unfinished."  

It is as thrilling and stirring as the touchdown which wins the game while the final whistle blows. And as certainly, within the exhibition confines which Disney himself has prescribed, it is box office. Indeed, only time, and the experience which comes with time, will determine the extent of its potential audience. Disney, himself cautious, well may be pleasantly surprised—most pleasantly surprised.  

It is not to say that the medico works selected for the Philadelphia Orchestra and Disney collaborative effort form the perfect program; musical taste and appreciation are highly personal. But if Disney's objective was to establish and demonstrate the range of which the new medium is possible—and it is to be assumed that was the case—then the selection program approves as ideal.  

And, bearing on the box office value of "Fantasia," the picture is virtually ageless. So long as prints can be struck, so long as the theatrical equipment required can be manufactured, there will be a market for "Fantasia." Further, it must be an ever-growing market, thanks to continuing delight of the program, the Ballet of the Flowers, the Stonehenge, the Thistle Boys and Orchid Girls, not to mention the Autumn Fairies, Milkweed Ballet, Frost Fairies and Snowflake Fairies.  

It would be foolhardy to hail "Fantasia" as Disney's crowning achievement; his bag of tricks is too prodigal for that, and who can say of the future? Yet this may be said: Never has his imagination had fuller play, never have his creative faculties been as fully employed. There is a tip-off in the very opening of the picture. Cast aside are the conventionalities—the title, sub-title, array of credits.  

Instead, against the draperies, not the screen, move the forms of musicians, in silhouette. You sense that the Philadelphia Orchestra is taking the stage. The curtain is drawn. More silhouetted movement. Then flashes of color to spot instruments, and with this, the sound of tuning, with Fantasound the while working its first magic.  

Deems Taylor, the perfect commentator, appears, has his say; Stokowski mounts the podium, the concert begins. First number is Bach's "Toccata and Fugue," an example of absolute music. Disney provides the only seemingly possible interpretation—kalidoscopic, sans theory. The designs, some geometric, are infinite in their variety.  

From Bach, Disney and Stokowski turn to the entrancingly beautiful "Nutcracker Suite" of Tchaikovsky, and the former gives full rein to his imagination. Purest fantasy, this, with the ballet music inspiring Dwendrop Fairies, Hop Low and the Mushroom Dancers (the outstanding delight of the program), the Blossom Ballet, the Water Ballet, the Thistle Boys and Orchid Girls, not to mention the Autumn Fairies, Milkweed Ballet, Frost Fairies and Snowflake Fairies.  

As was perhaps inevitable, Mickey Mouse is the piece de resistance of Disney's highly amusing contest of Dukas'"The Sorcerer's Apprentice." In Stravinsky's revolutionary "Rite of Spring," which follows to conclude the first part of the program, Disney found inspiration for a daring treatment of the story of creation. Longest of the compositions, Disney uses the original's first two billion years. Call it explosive, call it dynamic, call it grimly awesome; with its monsters and dragons and horrific flying creatures, it is all of that.  

For the second half of the program, there are Beethoven's ever-lovely "Pastoral Symphony," Ponchelli's light "Dance of the Hours," Moussorgsky's weird "Night on Bald Mountain" and Schubert's glorious "Ave Maria." Disney fills the first named with winged horses, fauns, cupids, centaurs, centauroettes, then adds, for generous measure, Zeus, Vulcan, Iris, Apollo, Diana and Morpheus. To many, what Disney achieves here will be not only in amusement, but in artistry.  

"Dance of the Hours" is a genial travesty, more or less effective in execution.  

You'll Find Out  

with Kay Kyser, Peter Lorre, Bela Lugosi, Boris Karloff  

RKO  

97 MINS.  

MYSTERY MUSICAL COMEDY IS NOVEL AND HIGHLY AMUSING; SWELL POP ENTERTAINMENT.  

Libérally sprinkled with hokum, lots of good laughs and the "smooth" music of Kay Kyser and his orchestra, this new RKO offering emerges as a surprise package of swell popular entertainment. It should get a very good reception from audiences generally. Picture has a fast head start at the box office via the medium of radio and other engagements which has brought Kyser a large following of fans, and certainly in three bogy men of Hollywood and a combination musical-comedy-mystery, exhibitors have a wealth of exploitable material to work on.  

The plot, a splintering from beginning to end and the picture even kids itself before it is over with amusing results. The story is an amusing fable that audiences won't find fault with. A typical musical just through a sufficient amount of mystery and menace has been injected into the script to keep people tense and hold their interest, but comedy sequences smartly break up the more chilling scenes. Presenting a band leader and his orchestra to advantage in a full-length movie presented a task in itself, and the chore has been turned out in a highly satisfactory fashion.  

Kyser appears to advantage in the picture, playing his role with great naturalness, something some actors never can learn to do. Lorre, Lugosi and Karloff fill their roles ably; Dennis O'Keefe is a personable addition to the cast, and Helen Parrish, Alma Kruger and Joseph Eggenton are helpful additions to the cast. Ginny Sims, Kyser's fiancée, becomes a star with the help of numbers in a pleasing fashion, Harry Babbitt and Sally Monroe contribute some more songs, and Ish Kabibble, ack member and comedian of the crew, will get a lot of heavy laughs. David Butler gets credit for fashioning the picture into a smoothly geared unit.  

Story is laid in a huge house where Kyser goes to play for the twenty-first birthday of Miss Parrish. The villains are attempting to kill her because of a secret which will give them the entire estate and end their confidence game. From there on the boys stumble around in secret passages and everything happens that the script writers could think of, with Lorre and company getting their just desserts at the fadeout.  

CAST: Kay Kyser, Peter Lorre, Boris Karloff, Bela Lugosi, Helen Parrish, Dennis O'Keefe, Alma Kruger, Joseph Eggenton and Kay Kyser. Featuring also being in the cast are Ish Kabibble, Sally Monroe and Harry Babbitt.  

CREDITS: Producer and Director, David Butler; Screenplay, James V. Kern; Story, David Butler and James V. Kern; Assistant Director, Fred A. Fleck; Art Director, Van Nest Polglase; Musical Director, Roy Webb; Special Effects, Jack Irwin; Photography: John F. Seitz; Art Directors: Walker C. Edson, Frank Redmond; Editor, Irene Morra. Special Sound and Musical Effects by Sonovox.  

DIRECTION, Smart. PHOTOGRAPHY, Good.  

Starts Tuesday Openings  

"You Can't Cheat an Honest Man" at the Evans Lux theater has shifted to Tuesday from Thursday openings.  

(Continued on Page 7)
Maximum Number of Features for This Year, 22; Expect Spurt During '41

(Continued from Page 1)

Marking a spurt which seemed to point to a revival in production, only two were completed last month. Of the 19 films made in the first three months of 1940, no more than 10 have been released to date. Most of the films which have occupied Mexican screens this year were made in previous seasons.

Of native film makers, only Grovas y Cia. (Grovas-Oro Films), Producciones Fernando de Fuentes, Producciones Aztecas (Alfonso Sanchez Tello), Producciones Miguel Contreras Torres (Colonial Films) and Producciones Rafael Arzoz have two pictures each to their credit in 1940.

See Spurt in 1941

Nevertheless, there is marked optimistic feeling in local picture circles that the Mexican film industry's long-expected revival of production activities will be successfully launched in 1941. Con- fidence has been expressed in several quarters that the coming year may very well prove to be the native industry's biggest year yet. Current activities and preparations tend to make this confidence well founded.

Two new pictures were finished last week at the Estudios Cinematograficos Azteca. One was Rafael Arzoz's production of "El Milagro del Cristo" (The Christ's Miracle), with Arturo de Cordova, Maria Luisa Zea, Manuel Noriega and Eduardo Arozamena tapping the cast under Francisco Eneas' direction. The distribution will be handled by Estudios Films. The second was Producciones Fernando Mendez' "El Monje Loco" (The Mad Monk), with Jimmie Darlington, Arturo Soto, Miguel Inclan, Elena de la Cruz, Miguel Arenas and Tito Junco in the cast. The script was written by Estudios Films. The cast consists of Angela Gimenez, Gudelia Dominguez, Arturo Soto, Miguel Inclan and Eduardo Arozamena tapping the cast under Francisco Eneas' direction. The distribution will be handled by Estudios Films.

American Films Show Increase In Argentina

Washington—Fred Bloomer, Buenos Aires for the first eight months of 1940 number 301, of which 231 were U.S. productions. The Commerce Department, in an increase over the same period of 1939 when a total of 306 pictures were released and 205 were of American origin.

Louis Blumenthal Dies: Hold Services Tomorrow

(Continued from Page 1)

Tuesday night, after a long illness, Blumenthal, who was 56 years old, had been active in the theatrical business for the last 30 years and was a member of the French Casino. He was one of the founders of the older Exhibitors Trade Review in 1916. In recent years he had been in the real estate business. Services will be held from his home in Tuckahoe, N.Y.

FitzPatrick Preparing Capt. Cook Pic For M-G-M

(Continued from Page 1)

This is the Technicolor feature script FitzPatrick was to have produced last season but was postponed because of script complications. He will make the picture in the Hawaiian Islands.

SPG Would Bargain for "U" Publicity Workers

(Continued from Page 1)

were held last week to establish the SPG as collective bargaining agent for publicity employees in the other seven majors.

Jones Succeeds Turner

Chicago—Warren Jones, has been named B & K booking manager, succeeding the late Max Turner.

Illinois UTO to Co-op With the St. Louis MPTO

(Continued from Page 1)

UTO are Mrs. I. W. Rodgers of Caled, first president of the local MPTO; Noah Bloomer of Belleville, S. E. Piddle of Jerseyville, F. C. Souttar of the Fox Midwest Agency Corp., St. Louis; Robert C. Cluster of Salem, Ill., and George Barber of Villas.

Bloomer and Souttar are members of the MPTO board of directors, while I. W. Rodgers, Piddle and Cluster are vice-presidents of that organization.

Commenting yesterday, President Fred Wehrenberg of the MPTO stressed that the UTO "is in a fine position to watch legislation and other matters that are particularly interesting to the owners and managers of theaters in Illinois."

"The Illinois theater men wish to thank the United Theater Owners of Illinois for their protection in state matters while we develop interstate and interstate matters, where both Illinois and Missouri exhibitors are affected, they will turn to the MPTO for guidance," Wehrenberg added.

Price-Phillips Exchange

Ben Price and Sam Phillips, both formerly with the Big U exchange, have been transferred to the Chicago office at 650 9th Ave. Formal "house warming" will be held tomorrow.

of "Don Juan Manuel, Man or Devil" (Hombre o Demonio) for Columbia. The films played in the first-run Cinema Palace during the month. The most recent run was the new picture "The Secret of the Monja" (The Nun's Secret), which was shown at the Cinema Palace.

Disputes Under DG Pact To Be Arbitrated by AAA

(Continued from Page 1)

between them, following the approval of a basic pact on Tuesday. The pact covers the backing and purchasing of plays for pictures.

Belle Kanter With Gloria Jean

Belle Kanter, who handled publicity for Universal both in New York and Hollywood, is managing Gloria Jean's tour in key cities en route to Hollywood.

Seven More Hold "Escape"

"Escape" has been held over in seven more of its initial key city engagements, M-G-M reported yesterday.
Define Arbitration District Boundaries

(Continued from Page 1)

the boards will be in the following cities to which exhibitors in the areas mentioned after the name of each city will take their cases:

SEATTLE—Washington and Northern Idaho.

ONTARIO—Oregon except a small section in the extreme South Central portion.

SAN FRANCISCO—Northern California and Western Nevada.

LOS ANGELES—Southern California and Arizona.

SALT LAKE CITY—Southern Idaho, Eastern Nevada, Utah and Montana.

DENVER—Colorado, New Mexico, Western South Dakota and Western Nebraska.

MINNEAPOLIS—North Dakota, Eastern South Dakota and Minnesota.

OMAHA—Eastern Nebraska and a small strip along the Western border of Iowa.

KANSAS CITY—Kansas and Western Missouri.

DES MOINES—Iowa except Western border.

OKLAHOMA CITY—Oklahoma and the Eastern half of the Texas Panhandle.

DALLAS—Texas except Eastern half of Panhandle.

MILWAUKEE—Wisconsin and the upper peninsula of Michigan.

CHICAGO—Northern Illinois and a strip of Northern Indiana.

ST. LOUIS—Eastern Missouri and Southwestern Kentucky.

MEMPHIS—Arkansas, Northern Mississippi and extreme Western Tennessee.

NEW ORLEANS—Louisiana, Southern Mississippi, Southwestern Alabama and the upper Eastern border of Florida.

INDIANAPOLIS—Indiana and Western Kentucky.

CINCINNATI—Southern Ohio, Eastern Kentucky and Western West Virginia.

ATLANTA—Georgia, Florida, most of Alabama and most of Tennessee.

CHARLOTTE—North and South Carolina, Western Maryland, Virginia and District of Columbia.

PITTSBURGH—Western Pennsylvania and Eastern West Virginia.

CLEVELAND—Northern half of Ohio.

DETROIT—Michigan except the upper peninsula.

BUFFALO—Western New York.

PHILADELPHIA—Eastern Pennsylvania, Southern New Jersey and Delaware.

ALBANY—Northeastern New York.

NEW HAVEN—Connecticut.

BOSTON—Massachusetts, Rhode Island, Vermont, New Hampshire and Maine.

NEW YORK—Southern New York, Northwestern New Jersey.

REVIEWS OF NEW FILMS

“FANTASIA” (Continued from Page 5)

“Night on Bald Mountain,” with its flying skeletons, is awfully strong, malignant Evil One, is horrific . . . . as horrific as Poe, say.

The film is a picture finale, “Ave Maria,” with Fantasound cunningly employed to fill the theater with Schubert’s music while across the screen a band of hooded pilgrims bearing torches wend their way. Nothing more impressive has ever graced screen or stage. Rachel Field’s new lyrics are sung by Juliette Novis.

Such, briefly, actually, despite the space, is “Fantasia.”

From the standpoint of color and its use, the picture is distinctive. Probably never before has there been such masterly employment of Technicolor pastels. The delicacy is something at which to marvel long after the picture has ended.


DIRECTION, Outstanding. PHOTOGRAPHY, Magnificent.

“The Letter” (Continued from Page 3)

Walls; Associate producer, Robert Lord; Director, William Wyler; Screenplay, Howard Koch; Based on a play by W. Somerset Maugham; Cameraman, Tony Gaudio; Editor, George Amy.

DIRECTION, Excellent. PHOTOGRAPHY, Excellent.

N. Y. Dailies See “Fantasia”

N. Y. TIMES: “Motion Picture history was made at the Broadway last night with the premiere of ‘Fantasia.’ It boldly reveals the scope of films for imaginative expression. Thoroughly delightful and exciting in its novelty that one’s senses are directly and physically employed.”

N. Y. HERALD TRIBUNE: “A brave and beautiful work. Marks a milestone in the development of a particular phase of the cinema. Often downright bewitching.”

Warner Studio Castings

Hollywood—Warner Bros. has cast Olivia de Havilland, George Brent and Jeffrey Lynn for leading roles in “Miss Wheelwright Discovers America” which Kurt Bernhard, instead of Edmund Goulding, will direct. Knox Manning was added to the cast of “Meet John Doe.”

Miss America in Two P.A.’s

Wilmingom, Del.—Miss America 1940 will make p.a.’s today at the Park and Strand Theaters.

SAN FRANCISCO—

Most Outstanding Downtown Hotel

HOME OF THE

PERSIAN ROOM

Visit the world famous Persian Room and enjoy dinner dancing to the nation’s leading orchestra.

Rates From $6 up, Daily

POWELL AT SUTTER

A M P A

luncheons are the talk of the industry. You miss something really worth while if you don’t attend. For instance, this week we are happy to present—

EDGAR KOBK

Vice President—National Broadcasting Co.

Main Title of His Address:

“YOU’RE IN THE SHOW BUSINESS TOO!”

(Rather Provocative—Eh, What?)

ENTERTAINMENT SURPRISES

COME! Hear about the wedding of radio and movies.

COLLEGE ROOM—HOTEL EDISON

Today, November 14th

Serving

12:45 Sharp

Guests

$1.25 with tip
LOUIS NIZER, distinguished attorney and toastmaster to the great, has written a unique book—filled with exciting anecdotes, brilliant witticisms and profound learning.

I am sure the four-lane road which leads to the densely populated kingdom known as Barristers is paved in after-dinner speeches. LOUIS NIZER is an outstanding exception. He is a genius for the kind of brilliant interpretation that is recited over and over again in THINKING ON YOUR FEET.

Fannie Hurst

THINKING ON YOUR FEET is an extraordinary, exciting book which by its vast spiritual function transcends the author's charm to embrace the significant problems of our time. The hours which I spent reading this book were stimulating...and I do not doubt the American public will give it a most comprehensive and gratified reception.

Thomas Mann

As Goethe said, the poems of "circumstance" are the best because they are the only ones taken directly from life. Each one of Louis Nizer's addresses is a poem of circumstance; a real poem in prose which unites the gazing moment to something which does not pass, which binds the fugitive incident to eternity. This is a great book, it is an exchantment.

Maurice Maeterlinck

From its silent pages rises a fascinating eloquence retaining an amazingly human and vibrant quality that may well inaugurate a new school of expression! It is one of those exciting adventures in thinking that one meets all too rarely these days, an adventure that you may never experience if you miss THINKING ON YOUR FEET. It will conquer you...

Pierre van Paassen

Would you like to meet some interesting folks? Say Albert Einstein, Walter Winchell, Fiorello LaGuardia, Eddie Cantor, Jim Farley. Then let LOUIS NIZER present them to you. He is one of America's distinguished legal scholars, and also one of America's distinguished toastmasters. His is a good book. Almost every one will like it.

Marquis James

LOUIS NIZER is my candidate for any All-American team made up of men who know how to think standing up or sitting down or on a dais, and he can say what he thinks with a brilliance which is breath-taking. I have seen and heard him do it. THINKING ON YOUR FEET reflects this quality on the printed page.

Gabriel Heatter

NO BOOK in many years has been greeted with such enthusiastic applause—by two Nobel Prize winners (Thomas Mann and Maurice Maeterlinck), by a double winner of the Pulitzer Prize (Marquis James), by the author of a best seller for two years (Pierre Van Paassen), by one of the world's greatest publicists (Bruce Barton), by one of the world's most widely-read writers (Fannie Hurst), by a leading exponent of the art of speaking (Gabriel Heatter), and by the Book of the Month Club, which has recommended it. As publishers, we could not fashion higher praise.

Note: An autographed copy of THINKING ON YOUR FEET will be mailed postpaid upon receipt of your check for $2.50. Address: Dept. F, Liveright Publishing Corp., 386 4th Ave., N.Y.C.
Columbia lodged its objections to the proposed consent decree in the New York equity suit yesterday on the grounds that the company was financially unable to cope with the requirements of the decree and at the same time questioned the right and power of the court to sign the decree.

The pretest was made by Louis D. Frohlich, of counsel for Columbia defendants, who told Federal Judge Henry W. Goddard that insofar as (Continued on Page 6)

Urges Films Use Own Radio Commentators

Suggestion that film companies engage their own radio commentators rather than relying on commentators who pick up their own bits of information, good or bad, was made by Edgar Kobak, NBC vice-president, addressing a luncheon meeting yesterday on the theme, "Selling Motion Picture Stars by Means of Radio."

Kobak urged the systematic use of radio in advertising films in the (Continued on Page 6)

Para. Execs., Partners Discuss Decree's Effects

West Coast Bureau of THE FILM DAILY—Problems arising from the consent decree constituted a leading topic in the round table discussions which gave Paramount Theater, production and distribution representa-

(Continued on Page 6)

Says Decree Means More Trade Criticis

Edward Rafferty, attorney representing United Artists and Universal, told the Court at yesterday's hearing on the consent decree that one effect of the document would be more criticism on the trade papers and fewer on the daily newspapers.

(Continued on Page 6)

LOCAL 802 IN DECREES ATTACK

Claims A F of M Suffers at Distrib's. Hands

A surprise twist to the hearing before Federal Judge Henry W. Goddard yesterday on the proposed New York equity suit consent decree was provided by Joseph R. Brodsky who arose to speak in opposition to the decree as representative of Local 802 of the American Federation of Musicians.

Brodsky declared that his union consisting of 21,000 members had been one of the chief sufferers of the "monopolistic practices" of the film companies. He asserted that the distributors had so loaded the theaters with shorts, newsmen and

(Continued on Page 7)

Federal Gov't Will Extend Use of Films

"Use of the motion picture as an important part of the Federal Government's informational activities is not only here to stay, but during the forthcoming year, it is due for considerable expansion," according to Oliver T. Griswold of the Rural Electrification Administration, here to

(Continued on Page 4)

Col. Takes Over Tucson For "Arizona" Premiere

Tucson, Ariz.—To the accompaniment of rip-roaring Western festivities, Columbia tonight launches Wesley Ruggles' "Arizona" at a quintuple premiere, the picture being simultaneously released at the State, (Continued on Page 5)

Myers Calls Decree "Unjust"

Legalizes and Protects Monopoly, He Claims

Score Slightly Hurt as Pitls. Alvin Roof Falls

Pittsburgh — A score of persons were injured, none seriously and no one killed, when the entire roof of the Alvin-Harris first-run theater here, caved in early last evening causing great panic throughout the city.

The theater was entirely demol-

(Continued on Page 7)

Court Not Expected to Act for Several Days; ITOA

Granted Right to File Answering Brief; Goddard

Thinks Decree Drawn to Aid Small Theater Owners

Federal Judge Henry W. Goddard reserved decision yesterday on the confirmation of the proposed consent decree after hearing arguments both pro and con on its acceptability.

The court in an interjected remark towards the close of the all-day hearing stated:

"It seems to me that the decree was drawn for the benefit of the small theater owners."

Decision is not expected for at least several days since the Court granted permission to Milton C. Weissman, attorney for the ITOA, to file an answering brief.

Weisman, in attacking the decree at the afternoon session asked Judge Goddard to direct a reference on the question to allow exhibitors to pre-

(Continued on Page 5)

Hayes Defends Idea Back of Blocks of 5

The idea back of the blocks-of-five provision of the consent decree was to reduce the number of pictures sold in a group to the smaller number, which at the same time would not increase the expense of distribution beyond bounds, James

(Continued on Page 6)

David Rose Awaits Clipper

At Lisbon for N. Y. Flight

David Rose, Paramount's British managing director, is coming to New York for home office conferences, it was learned yesterday. It will be

(Continued on Page 6)

No "Union Hours? At Decree Hearing?

When Federal Judge Henry W. Goddard, at yesterday's hearing on the consent decree, was told that there were 14 attorneys who wanted to speak in protest of the decree and that each was allowed 30 minutes, the Judge said: "We can't allow that and still keep union hours."

(Continued on Page 7)
170 Picture Pioneers In Canadian Affiliate

Toronto—Imposing total membership of 170 was reported at first an- nual meeting of the Canadian affiliate of Picture Pioneers held at the Royal York Hotel. Total membership comprises 123 life, 42 regular and five honorary members.

From New York City there came an appeal as guest Hal Hode, secretary of Picture Pioneers of the U. S. A.; Claude Allred and Gene Autry, the latter accompanied by his wife. A special gold membership plate was presented to Autry.

At the business session it was stressed that CPP, although less than a year old, had sponsored the recent successful war stamp theater night in Canada and had made the arrangements for Autry to come to Toronto for the three-day rodeo, with benefit for the Lord Mayor’s fund for air raid victims.

Directors were elected as follows: Ben Cronk, Leo M. Deraney, Claire Hauge, Archie Laurie, Haskell Mstres, N. L. Nathanson, James P. O’Loghlin, Tom Daley, Harry Alexander and Ernest Moore.

The directors were empowered to elect CPP officers for the coming year.

IATSE Executive Board To Meet in New Orleans

IATSE Executive Board will convene Monday in New Orleans for a week of conferences. Meeting is in conjunction with the Allied Benevolent Association there. Louis Krouse, Richard Walsh and James Brennan, I.A. execs, will attend from here.

Gene Tierney for 'Tobacco Road'

West Coast Bureau of THE FILM DAILY


Quins Aids Navy League

Callender, Ont.—The Dionne Quintuplets were filmed here yesterday for a newsreel in aid of the Navy League of Canada. They were photographed swimming in the icy lake and five seamen an Canadian destroyers and five on ships of the Royal Navy.

20th-Fox Pacts Cobina Wright Jr.

West Coast Bureau of THE FILM DAILY

Hollywood—After seeing Cobina Wright Jr., New York socialite and singer, in rushes of “Murder Among Friends,” Twentieth Century-Fox signed her to a term contract.

Tells Chaplin “Dictator” Terms Restrict Audience

New Haven—Dr. J. B. Fishman, general manager of Fishman Thetra- nes, Inc., catering here and in British field, and a director of Connecticut Allied, has addressed an open letter to Chaplin protesting against the distribution policy of “The Great Dictator.”

Fishman writes that his company, the best picture, ‘The Great Dictator,’ you tackle the most vital problem in the world today courageously and fearlessly. By making the dictators appear ridiculous, you perform the greatest service to the people of America. If you are sincere in your beliefs, as I feel you are, you should want every man, woman and child in this country to see your picture.

“All this, however, is very difficult to reconcile with the distribution policy announced by Loew’s: will keep the picture out of the smaller theaters of America for a long time to come. The great majority of exhibitors are unable to see the picture in the small neighborhood theaters at regular admis- sion prices, will go without seeing it.”

Yates, Grainger Attend Rep. Toronto Sales Meet

Toronto—James R. Grainger, Rep- ulic’s proxy, arrives here this morning to join Herbert J. Yates, president of CPI, for a two-day sales meeting at the Royal York Hotel.

A. W. Perry, general manager of Empire Films, Ltd., distributors of Republic pictures in Canada, together with the following branch managers, will attend:

H. O. Painter, Toronto; I. W. Blankstein, Calgary; C. A. Johnstone, Montreal; B. Plotel, Vancouver; Frank L. Vaughan, Winnipeg, and Gerald M. Hoyt, St. John.

Warner Circuit Employes Aiding British War Relief

Warner Bros. theater employees are closing a drive for $5,000, to be expended for British war relief today. Drive results from a move- ment launched at the home office to raise funds for the purpose of an ambulance, with extension following the collection of more than $1,800.

Larger fund will permit the purchase, additional of a motor kitchen unit, a mobile feeding unit and 21 hospital bed equipment.

Joseph Bernard In Albany

Albany—General Manager Joseph Bernard, of Warner Brothers the- aters yesterday was in Albany for all conferences with Zone Manager N. A. Silver and staff. Mr. Bernard inspected Stroud, Ritz, Madison and Albany theaters here and met with representatives of Lincoln and American theaters, Troy.

Lavine Joins R. E. Snider As General Manager

Philip H. Lavine, formerly with the Phil Smith Circuit in Newfoundland and general manager, is now with the Ralph E. Snider Theaters in the same capacity.

Circuit has “A’” houses and de luxe nates in Maine, Massachusetts and Rhode Island. In addition to the picture houses, the Metropolitan in Providence presents operas and concerts, while at the Playhouse, same city, legitimate attractions are offered.

“Lady, Be Good” to Metro

Metro has acquired the 1925 Broadway musical, “Lady, Be Good” as a tri-starring vehicle for Ann Sothern and Tony Martin. Picture will be produced by Arthur Freed and directed by Busby Berkeley.

Lon Fidler Hospitalized

Denver—Lon T. Fidler, owner of the Monogram franchise here and Salt Lake City, is recuperating from an illness in St. Luke’s hospital here.
The story of the founding of The Red Cross is told by Warner Bros. in the Special 2-reel Technicolor Film "The Flag of Humanity"

WIDELY APPLAUDED AS ONE OF THE FOREMOST PATRIOTIC OFFERINGS OF THE SCREEN

with
NANA BRYANT
FAY HEIM
JOHN HAMILTON
TED OSBORNE
JOHN ARLEDGE

Directed by JEAN NEGUESCO
Story by Charles L. Tedford

Now Booking
AS THE RED CROSS ROLL CALL BEGINS
Federal Gov't Will Extend Use of Films

(Continued from Page 1)

speak at the National Board of Review conference today at Hotel Pennsylvania.

Judge Stephen S. Jackson, recently appointed director of the Bureau for the Prevention of Juvenile Delinquency, will be another featured speaker at this morning's session. Judge Jackson's subject will be "Movies and Juvenile Delinquency."

Others scheduled to address the Conference today include Vyyyan Donner of Fox Movietone, Elke Chase, Margaret Farrand Thorp, author of "America at the Movies," and Virgil Thomson, music critic of the N. Y. Herald Tribune and composer of the scores for "The Plow That Broke the Plains" and "The River."

Drive-In Theater Biz
In Mid-West Shows Gain

Boston—Phil Smith said yesterday that his Mid-West Drive-In theaters had closed for the season and that the reports from every theater disclosed a decided increase in business this season over any previous one. Smith said that plans for further expansion are being discussed.

E. M. Loew's open air theaters, including the Merriam Park Theater and the Lynn Opera Air Drive-In, have closed after the most successful season they have enjoyed. The Providence Drive-In Theater remains open for another fortnight.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood—Marriage of Jacqueline May Metzger, daughter of Mr. and Mrs. Henry Metzger, of Del Air, to Burton Lloyd Kramer, film editor at Columbia, and son of Dr. and Mrs. Jacob Kramer, will take place Dec. 17 at the Hillcrest Country Club. Rabbi Edgar Margin will perform the ceremony.

Denver—Miriam Briggs of Denver and William Ostenberg, Jr., of Scottsbluff, Neb., were married at St. Tikhon Monastery Church here and left on a honeymoon to California. Groom is manager of the Bluffs Theater at Scottsbluff, one of several owned by his father. The bride is the daughter of E. P. (Buzz) Briggs, manager of the local State.

West Coast Bureau of THE FILM DAILY

Hollywood—Regina Lille, secretary in Warners' publicity department, has announced her engagement to Arthur Meyers, of Louisville, Ky. Wedding will be performed by Rabbi Mayer H. Danin at the Wilshire Temple on New Year's Eve. Sylvia Lille, a sister, secretary to Harry Warner, recently announced her engagement.

● ● ● THAT was a deservedly swell set of reviews...which Walt Disney's "Fantasia" grabbed from cinema appraisers in yesterday's morning and evening sheets...This corner likewise read with interest what the music critics had to say...We sat in awe respects at the two-column feet (or should we say "feet") of Mister Olin Downes...of the New York Times...as he outpowered his pedantic and professorial opinion...At an early stage of his critical exposition...we began to suspect that maybe the fragile University of Filmland shouldn't be playing the colossal College of Classic Compositions...cause the latter is too heavy...Well, Sir, just when we thought our little cinema squad was up against an adversary incapable of becoming careless or reckless...we perceived a weakness in the Downes' system...there are only four allowed (in regulation football) when you eat half way to the last touch again line...There he threw the ball away as far as we were concerned...and here's how......

● ● ● HE said that what he saw was a conglomeratation remarkable of Mark Twain's Colonel Sellers at the breakfast table...planning a railroad which should run through Slouchburg and Doodleville, Belshazar, Catfish, Babylon, Bloody Run, Hail Columbia and Hark From the Tomb...Now when we found him hooking Babylon up with such outlandish places...—Babylon, the Long Island home town of Herbert J. Yates, a Prudential Playhouses' cinema, and Phil M. Daly—...we got fightin' mad...and Mister Downes couldn't gain an inch with us in the "second half"...Are the Warners interested in the movie rights?.........

● ● ● FILM folks and fans generally...turn eyes-right tonight to Tucson...where Columbia's Wesley Ruggles production, "Arizona," will premiere...as the golden climax of a two-day civic celebration...Nationally spotlighting this powerful feature...has already been a remarkable promotional campaign...has been seen by 20,000,000 people in newsreels and radio...as seen by 500,000,000 people in newspapers...as an asset of the nation's mental and physical health...the film is a joy...and it should be seen again...and again...and again...and it should be the audience for home the week.......

● ● ● THAT array of stars being banded together...for participation in the Seventh Annual "Night of Stars" in Madison Sq. Garden on Nov. 27...is attaining such proportions (quality and quantity)....that this great charity show is certain to set a new mark in pageantry...Dorothy Thompson, Johannes, Steel, Raymond Gram Swing, Elmer Davis, George Hamilton Coombs and Andre Baruch...are but a few of the news commentators...who'll be on stage...among the regiment of noted entertainers...

● ● ● An industry as far-flung and alert as ours...should be able to supply a clue to Robert E. Wheeler, Rural Route 2 Box 5, Murphysboro, Illinois...as to where he can get in touch with his brother, Leonard Wheeler...who at one time worked in Illinois and now resides in the Johns Manville exhibit at the World's Fair...The urgency is the settling of the estate of their father.....

May Up Arbitration Budget by $50,000

(Continued from Page 1)

majority of the distributor defendants, revealed three new paragraphs, as compared with the text published in THE FILM DAILY on Oct. 30.

Article I, which concerns the court's jurisdiction, has been added paragraph 1:

"The Petitioner not having offered any proof of the allegations that defendants have violated the Anti-trust Laws, and defendants having denied each and every allegation, this Court has not determined or adjudicated, and this is not a decree to the effect that any of said defendants has violated or is now violating any of such laws, or any other statute; and said this decree relates solely to future conduct hereafter, and is not based upon any finding, determination, or adjudication that any right or statute has yet been or is now being violated."

Article XXII has this substitute Section I:

"The method and conditions of and the procedure for the arbitration of claims and controversies heretofore provided for in this decree, as well as the arbitration of claims and controversies provided for in any decree referring to this decree which may be entered by the District Court of the United States for the Northern District of Illinois, Eastern Division, as a modification of the "Laws of America, Petitioner, Against Balaban & Katz Corporation, Et Al., Defendants," modifying a Cement Decree Entered in said action on the arbitration of claims and controversies provided for in any decree referring to this decree which may be entered by the District Court of the United States for the Southern District of California, Central Division, as a modification of the "United States of America, Plaintiff, vs. West Coast Theaters, Incorporated, Et Al., Defendants," modifying a Consent Decree entered in said action on August 21, 1930, shall be as specified in this Section and in the Rules of Arbitration and Appeal, and shall be in full force and effect hereinafter."

Acquires Italian Features

Acquisition of four new Italian films for distribution in this country is announced by Dr. Francesco Macaluso, president of Esperia Film Distributing Co., Inc. "Manon Lescaut," "Carmen," "Butterfly," "Jilted Love," and "Love Me, Alfredo" are the titles.

Powell to Rebuild Matozka

Cincinnati—Fire destroyed John Powell's Tazoska Theater, Matozka, W. Va. Powell will resume operations after rebuilding.

TO THE COLORS!

Buffalo—Don Harpole, manager of the Bailey, has enlisted in the U. S. Air Service. His successor at the Bailey is Marcus A. Myers, formerly at the Star, Tonawanda.
MPTOA Raps Arbitration
Setup; Texas Group Sees Cost of Films as Doubled

(Continued from Page 1)

sent evidence in support of their contention that the decree’s provisions were inimical to their interests. The ITOA is willing to stand the expenses of a reference to the extent of $15,000, with other exhibitor organizations ready to post the balance, Weisman declared. If the Government was fearful that it could not win a trial of the suit, he continued, there were others who felt differently.

The ITOA has received hundreds of letters from exhibitors who fear they cannot continue their businesses if the decree is approved, Weisman asserted. The attorney asked the court to note the significance of the simultaneous opposition of exhibitors and dramatically repeated several times that the decree could not possibly work. The settlement is the result of a “deal” between the Government and the five companies under which the latter can retain their theaters, he charged.

Would Raise Selling Costs
Effect of the decree would be to enormously raise the cost of selling pictures, with the prospect of the exhibitor standing the expense, Weisman maintained. Moreover, he said, the limited right of cancellation which an exhibitor now has will be lost. He also attacked the limitation on the right to arbitrate runs, claiming that many exhibitors have not wanted to disturb exhibitors because “They were afraid to stick out their necks.”

William P. Sims, attorney for the MPTOA, announced that the 7,700 exhibitors who constitute the organization unanimously opposed the decree. The right to have trade showings and blocks of five were of absolutely no value to him, he continued. The only valuable right would be the extension of absolute privilege to operators to cancel a percentage of films, he said. Sims charged that arbitration as proposed in the decree would be “cumbersome and extremely expensive.”

PCC: ITOA Asks Deferment
Deferment of any decision until his organization had an opportunity to formally apply for the right to intervene in the suit was asked by Paul J. Ziegler, attorney for the Pacific Coast Conference of Independent Theater Owners. Ziegler stated that he was not given sufficient time to study the decree and that he wanted to prepare motion papers to apply for an intervention.

Judge Goddard appeared that he would not permit the organization to intervene in the suit and also indicated that he would not permit any deferment.

Jacob Schechter, attorney for Allied Theaters of New York, declared that he was at a loss to understand why the Attorney General was so insistent upon approval of the present decree in the face of united opposition. He also demanded a hearing so that exhibitors could testify and present their views.

Sims End for Indie Exhibs.
Elimination of all independent exhibitors in the country within two selling seasons was the dire prediction of Sidney B. Feifer, attorney for the MPTOA of New York State, when he rose to speak. Feifer called the decree “almost vicious” and asserted that it made permanent and legal abuses in the industry which had been previously called monopolistic. The decree, he stated, would accentuate these evils and place an unbearable burden on the shoulders of the exhibitors.

“The Government has not acted in our interests,” Feifer declared.

Roy L. Walker, representing the Theater Owners Protective Association of Texas, spoke for the owners of single theaters and maintained that the decree would double the price of films for the small town theater owner. In addition, he said, houses in small towns would have the period of availability of films extended from the present situation of three to eight weeks to three to fifteen months.

As each attorney spoke against the decree and stated that conditions would be unbearable, almost each one had a good word to say about current practices and at one point interjected the remark: “You get me to wonder why you complained at all.”

At the suggestion of Judge Goddard, of the five companies involved in the proceedings, Paramount, RKO, National and Columbia.

350 Turkey Giveaways
In RKO Met. Theaters
RKO nabe theaters throughout Greater New York will award more than 350 turkeys to patrons at Thanksgiving Parties to be staged next Monday, Tuesday and Wednesday nights.

Judge Goodman also signed an order dismissing individuals and subsidiaries from the original suit.

Motion for Filing of Amended Complaint
In Equity Suit Will Be Heard on Dec. 21

Federal Judge Henry W. Goddard yesterday set Dec. 21 as the date to hear a motion for the filing of the amended complaint to the New York equity suit. Louis Forlitch, Columbia counsel, said he would oppose this application. All companies except M-G-M filed amended complaints. M-G-M indicated it would file its answers later.

Plan to Attack "PCC"

Miami Premiere Planned
For Benny and Allen Pix

Miami — Paramount’s "Love Thy Neighbor," with Jack Benny and Fred Allen, will have its world premiere simultaneously in three local houses around Christmas, it is understood. Two more theaters may be added in Miami Beach.

Miami — "Takes" Tucson For "Arizona" Debut

With Charlie Ruggles, the producer-director’s brother as emcee, Jean Arthur, starred, will make p.a.’s at all five houses. Miss Arthur, who was guest at a public reception yesterday following her arrival, will do a special radio treatment of "Arizona" on the Kate Smith Hour air show.

Columbia officials who are present include Prexy Harry Cohn, who arrived by plane for New York; Home Office executives Jack Cohn, A. Montague, Ruhe Jackter, N. B. Spingold, Louis Weinberg, Louis As during the proposed ordinance, have written Managers Phil Dumas, Carl Shalt, Sam Galarty, Jerome Safron and Los Angeles Branch Manager Wayne Ball.

Members of the cast and other players present include: Porter Hall, Warren Willaim, Regina Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Milford, Myron Healey, Birge, Florence Rice and Charles Ruggles.

Vanguard of a group of 250 correspondents of newspapers and magazines dropped out of the skies yesterday in three huge American fliers, followed by special trains bearing other correspondents. Delegations from 250 to 1,000 strong have come from over a score of cities. Several governments and a dozen mayors are in tow.

Official reception and ball will follow the premiere tonight at the Santa Rita Hotel. Fete continues tomorrow.

Film Regulation Board
Hearing Set for Nov. 20

Pittsburgh—Counselman hearing on the proposed Film Regulation Board ordinance, which would prevent amateur moving picture fans from showing their films outside their own homes unless licensed, has been set for Nov. 20, at 2 p.m. At least 10 groups, headed by medical, industrial, distributive leaders, representing several thousand persons affected by provisions of the proposed ordinance, have written letters of protest, asking for a hearing. The new ordinance is sought by Lawrence J. Katz, international representative of IATSE.

New Theater for Sand Gap

Sand Gap, Ky. — New theater is being built by J. P. Carnahan and M. C. Hughes, owners of houses at Beattyville, Manchester and McKee.
Urges Films Use Own Radio Commentators

(Continued from Page 1)

Way premieres of motion pictures are put on presently, advantage in purchasing time, he added, lies in the fact that instead of getting a portion of the broadcasting chain on a regular basis, film companies could get all the chain stations for the full time contracted for.

Still another item pointed out by Kobak was that an estimated 15,000,000 seats in movie theaters if all filled, would still leave anywhere from 70,000,000 to 80,000,000 listeners at home to whom the movie man’s message could be sent while the audience is relaxed and in a receptive mood. Thus he saw no actual competition. Competition as he saw it in the theater field between the various companies just as radio competition was between different stations and networks.

Radio projection picture talent to sell package goods, Kobak stated, “why shouldn’t motion pictures use this talent to sell themselves?” A movie he considered, was just as a much package sale as any other commodity or for that matter, an effort to fill certain theaters.

Para. Execs., Partners Discuss Decree’s Effects

(Continued from Page 1)

Oratories a clear understanding of the situation, according to, a statement made by John Balaban, chairman of theater group.

Balaban said he was sure that effective co-operation towards a solution of the problems will result from these discussions. He said the Para. theater partners brought along ideas which were closely studied at the meeting and all angles of the theater business were considered. He pointed out that this is the first time that such a group of exhibitors have had a voice in actual production plans.

Balaban did not go into detail regarding the suggestions made by the theater operators.

David Rose Awaits Clipper At Lisbon for N. Y. Flight

(Continued from Page 1)

his first trip over since the outbreak of the war.

Already arrived in Lisbon, Rose is awaiting Clipper passage facilities, expected to be available within the next week or so.

Johnson Opening New Vogue

Friend, Neb. — Wally Johnson’s new Vogue, 200-seat house built on the site of the Plaza which burned in May, opened yesterday. House cost around $20,000 and was equipped for the part by F. A. Van Husen’s Western Theater Supply Co. of Omaha.

Consent Decree “Escape” Clause Assailed

By Columbia as Paving Way for Pressure

Attacking the “escape” clause in the pending consent decree in the New York equity suit yesterday’s hearing before Federal Judge Henry C. Cardozo, Inc., for Columbia, contended that under its terms pressure would be brought to make the company join with the five competing companies to suffer the consequences.

See Financial Peril in Decree

Power of Court Questioned by “Little 3”

(Continued from Page 1)

the company was concerned there was no merit to the Government’s case and that Columbia could successfully oppose the claim of violation of the Sherman anti-trust act upon the trial of the issues.

Upon the completion of Frohlich’s remarks, Edward Raftery, attorney, speaking for both Universal and United Artists, told the court that his opposition coincided with that of Frohlich’s and there was no need for repeating the issues. He added, however, that both Universal and United Artists would not contest the right to object and appeal if it were approved and signed by the court.

Foresees Releasing Delayed

If Columbia became subject to the terms of the decree, Frohlich contended that the company would be affected in several important respects. Columbia estimates, he stated, that the requirements for trade showing before rental will result in delaying the release of a picture for exhibition on an average of about four months.

This means,” he said, “that the capital necessary for the production and releasing picture will remain tied up for that additional period.”

Frohlich added that if it were necessary to accumulate the maximum five pictures for block, company would have to keep the entire group produced. This tiring up of the investment made in each picture for a further period of four months will require additional capital, Frohlich said, adding that this will necessarily result from the slowing up of turnover.

In order to maintain the current volume of business in the U. S., additional capital of between $4,000,000 and $5,000,000 will be required, he asserted, declaring that “since its present working capital is approximately $11,000,000, it will require an increase to $15,000,000 or $16,000,000 to maintain such domestic gross.”

This additional money would be required as permanent working capital and, Frohlich said, banks will not continue to advance short-term credit which was retained as capital by its borrowers. Sale of securities to the public would be out of the question, he contended, because the nature of the litigation would promote or underwrite the issuance as there is no reasonable expectation that the additional capital will increase income.

10 Sales Campaigns Annually

Frohlich also attacked the blocks-of-five provision from the standpoint that it would increase selling costs, inasmuch as sales campaigns would have to be launched at least 10 times a year, whereas only one selling season is the present practice. The company also has the resources to accumulate a large number of completed pictures, even though the five competing companies may be in such a position.

Columbia would be required to venture its entire capital before it could be assured of any market for its product, Frohlich said, explaining that it means the assumption of speculation, risk and hazard which does not exist in any other large industry, reducing production and distribution to speculative enterprises.

Frohlich charged that the allegations of the amended complaint and the provisions of the decree “actually aim to set up a kind of N.R.A. over this industry.” They purport, he continued, to enlarge the powers of the court from judicial functions to legislative functions and assert the right to do so.

“In that respect,” he declared, “we believe that the court is without power to make a decree that consent of the parties is not sufficient to enlarge the jurisdiction in that respect. The court, this jurisdiction being limited to decree and statutes of the United States.”

Court’s Jurisdiction Challenged

Frohlich said that he did not believe the court could sign the consent decree because the defendants not consenting to it were prejudiced by the entry of a decree which is in complete variance with the original pleadings. He also said that the proposed amended and supplemental complaint failed to state facts sufficient to constitute a cause of action under the anti-trust laws.

He declared that the court had no jurisdiction to permit the subject matter of the suit to be entirely changed upon the consent of the Government and five groups of defendants and the consent of three defendants against whom the Government proposes to continue the action.

The nature of the decree, the attorney said, requires constant supervision of the new methods of selling, but, he continued, “there is no provision in the Sherman anti-trust law which vests this court with

Hayes Defends Idea Back of Blocks of 5

(Continued from Page 1)

Hayes, special assistant attorney general, stated before the court yesterday in its open hearings on the consent decree.

Hayes said that the selling of one picture would increase expenses beyond all bounds and would throw the burden on the public which would have to pay increased admission prices.

In admitting that the film industry’s problems were different from those of other businesses, Hayes said that complete divorce, as specified in the original complaint, would have meant that 2,400 theaters would have had to go on the auction block.

Effect of the blocks-of-five provisions, Hayes told the court, will be that the exhibitors’ screen time will not be closed, thereby stimulating competition and opening the market for independent producers.

In revealing that the cost of arbitration for each year after the first year of operation would be $450,000, Hayes said that the court may increase the budget by $50,000 in any one year. The right to arbitrate is optional with the exhibitors, Hayes said, and the arbiter is days, he added.

In summarizing the work on the decree, Hayes said that he believed it was a better move than litigation, at least for a year, and that he hoped for peace and good will for the industry. He said the negotiators made every effort to make the arbitration provisions efficient, impartial and free of influence.

Ayers Buys Keystone’s Ace

Keystone, Pa.—Dwight Ayers has purchased Keystone’s Ace, which J. H. Skeel of New Hartford and L. A. Hansen of Waterloo, presidio powers over the continued functioning of the business of defendants.”

The arbitration provisions of the decree, Frohlich contended, are outside the power granted to this court by Congress, inasmuch as the arbitration contemplates that an arm of the Federal Court shall pass on disputes involving less than $3,000. Columbia, he said, that arbitration should be accomplished by voluntary agreement as proposed under the defunct code. In effect, Frohlich said, passage of the Sherman antitrust act by giving a new remedy; to wit, arbitration, and depriving all persons who take advantage of arbitration of the statutory right to an injunction and treble damages. This, he said, is something obviously not within Congress’ power or any court’s power to do, or its ability to do it as “may seem necessary or proper.”
"Decree Inherently Unjust", Myers Tells Court

Local 802 Joins in Decree Fight

Musician Suffer from "Monopolistic Practices" of Film Companies, Spokesman Tells Court

(Continued from Page 1)

"Decree Inherently Unjust", Myers Tells Court

Allied General Counsel Argues It Is Beyond the Power of Court to Enter

(Continued from Page 1)

1940

"Decree Inherently Unjust", Myers Tells Court

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"Decree Inherently Unjust", Myers Tells Court

Allied General Counsel Argues It Is Beyond the Power of Court to Enter

(Continued from Page 1)

1940
“Little Nellie Kelly” with Judy Garland, George Murphy, Charles Winninger
Metro
100 Mins.
FAIR OFFERING FOR GENERAL AUDIENCE CONSUMPTION WITH ENGAGING CAST AND FIRST-RATE PRODUCTION VALUE TO OFFSET POOR SCRIPT.

The George M. Cohan stage success of two decades ago has been transferred to the screen by Metro-Goldwyn-Mayer. Picture has a nostalgic appeal to it and there are a number of lines that will get heavy laughs from anybody familiar with the New York of today and the New York of many years ago that serves as the story's setting.

Picture offers numerous avenues of exploitation in addition to having the increasingly popular Miss Garland as its star. George Murphy and Charles Winninger are strong supporting marquee "names." Director Norman Taurog makes the most of his material and keeps his characters believable, with a nice production background provided for the film by producer Arthur Freed. Essential weakness of the film is a poor script.

This film takes wings quickly and puts her numbers over with a great deal of charm and appeal in addition to doing a nice bit of acting which it succeeded. It may seem incongruous to some people, however, to see Miss Garland get married, have a baby and die in the early sequences of the picture. George Murphy ably fills the bill as the Irish lover of Nellie Kelly and the Irish police captain father of little Nellie Kelly after the girl opens her life to New York.

A swell performance is contributed by able veteran Charles Winninger cast as the crooked father who never forgave Murphy for marrying his daughter, but lived with them just the same.

The delightful voice of Douglas McPhail is heard in a couple of numbers and is adequate as the swain of little Nellie. Arthur Shields and James Burke are helpful additions to the cast.

Miss Garland marries Murphy in Ireland against her father's wishes. However, Winninger goes to America with them to "see that his daughter is taken proper care of" despite the fact that he lives with them and won't speak to Murphy. Judy dies giving birth to a daughter, and from there the story moves along to a happy ending with a highly amusing windup sequence.


CREDITS: Producer, Arthur Freed; Director, Norman Taurog; Screenplay, Jack McGowan; Based on a stage play by George M. Cohan; Camera: Cameron; Ray June; Editor, Frederick Y. Smith.

DIRECTION, Smooth. PHOTOGRAPHY, Fine.

“Five Little Peppers in Trouble” with Richard Arlen, Andy Devine, Jeanne Kelly
Universal
65 Mins.
ACTION STORY WITH TROPICAL BACKGROUND IS MODERATELY ENTERTAINING DRAMA.

Provided with a tropical background, a capable cast, a well-paced story and a sufficiency of action, this Universal release emerges as a moderately entertaining offering. Audiences like adventure, the tropics is an intriguing setting for a story, and in addition, exhibitors have a certain amount of "name" value in Richard Arlen, Andy Devine, who have been starring in this series of Universal action seller's for some time now.

Arlen and Devine capably fill the bill in the lead roles, Arlen as the hard and fast-thinking oil engineer, and Devine as his strong-willed, weak-minded stooge who gets them both into one scrape after another. Jeanne Kelly appears as the female attraction, and James Flavin, Francis McDonald and John Eldredge supply the villain in the piece. Direction of Christy Cabanne is able.

The Peerless Indies Corp., an oil company, sends Arlen and Devine to its oil field on a south sea island to investigate a number of mysterious happenings. Arlen discovers that convict labor is being used and that Flavin and Butler, employees of the oil company, and McDonald, native police chief, split the profits and then murder the men when they free them. Finally, Arlen leads a rebellion of the workers that proves the undoing of the criminally triumvirate.

CAST: Richard Arlen, Andy Devine, Jeanne Kelly, Martin Flavin, Francis McDonald, John Eldredge, Mala, Eddy Walter.

CREDITS: Associate producer, Ben Pixar; Director, Christy Cabanne; Screenplay, Paul Huston, C. U. Young, Larry Rhine and Ben Selden; Original story, Paul Huston; Camera: Cameron; John Boyle.

DIRECTION, Able. PHOTOGRAPHY, Good.

Taking Over the Roselawn

Cincinnati—Louis Withee, operator of the Bon, Westwood and Kentucky Theaters, has taken a 20-year lease on the new Roselawn. Maurice Chase was the former operator.

Harry Wieman will manage.

“More N. Y. Critics Hail “Fantasia”

WORLD TELEGRAM (William Boehl): A great and astonishing entertainment, an experience none of us expected. A STUNNER.

DAILY NEWS (Kate Cameron): Left a thrilling audience, breathless with excitement and wonder. Rating: Four stars.

PM (Cecilia Age): It's an exultant adventure. Rating: It's all wonder. CHECK.

DAILY MIRROR (Lee Mattier): A symphonic wistfulness show with Deems Taylor as conductor.

POST (Archer Winston): Must be seen by everyone, except the vacationer who might be frightened. Rating: Exceeds.

JOURNAL AMERICAN (Rose Pelczak): It is their delight, creating a superlatively imaginative and breath-takingly beautiful.

SUN (Eileen Credella): Completely convincing as a symphony in musical, and as untranslatable into words. It is, itself, complete and unique.

Educational Film Meet To be Held at Ohio State

Columbus, O.—Planning, photography, editing and distribution of educational motion pictures will be discussed at an executive conference on the educational production of motion pictures at Ohio State university next Tuesday and Wednesday.

The national meeting will be sponsored jointly by the National Council of Teachers of English, and the Ohio university's education department and educational research bureau. Dr. Edgar Dale of Ohio State is chairman.

Benny Goodman in Rochester

Rochester—Benny Goodman and his Swing Trio will appear at the Eastman Theater with the Rochester Civic Orchestra Sunday.

“Girls Under 21” with Bruce Cabot, Rochelle Hudson, Paul Kelly
Columbia
64 Mins.
MELLER ABOUT JUVENILE DELINQUENCY FAILS TO HOLD MUCH ENTERTAINMENT VALUE.

Regeneration of juvenile delinquents is a real idea and a great work, but it fails to hold much entertainment value the way it is presented in this new Columbia release. It’s a drab picture of slum life, and has definite limitations.

Bruce Cabot, Rochelle Hudson and Paul Kelly offer some marquee value, and their performances are adequate. The supporting cast is fair, and one very good performance is turned in by Tina Thayer, a promising young actress, in a supporting role. Max Nomack directed.

Miss Hudson, product of the slums, marries gangster Bruce Cabot to set a bad example for her younger sister, Tina, and other girls in the neighborhood. Cabot goes to jail, Rochelle leaves him and returns to a hostile neighborhood.

Kelly, a school teacher, puts his people on the honor system, and after Tina and her friends become involved in a scrape causing the death of one girl, they willi-nately help the other two girls in the scrape because they are forcing the police to the police. Action is provided by Kelly smashing Cabot and his strongmen around.

CAST: Rochelle Hudson, Paul Kelly, Bruce Cabot, Tina Thayer, Roberta Smith, Louis Vernon, Beryl Vaughan, Joanne Tree, Delle Ellis, William Edmunds, John Dilson, John Tye.

CREDITS: Producer, Ralph Cohn; Director, Max Nomack; Original screenplay, Jay Dratler and Fanya Foss; Camera: Barnamy McGill; Editor, C. Nelson.

DIRECTION, O. K. PHOTOGRAPHY, Good.

New Theatrical Union Combines Stage Crafts

Combined Theatrical Amusement Crafts has been formed by the A.F. of L unions in the amusement field in an effort to eliminate any differences between the unions and to further unite theatrical unions.

President of the new organization is Vincent Jacobi of Theatrical Protective Union No. 1 (stagehands); Martin Lacey of the Teamsters Union, vice-presxy; Ludwig Elasser of the Upholsterers Union, secretary, and Louis Holland of the Theatrical Costume Workers Union, treasurer.

About a score of unions, including musicians and motion picture projector operators, are represented in the new union.

Lloyd wants Loretta Young

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Lloyd is in the process of securing Loretta Young for the leading feminine role in “The Lady From Cheyenne,” which Universal will release.
Doubt Decision on Decree Within Week

Cuban Exhibs. to Ask Gov't to Suspend Decree

The Week in Review
Decision Reserved

By L. H. Mitchell

Domestic

Consent Decree: At the hearing on the proposed consent decree before Federal Judge Henry W. Goddard on Thursday, the Court reserved decision after listening to arguments of protesting exhib. and distr. units. Columbia Counsel Louis D. Freligh held that the decree was financially perilous to Columbia in that it would be unable to borrow money for the returns on which would be tied up for months. He also challenged the court's right and power to sign the decree. UA and "U" counsel concurred. . . . Abram F. Myers on behalf of Allied called the decree "inherently unjust and inequitable and asserted it was "beyond the power of the court to enter". . . . James Hayes, for the Gov't, defended the idea back of the blocks of five provision. . . . Local 802, A F of M, the ITO, the MTOA, the ITO, Allied Theaters of NY, the TOPA of Texas, Southeast Theaters, Interstate Circuit, Robb & Bowley Circuit, the Pilot of Virginia and N. W. Allied were other units that represented in opposition to the decree. . . . In a new Gov't complaint aimed at the "Little 3" arbitration for all eight majors was asked. . . . Regular arbitration setup under the decree was forecast for Feb. 1, boundaries of the 33 arbitration districts were set up and J. Noble Braden, exec. to the MTOA, had travelled over the country to engage clerks for the arbitration boards.

This and That: Copyright Protective Bureau announced discovery of wholesale violations of the copyright law. . . . Eastman Kodak announced a $2,625,000 bonus for its employees. . . . Spurt in buying product was noted. . . . N. W. Allied sought a law against 16 mm. pix opposition. . . . A T & T was reported retiring from the motion picture field, retaining only the Erni sound system. . . . Special student admirs prices were found facing a Federal tax, arousing opposition from N. W. Allied and other exh. units. . . . Fenner &

UA Theater Circuit Net Soars
$300,633 More Than Doubles 1939 Figure

48 Pix Believed on Para's 1941-42 Schedule

Hollywood—Paramount officials refused to comment on a published report that the company will release 48 pictures for the 1941-42 season, but observers believe the number will prove correct.

At the sessions between theater

MARTIN BECK RITES TODAY
Theater and Vaude Veteran Dies After Operation

Funeral services for Martin Beck, 78, veteran theater and vaudeville executive, founder of the Orpheum circuit and at one time managing di-

ector, will be held at 2 p.m. today in Campbell Funeral Home, 81st St. and Madison Ave. Interment will be in Salem Field.

Death of the dean of American variety showmen, builder of 65 U. S. theaters, including both the Palace and Martin Beck here, occurred Sat-

day in Mount Sinai Hospital of complications which followed an ab-


MPTOA Sees Decree Reversing Purpose

Ed Kuykendall, MPTOA president, said on Friday that he believed the Department of Justice had been sil-

cere in trying to work out a consent decree that would be beneficial to, and protective of, the interests of independent exhibitors. But, he added, in its anxiety to conclude a thing on which it had given months

Allied Directors Won't Assembly Before January

Whether the consent decree is signed or not, Allied directors will not be called to assembly until the annual board meeting in January, Abram P. Myers, general counsel, said before returning to Washing-

No More Jap Favors For New Year's Eve

Milwaukee—"Made In America" will be the rule for New Year's Eve favors to be used by Warner theaters in this terr-

itory this year. In 1939, managers found that many of the favors had been made in Japan, with the result that there were patent squawks.
FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 15)

NEW YORK STOCK MARKET

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ROSE COMING BY BOAT

Although Paramount's foreign department had believed that David Rose was in Lisbon on route to the U.S., it was found that the managing director for England was still in London. As all the Clippers were on this side of the Atlantic, Rose was advised to seek steamship passage.

CARL ROSE DEAD

Chester, N. S.—Carl Rose, 29, for several years on the staff of Loew's Theater, Montreal, died here.

AUSTRIAN COMPOSERS SUE ASCAP TO GET A/KM COIN

Leo Ascher, Hermann Leopoldi, Ladislas Szucs and Franz Sabotka, Austrian composers, filed suit Friday on Tuesday against ASCAP and asked the Court to order the defendant to pay over all sums which ASCAP now owes to A/KM for which the defendants have been unjustly paid. Plaintiff, in July 1940, obtained a judgment against A/KM for $99,000 and are seeking to collect judgment, a matter allegedly due from ASCAP to A/KM.

CANADA CALLS DAVIDSON TO WORK WITH GRIERSON

Montreal—J. D. Davidson, prominent British documentary film director, is leaving London shortly for Canada to assist the Dominion Government in production of documentary pictures. He will work with John Grierson, Film Commissioner. Davidson, pioneer in the documentary film movement, was one of the original members of the Film Section of the Empire Marketing Board formed by the British Government in 1930.

MACFAYDEN FUNERAL HELD

Funeral services for Harry Macfayden, 59, former stage and film director, and for the past eight years producer of NBC radio, were held here Saturday.

BISHOPS ASK UNITED FRONT AGAINST OBJECTIONABLE Flix

Washington bureau of the Film Daily

WASHINGTON — Strong protest against the "increasing objectionable tendencies which lately have become manifest in films" was expressed here in a statement issued during the annual meeting of the Archbishops and Bishops of the Catholic Church in the United States by the Episcopal Committee on Motion Pictures.

"We call upon priests and people to maintain and strengthen diocesan organization of the Legion of Decency in each diocese, and to co-ordinate efforts with the National Office of the Legion in the New York, so that a united front may stand firmly against films morally objectionable," the committee's statement said.

The report found circulation at the approach of tomorrow's meeting here of UA's stockholders, arousing lively speculation. The Fairbanks estate's fifth stock interest in UA recently was tentatively valued at $500,000 by the California estate appraisal department.

COMING AND GOING

ED KUYKENDALL, MPTOA proxy, left New York Saturday for Atlanta and his home in Col- umbus, Ohio.

LEWIS MILESTONE is at the Pierre.

DAN GREENHOUSE, RKO's manager for the Philippines, arrived in Los Angeles Friday by Clipper and expects to be in New York by the end of the week.

KENNETH McKENNA, story editor for Metro, arrives in Hollywood today after several weeks in New York for home conferences and a look at the current Broadway plays.

STANLEY RIDGES is due here from the Coast in the next couple of weeks.

NORMA SHARER returns to the Coast Wednesday.

RICHARD BERR, New York actor, leaves for the Coast this week to start work under a 20th- Century Fox pact.

EDWARD RAFTERY left over the week-end for the Coast to attend UA's stockholders meeting.

WB Will Resell "Navy":

Memphis Premiere Dec. 6

"Here Comes the Navy," will be re-issued by Warners next month, with a second world premiere backed by a heavy advertising and publicity campaign launching the picture Dec. 8 at the Warner Theater in Memphis. It was revealed Friday by Gay Sears, sales chief.

Sears, who plans to put the picture into general release Dec. 21, commented Friday that today, Cagney and O'Brien, stars of the picture, have a greater audience by far than when the picture was originally released in 1934.

Bank Silent on Reports Fairbanks Estate to Sell

West Coast Bureau of the Film Daily

Hollywood—Officials of the Bank of America, executor of Douglas Fairbanks, said that the bank had refused to affirm or deny public reports that the estate is seeking to dispose of its one-fifth ownership of United Artists.

The report found circulation at the approach of tomorrow's meeting here of UA's stockholders, arousing lively speculation. The Fairbanks estate's fifth stock interest in UA recently was tentatively valued at $500,000 by the California estate appraisal department.

Happy Birthday To You

From THE FILM DAILY to

FRANCES MARION
CLAUD MACMURRAY
MARGARET SEDDON
EUGENIA GIBERT
Paramount’s Motto for 1940-41

"Love Thy Exhibitor"

First we warm the hearts of exhibitors from coast to coast with a picture they can play at ADVANCED PRICES AND MAKE A CLEAN-UP ON "North West Mounted Police"

Then we come through with the Claudette Colbert, Ray Milland comedy-romance-drama that critics give top ranking, audiences cheer and exhibitors are playing to record-breaking grosses . . .

"Arise, My Love"

. . . And NOW we offer the most sensational holiday picture ever to bring Christmas cheer to your box office . . . America’s two top comedians together for the first time on the screen in the No. 1 laugh show of all time.

JACK BENNY

FRED ALLEN

"Love Thy Neighbor"

with MARY MARTIN • Verree Teasdale and ROCHESTER

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers • A Paramount Picture

Produced and Directed by MARK SANDRICH
Eileen Creelman, N. Y. Sun:
“This Kay Kyser is a super showman...’You’ll Find Out’ is a mystery melodrama, and it also is fun.”

L. M., N. Y. Daily Mirror:
“Fans will go for this with open arms ... a lot of entertainment.”

Phil Scheuer, L. A. Times:
“Most successful example of its kind.”

Film Daily:
“A surprise package of swell popular entertainment... Novel and highly amusing... Lots of laughs.”

Hollywood Variety:
“A laugh riot from start to finish.”

Archer Wisten, N. Y. Post:
“Lively, and full of all the tricks of the thriller trade... In addition, the band plays, the comics indulge in humor, Ginny Simms sings and all the kids seem to have a good time.”

KAY KYSER
IN THE MYSTERY WITH MUSIC
YOU’LL FIND OUT
WITH THOSE THREE BAD BAD-HUMOR MEN
LORRE KARLOFF LUGOSI
Dennis O’Keefe - Alma Kruger and Kay Kyser’s Band
featuring Ginny Simms Harry Babbitt Ish Kabibble
Sully Mason and “The College of Musical Knowledge”
Produced and directed by DAVID BUTLER
Screen play by James V. Kern
"YOU'VE GOT A HIT," shout trade and press critics . . .

CURRENT ATTRACTION AT THE ROXY, N. Y. FOR ENGAGEMENT LIMITED TO ONE WEEK ONLY!

THANKSGIVING WEEK ATTRACTION EVERYWHERE!

Motion Picture Daily:
"Lively, fast-moving box-office merchandise which should be easy to sell and should leave the customers laughing."

Cecelia Ager, PM:
"The Roxy has surrendered to Kay Kyser . . . everybody, cashiers included, seems to be happy about the whole thing."

Harry Mines, L. A. News:
"Riotously funny combination of mystery and music. It's a winner."

Motion Picture Herald:
"A welcome dish of picture entertainment . . . audience in New York roared with enjoyment . . . Applause greeted the interludes devoted to music."

L.A. Herald-Express:
"If you don't mind seeing a picture from the floor, that's where you'll be when you're through laughing at Kay Kyser in 'You'll Find Out.'"

Los Angeles Examiner:
The audience ate it up. A great dish of entertainment. For laughs combined with chills, you can't beat it."

Hollywood Reporter:
"A sure hit. Should pass the exceptional box-office record made by Kay Kyser's first picture."

Kate Cameron,
N. Y. Daily News:
"Had the Roxy Theatre audience in a dither of shakes and shouts."
Shea Circuit Under Trustees 10 Years

(Continued from Page 1)

ness is to be held in trust for 10 years, with directions to the trustees to operate the companies.

Grainger, who has been the operating head of the circuit since 1936, has been named president and general manager of the seven Shea companies and will fill the position which Shea held on the board of directors of seven subsidiaries.

Under the new setup, officers of the Shea organization, in addition to the presidency held by Grainger, are as follows: Dennis O'Brien, vice-president; E. C. Rafferty, treasurer and assistant secretary; Thomas E. Shea, secretary; A. J. Kearney, assistant secretary; James G. Tuckerman, assistant treasurer.


Cohen's Norwood, Detroit, Becomes Associated Link

Detroit — Associated Theatres is acquiring the eleventh house for a circuit, by taking over the Norwood from Ben and Lou Cohen. House is to be operated directly by the new Standard Theatre Co., formed by Associated. The Norwood is directly across the street from Associated's Center. Joe Klein, formerly of the Loop, will manage the house, with Fred Walton taking the Loop.

320 Openings for "Letter"

Warnings 'The Letter' will open in 320 simultaneous engagements over the Thanksgiving Day weekend. The Bette Davis starrer is scheduled to open in its Norrit and Premier at the Strand on Friday.

Cuban Exhibs. to Ask Decree Suspension

(Continued from Page 1)

down took the position that they would not service accounts after Oct. 15 unless it was amended, modified or suspended, but on the Oct. 1 date an extension of service for 3 days was agreed upon. However, Friday passed without any further extension being discussed or granted.

Attempts to arbitrate the matter have failed, and now apparently the matter is going to be left in the hands of the exhibitors for settlement. Majority of the exhibitors lettered to about a week ago, get a petition asking that the decree be suspended, signed as quickly as possible for presentation to the Secretary of Commerce.

Sarnoff's RCA Pact Renewed at $100,000

(Continued from Page 1)

ments and other corporate data to the Securities and Exchange Commission has been suspended. At the end of the six-year period, the reports showed, Sarnoff will receive a pension at the rate of $20,000 per year.

Martin Beck Dies at 73:

Funeral Services Today

(Continued from Page 1)

Martin Beck as a legitym, house in 1923 and in 1928, returned to vaude in an advisory capacity with RKO. Later, to about a year ago, he was RKO's managing director.

Surviving are his widow and two daughters.

20th-Fox Salesmen Will Start Holiday Dec. 23

Two weeks' holiday for 20th-Fox salesmen will start Dec. 23 and last to Jan. 6, it was announced at the week-end by Herman Wobber, general manager of distribution for the company. Annual Kent Sales Drive winds up Dec. 21.

Company reported at the week-end that a number of districts were running ahead of bookings for the same period of the Drive last year as it started its final month.

CFI to Pay 25 Cents

Board of directors of Consolidated Film Industries on Friday declared a preferred stock dividend of 25 cents a share, payable on Dec. 27 to holders of record on Dec. 5.

Just Coincidence?

Rochester—It was either coincidence or good booking at the Loew's Rochester for a week opening Friday, and the following Monday night when "Bell of the Great White Shield" will appear in person in a concert at the Eastman Theater.

Friday night's show was arranged by Lester Pollock, Loew's manager.
Doubt Decision on Decree Within Week

(Continued from Page 1)

"little three." The brief, itself, probably will be completed by mid-week.

Rumors to the effect that the Department of Justice and industry attorneys would attempt to make some changes in the consent decree before Federal Judge Henry Ged- dard renders his decision were in circulation over the week-end. Nature of the reported changes was not disclosed but it is believed by some that it would involve the proposed method of selling.

Allied Directors Won’t Assemble Before January

(Continued from Page 1)

ton, following the public hearings in New York. Myers said some of the directors may attend the Indiana unit’s convention next week and an informal meeting may be held.

Quietus for Olson Suit

Indianapolis—Suit filed by Charles M. Olsen, operator of the Lyric Thea- ter and head of the Olson Enter- prises, in Circuit Court against the operators of three local theaters and nine distributing companies, charg- ing an attempt to put the Apollo Theater out of existence through viola-
tion of the Sherman Act has been quieted. It was confirmed Friday by Olsen.

"Road Show" Bows Dec. 6

Hal Roach’s "Road Show" will have its first showing at the Stanley Theater in Pittsburgh on Dec. 6. Engagement will be in the form of a test engagement to determine policy.

WEDDING BELLS

Cleveland—Geraldine O’Horo, secre-
tary to Columbus branch manager Lester Zucker was recently married to Albert Ely, local attorney. Miss Hilda Klein moves up from a clerk to succeed her and Laverne Haesley joins the office force to succeed Miss Klein.

Scranton—William Andres, head of the Comerford theaters candy de-
partment, and Betty Rainey, in the Comerford accounting department, were married.

Scranton—William L. Kays, man-
ger of Globe Theater, and Dorothy Rita Dolan were married in St. John the Evangelist Church.

West Coast Bureau of THE FILM DAILY

Hollywood—Kay Griffith and Brod-
erick Crawford will wed Thursday.

Elkton, Md.—Ethel Merman and William B. Smith, Hollywood art-
ists’ rep., were married here Friday.

Holdup of Capital Theater, Boston, Proves
To be a “Smoke Screen” for Major Robbery

Boston—Here’s something really new in the way of crime stories. In order that a liquor store on Commonwealth Ave. might be successfully held up and robbed of several thousand dollars, a minor robbery almost “phone” holdup was staged at the Capital Theater two doors distant. Plan of the holdup man was obviously to attract the attention of the police and whatever passerby might be to the theater holdup. It succeeded.

Film Advertising Lags, Board of Review Hears

(Continued from Page 1)

ism was based on the claim that neither advertising nor promotion told enough of what actually was in the picture.

The Parents Magazine editor also told the conference that the ability of the child to choose its own films should be respected, that children’s film taste is much more sophisti-
cated than adults credit, and that during the past year, release dates of family audience films have not been spread out evenly enough.

Judge Stephen S. Jackson, direc-
tor of the Bureau for Radio and Film, said he was not in a position to assert claims of the influence of so-called gang-
ster films on children were exagger-
ted. He said, however, that from the standpoint of “pull,” films exercised a greater influence on youngsters than any other medium.

Vvyyvyan Donner of Fox Movietone and Ilka Chase both discussed screen fashions, the former stating that South America was “crazy” about American fashion shorts, while the former observed that screen fashions generally were impractical and "very funny.”

Margaret Thorp, author of “America at the Movies,” stressed that audiences were beginning to dis- count the director as the fundamental screen artist; Virgil Thompson, Herald-Tribune music critic, de-
clared that music in the fiction film should be used as in the theater merely to open and close the show; Oliver T. Griswold of the Rural Electrification Administration, men-
tioned that Government films were not intended to compete with Holly-
wood; Mark Stary discussed the film activities of the International Ladies Garment Workers Union.

Conference closed Saturday with the 26th annual luncheon at which Walt Disney was among the honor guests.

Frank Gross Acquires
Two Schwartz Theaters

Cleveland—Frank Gross, owner of the Grand, Cedar and Quincy the-
aters, has just concluded a deal to buy the Broadview and New Y theater from Ernest Schwartz. Stuart Cagney has been named man-
ger for the Broadview. Schwartz retains the Norval.

Scenecraft-Levinson Deal

Scenecraft has closed a distribu-
tion deal with Mike J. Levinson of Los Angeles for the “Emperor Jones” in California, Nevada, Arizona and Hawaii.

UA Theater Circuit Net
Doubles 1939 Figure

(Continued from Page 1)

deducting interest, depreciation, amortization and provision for Fed-
eral income taxes was $573,851.79.

Annual meeting of the stockholders has been set for Nov. 25 in Balti-
more.

Jacobs Forms Imperial
As Cleveland Distrib.

Cleveland—M. M. Jacobs, formerly associated with F. Arthur Simon in Lake Shore Sales Co., has formed Imperial Pictures Co., and has open-
ed an office at 718 Film Bldg. Imperial has acquired the northern Ohio distribution rights to Astor and Mohawk product. Jacobs will also continue to sell winner, a the-
ater game.

Simon will continue to operate the Lake Shore Sales Co. in its pres-
cent location, with bicycle and premi-
num deals.

THE WEEK IN REVIEW

Decree Reserved

(Continued from Page 1)

Beane Industries Service forecast a rise in pic company earnings . . . National Board of Review met in N. Y. City with approximately 500 in attendance . . . Allied of Texas dou-
bled its budget for the coming year and re-elected Col. H. A. Cole proxy . . . . Walt Disney’s new venture in cartoons, sound and color, “Fantas-
sia,” opened at the N. Y. Broadway Theater to peals of praise from the critics . . . Illinois UTO will co-op with the St. Louis MPTO . . . Edgar Kohak, NBC vice-pres, urged at Ampe luncheon that films engage their own radio commentators.

Feature on Theodore Roosevelt

Hollywood — Warner Bros. will film a biographical picture on the life of Theodore Roosevelt, to be called “Teddy and the Boys.” Gor-
don Hollingshead has been signed to write the scenario. Sidney Black-
mer will play the role of Theodore Roosevelt in the feature as did in a previous Warner short subject.

Single Features in Glencoe

Glencoe, Ill. — Sam Myers has adopted a single feature policy for the new Glencoe here.

MELODY BELL

A REPUBLIC PICTURE

GENE AUTRY

with

JIMMY DURANTE

ANN MILLER

“Just picture me, struggling with a
million verbs, adverbs, nouns, pro-
ouns, apostrophes, commas . . . and
coming out on top without a bruise.”

and BARTON MOORE • BARBARA ALLEN • VERA VOGUE

GEORGE "GABBY" HANFORD • BERTIE COPE • MARY LEE

THEATER MOSCOW • SAVANNAH • CLEVELAND • DALLAS • PITTSBURGH • BOSTON • PHILADELPHIA • NEW YORK • CHICAGO • LOS ANGELES • DETROIT • BALTIMORE • ATLANTA • CHATTANOOGA

THE NEW YORK TIMES
MPTOA Sees Deere Reversing Purpose

(Continued from Page 1)
of effort, the D of J has allowed itself "to be worked into a consent-
dissent in the processes for which they started."

Kuy kendall said that William P. Sims, attorney for the MPTOA, was
nearing, not only to Federal Judge
Henry W. Goddard while attempting
to point out the defects of the de-
eree at the hearings Thursday, also
to the Dept. of Justice men who
were present in order to impress on
them the alleged mistakes in the
document.

While not wanting to go into the
mechanics of the decree, Kuy kendall
predicted that if the decree is passed in
present form, it will stir up
more dissection, turmoil and law
suits than ever before.

"Nobody can predict Judge God-
dard's decision," Kuy kendall said,
"but whatever comes of it, the
MPTOA will continue to fight for
the interests of the independent
exhibitor."

48 Pix Believed on
Para.'s 1941-42 Schedule

(Continued from Page 1)
partners, home office and production
officials which ended Friday, much
time was devoted to titles and pro-
pective casting for future pictures,
with exhibitors suggesting many
titles and also revealing facts on
box-office powers of various stars
and featured players.

The visiting theater men also
made it evident they do not want cycle-
ners do wish to rely on one type
of product. They ask that product shall
be varied something in the line of
They were assured that the produc-
tion department would not stint and
that the outlay on worthy stories
would be sufficient.

Mono. Advance Playdate
Report at All-Time High

West Coast Bocau of THE FILM DAILY
Hollywood—Monogram's advance
play date report for the 8-week peri-
od from Nov. 18 has hit an all-time high,
exceeding by $25,000 the previ-
ous record report issued last May
18, according to President W. Ray
Johnston.

TO THE COLORS!

Rochester — The assistants at Loew's Rochester here are military-
minded. George McGunnigle, assis-
tant manager, is waiting for his com-
mand in the Naval Reserves, while
Alvin Leonard, student assistant, is
taking flight training at the local
airport under the CAA program.
EASE DECREE’S SELLING STRAIN MYERS

Warner Sales Drive Honors Sears, Opens Dec. 22

Marks Sales Chief’s 20th Year With Company; Cash Awards to Total $25,000

Warner’s sales drive, set to start on Dec. 22 and extend a record 17 weeks through April 19, will have “20th Year for Sears” as its slogan, and $25,000 in cash awards, the home office said yesterday.

Slogan is a tribute to Grad L. Sears, general sales manager, who rounds out 20 years with Warners next month. He started as First National salesman in Chicago on Dec. 6.

Changing Canadian Clearance Setup!

Toronto—Film Section of the Toronto Board of Trade will meet here today to consider recommendations by the special committee on clearance reforms. The committee, at the suggestion of the Film Section, has re-examined the entire matter of establishing the proposed National Clearance Board.

It is predicted the committee will recommend a compromise plan; will ask that the distributor interests

Farnol Leaves UA To Open Own Office

West Coast Bureau of THE FILM DAILY Hollywood — Murray Silverstone yesterday announced that Lynn Farnol has resigned as United Artists advertising and publicity director.

Sam M. Flax Drops Dead; Wisconsin Rides Today

Funeral services for Sam M. Flax, 58, Republic franchise holder in Wisconsin with his brother Jake E. Flax, will be held at 1:30 p.m. today.

Fires Bring Ia. Code Demand Aimed at Poorly Constructed Theaters

Ten IATSE Studio Locals Ask Wage-Hours Parley

West Coast Bureau of THE FILM DAILY Hollywood — Ten IATSE studio locals representing 10,000 film workers called upon producers for the immediate opening of negotiations on wages, hours and working conditions.

Godard, Jackson’s Aides to Confer Today: Speculate on Possible Decree Modification

A meeting between Federal Judge Henry W. Goddard and James Hayes and Robert Shor, special assistants to Attorney General Robert Jackson, is scheduled for this afternoon in the judge’s chambers. While the purpose of the session is not known, it is believed by some to have an important bearing on the status of the consent decree.

The possibility that Judge Goddard will hand over the signed and approved document to the Government was advanced by some sources. However, however, believed that a revision of the decree was in prospect, possibly to meet at least some of the objections voiced by exhibitors at last week’s hearing.

Washington Bureau of THE FILM DAILY

Washington—Department of Justice officials last night refused to comment on the scheduled conference to be held in New York today with Federal Judge Henry W. Goddard. Beyond the mere statement that the subjects to be talked over were “of a confidential nature,” Justice Dept. officials would not give any indication of the specific phases of the conference.

However, it is believed that there have been further developments with regard to the consent decree and the New York visit of the Washington officials would seem to indicate a round table discussion of the entire situation.

Hopes Dists. Will Have 75-125 Pix Ready Sept. 1; Sees Appeal Board Flaw

If the consent decree in the New York equity suit is signed by Federal Judge Henry W. Goddard, Allied hopes that the distributors “will bend every effort to ease the strain of the new selling system as much as possible.”

In a general bulletin made public yesterday, Abram F. Myers, general counsel, pointed out that one way in which the distributors can be helpful would be to make available as many trade shown pictures as possible.

Average Arbitration Cost May Be $50-$75

While the cost of arbitrating a dispute can run as high as $375, it is estimated by reliable sources that the average expense will be between $50 and $75 under the proposed arbitration system as stipulated in the consent decree.

Theater Accessories Belong To Exhib., Test Case Ruling

An exhibitor and not the landlord of a theater owns motion picture accessories such as seat covers, marquee letters and projection inter-

Secondary Picketing OK—Supreme Court

Washington Bureau, THE FILM DAILY

Washington—Federal courts are without power to enjoin unions from picketing third parties in a labor dispute even though alleged violations of the Sherman Act are involved, the U. S. Supreme Court ruled yesterday in a decision of marked interest to the exhibition field. In effect, the decision okayed secondary picketing.

Two Free Television Theaters for N. Y. C.

Two free television theaters for New York City are in prospect as a result of the action of the FCC in granting a station license to Metropolitan Television, Inc., associated with Bloomingdale’s and Abraham & Straus department stores.

Station is authorized to operate on Channel No. 8 (162,000-164,000 kilocycles), one kilowatt aural and visual power, to develop program techniques for determining public taste, including use of two tele-text televisions which should be projected daily for free public showing.
No Paper Thursday

Barney Balaban, Stanton Griffiths and Neil Aiken returned yesterday from Para. Coast conferences.

Charles E. McCarthy, director of advertising and publicity for 20th-Fox, arrives in New York this morning from the Coast by plane.

F. J. A. McCarthy, Eastern division manager for 20th-Fox, arrived New York last night for Nashville and will also visit Atlanta before returning to the home office.

Harry Gold, vice-president and Eastern sales manager for United Artists, is in New Orleans.

Lynn Farnol returned yesterday from the Coast.

Groucho Marx leaves the Coast the latter part of the week by car for New York.

Betty Crable has returned to the Coast.


Virginia O'Brien, singer, leaves shortly to join the Lionel Basford troupe in Cleveland.

Fritz Mandl has sailed for South America.

Buddy de Sylvia has arrived on the Coast.

Alfred Knopp has arrived in Hollywood for a visit.

Harry Lamont, indicia exhib, who is opening a new theater in Hudson, has returned from an equipment-purchasing trip to New York.

Barney Kranke, RKO branch manager in Albany, has returned from New York where he called on the Fabian and Reade circuits in regard to product deals.

Van Nomkos is here from Chicago.

Harry M. Bessey, secretary-treasurer of Altec Service Corp., has returned to New York from a business trip to Kansas City.

Walter Branson, Midwestern district manager for RKO Radio and headquarters in Chicago, is in New York City.

Steve Brody, Monogram Boston franchise holder, placed the Coast.

Leo Spitz of Spitz & Adcock, is on the West Coast on a combined vacation and business trip.

Paul Rainburn left the Coast yesterday.

WARNERS BOOST "LETTER" AD BUDGET $100,000

West Coast Bureau of THE FILM DAILY, Hollywood—Warner's has upped advertising exploitation on "Letter" an additional $100,000, according to S. Charles Einfeld, director of advertising and exploitation. Money will be spent mostly in newspapers, with the whole campaign tying up the Academy Award winning aspects of the performances of Bette Davis and James Stephenson and the direction of William Wyler.

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GENE TIERNEY leaves tonight for Hollywood after a short vacation.

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Cincinnati—Ralph Kinsler, branch manager for Warners here, has returned to manage the local Monte Vista and Reading theaters, for the Shard interests. Elmer Shard, operator of the houses, died recently.

To Poll 150 Book Critics On “Bell Trolls” Players

West Coast Bureau of THE FILM DAILY, Hollywood—Paramount and Warners have sent 150 leading book critics of the United States and Canada to learn what players should play the principal roles of the new Hemingway’s “To Whom the Bell Tolls.”

William Goldman Takes Philadelphia’s Erlanger

Philadelphia—William Goldman, production, with Nanymally Johnson working on the script. Signing of the contract with Jack Kirkland followed lengthy negotiations. Figure around $200,000, with further payments on a royalty basis, was reported for the stage play.

Philly Variety Club Honors Dr. Leon Levy

Philadelphia — Dr. Leon Levy, WCAU executive, was today elected chief Barker of the Variety Club for 1944. Other officers are Charlie Sweet- gart, first assistant chief Barker; Hillary Brown, second assistant; Bill MacAvoy, treasurer; John Monroe, secretary; Harry Ball,exor; Harry Friedman, house chairman. Ray O’Rourke and MacAvoy are delegates to the national convention, with Sweetgart a national director.

New York Censors Adopt More Liberal Pix Policy

Albany—Action of the New York State Board of Censors in finally okaying revised versions of “Easy- tasy” and “Fools of Desire” for ex- hibition in the State is interpreted by a Board trend towards liberalization.

Mix Estate Below $115,000

West Coast Bureau of THE FILM DAILY, Hollywood — Estate left by Tom Mix killed in a motor crash, is estimated at $115,000 instead of an anticipated $1,000,000, and may be reduced 50% on the court’s obliga- tions, according to Mix’s counsel.

TEXAS: Importers of Texas picture, “Tobacco Road,” by New York, get 2nd.OCCUPANT, a picture made in the picture, “Tobacco Road,” by New York, get 2nd. occu- pants, are importing a picture, “Tobacco Road,” by New York, get 2nd. occu- pants, are importing a picture, “Tobacco Road,” by New York, get 2nd. occu- pants, are importing a picture, “Tobacco Road,” by New York, get 2nd. occu- pants, are importing a picture, “Tobacco Road,” by New York, get 2nd. occu-
**Warner Sales Drive To Honor Grad Sears**

(Continued from Page 1)

1920, and subsequently served as branch and division manager prior to his appointment as sales chief in 1937 and election as Vitagraph prexy in 1938.

New method of determining drive winners has been devised by Sears and his assistant, Carl Leserman. First 12 weeks will comprise the qualifying period. All of the 37 branches in the U. S. and Canada which have maintained or exceeded their respective quotas after 12 weeks, will qualify to participate in the final round. That will comprise the last five weeks of the drive, during which time the surviving branches will compete on the performances of the entire 17 weeks for the $25,000 in cash awards. Cash awards will also be given the district managers who have the largest number of branches above quota.

Branches qualifying for the final five weeks competition will be split into two teams, one of which will be captained by Ben Kalmenson, Western and Southern sales manager, and the other by Roy Haines, Eastern and Canadian sales manager, for the remainder of the drive period.


In a sweeping reorganization move, the national board of AGVA met yesterday and dismissed the national executive committee, appointed a new executive committee and vested in it all the powers of the old national board and the right to conduct all business affairs of the union locally and nationally. This move stripped the national board of all power, although it still remains in existence.

Reason for the move was said to have been internal disputes in the organization which had hindered or interrupted the ordinary business of the union to a serious degree during the past few months.

New committee is comprised of Edward Arnold, Frank Gilmore, Paul Dulluzz, Ruth Richmond, Blanche Witherspoon, Helen Sanford, Willis Bryant, Dewey Barton, Henry Dunn and Dave Apolon, with all of the AAAA unions represented on the committee.

![Image](image-url)

“Blanket Matinees” Aid British Homeless

OKLAHOMA CITY—OKLAHOMA theaters operated by the Griffith Amusement Co. holding “blanket matinees” help Oklahoma reach the goal of 5,000 blankets for families in need here. Great Britain’s air raids. Blankets, old or new, will be the admission price for the matinees.

**Expect $400,000 “Dictator” Gross at Capitol in 6 Wks.**

(Continued from Page 1)

Engagement. However, there is a possibility that it will be held over another week.

It is estimated that the picture will have grossed approximately $400,000 by the end of the sixth week at the Capitol where it will have played to slightly less than a million patrons M-G-M's “Third Finger, Left Hand” is slated to open there on Nov. 28, if the Chaplin picture is not held over.

“The Great Dictator” will continue at the Astor.

Cleveland—“The Great Dictator,” doing four times the average business in its second week at Loew's Stillsman, is being held a third week with all indications pointing to a fourth week.

**NWMP to Stay At Least Four**

Para's NWMP will go a minimum of four weeks at the N. Y. Paramount.

**Changing Canadian Clearance Setups**

(Continued from Page 1)

have representation (originally not provided for) in addition to the church and independent interests on the National Board; and will bring forward a plan, probably, for the establishment of an express or clearance board in Ontario, to be followed by formation of other regional boards in the other provinces, the Ontario board to act as National Appeal Board when so invoked by a regional board.

**Theater Accessories Belong To Exhib.. Test Case Ruling**

(Continued from Page 1)

mittens, the Aggregate Division of the Brooklyn Supreme Court ruled yesterday in a test case. Under the Court decision, Cordell Theaters, Inc., M. M. Cohen, Louis Goidel, defendants in a suit brought by Avanta Realty Corp., rightfully removed these fixtures when transferring from the theater to a new house. The Court reversed a decision which held the defendants guilty of contempt in removing property which the landlord claimed was his as part of the realty.

Louis Nizer, attorney for the defendants, successfully argued that the exhibitor had the right to remove the property since it was personal and not part of the building itself.

**Lynn Farnol Leaves UA; Will Open Own Office**

(Continued from Page 1)

Farnol will continue with the company until Jan. 1. He plans to open an office to handle a new type of personalized exploitation and publicity without the burden and routine of a large department and organization.

United Artists during the fiscal year of 1940 has shown a profit of more than $500,000, it was learned on the eve of the company's annual stockholders' meeting.

**Dudelsons Hurt In Crash**

Cincinnati—Harris Dudelson, manager of UA's exchange and his wife were badly bruised, although both escaped serious injury, when their car was demolished after being rammed.

**S222,218 ‘Take’ Sets Cinex Monthly Mark**

Cincinnati—Bingo receipts last month hit a new high in this city, according to police monthly report issued by Chief Weatherly. Statistics for October showed paid admissions of 279,967 at 153 bingo parties, which paid out $54,246.98 in prizes, leaving a net profit of $158,571.31 for the sponsors. This does not include soft drinks, lunches and beer received on an hourly basis, all sponsors serve these additionally, including the churches.
Holiday

Thanksgiving

BETTE DAVIS
'THE LETTER'

By W. SOMERSET MAUGHAM with
HERBERT MARSHALL, JAMES STEPHENSON
Frieda Inescort, Gale Sondergaard
Screen Play by Howard Koch, Music by Max Steiner
A WM. WYLER Production
New Year

'FOUR MOTHERS'

Starring the 'Four Daughters'

Priscilla Lane • Rosemary Lane
Lola Lane • Gale Page

with
Claude Rains • Jeffrey Lynn • Eddie Albert

May Robson • Frank McHugh • Dick Foran
Original Screen Play by Stephen Morehouse Avery
Suggested by the Book, "Sister Act," by Fannie Hurst
Directed by William Keighley

Raymond Massey • Ronald Reagan • Alan Hale

With
Wm. Lundigan • Van Heflin • Gene Reynolds
Henry O'Neill • Quinn 'Big Boy' Williams
Screen Play by Rodell Buckman • Music by Max Steiner
Directed by Michael Curtiz

ERROL FLYNN
AvIA de HAVILLAND
SANTA FE TRAIL'
ease selling strain of decree—myers

(continued from page 1) sible at the beginning of the next selling season. "Judge Goddard is an example of the "complaint,"" Myers wrote, "by each of the five consenting dis- tributors that it will have three to five groups ready to offer the exhibitors on Sept. 1 to clear the atmosphere." For the first time in many years, Myers said, the exhibitors presented a solid front at the hearings last Thursday before Judge Goddard. Such solidarity, he continued, on other major issues would infinitely strengthen the position and improve the lot of the exhibitors of the coun- try. "Judge Goddard heard the exhibi- tors fully if not sympathetically," Myers contended. "As a result, he can not entertain any illusion that the decree submitted to him is ac- ceptable to the exhibitors or will cure all the ills of the industry."

Caution in selecting men for the appeal board also was advocated by Myers, who asserted that it was a "serious oversight that the decree does not prescribe the qualifications for members of that board that it does for the arbitrators. Purely political appointments or the appointment of persons formerly connected with any branch of the industry, or of persons active in the formulation of the decree would tend to discredit the arbitration sys- tem before it can be given a chance."

average arbitration cost may be $50 to $75

(continued from page 1) yesterday, have been calculated on the assumption that a complaint would be represented by an attor- ney, but it is reported that the majo- rity of cases heard by the Ameri- can Arbitration Association are held without counsel, thereby reducing the expense. Other estimates also figured the maximum fee for arbitrators, or $50 a day, which would be true only in very rare cases. A case costing $300 would be "unusual," it was said.

film draftees may continue their pix work

west coast bureau of the film daily

hollywood—motion picture draf- tees may be given opportunities of continuing their film work in the army under certain conditions as arranged between the Signal Corps and Indust- ries Production Defense Committee, with the Army and War Department enlarging its motion picture facilities.

a number of film draftees, in spe- cial classes of certain branches, may be assigned to Army film activities if the Army so decides.

schenck again aids polio fund campaign

joseph m. schenck, 20th-fox board chairman, will again serve as vice-chair- man of the Committee for One Campaign of the Pres- ident. At the present time, it was an- nounced, which will be held today by keith mcpherson, presi- dent chairman. george randall rice again will serve as chairman of the board of trustees of the sports counci and eddie center as chairman of the "march of dimes" on main street.

la crosse trust suit settlement is expected

(continued from page 1) ment co. and the welworth thea- ters co., was seen as the result of an announcement that the trial, which started in u. s. district court here late in october, has been ad- journed until after january.

the la crosse company charged the plaintiffs with engaging in mo- no-policie actions and refusal to furnish it with class a product for its houses. it maintained that the producing companies asked higher prices for their product after wel- worth had established two new houses in the city.

only a portion of the testimony of witnesses was presented to the court during the trial which lasted less than a week before it was ordered adjourned by circuit judge patrick t. stone. robert a. hess, milwaukee, counsel for the plaintiff, whose illness caused temporary post- ponement of the trial, has recovered.

morrison to tour country with "2nd chorus" print

west coast bureau of the film daily

hollywood—boris morrison, inde- pendent producer, leaves hollywood thursday to tour the country with a print of "second chorus" which paramount will distribute. he will visit new york, boston, toronto, montreal, charlotte, atlanta, new orleans, memphis and dallas where he will trade preview the film and address meetings of paramount salesmen in each city.

legion's "b" and "c" pix facing ky. ifca boycott

louisville—a resolution providing that members of the kentucky chap- ter, international council of the catholic alumni, refrain from at- tending movies graded "b" or "c" by the legion of decency, was adopted at the final session of the or- ganization's convention here.

f. m. as sound in tele, hughes' plan

(continued from page 1) struction permits for coast tele sta- tions to the Hughes Production Di- vision of the Hughes Tool Co. Sta- tions will be erected in san francisco and san diego, and Hughes' pro- gram calls for an expenditure of $2,000,000.

in addition to his experiments with the wedding of f. m. and films, hughes will study lighting effects, and seek improvement of tele trans- mitters and cameras.

in both cities, the Hughes stations will operate on channel no. 2 (60- 000-66,000 kilocycles) with 10 kilo- watts aurial and visual power.

commission also gave a license to television productions, inc., a subsidiary of paramount pictures, to operate a television relay station on channels nos. 13 and 14 (234,000- 246,000; 246,000-248,000 kilocycles), 250 watts visual power, to supple- ment television broadcast station w6xyz, also in los angeles.

west coast bureau of the film daily

hollywood—when questioned re- garding whether paramount has any plans concerning the city of pal ruine, in charge of para's tele activities, said, "there is nothing to announce about." he was here attending sessions with paramount home office, theater and studio representatives and left yesterday for new york.

board of review scores "ineptitude" of censors

"ineptitude and lack of discern- ment of politically motivated and incompetent state boards of motion picture censorship were deplored by the national board of review, in a conference resolution adopted prior to the present meeting.

the conference resolution singled out the action of the pennsylvania board of censors in suppressing the m. v. "the dinner party, which "unwisely and without adequate pub- lic explanation" for direct criticism, and said this "arbitrary and bureau- cratic" move was "characteristic of the procedure of such state boards."

other resolutions urged(jointed pictures expressing the social behavior and tradition of our youth," endorsed the "field of historical americans," expressed satisfaction with industry co-op in the programs of inter-american cultural relations and reaffirmed its "continued and downward support of a fresh screen, and an untrammeled creative in- dustry, enabled to break new ground and reach new achievements."

stahl sells to long circuit

carrizo springs, tex.—the texas theater, owned and operated by john w. stahl, has been sold to j. g. long of bay city, operator of a south texas circuit. j. w. chandler, manager, for stahl, will be re- main in charge, going into farm im- plement business.

fires bring demand for iowa state code

(continued from page 1) fires so far this year as cause for con- cerned.

strehm said he was contacting various officials of the theater groups to work out planned legislation which he will present to the legislature. under present plans the state code sought will be drafted after the model code prepared by the national fire board.

the fire marshal said the partic- ular action was aimed at the poorly-constructed houses which are found in some of the smaller com- munities. he stressed that little fault could be found with the more modern theaters. one of the most recent hazards, he said, was the lack of projection rooms in some of the houses or flimsy constructed booths.

ark. ito hears talks by richey and finney

little rock, ark.—more than 100 exhibitors and film representatives attended the semi-annual convention of the arkansas ito here yesterday, h. m. richey, receiver of public re- lations for m-g-m, was the principal speaker. he urged closer co-opera- tion between exhibitor and distribu- tor. richey also stated that m-g-m will spend $2,500,000 this year in pre- selling its pictures to the public.

edward finney, in charge of pro- duction of tex ritter westerns for monogram, spoke briefly explaining new phases of coming westerns.

o. g. wren of little rock is presi- dent of the arkansas ito. k. k. king of searcy is secretary, and w. e. malm of augusta is vice-presi- dent.

cheap seats for sunday legit. urged by equity

actors' equity, via an editorial in the current equity magazine, warns that broadway producers that if the sunday day show experiment is to be a suc- cess, cheap seats must be provided to lure film patrons--"the crowds for which they are competing." equity also warns that these patrons paying $1.50 must get attention and made to feel welcome.

offer rudy vallee lead in townie-baker film

west coast bureau of the film daily

hollywood—rudy vallee has been offered the male lead in townie and baker's "how merry man" which goes before the cam- era dec. 15. it is a straight comedy- drama role. deal is awaiting the re- turn of eighties, president of rko, for consummation.
WE'LL BET TEN TO ONE
that
You Will Have the Time of Your Life on the Occasion of
THE TWENTY-FIRST ANNUAL CHARITY
Dinner and Dance
of
MOTION PICTURE ASSOCIATES
at
HOTEL ASTOR
Wednesday Evening (Thanksgiving Eve)
NOVEMBER 20th, 1940

HERE ARE SOME DEFINITE REASONS WHY YOU CANNOT AFFORD
TO MISS THIS AFFAIR—ENTIRE PROCEEDS TO MOTION PICTURE
ASSOCIATES CHARITY FUND

1. Music by Bob Chester and his Famous Orchestra
2. Havana Rhumba Band—direct from Havana
3. Radio Rogues—(Stars of Hellzapoppin)
4. Henny Youngman (Master of Ceremonies)
5. Ben Yost Varsity Eight (Now appearing at Roxy Theatre)
6. Jeanette Hackett Girls (Nine glamorous girls direct from World’s Fair)

—AND BOY OH BOY WHAT A DINNER—

TICKETS $7.50 PER PERSON

Make Reservations NOW with
MR. IRVING LANDES
345 West 44th Street,
c/oTWENTIETH CENTURY FOX,
New York City

Make Checks Payable to MOTION PICTURE ASSOCIATES
SMASH DELAYS AND SPEED ACTION

BY USING 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!"
NEW ARGENTINE RESTRICTIONS PROPOSED

Minor Changes in Arbitration Rules Likely

Judge Goddard Doubts Effectiveness of Parts Of Arbitration Setup

Conference was held yesterday between Federal Judge Henry W. Goddard and Special Assistant Attorney General Robert Sher and several attorneys representing the five major negotiating companies.

Conferes discussed a number of changes in the rules of arbitration, it is understood, after Judge Goddard expressed doubts as to the clarity and effectiveness of certain of the rules.

Government attorneys later stated

(Continued on Page 7)

Protests Kill Film Regulation Board

Pittsburgh — IATSE-backed ordinance for the establishment of a Film Regulation Board is dead, killed by the storm of protests from educational, medical, civic and industrial fields. Ordinance, proposed by L. J. Katz, IATSE international rep., was withdrawn on the eve of a scheduled councilmanci hearing today.

Board of two would have been set

(Continued on Page 7)

100% Holdovers Registered By Para. NWMP.—Agnew

Big business reported by Paramount on “North West Mounted Police” at advanced admission prices has resulted in extended playing time and holdover engagements in all instances, Neil Agnew, general sales manager, announced yesterday.

Above average business in its

(Continued on Page 6)

Scully Calls “U” Meet

William A. Scully, vice-president and general sales manager of Universal, has called a district managers meeting for this Saturday and Sunday in New York, with district managers from all over the country and the home office staff and sales force to attend. Meeting will be held at the Astor.

(Continued on Page 6)

GREENTHAL TO BE UA AD HEAD

Succeeds Farnol, Resigned, On First of Year

Monroe Greenthal yesterday was named director of advertising and publicity for United Artists, effective Jan. 1. Announcement of the appointment was made by Arthur W. Kelly, vice-president in charge of distribution, following the resignation of Lynn Farnol whom Greenthal will succeed.

Greenthal has been with UA continuously for

(Continued on Page 7)

Seventh in Syracuse For RKO-Schine Pool

Syracuse, N. Y.—Deal which will add the Empire theater, now dark, to the RKO Schine pool here is reported in the closing stage. Pool now embraces six houses, four downtown and two nates. Empire, built

(Continued on Page 7)

AGMA is Denied Writ In Its A F of M Dispute

New York Supreme Court Justice Aron Steuer yesterday refused to issue a temporary injunction to restrain the American Federation of Musicians from barring members of the American Guild of Musical Artists from the screen, stage and air. The Court refused to dismiss the

(Continued on Page 7)

Wright as Decree Watchdog? May Head Special Unit of Justice Dept.

West Coast Bureau of THE FILM DAILY

Hollywood—First two theaters in the United States to be jeopardized for projection of Vitasound will be the Strand, New York, and the Hollywood Theater, Hollywood. "Four Special unit to be established by the D of J to keep in touch with the operation of the equity suit consent decree and handle squawks with respect to it may be headed by Robert Wright, Special Assistant Attorney General, it was learned yesterday.

Unit will be in Thurmans W. Arnotds Anti-Trust Division, and pr-

(Continued on Page 6)
100 Operators Canvas Two Missouri Towns To Present Union's Side of Labor Dispute

Webster Groves, Mo.—About 100 members of Local 143, Operators, are making a house-to-house canvas in Webster Groves and Kirkwood to acquaint residents with the union’s side of the walkout of the Workers Groves and the Osage and Kirkwood Theaters in Kirkwood. Union wants two men in the booths. Theaters claim they can’t stand the expense.

World Conditions Block K-A-O Corp. Refinancing

Prior to flying to the Coast last night, Prexy George J. Schaefer of RKO announced that at the meeting of the Board of Directors no action was taken with reference to re-financing of the securities of the K-A-O Corp., because of the unsettled world conditions affecting the industry at this time.

Take Cooney’s Testimony in Waldo Anti-Trust Suit

Boston—In the anti-trust suit case of the Waldo Theater Corp. versus Dondis and major distributors and several theater corporations of Maine, the defendant took deposition before the court from Carroll T. Cooney, at Waldboro, Me., representing the manager of the plaintiff corporation.

Present were Perkins & Weeks of Waterville, Me., representing some of the defendants; Edward T. McLeenan of Boston, representing the remainder of the defendants and George S. Ryan of Boston, representing the plaintiff.

20th-Fox to Release Two Howard Hughes Pix

West Coast Bureau of THE FILM DAILY

Hollywood.—It is now definite that Howard Hughes’ next two pictures will be distributed by Twentieth Century-Fox. The deal had been reported in the formative stage for some time.

Hughes’ first picture under the agreement will be “The Outlaw” with Walter Huston as the star.

House Votes Against Adjournment 191 to 148

Washington Bureau of THE FILM DAILY

Washington—The House late yesterday voted down the motion to adjourn by 191 to 148, thus arousing speculation as to the possibility of the Neely anti-block-booking bill coming up again at this session.

Warner Club Party Friday

New Haven—Warner Club will hold its annual dinnerdance at the Waverly Inn Friday, with about 400 representatives of the theater department, exchange department, and theater managerial staffs. Cy Barrnett is in charge of booking entertainment for the evening, while Robert Anderson and Russell Clark of the theater department are general chairman.

Brooklyn Theater Mgrs. Holdup, Kidnapping, Fake

Mack Willard, manager of the Jewel theater, Flatbush, and Hector La Bone, porter at the house, together with Frank Adamo and Joseph Gabriel, will have hearings Dec. 8 before Magistrate Gasper Liota in Felony Court, Brooklyn, on grand larceny charges growing out of a police investigation of a “perfect” holdup and kidnapping last April. Complaint against the four was signed by Sam Friedman, owner of the Jewel.

Police say that Willard has admitted participating in the fake holdup and kidnapping, with La Bone as his fellow victim.” Loot was the Jewel’s $880 week-end receipts. Police say Willard got $75, La Bone, $25.

As reported to police at the time, the holdup and kidnapping had all the trimmings of a Hollywood melodrama. To add realistic touches, the robbers punched La Bone, tore Willard’s shirt.

Exhibit Launches Attack On Ky. Sunday Film Ban

Nicholasville, Ky.—Temporary injunction was granted in Circuit Court here against enforcement of a new city ordinance prohibiting showing motion pictures on Sunday. The recently-adopted ordinance declares operation of picture theaters on Sunday a “nuisance,” and fixed fines of $20 to $50 for each performance.

The injunction was sought by George Pugh, operator of the Park, in a suit attacking constitutionality of the ordinance.

Both WB. Col. Bidding For “George Washington”

“George Washington Slept Here,” new Kaufman-Hart play, is reportedly being bid for by both Warner and Columbia for future picture production.

Majestic, Brooklyn, Dark After Try With Vaude

Majestic Theater, Brooklyn, which has been opened with a fanfare to bring vaudeville back to downtown Brooklyn, has folded. The policy lasted exactly 10 days.

Jean D. Marks Dead

Indianapolis.—Jean D. Marks, affiliated with the Lyric Theater, and an officer of the Olson Enterprises, operators of naves, is dead.
MR. AND MRS. LEO
They Celebrate Thanksgiving!

“I’m thankful for my pals—The Friendly Exhibitors of America!”

“Thankful for the smashing success of ‘ESCAPE’ holding over everywhere!”

“Thankful for ‘FLIGHT COMMAND’ starring ROBERT TAYLOR. It’s another ‘Hell Divers!’”

“Thankful for the best MARX BROS. comedy of them all—‘GO WEST!’”

“Thankful for CLARK GABLE/HEDY LAMARR in ‘COMRADE X’—it’s funnier than ‘Ninotchka’ and easier to pronounce!”

“Thankful for a grand season that started with ‘BOOM TOWN’, ‘STRIKE UP THE BAND’ and ‘I LOVE YOU AGAIN’ and has been going strong ever since!”

“Thankful for the New Year’s gift ‘PHILADELPHIA STORY’ starring CARY GRANT/KATHARINE HEPBURN/JAMES STEWART—it’s a picture!”

“I’m thankful that our turkey is on the table not on the screen!”
When the exhibitors, who now head Universal, operated theatres, they knew that everyone was a great showman on Christmas Day. But they also knew that Christmas Week profits disappeared into thin air after the pre-Christmas expenses were deducted. It was only natural therefore that their motto should be "Business Before Christmas!"

They fought for the best pictures they could get and they campaigned them with all their energy and resources—AND any number of times they licked the old bugaboo about pre-Christmas slumps; they did business!

Today, as distributors, these men feel the same way about it. To every real showman in America they say: "Tell tradition to take a sneak! Here are two of our most important pictures. In star value, in production, in every detail, they have potentiality for high grosses NOW, before Christmas! You'll get one of these on November 28th; you'll get the other on December 13th! Prints are ready! Campaigns are ready! And business is ready—always ready—if you've got pictures like 'The Bank Dick' and 'Trail of the Vigilantes'."

Go out and get those dollars that are waiting for you between now and December 25th!

"Christmas will take care of itself!"
CHRISTMAS

For National Release NOVEMBER 28th!

W. C. FIELDS in
"The BANK DICK"

with Una Merkel • Richard Purcell
Shemp Howard • Franklin Pangborn • Grady Sutton
Jessie Ralph • Cora Witherspoon
Original Screenplay by Mahatma Kane Jeeves
Directed by EDWARD CLINE

UNIVERSAL—the Exhibitor Company!

For National Release DECEMBER 13th!

"TRAIL of the VIGILANTES"

starring
FRANCHOT TONE

with
Warren William • Broderick Crawford
Andy Devine • Mischa Auer
Porter Hall • Peggy Moran
Directed by ALLAN DWAN
Boston Police Ban All Theater Games

(Continued from Page 1)

(Continued from Page 1)

game has won four previous cases in Massachusetts.

However, the office of the Police Commissioner yesterday informed Daily that the order put-
ing a stop to all games of chance would affect every type of game, whether under the name of Bank
Night, Lucky Night or whatever else might be decided upon by the
promoters.

Bean and Bingo are permitted to
be run for charitable purposes only
but this, of course, does not affect the order against their use in
theaters.

Heretofore, there has been some
sort of warning, usually of the un-
derground or grapevine variety, but this time the order to close and
to remain closed came with the sud-
eness of a bolt of lightning.

At midnight the order to close
the announcement was greeted with cat-
calls and boos and in one theater, the
Shawmut, where Lucky Nights have been run for the past three
months in masque and threatened to leave the theater until the pleading of
Manager Saef convinced them that
it was not the theater operators, but the police department that was
responsible for the order being given and enfored.

Strand One of First Two Theaters to Get Vitavson

(Continued from Page 1)

Mothers' will be first feature to re-
ceive Vitavson projection in both
theaters while a Henry Busse short
subject will be thus projected Nov. 30.

In order to make Vitavson avail-
able as soon as possible to all pro-
ducers and exhibitors desiring to take
advantage of it, RCA has requested the Research Council of the Academy of
M. P. A. and Sciences to estab-
lish standards of manufacture at the
earliest possible date.

Major Levinson, head of Warner
Bro's sound department, said that
installation of extra horns and ampli-
fiers will cost the average theater
about $2,500.

Para. Pacts Phil Reagan
West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has signed
Phil Reagan to a term contract. He
will probably appear in a musical
film with Susanna Foster and Con-
stance Moore.

Syracuse University Books 'Hellszappin'

Syracuse, N. Y.—Syracuse University, via its Civic Theater, downtown house,
operated by the dramatics department, has booked the new musical "Hellszappin"
for a one-nighter on Dec. 5.

Bob Case, one-time general manager
for Smith Chain Theaters, is house di-
rector of the Civic. The "Hellszappin"
Dramatics department is headed by Prof.
Dawyer Falk.

Kelly, Gold and Buckley
Re-elected to UA Posts

(Continued from Page 1)

ty were re-elected. The meeting was
adjourned until Saturday.

Although no official statement was
made following the opening day's
session it is known that Murray Sil-
verstone informed the stockholders
that the Company will distribute 14
pictures from Jan. 1 to June 30 and
that these pictures represent a cost of
$12,325.

The pictures are: 

"The Great Dicta-
tor," $2,200,000; 
"The Thief of Bag-
dad," $1,750,000; 
"Son of Monte Cristo," $500,000; 
"Plotsam," $900,-
000; "Road Show," $500,000; 
"Cheers for Miss Bishop," $650,000; 
"Major Barbara," $600,000; 
"Lady Hamilton," $600,000; 
"New Wine," $600,-
000; "Pot O' Gold," $600,000; 
"Broad-
way Limited," $500,000; 
"That Un-
-eventful Feeling," $750,000; 
"Return of Toper," $500,000; 
"Strange Vic-
tory," $600,000.

Slated for re-election at the open-
ing session were the following direc-
tors: Herbert Maas, representing
Mary Pickford; Dennis O'Brien, re-
presenting Metro; Samuel Goldwyn, rep-
resenting Goldwyn Managers; 
Charles Schwartz, representing
Charlie Chaplin; Steve Pallos, represent-
ing Alexander Korda; 

AGMA is Denied Writ of
In S A F of M Dispute

(Continued from Page 1)

complaint because it stated a cause of
action.

The Court sustained the claim of
AGMA that James Petrello, AFM
proxy, had arbitrary control of the
union under its constitution, but
declared that "the Courts do not draw
constitutions and did not select the
union to be joined.

The opinion declared that the dif-
ferential of the situation "are of
plaintiff's making" since they had
brought themselves within the jurisdic-
tion of the AFM by forming a
labor union. Moreover, the Court
said, the activities of AFM in seek-
ing to compel AGMA members to
join it were not illegal and were
due to "malevolence." Attor-
neys for the plaintiffs intend to ask
for an early trial, it was learned.

RKO Sells Comerford Deal

RKO Radio has closed a seasonal
product deal with the Comerford
circuit.

James Mulvey, representing Samuel
Goldwyn; Ed Raftery, secretary and
Harry Muller, treasurer.

Mrs. Sylvia Ashton Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Sylvia Ashton, 80, screen character actress, is dead.

I-1 Circuit to Use 12 Auto Giveaways

Chicago.—To stimulate attendance, the
Indiana and Illinois circuit will give away
12 autos next month, according to
Perry Jack Rose.

Robert Wright May Be Watchdog for Decree

(Continued from Page 1)

sumably will have headquarters in
Washington, although it is possible
that New York may be selected.

Wright, who has been assigned to
several state bars his appearance,
and hence has a general industry
background, is regarded as a logical
nominee. However, several others
are understood under consideration
by Attorney General Robert Jackson
and Arnold.

Size of the unit is undetermined.
It might start with three or four
special assistants, with number of
complaints probably determining the
final size. All attorneys assigned
the unit will be familiar with the
suit, the decree and the in-
dustry, it is said.
New Film Restrictions Proposed in Argentina

(Continued from Page 1)

out that the quota policy has destroyed the national picture industry wherever it was applied, as in England, Germany and Italy.

A new maneuver refers to the alleged disappointing activities of the Argentine Film Institute, headed by Carlos Alberto Pessano. (Sources in New York said the Institute was formed as an MPPDA for Argentina but with broader powers for censorship and propaganda.) Argentine producers contend that it would be more useful if the Government would press upon the Franco regime in Spain to have at least some of the red tape removed, thereby making the export of local films to Spain less of a hazard.

Greenthal Named UA's Advertising, Publicity Head

(Continued from Page 1)

12 years and formerly headed the advertising and publicity department. Currently he is director of exploitation and has pioneered in the creation and development of the field exploitation and sales promotion service to the exhibitor.

Default Decision Reserved

Boston—Federal Judge John A. Peters has reserved decision on a motion to default Samuel Kurson, defendant, for his failure to appear on Nov. 13 to give his deposition in the action brought by Millinocket Theaters, Inc., and Clarence F. Millett.

To Pay 1 1/4% Dividend

Montreal—Dividend of 1 1/4% per cent has been declared by directors of Management United Theaters, Ltd., on the preferred stock, payable Dec. 31 to shareholders of record Nov. 30.

Wedding Bells

Atlanta—Alma Wilby, daughter of Robert Wilby, president of the Wilby Circuit, was married here to James Thomas Redd of Kansas City, Mo.

West Coast Bureau of THE FILM DAILY

Hollywood—Chester Morris will be married here Nov. 30 to Lilian Kenton Barker.

Cincinnati—Marion Ray of RKO, is to be married to Miss 22, Alfred Meitus, local lawyer.

Tulsa, Okla.—Ralph Drury, manager of the Ritz, operated by Ralph Talbot Theaters here, was married to Gwinn Higgins of Tulsa.

Des Moines—Marriage of Merle E. Norton of Central States Theater Corp., to Dr. A. S. Barnes of Estes Park, Colo., on Nov. 5 in Denver is announced.

Reviews of New Films

"Arizona"


Columbia 127 Mins.

EFFICIENT BLENDING OF ACTION, DANCE AND COMEDY SHOULD DO NICELY AT THE BOX-OFFICE.

This stirring story of the early days when Arizona was a territory and a young, fearless woman—the first American woman to come to Arizona—defied the renegades who tried to rule Tucson, has been tellingly produced and directed by Wesley Ruggles, who directed "Cimarron." Ruggles effectively blended the action, romance and comedy, and the picture should do nicely at the box-office.

"Arizona" is also a triumph for Jean Arthur as a straight-shooting, dauntless girl, who left Freetown, Illinois, and fell in love with Arizona. William Holden is a restless adventurer who returns to Tucson in time to be of much help to Jean. Holden is very likable and convincing as the young man who carries out an "errand"—an "errand" of bringing 500 head of cattle from Nebraska through the "badlands" and delivering them to Tucson.

Warren William and Porter Hall are very valuable assets to the cast, the former as a gambler who moves into Tucson and forces his way into the newly formed Hall, to become his tool. Paul Harvey, is one of Jean's staunch friends and supporters and Edgar Buchanan is a self-appointed dispenser of justice, do splendid work. Claude Binyon fashioned a gripping screenplay, based on a story by Clarence Budington Kelland. The photography produced by Wesley Ruggles, Harry Hallenberger and Fayte Browne is exceptionally good.

Holden enters a freight line that brings in food and supplies and charges exorbitant prices. Jean, who is seeking to make enough money to some day buy the largest ranch in Arizona that she dreams about, and Paul Harvey becomes partners in a freight line. However, Hall and his silent partner, William, make a deal with the Indians to supply them with ammunition. In turn the Indians attack the new freight line and do not molest the Hall company.

Holding returns to Tucson with Union soldiers and helps Jean get the freighting contract with the Army. William and Hall have their men steal $15,000 that has been paid Jean by the government and then William loans $15,000 to Jean, insisting she put her business and ranch up as security.

On the day that William is to foreclose the mortgage, Holden returns with the cattle from Nebraska. Jean and Holden are married immediately after the ceremony, William goes running for the bridegroom. Bravely, Jean waits the outcome of the gun-duel which Holden wins.


CREDITS: Producer, Wesley Ruggles; Director, Wesley Ruggles; Author, Clarence

"Bitter Sweet"

with Jeanette MacDonald and Nelson Eddy

Metro 92 Mins.

CERTAIN TO PLEASE MACDONALD, THE SONGS AND PRODUCTION VALUES ARE OUTSTANDING.

Here are sets and costumes at their best and most eye-filling, with the familiar Noel Coward music losing none of its popularity and pleasing the ear. The picture is in Technicolor and is certain to please the Jeanette MacDonald and Nelson Eddy fans, although the story is rather too familiar.

The most lavish praise is due the production itself, with the piece de resistance being kept for the final sequence when brown-and-white effects are used to highlight a gayly costumed Gypsy dance number. Unusual photographic effects have been achieved; to Victor Young, music director, is given the credit for the producer, while the direction by W. S. Van Dyke II is effective as usual.

Jeanette MacDonald is splendid as a gay and vivacious singer, who clops to Vienna with her teacher, Nelson Eddy, just when his engagement is about to be annulled by stodgy, Edward Ashley, an Englishman. Eddy is at his best singing the Coward songs with Miss MacDonald, while the drinking song, "Tokyo," is a stirring number.

George Sanders, Edward Ashley, Ian Hunter, Lynne Carver and Charles Winninger are among the supporting cast, while Fred Bressart, Curt Bois, Dianne Lewis and Herman Bing furnishes the comedy.

Lessor Samuels conduced the screenplay, to Ernst Matray goes much praise for his refreshing and ingenious direction of the dances. Oliver T. Marsh, handling black-and-white, and Allan T. Davy, Technicolor, share honors for the splendid photog- raphy. Adrian designed the costumes.

Jeanette MacDonald and Eddy, after their marriage, find the going rough financially, and are forced to take work in a cafe. There Sanders, an Austrian army officer, tries to force his attentions on Eddy, trying to defend her, is slain. Judels, a music publisher, agrees to publish the operetta Eddy had written.


CREDITS: Producer, Victor Saville; Director, W. S. Van Dyke II; Original Play, Music and Lyrics by Noel Coward; Screenplay, Lessor Samuels; Musical director, Herbert Stothart; Additional Lyrics; Gus Kahn; Cameramen, Oliver T. Marsh; Director, Ernst Matray; Technicolor Photograph, Allen Davy; Technicolor Director, Natalie Kalmus; Editor, Harold F. Kress.

DIRECTION, Excellent. PHOTOGRAPHY, Splendid.

Questa-Quix In S. I. House

Fabian's Stadium Theater, Tottenville, Staten Island, has contracted to play the new Questo-Quix game distributed by Screencraft Pictures, Inc.

STORKS!

Chicago—Alice Norton Newman, formerly of the Warner Theater headquarters staff, has a new son.

Cleveland—Rudy Norton, Republic salesman is celebrating the arrival of his third daughter, named Eva Lynne.

New Haven — Maxwell Hoffman, Warner Theater Department executive, is the proud new father of a second daughter, Linda Ruth, weighing 6 lbs. 16 ozs., born at Grace Hospital.
ON THE AIR FOR YOU!

‘TIN PAN ALLEY’ BROADCAST FROM HOLLYWOOD

Alice Faye
Betty Grable
Jack Oakie

Songwriters Mack Gordon and Harry Warren

The stars, the songs, the laughter, the romance of “Tin Pan Alley”!

... A SENSATIONAL 60-MINUTE PLUG OVER THE KATE SMITH HOUR!

Listen in!... Friday, Nov. 22, 8 to 9 P.M. (EST) over CBS!

Listen in!... with the Hour’s radio-audience of 25,000,000!
Listen in!... as 20th’s broadcast barrage comes to its spectacular climax!

The greatest radio show in the history of radio showmanship

... for the greatest money musical of all time!
DECREE OKAYED, VEEDER, APPEALS CHIEF

Widespread Changes in Warner Sales Staffs

Sears Orders Shifts As Decree is Signed; McCoy Upped to So. Dist. Head

Federal court confirmation of the New York equity suit consent decree Wednesday was the signal for a series of changes in Warner sales personnel, made by Grad L. Sears, general sales manager, and effective next Monday. Others will follow, it was stated.

Featuring the shifts was the promotion by Sears of Ralph McCoy, Warner branch manager in Atlanta, to district manager of the newly created Southeastern district, em-

(Continued on Page 5)

Block and Sork Sue Distrisbs., Exhibs.

Philadelphia—Anti-trust suit for $62,700 triple damages was filed in Federal Court here Wednesday by Harry Block and Henry Sork, operating the Rio, Reading, 13 distrisbs., including Republic, and subsidiaries and eight up-state exhibs.

Suit has the distinction of being the first instituted since the filing of the consent decree in the New York equity suit, and was filed on

(Continued on Page 5)

Metro to Call Dec. Meet On New GWTW Campaign

M-G-M plans to hold a meeting of its field managers early in December for the purpose of discussing, among other things, the new sales campaign on "Gone With the Wind." The meet-

(Continued on Page 4)

SKOURAS AIDS GREEK RELIEF
Named Executive Head of Nation-Wide Campaign

With announcement Wednesday that Spyros Skouras, National Thea-
ters chieftain, had been named executive head of The Greek War-
rief Association, Inc., plans were be-
ing worked out for a nation-wide campaign to raise $10,000,000 to buy eq-
pipment and medical supplies vital for the relief of the Greek popu-
lace affected by the Italian invasion.

Offices have been opened by the or-
ganization at

730 5th Avenue in the Heckscher

(Continued on Page 5)

UNA Expects Tenth Of U. K.'s $12,000,000

West Coast Bureau of THE FILM DAILY

Hollywood—One of the important matters discussed at the opening

meeting of United Artists' annual meeting, which continues tomorrow,

(Continued on Page 7)

MPTOA to File Trust Action?

Object Would Be To Stymie Consent Decree

"Dictator" Set in B. A. For Christmas Opening

Buenos Aires (By Cable)—Charles Chaplin's "The Great Dictator" will open here Christmas day, if Chaplin confirms the offered guarantee of

(Continued on Page 4)

Court Silent on Decision, Rendering No Opinion; Some Sections Immediately Operative; Associates On Appeals Board May Not be Named Until January

Approval of the consent decree between the Government and
the five negotiating companies was signed Wednesday by Fed-
eral Judge Henry W. Goddard without any changes in the decree itself. The Court rendered no opinion on neither any reason for its de-
cision. The decree becomes imme-
diately effective by reason of the
Court's approval.

Simultaneously with his approval, Judge Goddard appointed former Judge Van Vechten Veefer as chair-
man of the Appeals Board provided
in the arbitration system. The ap-
pointment becomes effective as of
the date of the order for a term of three
years at $20,000 per year, with the

(Continued on Page 4)

"Just Begun to Fight," Declares Max A. Cohen

"We've just begun to fight," Max A. Cohen, president of New York Allied (MPTOA unit), declared Wed-
nesday when informed that the con-
sent decree had been signed by Fed-
eral Judge Henry W. Goddard.

Cohen said that he and his organi-
zation would use every means pos-
sible to fight against the enforce-

(Continued on Page 4)

Paramount Considering Calling Preferred Stock

Refundings of one or both of its outstanding issues of preferred stock is being considered by Paramount. Outstanding at present is approxi-

(Continued on Page 7)

"Little 3" May Use Arbitration Setup

Signing of the consent decree left unchanged the position of the so-called "Little Three,"—Columbia, Universal and UA. None of these companies is obli-
gated to use, for example, the new sys-
tem of arbitration. However, since the machinery exists, any one or all of the non-signing organizations might find it convenient to use it, although it is not required of them in their present or fu-
ture relations with exhibitors.
Mass Imposes 3% Tax on All Bank Night Winnings of $5 or More in Film Theaters

Springfield, Mass.—State Tax Commissioner Henry F. Long has disclosed that Massachusetts is taxing “Bank Night” and “Beau” winnings and that the proceeds are expected to swell the state’s coffers this year by approximately $50,000 to $100,000. Operators of “Bank Nights” had been ordered to deduct a 3% per cent tax on all winnings of $5 or more.

Mr. Long explained: “If a person buys a share of stock and the market goes up, he is obliged to pay a tax on his profit. “Naturally, if he buys a ticket in a Beau game or at a Bank Night, or in any other lottery, and he happens to win, he should be forced to pay a tax.”

Suggests Four Solutions to Del. Law Problem

Wilmington, Del.—Four possible courses as a solution to the Sunday blue law problem have been submitted by Attorney General James R. Morford to the Rep. Ralph L. Minker, chairman of the legislative committee named last year to study the statutes and report to the 1941 General Assembly.

Suggestions were: outright repeal of Sunday blue laws with a con- stitute legislation; repeal giving town councils unlimited power by ordinance to prohibit Sunday activities; abolition and substitution of a state-wide statute prohibiting certain enumerated activities; or keeping in some features of present blue laws, with, perhaps, modernization of language and enumeration of special exceptions to the general prohibition.

The attorney general is in receipt that 30 replies were received from his survey of 48 attorneys-general about the blue laws but that “these responses do not offer a constructive solution to the problem” and indicate “archaic and unenforceable” statutes in almost all states.

Neely Bill Said “Dead”: Pressure Groups Dissent

Washington Bureau of THE FILM DAILY

Washington—Despite the fact that a spokesman for the House Interior and Appropriations Committee yesterday said in the Newbery that the Neely bill insofar as the Committee is concerned is “dead,” public groups interested in the passage refuses to give up the fight.

Refusal of the House to adjourn has been of material encouragement to them, and with the session expected to continue until the holidays, they propose to wage a battle for enactment. Meeting will probably be held shortly to determine on strategy, but no definite details are at hand.

Representatives of the public groups concede that favorable House action hinges on the attitude of Congressmen from the South. The House recessed Wednesday until today when it will reassemble again until Monday.

Cuban Theaters Open Nov. 27

Havana (By Air Mail)—For the first time since 1917, theaters in Cuba will be open on Nov. 27. Closing annually has commemorated the execution of eight students by the Spanish government. The Constitution eliminates the observance.

Fayetteville, N. C., Ban On Sunday Films Killed

Fayetteville, N. C.—A local city ordinance prohibiting Sunday movies, theatrical entertainments or public dances was declared invalid by Judge R. Glenn Cobb in Recorder’s court here. Leon Gibson, manager of the Broadway, charged with allowing an unidentified film to run over from Saturday night into Sunday morning, was found not guilty.

Judge Cobb’s decision, which is virtually as possibly opening the way to operation of Sunday movies in Fayetteville, declared the ordinance invalid. However, it was held to be “unreasonable, not in harmony with the municipal charter and not general in its application.”

Court Hears Summation Today in Adorno Action

Middletown, Conn.—Judge Ernest Simpson will hear attorneys for both sides in final summing up of arguments of fact in the “conspiracy” cases of S & S Theater Corp. and Midlessex Theater, Inc. vs. Salvatore Adorno, their former partner and general manager, today. The attorneys will also be required to file written briefs on the law. The hearing has been in progress here for six weeks, during which time some 50 witnesses have been called. Plaintiffs ask $290,000 damages and writ re Adorno from operating any theater here.

Added Time To Prepare Canadian Clearance Plan

Toronto—Presentation of the report of the special clearance committee in a matter of a revised plan for clearance reforms in Canada, requested by the Film Section of the Toronto Board of Trade, has been postponed for two weeks in order to give the committee more ample time. Original plan was for the report to have been read this week.

Adrienne Morrison Dies Following Heart Attack

Adrienne Morrison, 62, actress and literary agent, former wife of Richard Bennett and mother of Connie Joan and Barbara Bennett, died suddenly here Wednesday, following a heart attack. Miss Morrison was the wife of Eric S. Finke, literary agent.
TIN PAN ALLEY

...in 110 out of 110 pre-release cities...

$OCK$
Goddard Approves Consent Decree

(Continued from Page 1) proviso that it may be terminated otherwise as provided for in the decree. Provisions in the decree grant the power to Judge Goddard to move any Appeals Board member at the Court’s will.

Government attorneys stated that those provisions of the decree which prohibited certain practices such as the forcing of shorts, newsmen and serials, and the arbitrary withholding of prints are immediately effective, while other parts of the decree which regulate selling methods and trade showings will become operative at the beginning of the 1941 selling season.

It is understood that Judge Goddard will not appoint Veedee’s two associate judges until the early part of January. Two associate judgeships pay $17,500 per year and run concurrently with the term of the chairman of the Appeals Board. J. Noble Braden, executive secretary of the American Arbitration Association, will leave New York for Los Angeles tomorrow on a nation-wide tour. Braden will return in about six weeks after setting up arbitration offices in 31 cities. The arbitration system itself will start operating between Feb. 1 and Feb. 15.

Metro to Call Dec. Meet On New GWTW Campaign

(Continued from Page 1) aings probably will be held in Chicago. It is likely that distribution under the terms of the consent decree also will be considered.

“Dictator” Set in B.A. For Christmas Opening

(Continued from Page 1) 140,000 pesos. Picture is slated to be shown at the Cine Plaza, a 1,060-seat theater. Deals for the picture’s opening in other South American cities are pending.

WEDDING B Hurts

Albany — Engagement of Harold Sugarman, Albany salesman for UA and Edna Barbara Poe of New York, has been announced. Miss Poe is secretary to Clarence Eisenmann, UA branch manager in New York.

Peggy Goldberg, film publicist currently associated with the promotional staff of Regina Crewe, was married in City Hall on Tuesday to Dr. George Blatt. It was learned over the Thanksgiving holiday. Couple embarked on a brief honeymoon with a more extended wedding trip planned for January, probably to Florida.

“Just Begun to Fight,” Declares Max A. Cohen

(Continued from Page 1) ment of the decree provisions and that he “wasn’t licked yet.” Method of procedure against the decree has not been formulated by Cohen indicated that legal machinery would be put into motion as quickly as possible.

Eastern Special to Take WB Party to Santa Fe

Contingents of company execs, players and newspaper men from both East and West Coasts will train to Santa Fe next month for the world premiere of Warners’ “Santa Fe Trail.” New York delegation will leave here Dec. 11 by special train and will meet the Hollywood contingent at Lamy, N. M., where the trains will be joined. Santa Fe opening will have a three-day ball, Dec. 13-15.

En route, the New York train will pick up Governors Payne Ratner of Kanas, Leon C. Phillips of Oklahoma, William Lee O’Daniel of Texas, Lloyd C. Stark of Missouri and Ralph Carr of Colorado, while the Pacific train will carry Governor R. T. Jones of Arizona.

Eastman Fair Building Burns

The Eastman Kodak building at the N. Y. World’s Fair was gutted by fire Wednesday, only a shell of the structure remaining.

Charleseugay Theater Burns

Charleseugay, N. Y. — The town hall, used by exhibs Lafe Quinlan as the Ideal Theater, burned to the ground with a total equipment loss.

TO THE COLORS!

Bert Armm, son of Jack Armm, Columbia salesman in Albany, is at Fort Slocum, preparatory to joining army forces in Puerto Rico. Young Armm enlisted in the coast artillery.

Chicago — Capt. Charles Barron of the Black Horse Troop has been called to active service with his outfit, part of the 383rd division, which will train in Tennessee. Capt. Barron is vice-president of the Henri Eelman Monogram Exchange.

Fort Worth — Two members of the Interstate Circuit personnel here have volunteered for a year’s army training. They are Claude Warren Wilson, doorman at the Majestic Theater, and Thurman Lumpkin, chief of service and student manager at the Palace Theater.

Albuquerque, N. M. — Charles Ortiz, treasurer of the Kimo Theater here for the past six years, has joined the Army Air Corps at Kelly Field.

**• • • COASTING** . . . Many graduates of trade and fan publications . . . . . are to be found active in Hollywood film factories . . . . . . B. P. Schulberg, now a producer at Columbia, was associate editor of Film Reports which was published in the interests of independent producers and exhibitors . . . . . . . Mark Helliger, who lost no time convincing the Warner brethren and the industry at large that he is an able producer is a Ziff’s alumna . . . . . . as is Sam Marx, who is a producer at M-G-M . . . . . . .

**• • • AMONG the early day employees of The Billboard was Henry Ginsberg, one of the top men at Paramount . . . . . . and Pete Smith, now with M-G-M, and Waterson Rotheracker were other staff members of that publication to gravitate toward the Hollywood . . . . . . William A. Johnson, who published the M. P. News, is with 20th-Fox . . . . . while Mike "Six-Syllable" Simmonds and Pete Milne, scenarists, are among the alumni of your favorite trade journal . . . . . . Arthur W. Eddy is also a graduate of THE FILM DAILY . . . . . . and is publicizing radio’s "Big Town" program.

**• • • CONTINUING the count . . . . . Bob Sik, once with Variety, is among the leading producers at RKO-Radio . . . . . . Julian Johnson, an early day editor of Photoplay, is story editor at 20th-Fox . . . . . . Norman Krasno, who wrote a column for one of the trade papers, is one of the town’s highest paid scenarists and will be co-producer of pictures starring Jean Arthur . . . . . . Lesley Mason, who edited Exhibitors Trade Review, is a publicity man for Warner Bros.

**• • • FURTHERMORE** . . . . . Murphy McHenry, the barrell for Edward Small, worked on the Daily Variety . . . . . . John LeBoyr Johnston, who pounds the press drum for Walter Wanger, was editor of Amusements, and was also a sports cartoonist on the old St. Paul Daily News . . . . . . In fact he was covering an intercollegiate track meet at the University when this column first "met up" with him . . . . . . George Bladell, who was editor of the M. P. World, is now editor of the American Society of Cinematographers’ Magazine . . . . . .

**• • • NOW back to the Atlantic Seaboard** . . . . . . . . . . . . . . . . . . . . Post-Thanksgiving ennui has no place in the mighty Warner “system” . . . . . . (two mean H. M., Albert, Jack, et al, and not the pigskin patriarch, Pop Warner) . . . . . . The boys’ home office is feasting La Priscilla Lane via a cocktail reception this afternoon in the snooty Hotel Gotham . . . . . . with Mort Bumsenstock at the tiller of the party . . . . . . Yes, and today another WB event is the opening of the company’s film adaptation of W. Somerset Maugham’s “The Letter,” starring Bette Davis, at the Strand. . . . . . . which reminds us . . . . . .

**• • • JUST a few days ago . . . . . . . . . we ran into Mister Maugham . . . . . . . and promptly informed him that we were probably his ‘screwiest’ critic . . . . . cause of our enthusiasm for one of his early works, “On a Chinese Screen.” . . . . . . Apropos of our taste, he recounted how a top-flight British literary critic met him on a London thoroughfare not so long ago . . . . . . and, having about an obscure novel which Maugham had written years and years earlier as a student, exploded: . . . . . . . . . . . “You know, Maugham, Old Boy, it was so wise of you never to have written anything since!”
Widespread Changes In WB Sales Staffs

(Continued from Page 1)

bracing the Atlanta, Charlotte and Memphis exchanges. McCoy will continue to headquarter in Atlanta.

All changes, Sears said, were to meet the requirements of the con- current decree which calls for close supervision of the sales force and a more closely knit sales organization. Other promotions and transfers announced by Sears follow:

Sidney Rose, branch manager in Omaha, is promoted to Chicago as exchange head.

Art Anderson, branch manager in Des Moines, is promoted to a similar post in the company's Minneapolis office.

R. H. Dunbar, salesman in Pittsburgh, is promoted to branch manager in Cincinnati replacing Ralph Kinsler who resigned to enter the exhibition field. (These changes were previously published in THE FILM DAILY.)

Elmer Tilton, former Des Moines branch manager, who resigned some time ago to enter business for himself, returns to Warners as branch manager in this exchange.

Tom Gilliam, Chicago branch manager, is transferred to Atlanta, where he succeeds McCoy as branch manager.

C. E. Olson, Minneapolis exchange manager, is transferred to Omaha as branch manager.

Harry Goldman, country salesman in Chicago, is promoted to city salesman in the same office.

Harry Mandel, Chicago booker, is promoted to country salesman.

2nd GWTW Premiere Proceeds to War Relief

Atlanta—Net proceeds of the second world premiere of "Gone With The Wind" will be held here Dec. 19 at the Loew's Grand Theater will be donated to the British War Relief Society, Atlanta committee, it was announced Wednesday. Tickets will be $5 apiece.

National Guard Film

West Coast Bureau of THE FILM DAILY Hollywood—Warner Bros. has engaged Robert Buckner and Robert Hunt to collaborate on the script of a Robert Presnell story dealing with the National Guard, "Captain Ulysses Smith."

Federal Tax Boost To Meet Govt's Cost

Washington, DC, THE FILM DAILY Washington—Increase in federal taxes next will be necessary to provide revenue to balance regular government expenditures, but not to meet defense needs, it is indicated by Rep. Robert L. Doughton, chairman of the House Ways and Means Committee. He estimates as to total increase is forthcoming.

HUNTING? NOT FOR SHUTTEE!
Standard Theaters Chief to Stick to Movies

Oklahoma City—Hereafter, Walter B. Shuttee, general manager of Standard Theaters Corp., will seek his next assignment at the movies specialty in an unbroken hunting trip in the Kiambi Mountains.

Because he had never been on a deer hunt, Shuttee gratefully accepted a bid from a friend. There were 10 in the party, including five Tallahama woodsmen, but only one of them saw a buck.

Before Shuttee cashed in his return ticket, he drove 22 miles over mountain roads through a downpour in an ancient truck, fixed two flat tires, walked four miles in the rain, and finally made an emergency trip to Broken Bow, Okla., to buy long underwear and a slicker. Coming home, the car in which he was riding was rammed from behind by a reckless driver and Shuttee helped repair the damage in a dense fog.

AGMA Gets Respite In A F of M Conflict

Samuel Seabury, counsel for James C. Petrillo, president of the American Federation of Musicians, agreed on Wednesday that the conditions prevailing in its dispute with the American Guild of Musical Artists before Judge Aron Steuer denied a writ to the AGMA, should continue pending determination of the issues by the Appellate Division.

The stay previously granted to AGMA by Judge Ferdinand Pecora is again in effect, postponing the crisis in the radio and concert world.

The case will be heard on Nov. 29, continued the two organizations, having appeared before Presiding Justice Francis Martin and agreed to present their cases on that date.

GE's Static-less Radio Makes Schenectady Debut

Schenectady — General Electric's started its F. M. static-less radio broadcasting here Wednesday night. The station yesterday began its regular program, which will start at 8 p.m. and run to 10 p.m. seven days in the week. Speakers at the opening of the F. M. broadcasting were Charles W. Wilson, GE president; George H. Payne, FCC member; Dr. W. R. G. Baker, manager of GE's radio and television department, and Robert S. Peare, company's manager of broadcasting.

WB Not Financing B'way Play

It was reported Wednesday night that Warner Bros. had interposed some objections to the agreement with the Dramatists Guild covering film financing for Broadway stage productions and would not finance "Hot Noontime."

Spyros Skouras Heads Greek War Relief

Building. Van Nomikos, Chicago theater operator, and president of AHEFA, national Greek society, George Skouras, Charles Skouras and other Greeks associated with the film industry have been instrumen
tal in assisting Syros Skouras in organizing the relief association. Har
old S. Vanderbilt has accepted the post of honorary national chairman.

Benefit performances, midnight shows, screen advertising and numerous other ideas are being mulled over by the association heads as part of their drive for funds. Over 300 local committees will be named throughout the country to help carry out the program.

IATSE Executive Board Eyes 16 mm. Field. Tele.

New Orleans—Chief topics before the IATSE executive board here to date have been on the resolutions passed by past meetings concerning the 16 mm. field and television. Object is to organize the 16 mm. commercial field to keep it from going non-union, authoritative sources say, and to study television.

Block and Sork Sue Distributors, Exhibs.

(Continued from Page 1)

the day the decree was confirmed by Federal Judge Henry W. Goddard. Block and Sork allege discrimination in distribution, ask for treble damages to cover alleged losses through such discrimination, and request an injunction restraining the defendants from continuance of alleged discriminatory practices.

Exhibitor defendants include Comerford Public, Comerford Amusem
to, George Lessy, operating the Capitol, Reading; David Brod
stein, operating the Orpheum, Reading; Willer & Vincent, and Jay Emanuel's two firms, East Reading Theater Co., operating the Park, and Rajah Theater Co., operating the Rajah, Reading.

Filing of the suit occasioned no little comment in trade circles here in view of the fact that Sork, a plaintiff, is a member of Allied associations are Lessy and Brodstein.

Col. Negotiates for Stars

West Coast Bureau of THE FILM DAILY Hollywood—Columbia is negotiating with Fred Astaire and Jimmy Durante to act together in a picture dealing with conscription.

and BARTON MoClane • BARBARA Allen (Vera Vague) GEORGE "GABBY" HayES • JEROME COWAN • MARY Lee • JOSEPH SanFREY—DIRECTOR

POWERFUL DRAMATIC STORY SPLENDIDLY ACTED BY A FINE CAST AND DEFTLY STAGED.

Audiences generally should like this adult picture; in fact, they should like it a lot. Moreover, Ben Hecht’s one-man show, with Hecht getting credit as the producer, writer and director, emerges on the screen as a personal achievement.

Using a limited number of sets and keeping his action confined, Hecht eliminates expensive production costs. However, action and suspense in quantity are maintained in the story and effectively transported to the screen via the available backgrounds. The finished product is a mildly melodramatic screen merchandising that is enterprising, effective and readily salable.

Douglas Fairbanks, Jr., cast as a Broadway shamus, has been prepared to最大限度地发挥他的作用。Rita Hayworth, given the juicy role of a cafe entertainer out for herself, but still retaining a few ideals, goes to town with it. Miss Hayworth is not only lovely to look at but a highly capable actress who should stay on the top rung a long time. Thomas Mitchell, cast as a drugged playwright, turns in another of his splendid characterizations. John Quallen, given a fat role as a nerotic and worried businessman who has taken money from his firm, is also splendid in his finely drawn characterization. Remander of the cast is adequate, but the plot and action essentially revolve around the principals and they correspond to the demands made upon them with gratifying results.

The plot of the story is comparatively simple, with the drama and effectiveness in the manner of its telling and action. The story is about the Angel Cafe, a somewhat shady Broadway night spot. Fairbanks is there looking for a sucker to trim; Mitchell is there dining his sorrow; Quallen is there pondering upon whether or not to commit suicide, and Miss Hayworth is there ready for anything that comes along. Fairbanks enlists her aid to get Quallen a card game, thinking he has money. Mitchell, leaving, gets Quallen’s coat by mistake and discovers a suicide note, and volunteers his help. Miss Hayworth was already considering committing suicide and the two men let him win to draw him on; Fairbanks gets a beating for his part in it, but he gets Miss Hayworth as a wife.

“Sixpence” Rights to Metro

Motion picture rights to W. Somerset Maugham’s “The Moon and Sixpence” have been acquired by Metro.


CREDITS: Produced, directed and written by Douglas Fairbanks, Jr.; Co-Producer and Cameraman, Lee Garmes; Editor, Gene Havilich.

DIRECTION: Fine. PHOTOGRAPHY: Good.

“A Night at Earl Caroll’s” with Ken Murray, Lilian Cornell, J. Carrol Nash

Paramount 62 Mins.

(HOLLYWOOD PREVIEW)

THE TITLE TELLS ALL: SHOULD SATISFY ENTERTAINMENT- CRAVING OF AVERAGE AUDIENCES.

Displaying all the glamour of Earl Carroll’s “most beautiful girls”: his own brand of showmanship, plus his now famous Hollywood-Theater-Restaurant as a background. “A Night At Earl Carroll’s” becomes just that. It should prove satisfactory entertainment to average audiences.

Ken Murray turns a thankless role into a satisfying performance. Rose Hobart, J. Carrol Nash, Russell Hicks offer good Broadway support. Louise Boucher (Dorothy Stewart and Elvia Allman) of radio fame, offer good comedy routine in their continuous maul. Others in the cast handle their lines to story and screenwork.

Faced with the task of presenting their performance in honor of visiting Mayors. During Hollywood’s cag of gangsters, complications set in when Caroll Nash, gangster head, engineers the kidnapping of the cast and Carroll. Ken Murray, his press agent, and Rose Hobart, Carroll’s assistant, save the day with impromptu acts and presentations until Carroll and his performers release themselves from the gangsters’ clutches and make their way back to the Theater-Restaurant and save the day.

Kurt Neumann directed from Lynn Starling’s original story and screenplay. Photgraphy by Leo Tover was advantageous. To Earl Carroll goes credit as the producer.


CREDITS: Producer, Earl Carroll; Director, Kurt Neumann; Original Story and Screenplay, Lynn Starling; Cameraman, Leo Tover; ASC: Art Directors, Hans Dreier and Robert Ooll; Makeup, Alma Macrorie; Musical Director, Irving Talbot; Musical Advisor, Troy Sanders.

DIRECTION: Good. PHOTOGRAPHY: Very Good.

Catholic Guild Holds Retreat

Boston—The Motion Picture Catholic Guild holds its semi-annual retreat this week-end at Campion Hall in Andover, under the supervision of John T. McGorry, S. J., Rev., Independent Exhibitors, Inc., vice-president, had charge of the arrangements.

“Gold” to Shoot Dec. 9

West Coast Bureau of THE FILM DAILY


“Barnyard Follies” with Mary Lee, Rafe Davis, June Storey

Republic

(HOLLYWOOD REVIEW)

GOOD-SIZED PACKAGE OF ENTERTAINMENT ALTHOUGH STRICTLY HUMOROUS AND “CORN”.

This is strictly hokum and “corn,” but it is a well conceived package of entertainment which should please the audiences for which it is designed. It is loaded with peppy entertainers, many of whom are well known to radio listeners throughout the Middle and South West, and furnishes many laughs. Director Frank McDonald has kept the proceedings moving at a nice pace and has blended the story, songs and dances effectively. Armand Schaefer functioned as producer. Dorrell and Sherry McGowan concocted an amusing screenplay, based on a story idea by Robert T. Shannon.

When Harry “Pappy” Chesire inherits his brother’s unprofitable night club, he makes the enterprise successful by Ralph Bo, Jimmie, The Kiddo, Ralph Bowman, Isabel Randolph (Mrs. Upton).

CREDITS: Associate Producer, Armand Schaefer; Cameraman, Jack McDonald; Actors, Dorrel and Stuart McGowan; Screenplay, same: Based on the story idea by Robert T. Shannon; Cameraman, Ernest Miller; Editor, Charlie Cast; Musical Director, Cy Feuer; Dance Director, Josephine Earl; Art Director, John Victor Mackay.

DIRECTION: Good. PHOTOGRAPHY: Good.

Alien Registration Shot Going In All Newsreels

A two-minute news shot has been prepared by Warners Bros. featuring Miehl Oberson and Charles Boyer in co-operation with the Department of Justice, demonstrating the proper method of alien registration. Insert will be run in every newsreel in the country on Nov. 22.

“Letter” Benefit Preview

A preview of Warners “The Letter” was held Wednesday for the benefit of the Henry St. Visiting Nurse Service. Print of the picture was donated by Warners, and use of the completely in the theater, and the preview was held was donated by the theater chain. About 2,700 persons attended.
MPTOA to File Trust Action vs. Decree!

(Continued from Page 1) The motion promised further action on the part of the group's representative, William P. Sims, attorney for the MPTOA, stated that he must first confer with Ed Kuykendall, president of the company before deciding how to proceed, if at all, to be taken by the national exhibitor organization. Sims repeated the situation "devil," said he was of the opinion that a suit might be brought by the MPTOA against the exhibitors under the Sherman anti-trust act. The purpose of this suit, he said, would be to restrain enforcement of the decree and to seek an adjudication prohibiting acts of monopoly.

Only actual defendants in the suit are the "Little Three," which would have the right to appeal directly from the decision, Sims said. He therefore did not consider an appeal by the MPTOA to be possible.

Milton C. Weisman, who represented the ITOA at last week's hearing, stated that he would ask for the right to intervene in the action and that if that right was denied he would immediately appeal to the U. S. Circuit Court of Appeals. Weisman predicted that a large number of members of the ITOA would file suit against the majors under the anti-trust act.

Louis Frohlich, attorney for Columbia, declared that Columbia had decided upon what steps it would take, but would make no announcement for the present. Both Universal and United Artists also withheld comment Wednesday.

Paramount Considering Calling Preferred Stock

(Continued from Page 1) The plan was to sell $14,158,000 of $100 par, 5 convertible preferred stock and $1,000,000 of $50 par, non-convertible second preferred stock. First preferred stock is callable at $100 per share after five years, and the second preferred stock is callable at $108.

It is reported that part of the fund for the refunding would come from the company's treasury and the remainder from a long-term loan, if the move is decided. Paramount's cash was reported at $12,000,000 at the end of last year.

Reviews of New Films

"Texas Torments" with Don "Red" Barry, Julie Duncan, Arthur Loft

Republic

57 Mins.

BEST OF RARY SERIES TO DATE, HAS MEATY STORY AND PLENTIFUL ACTION.

Laughing at the western in recent series with Barry and Loft is producing with Don "Red" Barry, this one also the best. The story has more meat than is found in most stories of this type and the picture has a plentiful amount of action. The cast is able, the backgrounds okay and the picture moves right along from start to finish.

Barry improves as an actor with each picture, and he shows to advantage in this one. Julie Duncan attractively decorates the film. Arthur Loft and William Sherman provide the villain in convincing fashion, and the remainder of the cast, including Al St. John, Sammy McKim, Eddy Wallace and Billie Ruby, is effective in supporting parts. George Sherman gets credit as the director and associate producer.

"Sky Murder" with Walter Pidgeon, Donald Meek, Karen Verne

Metro

72 Mins.

MELLER WITH MURDER AND ESPIONAGE PLOT SUCCEEDS FROM WEAK STORY MATERIAL.

Third in the Nick Carter series Metro is producing, this one falls short of its predecessors due to a confusing and obvious plot. Too much feeble comedy relief spoils what might have been tense moments in several sequences, and the comedy falls pretty flat throughout. Theme of the story probably would have been all right if it had been developed on more orthodox lines instead of trying to make it into dime novel farce.

Walter Pidgeon does his suave best to salvage the picture, but its more than a one man job. Donald Meek and Joyce Compton fail to give the picture the comedy relief that was anticipated. Karen Verne is decorative attractive, and Edward Ashley, Chill Willis, Frank Reicher and George Leversee are helpful. George S. Zez turns in a competent directing job.

Pidgeon is summoned to Washington by Ashley to meet Lessey, a senator who heads committee investigating espionage. Pidgeon turns the job down, but gets himself mixed up in the whole thing when two murders are committed on the plane he comes back to New York in. With that as a beginning the plot becomes more confusing and silly as time goes on until Pidgeon finally polishes off the entire espionage crowd, headed by his friend Ashley.

CAST: Walter Pidgeon, Donald Meek, Karen Verne, Edward Ashley, Joyce Compton, Tom Conway, George Leversee, Dorothy Tree, Frank Reicher, Chill Willis, George Watts, Byron Foulger, William Tannon, Milton Parsons, Tom Neal, Lucien Prival.

CREDITS: Producer, Frederick Stephan; Director, George S. Zez; Original Screenplay, William R. Lipman; Cameraman, Charles Lawton; Editor, G. Ruggiero.

DIRECTION, COMPETENT. PHOTOGRAPHY, GOOD.

"Mysterious Doctor Satan"

Republic

18 mins. per ep. Exciting Serial

Serial fans should be well satisfied with this episodic action serial. It starts off with a bang and each episode has a breath-catching climax that leaves the fans back the next week to find out what happened. In addition to the villainous Dr. Satan, portrayed by Eduardo Cianelli, a masked defender of the law is provided by a character called The Copperhead.

Ralph Woolex appears to advantage in a dual role. William Newell, C. Montague Shaw, Jack Mulhall and an able cast of character players support the principals. Ella Neill provides the feminine interest.

Picture was directed by William Thomas and is fast-paced and well made. William Witney and John English, with the two men once again demonstrating

"The Merry Wives"

(Czechoslovakian dialogue, English titles) Edgar W. Lloyd

80 mins. DAILY NEWS: Entertaining study of the Middle Ages.

NEW YORK POST: Despite obvious faults, the picture has an ingratiation vigor all its own and three uncommonly pretty looking girls.

NEW YORK TIMES: On the rambler side and handomely produced, but charming all the same.

HERALD TRIBUNE: A laggard and confusing historical reconstruction.

NEW YORK SUN: By Hollywood standards, a pretty first-rate amateur piece awkwardly acted, with direction as garbled as its script.

CREDITS: Produced by A. B. Film; Director, Oratkar Vayra; PLAYERS: Zdenek Stepanek, Adina Mandlova, Hana Vitova.

Goldwyn Not Plaing Trip to South America

West Coast Bureau of THE FILM DAILY

Hollywood — Despite a published report Samuel Goldwyn does not plan to make a trip at this time to South America to investigate production possibilities at Rio and Buenos Aires.

Michea, Theater Owner

Named Lieut.-Gov.

Detroit—Mrs. Mayilda R. Wilson, own- er of the Mayilda Theatre, has been named Lieutenant-Governor of Michigan by Gover- nor Loren D. Hickman, to fill the new ex- ceped term, which runs out Dec. 31.
THE BACKLOG OF QUALITY

TODAY—next week—next year—you know you can depend on each Eastman negative film to do its special work surpassingly well. This unvarying reliability—a true backlog of quality—keeps these films strongly entrenched as the favorites of the industry. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
VITASOUND GOES IN ALL WARNER HOUSES
New Theaters, Remodeling Show October Gain

Survey Shows Projects And Expenditures More Than in Oct. Last Year

Both the number of projects involved in new theater construction and the remodeling of existing houses showed a gain during October in the U. S. continental territory east of the Rockies, as compared to the corresponding month in 1939, it is disclosed via a survey conducted by film theater architectural firms of John and Drew Eberson. Figures for the past month show that 68 projects were undertaken in

(Continued on Page 5)

NTS Does Brisk Biz In Southern Areas

Atlanta—National Theater Supply Co. branch here reports recent installations for the following houses: R. E. Martin's Martin, Andalusia, Ala., a Walker screen, Super Simplex projector, Peacock Magnavue lamps, Alexander Smith Crestwood carpet, and Hertner transverter; Tankersley & Hampton's Royal.

(Continued on Page 7)

GRC Reports Progress; Unicon Ready Shortly

General Register Corp. has shipped to the Beachem Theater, Orlando, Fla., a three-unit Automatc on an order received from National Theater Supply Co. of Charlotte; also a three-unit Gold Seal was shipped to the Darlton Theater in Pawtucket, R. I., on order received from the Cap.

(Continued on Page 4)

Acoustic Envelope Developed Makes Effects Operate Like Small Room

Mid-West Theater Supply Lists 11 Installations

Cincinnati—Sales record of local Mid-West Theater Supply Co. discloses recent equipment orders filled for the Trimble, Mt. Sterling, Va., a Virginia Somerset screen; Glenn, Georgetown, Ky., a Da-Lite screen, two Senec lamps, two Benwood Linze reflectors; and for the Ken.

(Continued on Page 6)

Orders for Motors and Generators Lead
Sharp Upswing in Electrical Goods Volume

Increase ranging from 15.8 to 51.4 per cent were registered in the electrical goods field in the first nine months of this year, the National Electrical Manufacturers Ass'n declared at mid-week. Orders received for motors and generators for the first nine months accounted for the aforementioned 51.4 per cent figure which was ahead of the like period of 1939 and 34.4 per cent greater than the base period, 1936. The total, however, was still 9.9 per cent behind the 1937 figure.

RCA Moves to Fill Demand for Screen

RCA Mfg. Co., as result of exhibition field acceptance of the new Magic Screen, and the attendant desire of houses in many instances to order this particular type of equipment “sight unseen,” has already arranged to increase factory capacity to take care of orders, it is stated by E. C. Cahill, manager of the company’s Photophone Division.

Statistics indicate advance demand has been such that deliveries have fallen

(Continued on Page 6)

Capitol Supply Busy In N. E. Territory

Boston—K. Forkey has had Microphon sound equipment installed in his Magnet Theater, 12th and Mass., by the offices here of Capitol Theater Supply, and G. Pike’s Lisbon, Lisbon, N. H., has received this type of sound in addition to Cyclone projector lamps.

Mogul projectors have been placed by Capitol in Gould’s Castle.

(Continued on Page 5)

FPC Buys Property For $200,000 Stand

Victoria, B. C.—It was announced here this week that the Famous Players Canadian Corp. have completed purchase of the property on which they will build new vaudeville picture theater. Plans for the thea

(Continued on Page 4)

Up-State Houses Are Improved Via Becker

Buffalo—Becker Theater Equipment, Inc., has installed a Motograph Microphonic De Luxe sound system in Dan North’s Avondale in North Tonawanda, and an identical system in Otto Grater’s Mexico, Mexico, N. Y., plus a Rayzone screen, Motograph projector, Ashcraft projection lamps, and Baldor reflectors.

Through the Becker organization, Carmel Theaters’ local houses, the

(Continued on Page 7)

Sure It's Turkey Day —But House'll Open

Chattanooga—Film fans hereabouts, as well as Independent Theaters, Inc., will have something to be thankful for on next Thursday, which is Tennessee’s Thanksgiving Day. The 600-seat Capitol Theater will open with first-run pictures, plus bringing big time vaudevillians to this city. Theater is one of the 18 in the U. S. equipped for FPC and is a seventh house to be opened by Independent Theaters, of which Abe Solomon is president.
COMING AND GOING

WILLIAM A. GEDDES, president of Ideal Steel, has returned to Grand Rapids for the Thanksgiving holiday, following a business trip to New York.

WALTER E. GREEN, NTS president, has returned to headquarters late from a visit to comrades in Mid-West and South and is expected to return shortly to Hollywood.

CLIFFORD SMITH, vice-president in charge of West Coast operations, has been visiting company headquarters in New York and is expected to return shortly to Hollywood.

ROY RUMMEL of General Electric Co., returned to Cleveland this week from a visit to New York on company business.

FRED MARTIN, serving as equipment editor in New York this week, is visiting Joe Horstine.

KARL BRENKERT of Brenkert Light & Projection Co. is scheduled to return on Wednesday for district headquarters.

UDA B. ROSS of Epri, who has been in New York for several weeks from the Far East territory, is expected to leave shortly for further service in company's foreign territories.

DREW EERSON, of the architectural partnership of John and Drew Eerenson, has returned to his desk here from Texas.

A. F. BALDWIN, associated with the sales promotion department of NTS, is back in town from Albany, N. Y.

J. W. SERVICES, of NTS sales promotion department, has returned to New York from the Mid-West.

JOE HORSTINE, of Joe Horstine, Inc., returned to his desk this week after a visit to Florida.

New Theater Supply Co. in Conn. New Haven—Certificate of incorporation has been filed in this state by Capitol Theater Supply, Inc., Kenneth R. Douglass and Leon L. Foster of Northfield, Mass., who operate the Boston Capitol Theater Supply Co., and Frank M. Gray of West Roxbury, Mass., are named as incorporators. Amount of commencing business is $1,000 and amount of authorized capital, 500 shares, no par value.

Brotman Receives Permit Moline, Ill.—Building permit for construction of a 680-seat house in Moline has been issued to M. Brotman & Sons who operate several houses in Moline and Rock Island, Ill., including the Paramount and Roxy in Moline. The house will be located in a two-story building estimated to cost $90,000 for construction.

Coolidge and Crocker Are Named G-E Officers

Schenectady — Charles E. Wilson, General Electric's president, has announced appointment of Dr. W. D. Coolidge, research laboratory director, and Stuart M. Crocker, manager of the company's refrigeration and air conditioning department, at Bloomfield, N. J., as vice-presidents. Dr. Coolidge has been on the research laboratory staff since 1906 and a director since 1926. Mr. Crocker was appointed manager of the Bloomfield department in 1938, and has been a vice-president of International General Electric Co. for 10 years.

Dividend Rise Is Voted To G-E's Stockholders

A dividend of 80 cents a common share has been declared by directors of General Electric Co. The disbursement is payable Dec. 2 to stockholders of record Nov. 22. The company previously paid 35 cents on Oct. 29.

The payment of 80 cents for the fourth quarter, together with $1.05 a share for the first nine months, makes a total of $1.85 a share for 1940, compared with $1.40 in 1939.

Knollon Gets Contract Norwalk, O.—Contract has been awarded the C. L. Knollon Co. of Bowling Green, O., for the construction here of a one-story and balcony theater building, 66 x 172, brick steel and concrete, at an estimated cost of $150,000. New theater is owned by the Norwalk Theater Corp., a subsidiary of the Schine Enterprises, Gloversville, N. Y. Work will be started on the new movie house immediately.

Purchases Walker Screen Louisville, Ky.—The Fourth Avenue Amusement Co. has purchased a new Walker Plastic Molded Screen for the Strand Theater here.

Flater Chooses Royal Chrome Spencer, Ind.—Claude L. Flater, operator of the Twioi Theater here has refurbished his lobby with Royal Chrome furniture.

Automatick for Pantheon Vinncennes, Ind.—Adler Lyons, operator of the Pantheon Theater here has installed an Automatick register.

Conrad House Underway Wichita—R. E. Conrad, who formerly operated the Rita, Burlingame, Kan., is building a new theater in this city.

Heard Improves Palace Farmerville, La.—J. M. Heard, operator of the Five Loops Theater, is modernizing his Palace here.

Johnson's Vogue Opens As Film Folks Assist

Friend, Neb. — Wally Johnson's new Vogue Theater, a 552-seat house, opened last week in bitter cold to a full house. Theatre was designed by Architect Gus Marishka, Dorchester, Neb., and material was furnished by Frank Montgomery, Western Theater Supply, of Omaha.

Program for the opening included the presence and spoken word from the Violin Smith H. Mendelson, Warners; Ike Rubin, of Paramount; Otto Siegel and Bill Flynn, of Universal; and Barney Oldfield, Netsrator of the Lincoln, Neb., Sunday Journal and Star.

Many Orders Call for Ashcraft Projection

Demand for Ashcraft projection lamps in all sections of the country is exemplified by the large number which have been purchased recently by houses in New York State. Kallet Theater, Inc., are using this type of lamp in order to present an effective advertising campaign, and other exhibition outlets including those owned and operated by the Basil Brothers, Morris Slotnick, B. A. Indenbergen, A. Francis, and others.

Bigelow-Sanford Status

Income Account of Bigelow-Sanford Corp. for nine months ended Sept. 28, 1940, follows: Gross sales $19,347,723; costs and expenses $16,974,070; operating profit $2,373,653; other income $8,254; total income $23,381,907; depreciation $604,770; interest, etc., $28,357; Federal income taxes $430,000; net profit $1,298,770; preferred dividends $118,513; common dividends $627,518, surplus $542,739.

New House For Greenville

Greenville, Miss.—The Lake Theater, capacity 400, a new local movie house now under construction, is scheduled to open Dec. 7. As the new house is located on the site of the old Bijou, the seating of the house will offer a local innovation in the "love seats," one and a half times the normal size, scattered throughout the house.

1000-Seater For Dayton

Cincinnati—Maury White and Nick Schaefer, United Theatres, are erecting a new, 1,000-seat theater, to be erected on the Davue, Salem Ave., Dayton, O.

Launch 500-Seat Clark Winchester, Ky.—Doris Meyer and Harry Schlotzer have opened their new 500-seat theater here called the Clark.

Smith Breaks Ground Cincinnati—Peter Smith, operator of the Sylvia, Dayton, Ky., has broken ground for a new theater in the same neighborhood.
THEATRE OWNERS SAY:
"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really natural — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."

PROJECTIONISTS SAY:
"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"

PATRONS SAY:
"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL,"
"SUPREX" AND
"OROTIP" CARBONS

CARBON ARC PROJECTION LAMPS
ARE OPERATED AT A SAFE VOLTAGE.
THEY ARE STURDY AND DURABLE AND ARE
NOT COMPLICATED BY WATER COOLING

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.
FPC Buys Properly
For $200,000 Stand

(Continued from Page 1)

...are now being prepared and it is expected that construction work will commence before the end of the year.

The theater will be in the center of the business district here and will cost approximately $200,000.

The Famous Players Corp. operate the Capitol, Dominion and Atlas here but they feel that this city is entitled to one of the most modern structures. According to the announcement the theater will be the most modern in Canada.

GRC Reports Progress: Unicon Ready Shortly

(Continued from Page 1)

Itol Theater Supply Co. of Boston. E. Williams, assistant sales manager for GRC, states that business is brisk currently, and, that while the film industry is still the mainstay at present of his office, his organization is doing a great deal of missionary work with some gratifying results in roller skating rinks, dance halls, and, in general, all places where tickets are sold.

One thing keeping the company particularly busy, it is said, is the development and planning of the new Unicon Cash Control System, details of which are expected to be announced soon.

Open Clark In Winchester

Winchester, Ky.—Harry Schwartz and George B. Myers have opened their new Clark Theater here.

Lighting Equipment

Rentals:
A full line of modern equipment to
gether with a staff of trained men to handle any job large or small at any time, anywhere. Generators, trucks, searchlights and floodlights, for premiers and general lighting activities.

Sales:
Everything in the line of equipment for motion picture and photographic studios.

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.

Sole Eastern Distributors of equipment manufactured by:
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OF MATERIAL INTEREST

- • • • WELL the boys out at B. F. Goodrich in Akron, where lots and lots of sponge rubber is made for seats of modern film theater chairs, have as their latest task the production on a large scale of a new type of self-sealing rubber fuel tank for combat airplanes...Walter E. Green's legions at National Theater Supply are justly proud of the fact that Walt Disney's "Fantasia" opened its current run at the Broadway Theater with Simplex E-7 Projectors and the new Peerless Hy-Camcandescent Lamps in the booth.—installed by the N. Y. Branch of NTS.—and resulting in brilliance and perfect steadiness of the image on the screen....

Doll of the chapeau to H. J. Thompson the operates houses in Clearfield, Bellefonte, Coalport and Curwensville, Pa. 'cause the new theater being constructed by the community of Stoneboro, Pa., and now nearly completed, is to be turned over to him to operate...Progressive Perkos, owner of the Palace in Hartford, is doing an outstanding job of showing how successfully Diesel engines can be used in pic theaters...Dan Markiwit is preparing plans for a new theater in Los Catos, Calif. and Charley Peterson is doing ditto for a new one in California's Centerville......

- • • • YEZZIR, the gent who 'tended the Chi. convention of the Outdoor Advertising Association at the Drake this past week-end probably got home in time for yesterday's turkey gobbling (if not, wet 'thell, there's another Thanksgiving next Thursday).....Speaking of Chi., Fred Fulle has shifted over from the Claude Neon camp to join Federal Electric as manager of the latter's New York branch offices.....Note to Shoeam Mitchell down Elkin, N. C. voy: Dear Lou, how 'bout selecting a name for your new theater there,—or d'y want us to do it?.....Frank Cahill is sure 'thusiastic about that new WB "Vitasound".....Like the proverbial daddy who's enchanted by the toy electric train, Les Miller is intrigued by the RCA sound system he got recently for his Palace in Coweta, Okla.....Alf Cortina is putting 12 G's on the line to improve his 1,000-seater, Maxim, in Havana......

- • • • DOLLARS to doughnuts in our wager that already some wisecracker has hurled at W. O. Kemp (who's bought for his Victory in Poteau, Okla., 300 new Heywood-Wakefield chairs) that mordant comment: "Pretty solid!".....Out of Rochester, N. Y., wafts word that Crafts F. Cochrane, Eastman Kodak Industrial relations manager, has been named by the mayor to the Local Defense Council and will have as big duty the coordination of various defense activities.....Dick Beck is building a new theater at 66 West Madison Ave., Chicago, to replace his "Past Time," and we note that Dick is calling it the "Back" at the present time.....J. A. Tanney, proxy of S.O.S. Cinema Supply Corp. of New York, says marked interest is being shown by customers and prospect in the five new bulletins recently issued describing Inverse Feedback theater amplifiers. Imperial 16 mm. sound-on-film projectors, Simplex replacement parts. Powers replacement parts, and Multi-Cell Horn systems.....H. O. Davis, who carries on a 100 per cent motion picture and projection service in Oklahoma City, has outfitted Central High there, and the State University in Norman, Okla., with Ampico equipment......

All Warner Houses
Will Get Vitasound

(Continued from Page 1)

All Warner theater houses in Hollywood and Los Angeles, and the Strand in New York, are now equipped with a new control system, standardization of which has already been sought from the Academy of Motion Picture Arts and Sciences, in Warner's "Sante Fe Trail," set to world premiere Dec. 14 in Sante Fe, N. M. Warner officials in New York expect the film to move into the New York Strand just before Christmas, and that this house will be ready mechanically to accommodate the attraction by that time.

Developed in the Warner laboratories during the past five years, the new sound system represents improvements in both recording and projection techniques. It is claimed by interested experts to offer completely faithful reproduction of original sounds without violent and expensive changes in theater or studio equipment, and to give an audience the benefit of every shade of tone and volume found in the original sound.

Vitasound, it is said, provides more realistic reproduction of all the voices and music of a picture that go into a picture. It does that without upsetting long established theater practices and without antagonizing all the theater and studio equipment in the industry. It is said to be neither too complicated nor too expensive for general use.

A second sound track on the release print regulates sound control and makes possible startling improvements in results in the theater. About the only added expense involved is a $40 attachment on printing machines and a probable $1,500 investment for additional amplifiers and horns in the theater.

Warner Bros. sound engineers have been experimenting with Vitasound since 1935 when a new and improved recording and reproduction method was developed for the company's pictures. A few theaters were equipped with additional amplifiers at that time.

Arrington Acquires Rex

Windfall, Ind.—The Rex Theater is now operated by T. J. Arrington, formerly of Illinois, who acquired the house from John Cooper, who is retiring from the theater business.

Settos Names It Ohio

Louisville—George Settos is building a $75,000 theater in Louisville, and will be named the Ohio.
Building Projects Gain in October

(Continued from Page 1) new construction and alteration, and the recorded investment amount to $1,571,000, as against 61 projects entailing a cost of $1,634,000 in October, 1939.

Net rise of $357,000 reflects the current impetus theater building and structural improvements have reached, and it is probable that before the present year is over the building investment mark, as well as the quantity of projects, will have matched, or nearly so, the 1939 totals of 1939.

This is indicated by the fact that in the first 10 months of 1939, 676 projects were reported, for which an estimated $19,025,000 was spent. During the corresponding span of 1940, some $18,496,000 was spent on 667 projects, but it is pointed out, more new houses and more remodeling are looked for now through December than was the case in the final two months of last year.

Sudekum's Crescent Will Add House in Decatur

Decatur, Ala.—Tony Sudekum of Nashville, president of Crescent Amusement Co., announces through G. P. Banniza, Princess Theater manager, a new 700-seat theater to be built here for opening January 1.

Princess Theater, member of the Crescent chain, will be given a $35,000 remodeling immediately following opening of the Banks Street playhouse. A. R. Frahn of Decatur is architect for both.

Rialto Is Renovating

Bridgeport—Rialto Theater is now closed and undergoing complete renovation, including new doors, concrete floors, new equipment, furnishings, and decoration. American Seating has the chair contract. Jack Halprin is contractor for Strand Amusement Co., which will also renovate the 750-seat Strand-Palace at the completion of the Rialto.

Launch New Lincoln

Stanford, O.—O. H. Beilen, H. C. Congleton and R. L. Castillo, comprising the Lincoln Theater Co., have begun construction of the New Lincoln Theater here, on the spot occupied by the old "Red Brick" more than 100 years. The new theater will seat 675. Stewart & Stewart, Cincinnati architects, designed the structure.

Behlan Improves Park

Nicholasville, Ky.—New lamps and rectifiers have been installed by Charles H. Behlan in his Park Theater here.

Luna Buys Generator

Louisville — The Fourth Avenue Amusement Co. reports a new generator has been installed in the Luna, Lafayette, Ind.

Friday, November 22, 1940

EQUIPMENT NEWS • 5

Guess Who!—But Right Or Wrong a Swell New Picture Theater Will Go Up In Montreal

Montreal—Evidently censorship and the don't-tell-a-soul feature in wartime Canada is becoming second nature. Witness: A new $40,000 film theater, seating 800, will be constructed in the north end of this city, but the architect won't disclose the identity of the owner. It'll be a fireproof structure, similar to that built in Notre Dame de Grace. Architects plans specify a modern, suburban type house equipped with the latest improvements in sound apparatus which involves new principles in acoustical construction. Drawings are on the studio plan, and include a parabolic reverse floor slope. Construction will be brick and concrete. Air conditioning will prevail throughout the building.

Battisti Decorating New Loew's American

Eduardo G. Battisti, of Battisti Studios, reports progress in the painting and decorating of the Ebersohn-designed theater is the new Metropolitan Life development in the Bronx. House has been tentatively named as the Park Chester, but has now been permanently christened Loew's American.

The Battisti staff is now finishing the Wallach Theater designed by Thomas Lamb.

Recently the Lyceum Theater here was completely redecorated and painted by Battisti Studios for the account of Sam Harris and associates. This theater presents an excellent color scheme of gray, rose and gold.

Will Order U. S. Equipment For New Panama House

Panama City (By Air Mail)—New $60,000 film theater will be erected here, construction starting in December. American equipment will be ordered.

B & K In Reseating Drive

Chicago—Balaban & Katz are completing plans for re-seating their Loop Roosevelt Theater with 1,500 B & K De Luxe seats. This will make the third major seat job of the circuit during recent months. The other two were the replacement of 3,300 seats at their ace Chicago Theater and 3,100 seats for their South Side de Luxe, Tivoli Theater. Plans for re-seating other houses are under survey. International Seating Co. built the seats from B & K specifications.

Glass Co. Declares Dividend

Libby-Owens-Ford Glass Co. has announced a dividend of $2, payable Dec. 16 to stock of record Nov. 29. This will bring payments for this year to $8.50, dividends of 50 cents each having been paid in the three preceding quarters. In 1939, the company paid dividends amounting to $2.75.

Air Conditioned By GE

New Haven—Broly Bros.' new 732-seat Westville has a General Electric giant year-round air-conditioning system.

Brighten The Luverne

Luverne, Ala.—The Luverne Theater is being redecorated throughout.

Acoustic Envelope, New Sound Control

(Continued from Page 1) the Negro actor and singer who is said to have discovered it, Dr. Burris-Meyer declared.

"The phenomenon is familiar to all who have indulged in the popular American pastime of singing in the bath."

Dr. Burris-Meyer, who outlined the new technique before the convention of the Acoustical Society of America, hailed it as eliminating many of the artist's woes such as tension, inability to relax, a feeling of being ill at ease, low vocal efficiency and voice-forcing to get more volume. The technique had no effect on the sound as the audience heard it, Dr. Burris-Meyer said.

Gordons Set To Put Up Theater in Newport News

(Continued from Page 1) Gordon, vice-president; Leonard Gordon, secretary-treasurer; and Mrs. Bertha Gordon, chairman of the board. This organization now operates the Palace Theater, opened after rebuilding last March, and the Wythe Theater, a nabe house opened in October, 1939. The Palace has been operated by this company since 1917.

"CHRISTMAS IN JULY"

Give your patrons a Christmas present—they'll be grateful for all the year and for years to come . . .

Alexander Smith Carpet, the floor covering you'll find in most of the country's successful theaters.

ALEXANDER SMITH CARPET
WHO’S WHO IN EQUIPMENT

WALTER E. GREEN. Born in Orange, N. J., Aug. 13, 1889—son of Harvey H. and Mary C. Green. Educated in grammar schools there and entered business career in 1909 as a clerk in Thomas A. Edison, Inc., Kinetograph department, and in 1913 designated assistant manager of the company’s activities aimed at promoting sales of films and projectors. Subsequently held posts with R. E. Miller, acting as purchasing agent for latter.

In 1915 became general manager for Kinetograph Co., his first experience in theater supply business since organization had extensive Kinetograph equipment and marketed to film houses. Klein Optical was later taken over by United Theaters Equipment Co., in whose general office in New York he served as assistant to the president. Joined Precision Machine Co., 1917, manufacturers of Simplex projectors. In 1925 that organization was merged into In- terlone Corp. and Green was named latter’s vice-president, remaining in office until 1928 when he became president of National Theater Supply Corp., which owned the company’s General Theaters Equipment Corp., and was made a vice-president of GTE. In addition to his post as NT5 president, he is a director of the company.

Mid-West Theater Supply Lists 11 Installations

(Continued from Page 1)

Wallingford, York., Senarc lamps and Benwood Linze rectifiers. These were for the Great and Ward houses.

Other orders included those for William Gerver’s Fairview, Cinemat, Senarc lamps and an Imperial generator; Mrs. Somer’s Sigma and Federation, Dayton, Senarc lamps, Balder rectifiers, and International chairs; and for the Orpheum Operating Co.’s Orpheum, Cincinnati, and Dr. Kolbe’s Norwood and H. Burnstein’s Palace, both Norwood, International chairs. A third Norwood house, W. Vance’s Ohio, ordered Senarc lamps and Benwood Linze rectifiers.

Company has installed RCA sound, Brenkert projectors and lamps, and Benwood Linze rectifiers in the headquarters of the Ohio State Censor Board, Columbus.

Contract Let Says Lynch

Coral Gables, Fla.—A. Lynch, president of Paramount Enterprises Inc., says that contract has finally been let for the construction of a 1,000-seat de luxe theater in Coral Gables. Robert Law Weed and Ed- win T. Reeder are the architects.

The Fred Howland Construction Co. has been awarded building contract. It will be air conditioned and contain the latest in every type of theater furnishings and equipment.

Miller Turns to Pix

Louisville—W. E. Carroll of Pulls City Theater Equipment Co. here has just sold equipment for a theater to be opened in the school building at East Bernard, Ky., to be operated by R. C. Miller, school superintendent.

Wentzel Betters Projection

Louisville.—J. M. Wentzel has installed new projectors, screen and lens in his Norman Theater here.

Westinghouse Pay Up 9% Under Bonus Plan

Pittsburgh—Wages and salaries of employees of the Westinghouse Electric & Manufacturing Co. will be adjusted upward 9 per cent this month in accordance with the wage and salary plan under which the compensation is guaranteed to remain in proportion to the average earnings in the preceding three months. The bonus in October was 10 per cent.

The net profit of Westinghouse Electric for the three months to Oct. 1 was $4,402,412, compared with $3,821,022 in the three months ended on Oct. 31, 1938. For the first 10 months of this year, the company had an indicated net profit of $15,904,860, equal to $5.98 a share on the combination and common shares, compared with $10,433,650, or $9.05 a combined share, in the first 10 months of 1938.

Who Wants the Biz?

Washington Bureau of THE FILM DAILY

Washington—The Commerce Department reports that there is an opportunity for a sale of projectors and reflectors, theatrical and cinematographic, 30 to 50 units, first quality, to an individual in Zurich, Switzer- land. Any person or firm interested can obtain complete details by writing to the Bureau of Foreign and Domestic Commerce. The reference number is 440.

White-Schaeffer to Build

Dayton, O.—Mauri White and Nick Schaeffer, Cincinnati indie operators, are planning to build in suburban Dayton View, the new 900-seater to be called the Dayview. The F & Y Theater Division, Columbus, has been commissioned to design the house.

New Seats for Midway

Detroit.—American Seating Co. is installing new seats in the Midway Theater at Dearborn for Joseph Stolina.

RCA Moves to Fill Demand for Screen

somewhat behind, and labeled the picture “pending” for the “outstanding advances in the motion picture equipment business in many years,” de- signed as it is to obtain maximum efficiency in both light reflection and sound transmission characteristics through the employment of entirely new techniques.

Cahill points out that the screen has a plasticized surface, made up of a specially treated fiber pulp, on cloth backing. Years of research and experiment have gone into determining the number and size of the perforations. As a result sound waves travel through the screen with maximum efficiency, yet light reflecting and picture detail qualities are out- standing.

Tests indicate, he says, that the Magic Screen’s light reflection and sound transmission characteristics are superior to any other type of screen now available. Each Magic screen is guaranteed to surpass the SMPSE standard for sound transmission.

The smooth surface resists dust accumulation, hence stays clean longer; surface is barrier of aluminum, titanium, zinc, or other pigments, and is chemically unstable or highly evaporative compounds commonly used to treat ordinary picture surfaces, and thus it is unaffected by evaporation, and does not discolor or shed due to and other chemical reactions caused by atmos- pheric gasses or moisture, Cahill as- serts.

Rialto Now Open

Bridgeport—Change in floor plans delayed opening date of the Strand Amusement Rialto, completely reno- vated, until Nov. 14. American Seating installed the chairs and National Theater Supply both equipment. The entire house was modernized.

Get Fabian Contract

Albany, N. Y.—Marinello & Stanko of this city have been awarded foundation contract for the new Co- hoes, N. Y., Theater, which is to be operated by the partners, John and Drew Ebersohn, of New York City, are architects for the house.

Golder Gels Job

Philadelphia—Golder Theater Construction Co. of this city have been awarded contract for the new Colonial Theater in Livingston, N. J. The architects are John and Drew Ebersohn.
Sonovox Will Help Films Say Wright

(Continued from Page 1)

and clatter of the wheels. Such sounds can be made to speak lines without, of course, altering their original character.

Not only can any sound effect be made to speak,—from thunder to the squeaky shoes of a comic,—but animals can now read lines in their own voices, Wright explains, adding that were Sonovox used in connection with a film such as “Sequoyah,” the audience could understand animal talk.

Wright asserts that currently it is impossible to foresee all the uses to which Sonovox will be put in motion pictures. This depends on the imagination of those making film, he said. Device's first important use was in RKO Radio’s Kay Kyser vehicle, “You’ll Find Out,” Kyser's band was made to sing the words of a song. It was playing,—no human voices, just articulated saxes, trumpets and other instruments.

Some day, Wright states, audiences will hear a symphony orchestra in which each instrument is also a voice via Sonovox, and that when foreign versions of films again become important, the device will have something else constructive to offer.

Up-State Houses Are Improved Vic Becker

(Continued from Page 1)

Colonial and Unity, have received Bigelow Delwood carpet; Byron A. Underbitzen’s Central Park here, International Challenger chairs, Aircraft projection lamps and Balder rectifiers; and Basil Bros. Jefferson, Buffalo, A. Francis’ Commodore, also in this city, and Morris Slotnick’s Sodus, Sodus, N. Y., and the Kallet Theaters’ Madison in Oneida, have received Aircraft projection lamps.

Sola Lamp Ballast Set

Chicago—The Sola Electric Co., 3320 Clybourn Ave, are introducing a new two lamp ballast for their two 40-watt fluorescent lamps. The new lamp ballast unit is easy to install and repair, and is protected area for the wiring channels, it is claimed.

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EQUIPMENT NEWS • 7

Southwestern Equip. Supplies Tex. Houses

Houston — Ten Texas houses are listed by Southwestern Theater Equipment Co. as having recently received shipments for their improvement.

Bids Being Received For New Detroit House

Detroit—Bennett & Straight, theatrical architects, have completed plans and are receiving bids on a new 2,200-seat theater to be erected at Schafer and Warren Roads for the Circle-Midway Theater Co., headed by Joseph Stoia, present owner of two houses. New house will be called Forum.

Project will cost $300,000, and will include ten stores. Unique feature of the development will be provisions of parking space for 1,500 cars, or one for every two seats in the house. Site covers 6% acres.

Capitol Fills Orders From Eight Houses

Ben Perse, president of Capitol Motion Picture Supply Co., New York, reports that his organization has recently supplied RCA Magic Screens to three Brooklyn theaters,—Rapf & Ruden’s Trymore—Lee’s Majestic; and Kafko’s Miller, and that Ludeca’s Manhattan has received this type screen plus Asher- Suprex projection lamps.

Capitol also has furnished a G-E rectifier and Balder rectifier to B. Herman’s Hawthorne. Hawthorne N. J., and the Fabian’s Stadium, Tottenville, Staten Island, respectively.

Shen’s circuit’s Quaker, New Philadelphia, 0., has received American Seating Co. chairs, Hurley screen, new projectors, Cyclone projection lamps and Bigelow Wilson carpet through Capitol.

World’s Fair Surplus! 125 Ticket Receivables $6.95

- Chrome Rolled Rim Top with Plate Glass Sides and Baffles
- Cylinder Locking Compartment
- Heavy Steel Streamlined Construction

Original Cost $50—NOW $6.95

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1501 Broadway.
N. Y. C.

“M-M-M! SOUNDS GOOD TO ME!”

When your theater has the double protection of an Altec sound service agreement and an Altec booth, you can relax! Yes, you can devote all your time and thought to showmanship and exploitation— for Altec takes projection room worries off your shoulders for good! Change to Altec today!
Universal Studios Gets Brentford Equipt.; Shearer Lists Numerous New Orders

Los Angeles—B. F. Shearer Co. of California has just completed installation of six Brentford Projectors and eight pairs of Brentford Equipt. Lens at the Universal City. The Shearer organization reports supply of Howwood-Wakefield chairs and chair covers to Long’s R Cancar and Pink Thorne will be furnished. Orders for some make chairs, covers, and Da-Lite screens have been filled for King’s Roxie, Huntington Beach; Lapin’s New Reno, Santa Barbara; the Ginch, Bellflower; Ben Moh’s Pic-Fair, Los Angeles; and W. E. Cool’s Chief, Casa Grande, Ariz. Latter’s Cotton Bell in Casa Grande has been furnished with Da-Lite again on new projection equipment, as has Dwight Harkins’ Temple, Temple, Ariz., which ordered Karaszewski carpet as did the aforementioned Roxie, New Rome, Circle, Pic-fair and Chief Theaters. Either rectifiers or generators have been shipped to all six last named.

Front and Sign Inquiries Increase, Says WhiteWay

Chicago—The WhiteWay Sign System, Tom Flannery presiding, reports marked increase in inquiries from theater owners for new fronts and new signs. WhiteWay is supplying a new canopy for the GCS circuit’s Admiral Theater, a new marquee for the Davison circuit’s Calo Theater, and new signs and modernized front for the American Theater of the Van Nornikos circuit.

For B & K circuit, WhiteWay has modernized several theater signs, including that of the Chicago Theater.

WARNER CIRCUIT RENOVATES
THREE CONNECTICUT HOUSES

New Haven—Warner Theater Department is embarking on renovation of three houses, the 220-seat Rialto, South Norwalk; 1,840-seat State, South Manchester, and 1,600-seat Cameo, Bristol. Each job is estimated at $25,000, and will include new carpets, redecoration, new lobbies and marquees, and new lighting.

Sells Share in N. H. Stand

Whitefield, N. H. — Allen F. Stoughton has announced the sale of his interest in the Little Theater here to William W. Banzhaf, formerly of Rye, N. H. The new owner has also purchased the Stoughton Block, which contains the theater and several stores. Alterations are reported to be planned.

SPARKS HOUSE READY

Orlando, Fla.—Newest Sparks theater here is expected to be ready about Thanksgiving, according to Vernon Hunter, manager. This is a 500-seat house and the seats will be padded with foam rubber instead of springs. There will not be a stage installed.

STRONG LAMPS FOR PLAZA

Boston—E. M. Loew’s new Plaza Theater in Salem has been equipped with Strong lamps in the booth and had entirely new projection equipment, including a new silver screen. The Plaza will be under the direct management of Joseph Morency, long connected with the E. M. Loew organization.

WDDO Radio Playhouse

Becoming Film Theater

Chattanooga, Tenn.—Independent Theaters will reopen the remodeled and re-equipped Station WDDO Radio. M. Langstocker has also as the Capitol Theater on Nov. 28. House will present both first-runs and return engagements of big features. In addition to a tie-in with Radio Station WDDO for broadcasting noon-day stage shows. Abe Sol- man, president of Independent Theaters, announced.

Abe Birsky, secretary-treasurer of the circuit, will manage the new house, eventh operated by the company here.

Graham Bros. Report

On Most Recent Jobs

Denver—New orders filled by Gra- ham Bros. Theater Equipment here include Miraphonic projection lamps and rectifiers for Frank Nieto’s Zin, Los Lunas, N. M.; C. E. McLaughlin’s Ritz, Las Animas, Colo.; Everett Cole’s Grove, Alamosa, Colo., and J. B. Melton’s Victory in Denver. McLaughlin has also received a Da-Lite screen and Motion Picture Projector, and Everett Cole a Da-Lite screen and Ideal seats.

Martin Gets Contract

Lake Wales, Fla.—Contract for the new $28,000 theater to be erected in Second St. and Second Sts., has been let to L. F. Martin. Work is to begin immediately. This is a unit in the Sparks chain.

New Florida Drive-In

St. Petersburg, Fla.—A $20,000 drive-in theater is to be built immedi- ately. Bolivar Hyde is agent. The theater will be located at 7201 Fourth St. N.

Fox-Wis. Changes Front

Milwaukee — Fox - Wisconsin Amusement Corp. is having a new main facade, new marquee, box office and outer lobby built for the local organization.

EQUIPMENT FIELD NOTES

PHIL GOECKELI has awarded contract for new sign and marquee on his Car- men Theater in Detroit to Long Sign Co.

Anent the Auto City, Saul Sloan, more than two years ago, mentally hatched a project which has now com- menced,—the Television Theater there. House, to be opened about March, is a 2,000-seater instead of 3,500 seats at originally announced by Saul. Present indications are that the theater will be booked through Mutual Theaters.

Perez Abreu & Co., is building a 1,900- seater on 23rd St., Vado— that swank suburb of Havana. Cinema will have West- ern Electric Twin-Mirror Master sound, Mo- tograph projectors, Aircraft lamps.

Carver Theater Corp., of which Fred Levi is both proxy and treasurer, is re-opening the shuttered Carver in Birmingham.

That 24-carat Florida exhibit, Gus Diemond, is improving his Vogue in Orlando by way of gettin’ the most possible biz from natives and visitors this winter.

Ernie Woll is all set to unlock his new renovated Avalon, Lowville, N. Y. In the meanwhile, he’s been carrying on in the nearby Opera House.

Joe Blumenfeld has ordered Interna- tional chairs and Chase chair covers for his Equire in Frisco, Pacific Coast. He bought his Sarasota in California for a song and made the sale, and filled similar orders for Bill Wolfe’s Sunset there; the Berkeley (new bowling alley) in Berkeley, and for one of the Hill Theater, Ltd. houses in Hilo, Hawaii.

Herman J. Silver has finally completed remodeling and installing of new equipment in his Dan, Claymont, Del. Herman also operates the Earl in the Delaware community of New Castle.

Dick Magnuder, president and man- ager of the Garden, Cumberland, Md., has signed with RCA Photophone for new sound for the house and for a new RCA Magic Screen.

W. F. Sonneman, operator of the U-Ark, Fayetteville, Ark., recently put in an order for 640 Heywood-Wakefield chairs, a pair of Brentford projectors, RCA sound, Balder rectifiers, and a Da-Lite screen, from the Oklahoma Theater Supply Co. Dewey Goodwin, operator of the Fox Theater, Minco, Okla, has purchased a pair of Strong lamps for his house.
See Box-office Gains in Early Winter

AAA Ready to Arbitrate Disputes Under Decree

Offers Good Offices Pending Setting Up of Machinery to Function on Feb. 1

The American Arbitration Association announced on Friday that it is ready to handle disputes under the New York equity suit consent decree if exhibitors so desire. Officials pointed out that although the machinery of arbitration will not be completed and ready for operation until Feb. 1, that exhibitors may wish to have immediate adjudication on certain questions.

In this event, it was said, the AAA would offer its facilities, and since (Continued on Page 4)

Fairbanks Interest in UA is for Sale

West Coast Bureau of THE FILM DAILY

Hollywood — Douglas Fairbanks' estate interest in United Artists is available for purchase but as yet no official offers have been made by anyone. If and when the interest is sold it will be to the highest bidder, the estate's representatives stated.

Samuel Goldwyn was unavailable (Continued on Page 11)

Sales Policies Discussed At Two-Day "U" Meeting

Sales policies and distribution problems were discussed over the week-end by Universal district managers, division heads and home office executives at a two-day session in the Hotel Astor. Plans for the second annual Scully Drive, in honor (Continued on Page 10)

WB '40 Net Up to $2,747,472 Amortization Changes Disclosed in Report

In the first 12 key city situations reporting to date, Warners' "The Letter" is topping "The Old Maid," the company's biggest money maker last year, ATAHT, one of this season's top grossers, and "Four Wives," (Continued on Page 11)

Definitely Improved Condition Forecast by Ross Federal Research Survey

The film industry, as well as general business throughout the country, can look for a definitely improved condition during the early Winter months, a nation-wide check-up by Ross Federal Service, Inc., completed at the week-end, established.

Boston reports theater grosses better than they have been for some time past. This may be the effect of government contracts awarded to New England manufacturers. Likewise in New England, bankers in (Continued on Page 4)

Ask Cuban President To Revoke Pix Edict

By MARY LOUISE BLANCO

FILM DAILY Staff Correspondent

Havana (By Air Mail) — Revocation, amendment or modification of the anti-block-booking decree recently enacted here is expected this week following representations to President Fulgencio Batista and Dr. Jose T. Onate, Minister of Commerce.

A letter was sent to President (Continued on Page 11)

Five Schine Rochester Houses to Start Bingo

Rochester — Super-Bingo will be launched at five Schine Theaters here Wednesday, with a 55 cent admission charge in effect. Bingo will go into the Riviera, (Continued on Page 10)

"Flight Command" in Hemisphere Opening

Industry's first "hemisphere premiere" will be held on the night of Dec. 17 when M-G-M will hold simultaneous premieres of "Flight Command" in Washington, Havana, Mexico City and Toronto. Date is Pan-American Aviation Day, voted by joint resolution of Congress and authorized by White House proclamation. Washington premiere at the Capitol Theater will be sponsored by the National Aeronautic Assn.
The Broadway Parade

Picture and Distributor
The Great Dictator (United Artists-Chaplin)—7th week (d) Capitol
North West Mounted Police (Paramount Pictures)—3rd week Paramount
Seven Sirens (Universal Pictures)—2nd week RKO
The Letter (Warner Bros. Pictures).......
The Tenth Woman (Twentieth-Fox-Film Co.)...
Bitter Sweet (Metro-Goldwyn-Mayer Pictures)
Blackout (United Artists Pictures)...
Tea Too Many Girls (RKO Radio Pictures)...
Love and Oath (United Artists Pictures)...
Among Humanities Films Alliance (a)...
Give Us Wings (Universal Pictures)...
Krome Rockwell (United Artists-Warner Bros. Pictures) (a-b)...
Alway's a Bride (Warner Bros. Pictures) (a)...

TWO-A-DAY RUN
The Great Dictator (United Artists-Chaplin)—7th week
Fantasia (Walt Disney)—2nd week

FOREIGN LANGUAGE FEATURES
The Baker's Wife (The Baker's Wife Co.)—35th week
The Man of the Hour (French Feature)...
The Kiss of Fire (Hokson Pictures)...
Les Miserables de Aranzazu (Spanish musical feature)—2nd week
(20th St. Theater)
Il Mastro dei Furti (Italian Feature)...
Cine Roma
Merry Wives (Edgar Lloyd)—3rd week

FUTURE OPENINGS
Third Finger, Left Hand (Metro-Goldwyn-Mayer)...
Second Chorus (Paramount Pictures)—Dec. 4
Desert Song (Desert Song-Metro-Goldwyn-Mayer Pictures)...
Signs Point to the South (Warner Bros. Pictures)...
(Paramount)
Strand

In Hollywood
The Chief of a Rebel (United Artists Pictures)...
The Mark of Zorro (Twentieth Century-Fox)—Nov. 28 (a-b)...
Palace

19th Century-Fox
4th Century-Fox

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, un reserved.

Arizona "Setting Marks: Advanced Prices Prevail"

Pre-release engagements of Columbia’s “Arizona” are now at advanced admissions, the company disclosed Friday, at the same time reporting that the reaction in Warner Bros. production is breaking records in all first play dates.

At Loew’s Midland, Kansas City, the film grossed three times more than the opening day of “Mr. Smith Goes to Washington” it was said.

Columbia is setting pre-release dates for Philadelphia, Baltimore, and Memphis.

Jack L. Warner Resigns
Turfe Club Chairmanship

West Coast Bureau of THE FILM DAILY
Hollywood—J. L. Warner has resigned as chairman of the board of the Hollywood Turf Club. However, he will remain as a member of the board of directors. In making public his resignation as chairman, Warner cited increasing pressure of duties and duties at the studio.

Comings and Goings

WILLIAM F. RODGERS, E. M. SAUNDERS and H. M. RICHIE left last night for Detroit.
WILLIAM A. SCULLY, general sales manager for Universal, left yesterday for a tour of the company’s Midwestern exchanges, with the first stop being Detroit.

MONROE D. HAMILL, newly appointed assistant to the production committee, left last night for the studio.

JOSEPH A. MC CONVILLE, Columbia’s foreign manager, and JACK SEGEL, manager of foreign branch operations, have returned from a two-month trip through the Latin American territory.

SAM CARVER, Detroit exhibitor, was a weekend visitor in New York.

LEON LEONIDOFF is on the Coast for the week-end.

Sylvia Sidney is due here this week from Hollywood.

DOSA COSTELLO arrived on the Coast over the week-end.

COLE PORTER sailed Friday for the Santa Clara for a two-week cruise in the West Indies.

DONALD WOODS flew to the Coast Tuesday via TWA Stratoliner.

VICTOR MATRO, who flies to the Coast Friday, returns tomorrow.

ANNIE HARRINGTON, of Metro’s Boston office, has returned from an airplane visit to Bermuda.

ROBERT L. WHITTEM, Millbridge, Mass., operator, has returned from a visit in the South.

ROY R. HEPKER, who heads Bank Night in Boston, is now in New Brunswick on a hunting trip.

ALFRED S. NACK, of the Sack Amusement Enterprises, who is in Hollywood for his annual search for product, is staying at the Knickerbocker Hotel.

"One Big Union" Scheme Said Out for the Present

It was reported at the week-end that the scheme to amalgamate the “talking union”—member groups of the AAAA which included Actors’ Equity, AFRA, AGMA, and SAG and a number of smaller units—into “one big union,” has been abandoned at least for the present, but may be revived when difficulties of the member groups have been adjusted.

Halifax City Council Favors Sunday Films

Halifax, N. S.—Sunday opening of local theaters, primarily to provide entertainment for service men, has been endorsed by the City Council. Provincial government has the final word.

Happy Birthday to You

From THE FILM DAILY to
Margaret Livingston
Lincoln Quinter
Vera Reynolds
Louis S. Lighton
Terry Kilburn
Do Your Christmas Shopping Early!

BOOK HOLLYWOOD'S BIGGEST HOLIDAY SHOW NOW!!!

America's Two Top Comedians

Jack Benny - Fred Allen

in Paramount's huge laugh and music hit

"LOVE THY NEIGHBOR"

The most highly publicized motion picture since the birth of radio! Millions are asking NOW to see the picture Jack and Fred are selling on their big air shows!

with MARY MARTIN

Verree Teasdale - The Merry Macs

and ROCHESTER

Directed by MARK SANDRICH

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers • A Paramount Picture
Monday, November 25, 1940

Early Winter Gains for U. S. Grooses

(Continued from Page 1)

New Haven consider the general outlook favorable and point to an increase in business activity throughout Connecticut.

St. Louis reports an employment increase of 30 per cent over last year, in the theater-grooses good. On the West Coast, Frisco business is figured as being twice as good as in 1939, while Los Angeles reports above-normal business.

Renewed confidence is the keynote in Denver; financial experts look for a rise in commodity prices and for lower money.

Reports from the South reveal that business is good in Atlanta. Charlotte tobacco markets are due to close down because the city's textile business, resulting from government orders, as well as good department store business. Indications are that it will be a box-office hydropower. In Memphis, business is favorable. An outbreak of polio in northeastern Louis-iana closed theaters in some sections. Oklahoma crops are good this year, with the cotton crop the best in 10 years. A sharp business upturn is anticipated.

In Chicago, business conditions are present parallel those of last year, but a rise is anticipated. Detroit reports business generally good, with employment indices rising.

The same employment outlook is reported from Minneapolis, where the usual seasonal drop in film attendance is not expected this year. With the defense program well under way in Milwaukee, industry is hard put to it to keep up with the millions in orders now placed in Wisconsin.

All phases of employment have felt the beneficial effects of increased industrial production.

One exchange managers are looking forward to favorable biz; in Portland, Ore., business is ranging from 6 to 10 per cent better than a year ago; Dallas reports general business topping 1939's level; in Des Moines, marked increase of interest in films is reported, which in the Salt Lake City area, crop harvesting is putting tens of thousands of dollars into circulation.

Hub Censors Trim "Arise"

Boston—In the latest list of pictures to go before the Massachusetts Department of Public Safety for approval, 55 were approved for Sunday showings and one, "Arise, My Love," was approved with deletions.

$8,000,000 GE Bonus For 66,000 Workers

Schenectady—General Electric has charge a bonus of approximately $8,000,000 to 66,000 eligible employees for 1940: company indicates this year's dividend payment amounted to $2.66 per share. Bonus is equivalent to a wage increase of about 7 per cent.

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AAA May Arbitrate Disputes Under Decree

(Continued from Page 1)

it already has a nation-wide arbitration system open to all industries, these disputes can be handled by the regular organization arbitrators.

The Rules of Arbitration have not been changed since they were submitted to Federal Judge Henry W. Goddard on Nov. 14, Government spokesmen said Friday. It had been reported previously that Judge Goddard had asked for further clarification of the rules at a conference with Government attorneys after the Nov. 14 hearing.

Allied May Poll Directors On Consent Decree Policy

Policy of national unions face the Court's decree in view of its approval by Federal Judge Henry W. Goddard may be framed via a mail poll of directors. Abram F. Myers, general counsel, said over the weekend. If no mail poll is taken, a policy will be established at the regular annual meeting of the board in January when the directors assemble in Washington.

MPTOA Oklahoma Unit Will Meet on Dec. 16

(Continued from Page 1)

will be the principal speaker, will arrive Dec. 15 for conferences with Oklahoma exhibitors.

Five new directors will be elected at the meeting to augment the present board of seven directors, which includes three officers, to a total of 12. Present officers are Morris Loewenstein, president; Max Brock, Lawton, vice-president; Leonard A. White, Muskogee, vice-president; and directors, Vance Terry, Woodward; Bill Slepek, Okemah; J. C. Hunter, Tulsa; John Griffin, Miami; and Carl Burton, Cordell, who has sold his theater interests and moved from the state.

Nominating committee includes Bill Slepek, chairman, Vance Terry and Leonard White.

Lamasky Named Union Presy

Chicago—Local B-45, Film Exchange Employes Union, has elected Sam Lamasky of Columbia presy and George W. Busch of RKO, business manager.

Leigh, MacDaniel at 2nd GWTW Opening

Vivien Leigh as Scarlett O'Hara and Hattie MacDaniel as Mammy will re-enact the bedroom scene from GWTW on the stage of Loew's Grand, Atlanta, as a feature of the theater's semi-anniversary premiere Dec. 12. Movie set will be built on the stage for the occasion. Anniversary premiere will also attract a leading Hollywood director who will function for the re-enactment.

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• • • JUST last night we received a letter from Senator Charlie Gar-rett...director of that neat Cuban trade paper, Mundo Filiclete Cubano...and feel that we should pass along to you one of its latest para-graphs...Charlie tells of attending the Rex Theater, Havana news-reel house, the other night...The stand played a German UFA reel as a part of its multi-subject program....The German reel tried to show how life in Germany is calm and tranquil despite the war...and used as a semi-climax to this end...an exciting horse race...At the end of the sequence flashed a close-up of the winning nag...coincident with which the commentator's voice boomed: 'The winner is the famous Italian horse, So-and-So'...Then a voice from the audience immediately boomed back: '...Oh, how these Italians can run!'-

• • • THERE'S an odd sorta dual situation on Old Broadway and environs—it seems that Tiny Person (that's his name we'll have you know) is on both stage and screen 'round here this week....This mister wisp of a 352-pound actor is in "Panama Hattie" and you can also see him in shadow (it sounds incredible!) at Loew's Criterion in RKO Radio's "Too Many Girls"...Then Deal Arnaz, is "another du-el-er..." He's on the Roxy stage via a.p. this week...and also in that same film opus "Too Many Girls"...

• • • FOOTBALL is a happier affair than the recent Cornell-Dartmouth incident might indicate...the day our pigskin served a la At-more, Alabama...Down there, the comedy, cuteful Luverne Wise is assistant cashier at the Atmore Theater...Yeah, but she's also in the national gridiron spotlight...kicking extra points for the Atmore High School eleven...Crowds really roar when the gal, in abbreviated silver skirt and blue-and-silver blouse, trots on the field to boot the oval over the crocshots...completely befuddling her team's already be-wildered opponents...

• • • THIS may not have anything to do with the foregoing item...but a dispatch from Phenix City, Ala., asserts that Roy E. Martin, president of a theater circuit in the South....will build a football stadium in that community...to provide a place for High School teams to play...It'll be known as "Martin Stadium".

• • • ANOTHER gal (we don't know her name) is being talked about in pix circles...She's the blonde in the red dress who sits in the lobby of Roach's Rochester Theater readin' the book, "Escape"...She's creating a load of curiosity and is the "model teaser"...an idea hatched by house's assistant mgr., George McGunnigle...

• • • STUFF:....Seen at the Yale-Harvard game at New Haven: Louis Gordon and Mrs. Gordon, Mrs. Arthur H. Lockwood, Nat Furst, Maurice N. Wolfe, I. H. Rogovin, Murray Goldstein, Bert Jacobson, of Boston, Louise and Myer Schine of Glensville, Lou Weinberg of New York...Larry Nixon, press representative of the Bell Telephone exhibitor at the late New York World's Fair, has again joined the staff of H. A. Bruno & Associates of 30 Rocke-feller Plaza...The Radio City Music Hall is departing from usual custom of showing own trailers and projecting a trailer created by UA for Alexander Korda's "Chief of Baghdad" which moves in the Van Schmus palace following run of "Bitter Sweet"...The Misses Bonnie and Gloria Hunt, daughters of John Hunt, manager of Chicago's Oriental Theater, have just closed their season with Ringling, Barnum Bailey circus...
Kitty Foyle Speaking---

"When I think I was 28 this year and what I've gone through in ten years, it's almost funny. But I'm here to say I've had joy and given it and I was in there fighting. I read about the guts of the pioneer woman. What about the woman of the covered typewriter? I see them on subways and busses, putting up a good fight in their pretty clothes, and keeping their heebie-jeebies to themselves. There's something so courageous about it."

::: It's America's White-Collar Girl, fighting for love and a living in a man's world---and it's TREMENDOUS drama!
How about seeing me after work? Kenneth
XX
GINGER ROGERS as the heroine of the year's biggest best seller, "KITTY FOYLE," the most daring novel ever written by a man about a woman :: Christopher Morley's Natural History of a Woman :: The story of a Career Girl facing the crisis of her life, revealed in her innermost thoughts :: It's the heart-cry of millions of love-and-a-home-hungry girls, adrift and alone in the fight-or-die jungle of business life.
The director of “Rebecca” and “Foreign Correspondent” has turned his hand to comedy with an hilarious flair. Rapidly nearing completion is this riotous story of a bride who couldn’t stay mad. It is planned for early release, as is also another forthcoming big one from RKO Radio Orson Welles, in “Citizen Kane.”
“Meet The Missus” with Roscoe Karns, Ruth Donnelly, Spencer Charters
Republic
New cast clicks in Higgins family story but script has weaknesses.

Spruced up with a new cast, the latest release in Republic’s Higgins series, is aimed at the family trade and fills the bill. The Huggins get in their usual amount of troubles, although in this instance, some are far-fetched. The writers strain for humor at the end of the picture, another defect. However, the laughs are there.

Roscoe Karns, Ruth Donnelly, Spencer Charters as gramps, George Ernest and Lois Ransom comprise the Higgins family, with the Gleasons missing from the scene for the first time since the series started. The new cast acquires itself favorably, and Polly Moran, Astrid Allwyn, Alan Ladd, Harry Davenport, and Dorothy Sease are helpful additions. Mal St. Clair directed.

Young Ernest loses some bonds which he has in his possession, and was supposed to have delivered for the firm he and his father work for. From there on trouble brews at increasing speed; money must be raised to pay for the bonds; grandpa gets involved with Polly Moran; and Karns gets mixed up with Miss Allwyn; but it is all a mistake and all’s well that ends well.


CREDITS: Associate Producer, Robert North; Director, Mal St. Clair; Original Screenplay, Val Burton, Ewart Anderson and Taylor Cavan; Cameraman, Ernest Miller; Editor, Ernest Nims.

DIRECTION, O. K. PHOTOGRAPHY, Good.

Benny to be Toastmaster
Philadelphia—Jack Benny will be toastmaster at the local Variety Club’s annual banquet Dec. 12 at the Bellevue-Stratford.

It puts over some flag waving in its own way.

With entertainment as the target, “The Pan Alley” hits the bull’s-eye for everybody.


CREDITS: Associate Producer, Kenneth MacGowan; Director, Walter Lang; Screenplay, Robert Ellis and Helen Logan; Based on a story by Pamela Harris; Cameraman, Leon Shamroy; Editor, Walter Thompson; Musical Direction, Alfred Newman; Dance Direction, Helen Westwater.

DIRECTION, Excellent; PHOTOGRAPHY, Excellent.

“Youth Will Be Served” with Jane Withers, Jane Darwell, Robert Conway
20th-Fox
Comedy melodrama is one-girl show for Jane Withers; Jubes will like it.

Young Miss Withers in this comedy drama as Miss Withers puts on pretty much of a one-girl show in this release, with generally good results, especially for the juvenile trade. The story has quite a lot of action, the plot is okay and the climax is a logical ending.

Miss Withers is able and effective, and is supported by a capable cast that includes Jane Darwell, Robert Conway, Elyse Knox, John Quaile, Charles Holland, Tully Marshall and Cy Kendall. Holland, young Quaile and Darwell, who have escaped from a smash. Otto Brower directed a screenplay by Wanda Tuchock.

Quaile, Jack Oakie, Jr., is arrested for molesting, Jim Brown, Jr., a friend, and Jane follow him when he leaves his little southern town in the hands of the law.


CREDITS: Associate Producer, Lucien Hubbard; Director, Otto Brower; Screenplay, Wanda Tuchock; Story, Ruth Fasken and Hilda Vincent; Cameraman, Edward Cronjager; Editor, Nick De Minne.

DIRECTION, Good; PHOTOGRAPHY, Good.

“Remedy for Riches” with Jean Hersholt, Dorothy Lovett, Edgar Kennedy
RKO-Stephens-Lang
(Hollywood Preview)

“Dr. Christian” story stemming from RKO screen cutout certain to click with small town audience.

With Hersholt’s “Dr. Christian,” for the fourth year, rating a top Crossley in the Mississippi valley and well received else-where, this slow-paced, village story of the small town doctor who outwits a pair of city slickers is sure to please. As a matter of fact, this includes in one subject several of the broadcast stories of the kindly old doctor. The cast has been well selected, production matches the standard of this series and story seldom holds up above the low and easy pace of the folk whose lives it portrays.

Hersholt’s enactment of the doctor never fails to convince, and his supporting cast, especially played by players, remain equally believable, under Erle C. Kenton’s direction. These include Edgar Kennedy and his stock slow burn as the village grocer. Walter Carleton as the policeman with commercial sidelines, Maeburne as the doctor’s housekeeper and Margaret Hayes as the black-painted pair of old maid sisters. Romance, as usual, falls to Dorothy Lovett (who gets a few more chances to change costumes in this one) and Robert Baldwin, with Warren Hull serving as both the romantic and financial serpent in the Eden of River’s End. Jed Prouty is good in the role of one of our old-timers — a person who has grown up with the doctor. For comedy, there’s an un-titled rooster who earns a bow.

The plot is comparatively simple. Hull plays a slicker. Finding him and Baldwin had played college football together, he selects River’s End for his resort hotel. Hull gets his right-hand man, purchased from Kennedy with oil. When Dr. Christian suggests a geologist’s report, Hull rings in Prouty to help his game. Dr. Christian gets a new wife, who turns out to be a French girl (which is purely coincidental) aged to jail as a jellied potato until he and Hull can clean up on their shares. The doctor effects his release just in time to capture both of the confidence men.


CREDITS: Producer, William Stephies; Director, Erle C. Kenton; Author, Lee Loeb; Screenplay, same; Cameraman, John Alton; Editor, Paul Weatherwax; Art Director, Bernard Herzbrun.

DIRECTION, Good; PHOTOGRAPHY, Good.

Sunday Pix Win in Recount
Philadelphia—Recount on Tama-qua Sunday movie vote shows movies were approved 2,178 to 2,094. In the unofficial tally the movies had been defeated by more than 200 votes.

War Dept. Sets Films
Reserve Officers Policy

West Coast Bureau of THE FILM DAILY

Hollywood—Major Nathan Levinson, vice-chairman of the M. P. Academy’s Research Council, has advised the War Department that the Army has established a policy with reference to calling of “unfilmed” reserve officers to active duty which indicates that all officers appointed directly from civil life to reserve units organized under the “unfilmed” plan will not be called to extended active duty without their consent.

Industrial Corps photographic labora- tory, being organized under the sponsor- ship of the Council, is being formed under the affiliated plan.

FPC to Pay 25c Dividend

Montreal—Directors of FPC have declared a dividend of 25 cents a share payable Jan. 15 to shareholders of record Nov. 30.
Arnold to Take Time Naming Special Unit

(Continued from Page 1)

of the Department who have been active in the negotiations leading up to the consent decree, it was added. Expressing surprise that there is no such industry interest in the unit phase of the decree, he stated that there is really no necessity for hurry as the unit will not have anything to do until the decree goes into effect next year and even then, not until some exhibit makes a complaint.

There is nothing so new about the unit idea, it was said, as the Department has a number of such units watching various industries.

Five Schine Rochester Houses to Start Bingo

(Continued from Page 1)

Madison, Webster, Lake and West overriver branches against decided to handle the games, and new automatic blowers and other equipment is available by September. Between $250 and $400 will be given at the theaters, according to present plans.

Rochester Theaters Sue for Lower Assessments

Rochester—Two theaters here have joined in Supreme Court suit against the city over 1941 tax assessments. The Rochester-Palace Corp., owner of the RKO Palace, seeks a $206,000 slash on the $828,000 assessment on the land and building. The Moore-Wiggin Company Ltd., operator of the Temple Theatre, seeks a $119,700 reduction on a $469,700 assessment.

Two Milwaukee Theaters Win Cuts in Assessments

Milwaukee—The City Board of Tax Review sitting on appealed cases has cut $11,104,000 from city property assessments for 1940, most of them in the city's downtown area. Among the downtown properties given assessment reductions was the Empire Bldg., housing the Riverside theater, reduced $150,000 from $4,662,000, and the Alhambra Bldg., including the Alhambra theater, reduced $58,000 to $561,000.

THE WEEK IN REVIEW

Goddard Signs Decree

By L. H. MITCHELL

DOMESTIC

CONSENT DEGREE: Federal Judges W. W. Godward on Thursday and Friday okayed without any change the consent decree between the Gov't and the five consenting majors, upsetting some provisions of delay and possible changes. He also appointed former Federal Judge Van Vechten and publican of the Appeals Board for a term of three years at a salary of $20,000. Expectation was that Special Assistant Attorney and Harry Buckley were re-elected named as head of a special D of J unit—the "watchdog" of the decree MPTO, with Chapman's "Great Decree". MPTO special counsel, independent of the MPTO might file an anti-trust suit against the eight majors... Dovran, P. Myers, called general counsel, expressed the hope that the directors would have from 75 to 150 more days to study the decree before the consent decree's sale... Average cost of arbitration under the decree arbitration rules may be from $80,000 to $60,000, instead of the $800 form indicated.

THIS AND THAT: Lynn Farnol resigned as UA's director of advertising and publicity and will be succeeded by Monroe Greenthall. At stockholders' meeting at the West Coast, Arthur W. Kelly, Harry Gold and Harry Buckley were re-elected to the UA v-p's; L. J. Schlaifer was not renominated... Eddie A. Golden quit as president of UA, ready for release by September to ease the decree's selling strain... Average cost of arbitration under the decree arbitration rules may be from $80,000 to $60,000, instead of the $800 formerly indicated.

Don't Miss September at the Roxy!
Fairbanks Interest In UA Is For Sale

(Continued from Page 1)

for questioning as to whether his holdings were for sale.

At a meeting sanctioned by Murray Silverstone, United Artists' non-

owner producers decided to form a committee and to appoint one com-

mittee man as a contact man with Silverstone, Arthur W. Kelly and

other home office executives. Silver-

stone has informed the committeeman that he agrees they should have

more co-ordination with the United

Artists' home office. The producers

expressed themselves as thoroughly

approving Silverstone's administra-

tion of the company's affairs.

Party for Priscilla Lane

Warner Bros. held a cocktail party

Friday afternoon for Priscilla Lane

at the Hotel Gotham. Among those

who were guests were Group Sex, Mort Blum,

enstock, Jake Wilk, Mitchell Rosson,

Sid Recheltkin, Ozzie Nelson, Harriet

Griffid, Sheila Resda, Allen Thompson, Julius and Philip Epstein.

Kyser Pix Gets "Takes"

"You'll Find Out" in Thanksgiving

openings in 20 situations topped the

intake of any RKO pix to play the

respective houses since "Gunga Din,"

more than two years ago. This in-

cludes holidays and Saturdays and

Sundays. At the Palace, Albany, the

Thursday gross was the best in four

years.

Pep Club to Hear Griffis

Paramount Pep Club will hold the

third of a series of talks sponsored

by the education committee tomorrow

night. Speakers include Stanton

Griffis, Walter Cokell, and Richard

Mullen. After a meeting, Paramount's

Eastern story editor, Agnes Mangel

is in charge.

"Dictator" Gets a Seventh

Capitol Theater is holding "The

Great Dictator" for a seventh and

final week instead of closing at the

end of six weeks.

WEDDING BELLS

Marriage of Joseph Salzburg, vice-

president of Pictorial Films, to Dor-

othy Rosenberg took place Saturday

at the Paramount Caterers, 183rd St.

and St. Nicholas Av.

Rita Johnson and Stanley Kahan,

former publisher of the N. Y. Morn-

ing Telegraph, will wed here Monday,

leaving on a Virginia motor trip fol-

lowing the ceremony.

Wishing Carmen Mascoli, man-

ager of the Alhambra, was married

Saturday to Grace Rossi, daughter of

the owner of the theater, at St.

Luke's Church. The newlyweds are

moving South.

Canadian Atlantic Coast Exhibs. in Rush

For Insurance Against Nazi Raid Damage

St. John, N. B.—There has been a rush for insurance against damage from enemy

raiders in the air, on and under the sea, for film theaters on the Canadian

Atlantic Coast. This has developed overnight because of news of German battleships or

armed aircraft carriers attacking British and Canadian convoys off Newfoundland. Most

of the theater owners in the Maritimes, who have been here, are reported to be

undecided about the value of insurance. St. John and Halifax, are believed to be primary objectives for attack because of their shipping

importance.

WB's "Letter" Rolling Up Top Grosses in First Keys

(Continued from Page 1)

New Year's release and high grosser,

it was learned over the week-end.

With the houses reporting represent-

ting various sections of the country,

indications are that the Bette Davis

star will be one of the top War-

ner grossers of all time.

Pix started to capacity biz at the

New York Strand Friday, with week-

end "take" ahead of that of "The Old

Maid," it was said. Second week al-

ready is assured.

As disclosed by the home office,

representative reports from the keys

were:

Strand, Albany, topped "The Old Maid" by $429, $814 opening day; Hit, Cleveland,
topped "The Old Maid" by $403, ATAH by 

"Four Wives," by $2,122 for opening day;

Warner, Vancouver, topped "The Old Maid" by $3,086, ATAH by $1,218, and "Four

Wives" by $1,916 for opening day; Warner, Milwaukee, topped "The Old Maid" by $69,

ATAH by $711 and "Four Wives" by $1,036 for two days; Brandford, Newmarket, topped "The

Old Maid" by $1,245, ATAH by $1,442 and "Four Wives" by $784 for opening day; Earl, Wash-
nington, topped "The Old Maid" by $76, ATAH by $413 and "Four Wives" by $600 for opening day;

and Stanley, Baltimore, topped "The Old Maid" by $434, ATAH by $903 and "Four Wives" by

$1,106 for opening day.

Rilkin, Huling Added To Monogram's Board

(Continued from Page 1)

known the addition to the directorate of Mel Huling of San Francisco, West Coast
district manager of the organization, and the election of Ray E. Young as treasurer.

Huling replaces on the board of directors Thomas T. Louch, former vice-president who

resigned.

Alfred Weiss Bites Held

Funeral services were held Friday for Alfred Weiss, 66, who had been in the film and amuse-

ments business for 40 years. At one time he was a production executive for Metro-

Wax. Weiss retired from business more than 10 years ago. He is survived by his wife, Helene, two daughters,

and two granddaughters.

Myers to Address Chi. Allied

Chicago—Abram F. Myers, general counsel for Allied, will address the Chicago unit this afternoon.

Ask Cuban President To Revoke Pix Edict

(Continued from Page 1)

Batista signed by a majority of the prominent exhibitors in the country outlining the difficulties that cropped up as a result of the measure, and

making a plea for revocation of the decree. The letter, in part, stated

"the decree has brought nothing but trouble and complications to the exhibitors, threatens a serious shortage of product and also threatens the loss of jobs for the many people working in this country in the film business."

Dr. Jorge Casuso, counsel for the distributors here, and a group of producers and exhibitors leaders called personally on Dr. Onate to give their views on the situation. The serious difficulties and its future in Cuba under such a decree were outlined to Dr. Onate and a plea was made for revocation of the law. Onate is now studying the situation with a view to making recom-

mendations to President Batista, probably this week.

Neaman Said Gravely Ill

Natrona, Pa. — Samuel Neaman, who operates the Roxy Theater here, is reported gravely ill in a hospital at Miami Beach, Fla.

A * M * P * A

presents a headline attraction at this week's luncheon meeting—a practical, inspirational and entertaining talk by the noted author and lecturer

ZENN KAUFMAN

Laughs and showmanship stunts by the author of "Showmanship In Business," "How To Run Better Sales Contests," etc. A real treat for anyone identified with advertising or selling in our business.

THURSDAY, NOVEMBER 28

Serving starts at 12:45 sharp

HOTEL EDISON

Entertainment Surprises!

Watch the daily trade papers for announcements of added guests and entertainers. Extra fine program now being lined up for your enjoyment.

Tariff (for Non-members) $1.25 including tip

—and well worth it!
"TIN PAN ALLEY" AND "ALEXANDER'S RAGTIME BAND" NOW JOINTLY HOLD THE RECORD FOR THE BIGGEST OPENING DAY IN THE HISTORY OF NEW YORK'S ROXY THEATRE!
**D'OF J'S UNIT WILL "POLICE" INDUSTRY **

"Big Five" to Adapt Sales Contracts to Decree

**AID CHARGES DISTRIBS. UNFAIR**

Withholding of Pictures, Forced Buying Claimed in Samuelson Report to Indiana ATO

Indianapolis — Charging distributors with continuing unfair trade practices, Sidney Samuelson, of Philadelphia, submitted the second report of the Allied Information Dept. to delegates attending the 14th annual convention and trade show of Allied Theater Owners of Indiana here yesterday.

Samuelson asserted that there was a wide variation of sales policies in different parts of the country, basing his information on the survey cards received from exhibitors. Withholding of pictures, he said, was the principal evil, while there was evidence that distributors were still forcing exhibitors to buy shorts and features they did not want.

New legislation and its effect on the industry were the chief subjects (Continued on Page 6)

**STOA Weighs Court Move Against Decree**

Atlanta—The Southeastern Theater Owners Association, at a week-end convention here, discussed preliminary plans for the filing of an action designed to deal a knockout blow to the consent decree in the New York equity suit. The STOA, affiliated with the MPTOA, is the first exhib. unit to act following the decree. (Continued on Page 6)

**Sunday Legit. Fails To Cut Into Pix Biz**

With legit. shows open Sunday night in New York for the first time in many years, a survey yesterday of Broadway film houses showed no effect on film grosses. Result was exceedingly gratifying to operators of Broadway film houses for two reasons. First, the Sunday (Continued on Page 10)


Republic's gross business for the current season is showing a 25 per cent gain over 1939-40, according to Presy James R. Grainger. Should this increase continue, earnings are likely to exceed those of (Continued on Page 10)

**Indian Duty Removal Sought**

Want Raw Film, Equipment Admitted Free

Coast Production Rises: 10 New Features Start

West Coast Bureau of THE FILM DAILY

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

At Columbia: "Edge of Running Water," featuring Boris Karloff with (Continued on Page 10)

Bombay (By Air Mail)—Indian Motion Picture Producers Association has called upon the Government for the removal of the import duty on raw film and equipment. Association urges that the Government give the native industry a fair deal, restricting levies to the entertainments taxes imposed by the provincial administrations and to (Continued on Page 10)

**Will Attempt to See That No New Abuses Not Covered by the Decree Arise**

Special unit which the Department of Justice is to establish as a result of the consent decree in the New York equity suit will not confine its activities to the modus operandi of the decree and rules of arbitration, but will generally "police" the industry, it was learned from Government sources here yesterday.

The unit, it was said, will have headquarters in Washington, and will be formed within three to four weeks. Special Assistant Attorney General Robert L. Wright is favored to head it with the designation to be (Continued on Page 10)

"Philadelphia Story" At Advanced Prices!

M-G-M may ask exhibitors to raise admission prices for "The Philadelphia Story," using the same policy as was adopted in most cases for "Boom Town." Present plans call for five or six test engagements on "The Philadelphia Story" starting Dec. 5. If the test run at higher prices are successful, M-G-M plans (Continued on Page 6)

Philby Allied Opposes Specific Pix Price Tills

Philadelphia—A resolution against increasing admissions for specific pictures was passed at a general meeting of the local Allied unit, it was disclosed yesterday. The organization is definitely opposed to (Continued on Page 10)

**NWMP First to Stay Five at N. Y. Para.**

New York Paramount will hold De Mille's NWMP for a fifth week, making the pic the most successful in the house's history to stay that length of time. Third week box is expected to hit $49,000. "Moon Over Burles" will follow NWMP on Dec. 10 at the Broadway house.
200 Mich. Pix Leaders At Flynn Testimonial
Detroit — Two hundred Michigan film leaders gathered in the Crystal Ballroom of the Hotel for a testimonial dinner to John E. Flynn, M-G-M district manager, who transferred to Chicago from Detroit in a gesture sponsored by the Variety Club and was one of the most enthusiastic testimonials here in years. An unusual number of friends of Flynn from outside the industry also attended.

Circuit Judge Ira W. Jayne was toastmaster, while the speakers included M-G-M executives: William F. Rodgers, general sales manager, E. M. Saunders, Western sales manager; T. J. Connors, Eastern sales manager, and Henderson M. Riehey, assistant to Rodgers.

In a personal tribute to Flynn based on Riehey's years as manager of Allied Theaters of Michigan, Riehey had this to say: "To the great number of friends of Franklin from outside the industry also attended.

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In a personal tribute to Flynn based on Riehey's years as manager of Allied Theaters of Michigan, Riehey had this to say: "To the great number of friends of Franklin from outside the industry also attended.

Circuit Judge Ira W. Jayne was toastmaster, while the speakers included M-G-M executives: William F. Rodgers, general sales manager, E. M. Saunders, Western sales manager; T. J. Connors, Eastern sales manager, and Henderson M. Riehey, assistant to Rodgers.
Openings in every point of the compass top 'Old Maid', top 'All This and Heaven Too' - top everything she's ever done!

Somerset Maugham wrote this
WM. WYLER Production for WARNERS
"ESCAPE TO GLORY" IS GLORIOUS ESCAPE TO HEROIC ROMANCE AND ADVENTURE

Strange and unusual situations....

Peopled with truly amazing and fascinating characters....

Stripped of the inhibitions and conventions of everyday living....

Loving, plotting, laughing, hating, as if each fearful second might be their last....
...and they're buying that BIG these days!

PAT O'BRIEN
CONSTANCE BENNETT

Escape to Glory

With a new star combination teamed to thrill!

Screen play by P. J. Wolfson
Directed by JOHN BRAHM

JOHN HALLIDAY - COOPER - BAXTER
STOA Weighs Court Move Against Decree

(Continued from Page 1) court's approval of the decree in New York.

President M. C. Moore of Jacks-
sonville, Fla., said the new method of
selling and buying pictures under
the decree would delay release dates
in smaller towns as well as increase
admission prices.

"It stands to reason the employ-

ing of more salesmen and bookkeep-
ers will increase the cost of films, and
this cost will not be assumed by the
theater owner or the film company
but will be passed on to the public," Mr. Moore declared.

Robert B. Wilby of Atlanta, Para-
mount partner, assailed the decree as
"all in favor of the distributor,
granting nothing to the exhibitor."

Prexy Ed Kay kendall of the
MPTOA told the convention that the
block of five provision would work
serious hardships on the small the-
ter operator.

AID Charges Unfair Practices by Distrists.

(Continued from Page 1) discussed at yesterday's session.
Troy G. Thurst on, a certified public
accountant, explained the new Fed-
eral tax laws, including the excess
profit tax, and its application to the
theater operator.

A cabaret party last night closed
the first day activities.

Myers to Address Indiana ATO Following Ill. Allied Parley

Chicago—Abram F. Myers, Al-
lief's general counsel and board
chairman, discussed the New York
quality suit concern decree here yester-
day before 76 members of Illinois
Allied, Jack Kirsch presiding.

Myers speaks before the Indiana
ATO in Indianapolis today and re-
turns to Washington tomorrow.

"Happy Birthday to You"

From THE FILM DAILY to
Julian Johnson
France, Dec.
Louis Holmes
Philip Langdon

"Philadelphia Story" At Advanced Prices!

(Continued from Page 1) ably will extend the policy at least
on first-runs. Exhibitors playing "Boom Town" hiked their admissions in a major-
ity of the first-runs from 25 per cent
to 32 1-3 per cent, although some
theaters advanced their prices only
five or ten cents.

Cities in which the test engage-
ments will be held are Rochester,
Reading, Louisville, Providence and
Cincinnati. Regular release has been
set for Jan. 10.

NLRB Certifies SOEG for Seven, But Not 20th-Fox

(Continued from Page 1) employees in seven studios and 20th-
Century-Fox Studios' Office Em-
ployees Guild for the employees of that
company. The board's action was
based on the results of secret ballot
elections as follows: Columbia, SOEG, 128 to 1; RKO, 178 votes for
an against SOEG; Universal, 117 votes for and 3 against; Repub-
lic, 52 votes to 0; Loew's, 402 to 30;
Walter Wanger, 5 for and 2 against;
Hal Roach Studios, 29 to 0. At 20th-
Century-Fox, SOEG received 156
votes and 20th-Century-Fox Studio
Office Employees Guild received 242
votes.

Rites for Lila Lee's Mother

Funeral services for Mrs. Augusta
Appel, mother of Lila Lee, were held
here yesterday. Death occurred sud-
denly Saturday night. Mrs. Appel,
a resident of Elyria, O., was visiting
here.

WEDDING BELLS

Wilkes-Barre, Pa. — William H.
Dunham, producer-distributor of Strand The-
ater, Swoyerville, married Janet
Evans in First Baptist Church.

Terry Ginsberg, of Warner Bros.
home office, will be married Thursday to
Lawrence Siegel.

Lake Mills, Wis.—Leonard Wahl,
Jr., manager of the Fort Theater,
Fort Atkinson, Wis., was married
here to Lorraine Stelle.

Nathan Levine, cashier at Mono-
gram Pictures in Boston, will wed
Doris Berman, of United Artists, in
Boston on Dec. 8.

Wauwatosa, Wis. — Mary Barry
McCormack, actress, was married here
to Richard Halsted Best of New
York.

Chicago—Eddie Seguin, B & K
publicity man, and Virginia Murray,
secretary to Madeline Wood, Mayor
Ehlinger's publicity director, were mar-
ried at St. Bride's Church and are
honeymooning at French Lick
Springs.
“The Philadelphia Story”  
with Cary Grant, Katharine Hepburn, James Stewart  
G M 112 Mins.  
BRILLIANT ALL-AUDIENCE COMEDY DEPLOURED IN AWRH WITH TO PULL AND ENTHUSE PATRONS.  
Whatever the New Year, M.G.M. will release generally. Jan. 10 is the tentative date of its screen version of “The Philadelphia Story” based upon the ultra-successful stage play by Philip Barry which caused the stage of Broadway’s Shubert Theatre to close for a year and end with March 30, 1940. At the meticulous hands of Metro, the property emerges with that added sweep and vigor which characterizes the movie medium.  
In film form, the forces of Leo the Lion have a brilliant and important picture, easily one of the standard small comedies of the “40’s” season. Before offices should sprout bumper revenue-crop for this genus of attraction, what with its trio of leads—Cary Grant, Katharine Hepburn, and James Stewart; a splendid supporting cast which captures all of the frothy spirit of the rarely-serious script which Donald Ogden Stewart has so deftly fashioned, the directorial understanding and skill of George Cukor; and the bright, laugh-laden dialogue. The latter deserves particular emphasis, for it permeates with a situation, making naturally humorous situations into riotously funny ones.  
Perhaps the most astonishing attribute of “The Philadelphia Story” as told in celluloid is the basic simplicity of the screenplay which is always aimed down to the entire cast, and also, the flashes barred satire betimes at the horse set, and has for its almost exclusive locale the suburban Quaker City estate of the multi-millionaire family Lord. The picture’s captivating charm and salvo of mirth come not from the fundamental plot (that is a simple affair, recounting the re-unioning of a young woman with her husband), but in the manner in which the yarn is unfolded.  
Katharine Hepburn, in top harlequin form, is the imperious elder, daughter of the Lord family. Her manto of wealth and station brings out the exasperating and unnatural side of her character, resulting in a two-year marital rift with her sportsman-and-human spouse.—Cary Grant. Poised to wed the rightfully and politically ambitious John Howard, she finds her ex-husband, by a hobby aligned with a pair of representatives of a scandal-purveying publication.  
This duo consists of James Stewart and the comedy Ruth Hussey, whose assignment is to do a blatant feature yarn on the approaching Hepburn-Howard nuptials. There are divers complications injected via the Hepburn parents, via the blackmailing of the Lord family by the scandal mag’s publisher, Henry Daniell; and the “affair” (wrench of character) the young, unknown, human Hepburn and the author-journalist Stewart. But at the finale the show is tamed and harmony restored through the Lord heir’s betrothal.  
Any review of “The Philadelphia Story” would be inadequate without mention of the grand performance turned in by young
For Christmas
No, No,

For New Year's

Amazing! Daring! Intimate!
The Smash Best-Seller
Now A Screen Sensation!

ANNA NEAGLE

GINGER ROGERS
SHOWS FROM RKO-RADIO!

The "Irene" Girl in the Sensational Broadway Hit With Vincent Youmans' Music

NO, NO, NANETTE

the "Tea for Two" Romance

with RICHARD CARLSON • VICTOR MATURE • ROLAND YOUNG

HELEN BRODERICK • ZASU PITTS • EVE ARDEN • TAMARA • BILLY GILBERT • STUART ROBERTSON

From the Musical Comedy, "No, No, Nanette" by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Mytilly, Music by Vincent Youmans, Lyrics by Irving Caesar & Otto Harbach

Produced and Directed by HERBERT WILCOX
SCREEN PLAY BY KEN ENGLUND

KITTY FOYLE

The Natural History of a Woman

with DENNIS MORGAN • JAMES CRAIG

EDUARDO CIANNELLI • ERNEST COSSART

LADYS COOPER • Produced by DAVID HEMPSTEAD • HARRY E. EDINGTON Executive Producer

DIRECTED BY SAM WOOD
(Who Made Goodbye Mr. Chips)
Screen Play by Dalton Trumbo • Additional Dialogue by Donald Ogden Stewart
EXHIBS. WANT ACTION, BIG CASTS
Less Dialogue, Fewer Parlor Dramas Urged at Para. Coast Meeting, Says Ralph Branton

De Moines, la.—Film industry believes the American market can absorb the loss of the European field, if the right pictures are produced, G. Ralph Branton, general manager of the Tri-State Theater Corp., reports on his return from the Hollywood parade of Paramount execs.
Branton points out that there is a general agreement among the exhibitors as to what the public in America wants—action, with big outdoor sets and big casts.

$8,000 to $9,000 Daily Advance for "Fantasia"

Notwithstanding the crowded, while telephone services have been increased from four to 12 trunk lines to accommodate incoming calls for reservations. Theater staff was tripled last week.

Philp Allied Opposes Specific Pix Price Tills

such policy. No specific distributors or pictures were named.

Removal of Indian Duty on Pix Sought

the income taxes enacted by the Central Government.

Taylor as "Billy the Kid"
West Coast Bureau of THE FILM DAILY
Hollywood — Robert Taylor will have the title role in Metro's Technicolor production of "Billy the Kid," which will be directed by Frank Borzage. Brian Donlevy, Ian Hunter, and Maureen O'Sullivan are announced for important roles. Irving Asher will produce.

Documentary at Music Hall
"The Disinherited," a documentary film on New York's Dead End Kids, will be shown at the Music Hall tonight. Subject was produced by Paul Harsper for the Children's Aid Society. John Kioran is the narrator.

Collins Again Bereaved
Detroit — Charles Collins, state right manager for RKO, lost his 61-year-old daughter, Corinne, from pneumonia, his second child to die within eight months.

There will be less dialogue, fewer parlor dramas, less of Hedy Lamarr and more of Judy Garland, Branton declared.

As the typical pictures of the future were mentioned, " Boom Town," "San Francisco," and "North West Mounted Police."

Musical pictures will be made, he said, but they will feature popular music almost exclusively. "That's what the theater men wanted," he asserted.

Coast Production Rises: 10 New Features Start


At RKO-Radio: "They Met in Argentina" with Maureen O'Hara, Alberto Vila, Buddy Ebsen, Betty Jane Rhodes; and, Stephen-Lang's production, "Prodigy" starring Jean Hersholt with Fay Wray, Walter Woolf King and Sybil Shepherd.

At Republic: "Valley of the Moon." At 20th Century-Fox: "Tobacco Road" with Gene Tierney, Charley Grapewin, Merton John, William Tracy, Elizabeth Patterson, Slim Summerville, Ward Bond and Grant Mitchell; and, "Uncensored" with George Sanders and Evelyn Ankers.

At Universal: "Skys Raiders." Traey to Do "Dr. Jekyll"
West Coast Bureau of THE FILM DAILY
Hollywood — Spencer Tracy will be starred in Metro's picturization of Robert Louis Stevenson's famous novel, "Dr. Jekyll and Mr. Hyde," Victor Fleming will direct, with Victor Saville the producer.

Miami "Neighbor" Debit Off
Miami, Fla.—Multiple world premieres here of the Jacket Benny-Fred Allen picture, "Love Thy Neighbor," scheduled for Dec. 20, is out.

Louis Perunko Sticken
Tacoma, Wash. — Louis Perunko, 52, owner of the K ST and Sunset Theaters here is dead from a heart attack.

Join "Tobacco Road" Cast
West Coast Bureau of THE FILM DAILY
Hollywood — Grant Mitchell and Elizabeth Patterson will be joined by 20th-Fox to the cast of "Tobacco Road."

"Nazi Spy" Finally
Okay in Argentina
Buenos Aires (By Air Mail) — Warnings, after a year's efforts, have secured a certificate from the Argentine government of "Confessions of a Nazi Spy." Fox will go out as "Confessions of a Secret Agent" with some minor cuts. Changes that were made are largely credited to Foreign Minister Roza.
SHORT SUBJECT REVIEWS

"Arms and The Men—U.S.A."  RKO  19 min.
Impressive And Up To The Minute
The March of Time brings to the screen in this issue the story of America's new and rapidly expanding citizen army and other defense measures in impressive fashion. The material is as up to the minute in interest value as today's news stories, and it should create a profound impression on the minds of the millions of American theater-goers who will see it.
The film depicts, step by step, how the country is concentrating and daily increasing its arms output, and shows how the new citizen of war is mustered from the time the draft numbers were drawn until they are under arms in a camp.

"Our Monroe Doctrine"  Academy Films Co.  20 min.
Timely and Inspiring
This second in the series of eight historical two-reelers produced by Max and Arthur Alexander, and written and directed by G. A. Durlam, deserves wide showing. Anent its current appropriateness, this film comes along at a time when the foreign policy of the U. S., backed by the overwhelming majority of informed citizens, is bringing the principles set forth in 1823 by President James Monroe with regard to non-interference by foreign powers in the affairs of the Americas.

"Crystal Gazers"  (Excursions in Science No. 7)  Al O. Bondy  9 min.
Unusually Good Reel
This is an unusually interesting reel, dealing as it does with the fascinating subject of crystals. Narration at footage's outset pointedly conveys that while there may have been little science in the mystic practices of crystal gazing, there is much crystal gazing in modern commercial research science. Crystals resulting from a supersaturated solution of sodium sulphate are shown by way of imparting to the audience the simplest form of crystal structure and collection.
Also depicted is the crystal gazing of metallurgists to determine certain properties of a metal or alloy; the different behavior of single crystals than when in a crowd; how a crystal may be easily bent in one plane while doggedly resisting bending in the opposite plane; and, as the climax of this short, how crystals are used in the field of radio. This latter sequence is very informative and well presented. Theater patrons don't have to be sophisticated in the ways of science to thoroughly enjoy this picture. It's engaging and unusual film fare.

"A First Line of Defense"  United Hospital Fund  9 min.
Fine Documentary
Released in connection with the current 1940 drive by the United Hospital Fund, this documentary short deals with the work of all types of voluntary hospitals in the metropolitan area aided by the Fund. Film is a contribution to the Fund by Roy E. Larsen, president of Time, Inc., and is offered free of charge to exhibitors.
It shows how the Fund works, what it supports and the many phases of work connected with these hospitals from the training of nurses to research. Film is expertly presented in an appealing fashion that carries home to the public the necessity and scope of the work done.

"Screen Snapshots"  Columbia  9 min.
Movie Fan Interest
Reel is devoted to the inauguration of Smiley Burnette as honorary mayor of Studio City. Don Wilson acts as master of ceremonies and makes the introductions, with a lot of laughs provided by some of Hollywood's top comedians. Richard Arlen, Andy Devine, Hugh Herbert, Bob Burns, Gilbert, Jerry Colonna, Park Yarkaris, Gene Autry, Martha Raye and a number of Castro's movie stars are seen and heard with entertaining results.

"Mr. Mouse Takes a Trip"  RKO-Disney  8 min.
Funny Cartoon
The irrepressible Mickey Mouse and the equally irrepressible Pluto encounter some amusing difficulties in this short. Mickey sets out with Pluto to pay a visit to Pomona. He is promptly booted off the train because no dogs are allowed, but he circumvents this by cramming Pluto into a suitcase. Mickey and Pluto have lots of conductor trouble before they arrive at their destination, happily being thrown off the train just as it passes through Pomona.

"Sportsman's Partner"  RKO-Pathe  9 min.
Fine Sport Reel
Cocker Spaniels are the subject matter of this entertaining sport short. The well liked dogs are seen at work and at play under the many different conditions they are called upon to meet when they serve as hunting dogs. Reel was filmed in ideal hunting country in Connecticut, pheasant, quail and grouse being shot and retrieved by the dogs.

Some excellent camera work, including some close-ups of birds in cover that must have been hard to get, highlight the subject. Frank Donovan gets credit as the producer.

"Islands of the West Indies"  Columbia  9 min.
Timely and Interesting
Featuring the island of Martinique, a headline attraction in newspapers today, this short is interesting and timely in relation to the many discussions now being held about national defense and the part the West Indies play in that defense. Short was produced by Andre De La Varre for Columbia. Caracao, Trinidad and Martinique are seen in the subject, with a commentary relating their histories and importance in the world of today. The photography is excellent and the material interesting and well chosen.
It's a Wedding

Advertising and the box-office...one can't get along without the other.

Advertising and showmanship...that's a marriage too...one can't live without the other.

Yes...it's a wedding...and here at National Screen Service a nationwide organization devotes its entire existence toward keeping that marriage a happy one...a healthy one...a successful one so that the wedding of advertising and your box-office...advertising and showmanship...will be a perpetual and profitable honeymoon.

For our every waking moment sees a constant drive towards newer...better...more appealing theatre advertising...mating your box-office with the admission price...thus selling more tickets.

Get the money-making habit...use TRAILERS...LOBBY DISPLAYS...STANDARD ACCESSORIES by...

THE PRIZE BABY OF THE INDUSTRY

USE ALL THREE!
DIVORCEMENT WAS A FAKE ISSUE—MPTOA

Distributors to Fight for Army Camp Clearance

Issue Raised at Anniston As Fort McClellan General Wants Equal Availability

Distributors are expected to put up a fight against the plan of Maj. Gen. William Haskell, commander of the 27th New York Division at Fort McClellan, Ala., who proposes to re-shuffle the clearance ruling of the post's three theaters, now booked by the U. S. Army Motion Picture Service. If General Haskell is successful in his plan, all theaters adjacent to army camps may be affected.

It is understood that General Has-
(Continued on Page 4)

Warn Exhibs Against Product Dissipation

Indianapolis—Exhibitors attending the Indiana Allied convention were warned yesterday against dissipating too many good pictures at this time. Tom Baker, head of Affiliated Theaters, Inc., of Indianapolis, advised theater men to hold some of the better pictures until next summer before the new rules of selling, as (Continued on Page 3)

Form Company to Produce Seven Spanish Pix in East

Plans for the production of seven Spanish language pictures to be made in the East have been announced by United Spanish Artists Films, Inc., recently formed here. Negotiations are reported under (Continued on Page 8)

You Might Try This

Lisco's, Neb.—Avin Hendricks, manager of the Variety, framed an unusual way to get a raise. When he received that confidential info from the state selective service board about not discriminating against employment of men of draft age, he filed himself, wrote a letter to the selective service board protest, showed it to himself and threatened on'we're hired back at an increase in salary he'd send it off, so he was black-balled into the raise. At least, that's what he told his boss, General Manager Howard Federer.

Decree is Composed of “Strange and Tricky Clauses,” “Meaningless Proposals”—MPTOA

Endless arguments "for years to come" over what the consent decree means are predicted by Ed Kuykendall, MPTOA proxy, in a general bulletin which also warns exhibs, that they must be prepared to pay extra sales costs of distribs. "in increased film rentals or decreased quality. There is no other choice."

"It will take a long while to unravel all of the strange and tricky clauses that make up the whole decree, much of which we are convinced are empty, meaningless proposals set forth in impressive language," says Kuykendall. "Like some of the arguments made on the decree, they are full of sound and fury but signify nothing. Ultimately the arbitrators will decide just how it will be interpreted and applied, particularly the New York Appeal Board."

UA Devising a New Plan of Operation

West Coast Bureau of THE FILM DAILY

Hollywood—A plan of operation that will be most acceptable for owners and non-owning producers of United Artists is being worked out here by the company's stockholders. It is reported that the non-owning producers will have more to say regarding distribution than in the past.

Necessity for such an arrangement (Continued on Page 8)

Jewish Charities Drive To Exceed 1939 Figure

Committeemen attending yesterday's Amusement Division luncheon in the Hotel Astor heard first reports indicating that the New York and Brooklyn Federations (Continued on Page 2)

AFM to Continue Fight In AGMA Case—Pettrillo

New Orleans—The AFM will continue its fight in the AGMA case, James C. Pettrillo, president of the American Federation of Musicians, told THE FILM DAILY as he made his (Continued on Page 8)

Foreign Pix Up Despite War

N.Y. Censors Report Gain in Revenue

Argentina Grants Dollar Exchange for Film Imports

Buenos Aires (By Cable)—Finance Minister Pinelo has granted dollar exchange for film imports and at the same time has assured importers their full quota of permits, making possible the continuation of film imports under current regulations. It is (Continued on Page 8)

Consent Decree Realizes Only One 10-Point Plan Objective—Kuykendall

Inclusion of theater divorce in the Government's anti-trust suit was a fake issue, Ed Kuykendall, MPTOA president, declares in a general bulletin, made public yesterday.

"This phony issue," Kuykendall writes, "was devised for exhibitor politics, agitated with tongue-in-check gibbliness to force concessions by the distributors, as a sort of po-lite blackmail."

Kuykendall insists that "whatever evils and abuses there are in circuit theater operations are not due to any distributor interest in theaters, any (Continued on Page 6)

May Hear Exhibitors On New FWC Decree

Members of the Pacific Coast Conference of Independent Theater Owners and other independent exhibitors may have an opportunity to air their views on the new consent decree designed to replace that made some years ago by Fox West Coast, it was learned yesterday.

The decree, which is being sent to Special Assistant Attorney Generals (Continued on Page 8)

Para. Partners Won't Unite For Consent Decree Battle

Any pressure to be brought against the consent decree by Paramount theater partners will be done individually and not collectively, it was stated here yesterday. Protests or concerted action that may be launched by the individual partners are expected to be through (Continued on Page 8)

Rep.'s $550,000 Plag West Coast Box—THE FILM DAILY

Hollywood—Republic will spend $550,000 on trade paper advertising alone on "Melody Ranch" which will be tagged Gene Autry's first $500,000 all-star production. (Continued on Page 8)
**FINANCIAL**

(Tuesday, Nov. 26)

**NEW YORK STOCK MARKET**

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Am. Smat. Col. Picts. etc. (12½%) 5½ 5½ 5½
Col. Picts. 5½ 5½ 5½
Com. Fd. Ind. 5½ 5½ 5½
Com. Fd. Ind. pfd. 5½ 5½ 5½
East Kodak 14½ 14½ 1½
Fed. Ed. 1½ 1½ 1½
Gen. T. 10½ 10½ 1½
Gen. Telephone 1½ 1½ 1½
Lowry's Ind. 2½ 2½ 2½
Paramount 9½ 9½ 9½
Paramount 1st pfd. 9½ 9½ 9½
Paramount 2nd pfd. 9½ 9½ 9½
Pathé Film 10½ 10½ 1½
RKO Pathe 9½ 9½ 9½
RKO 5½ 5½ 5½
20th Century Fox 5½ 5½ 5½
20th Century-Fox 2½ 2½ 2½
Univ. Pict. pfd. 3½ 3½ 3½

**NEW YORK BOND MARKET**

Keith F. S. ref. 6½
Lowry's deb. 3½/4
Patz. B. W. 5½ 5½ 5½
Pan. Picts. 5½ 5½ 5½
Pan. Picts. c. 3½/4 9½ 9½ 9½
Warren Bros. 6½ 6½ 6½
NEW YORK CURB MARKET

Monogram Picts. 1½ 1½ 1½
Southwestern 1½ 1½ 1½
Technicolor 9½ 9½ 9½
Trans Lux 9½ 9½ 9½
Universal Corp. 1½ 1½ 1½
Universal Picts. 1½ 1½ 1½

N. Y. OVER-THE-COUNTER SECURITIES

Bid Asked

Met. Playhouse, Inc. 2½ deb. 45 66 66
Rouse Bros. 61½ 1st 5½ 62 62

M & P, Lockwood-Gordon

**Use Cash Quiz Game**

Boston—"Cash Quiz" will be given in this territory provided the authorities okay it as calling for a certain amount of brain work and will. Game will be distributed here by Premium Promotion Syndicate, 40 Church St.

Lockwood & Gordon circuit and the M & P are expected to use it in some spots.

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**WARM EXHIBS. AGAINST DISSOLUTION OF PRODUCT**

(Continued From Page 1)

set forth in the consent decree, go into effect.

All officers were re-elected for the coming year. They are Roy Har- rold, president; Ernest Miller, vice-president, and Harry Markum, treas- urer. New directors were named for the nine districts into which the state organization is divided.

In an open discussion of Educa- tional pictures and programs in connection with the public schools, the general demand for motion pic- ture programs in schools, it was ad- vised to co-operate rather than dis- charge the special matinees in the- aters. Latter could only result in the installing of motion picture equipment in public schools, thus spreading the use of 16-mm. ma- chines for non-theatrical use, it was asserted.

L. F. Myers, general counsel of Allied discussed the consent de- cree at a closed session.

The annual banquet was held last night, closing the two-day meet- ing.

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**20th-Fox Contracts Run Even with 1939—Wober**

Returning yesterday from a visit to the 20th-Fox studio and some of the Coast branches, Herman Wober, general manager of distribution, expressed optimism over company business and film business in general. He reported that contracts closed are up to last year's total for the same period and said he ex- pects "Tin Pan Alley" to be one of the biggest crossovers the company has ever had.

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**200 More Theaters Get "The Letter" Tomorrow**

Because of different Thanksgiv- ing Day dates in various states of the country, producers confronted with unusual situation of having two release dates for "The Letter." Sold for Thanksgiving Day delivery, picture was officially released in all states observin Nov. 21 as Thanks- giving. Tomorrow, die-hard states' Thanksgiving. Day, "The Letter" will be officially released in 200 theaters in Connecticut, Pennsyl- vania and Massachusetts.

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**GWTW ENDS RUN IN B.A.**

Phonos Aire (By Air Mail) — GWTW has closed here after eight weeks at the Ideal and four at the Gran Teatro Broadway.

GWTW has been shown for 8 weeks in seven weeks in Sao Paulo (Brazil) for six weeks in Santiago de Chile, and for five weeks each in Montevideo (Uruguay) and Lima (Peru).

Swiss Pix as "Counterfeiter"

French Cinema Center will re- lease "For Dieu, La Montagne" as "The Counterfeiter." Pix was made in Switzerland.

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**JEWISH CHARITIES DRIVE TO EXCEED 1939 FIGURE**

(Continued From Page 1)

Jewish Charities drive will exceed the record sum of $150,000 raised last year for the Federations' health and welfare agencies in Greater New York.

Maj. Albert Warner, co-chairman of the Amusement Division, presided, and Louis Niser outlined needs of various agencies for which the drive is conducted.

An arrangements committee for the annual luncheon was named, com- prising Marvin Schenck, Leopold Friedman, B. S. Moses and Ben Ber- nie, with Louis Niser in charge of the speaking program.

Among those who attended yes- terday's meeting and reported on progress in various branches of the industry were: Herman Bernstein, Max B. Blackman, Harry Buxbaum, J. J. Lee, Max Cohen, M. J. Feasler, Alan E. Friedman, Max Friedman, Arthur Israel, Jules Levey, B. S. Moss, Harry Nadler, Louis Niser, Louis Phillips, L. W. Schneider, Wil- liam Readle, Jr., David Miller, Sam Rinzler, Herman Robbins, Harold Rodner, Max Rudnick, Edward N. Ruzoff, Abe Schneider, Joseph H. Seidenwitz, Sam Shain, Saul Trau- ner, Major Warner, A. P. Waxman, David Weinstock, Max Seligman, Leo Goldberg, Charles Moses.

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**TO EXAMINE EASTMAN, ERPi OFFICERS IN CASE**

New York Supreme Court Justice Isidor Wasservorg yesterday grant- ed an application of Samuel I. Po- sen to examine before trial officers of Eastman Kodak Corp. and Erpi and to inspect books and records of those companies. Posen seeks the examination in aid of his suit as di- rectors of the Universal Pictures. Erpi, Eastman Kodak and other com- panies in which he claims that the defendants conspired to transfer as- sets to the several on insufficient con- viction.

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**Radio Show Snoops Want "Santa Fe" Debut**

Walters' elaborate plans for the world premiere at Santa Fe, N. M., on Dec. 14 of "Santa Fe Trail" have aroused unusual interest among radio advertising circles, with the result that the company is mailing out four or five offers from sponsors who would like to tie-in a one night shot from the New Mexico city, it was learned yesterday. Premiere itself is the climax of a state celebration of Santa Fe Trail Days Dec. 13-15, Radio show would be sent out from Santa Fe on the 14th or 15th, with Walters making available some $25,000 worth of talent.

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**Delts Gets PRC Franchise**

West Coast Bureau of THE FILM DAILY

Hollywood—A. R. Deits, formerly branch manager for GB, has been named regional editor of the St. Louis franchise for PRC.

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**COMING AND GOING**

Andy W. Smith, Jr., sales manager for RKO, closed out for the Coast last night via America Airlines for huddles with district and branch managers.

James E. Granger, president of Republic, has returned to the home office from Chicago, Memphis and Washington, D. C.

E. C. Beatty, president of the Butterfield circuit, Detroit, is in New York on a business trip.

W. F. Rodgers is due back here tomorrow from Chicago and Detroit.

William Bullock, in charge of general administration at RCA Photophone's Hollywood office, and Bartren Kreuzer, in charge of Photograph sales and recording operations on the Coast, are in Camdon for a week's huddle at the home office.

Phil Regan arrived on the Coast last night from New York.

Humphrey Bogart and his wife, Mayo Methot, arrive here this morning from the Coast.

Harlan Briggs arrives here from Hollywood the first part of next week.

Terry Turner, head of RKO Radio's field staff, left last night for Denver.

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**Advance Prices 12-17c**

For "Arizona" in K. C.

Kansas City—If local precedent is followed nationally, box-office prices for "Arizona" will represent increases of from 12 to 17 cents above normal house scales.

Loew's Midland is playing the Co- lumbia pix at 40-61 cents as com- pared with the usual 28-44 cents scale.

Advanced admission policy here has been successful, with attendance above average.

Libeled, Charges Flynn In $2,000,000 Action

A $2,000,000 libel suit was filed yes- terday in the New York Supreme Court by the parents of the late Con- stancia de la Mora, Harcourt Brace & Co., Inc., and Quin & Bowden Co., Inc., Flynn claims that the book "In Place of Splendor" describing the Spanish Civil War states that the plaintiff visited Spain for publicity purposes.

Strand, Syracuse, Closing

Syracuse, N. Y.—RKO Schine Strand here closes Dec. 8 for heating system improvements. House will re-open Christmas Day.
Many Great Pictures Were Released in November but Robbin Coons of the Associated Press says—

THE BEST PICTURE OF THE MONTH is

Walter Wanger's
John Ford Production of Eugene O'Neill's

THE LONG VOYAGE HOME

John WAYNE * Thomas MITCHELL * Ian HUNTER
Barry FITZGERALD * Wilfrid LAWSON * John QuALEN
Mildred NATWICK * Ward BOND * Directed by John FORD
Adapted for the screen by Dudley Nichols * Produced by Argosy Corporation

—and 1,200 Associated Press newspapers spread the news to more than ten million readers!

P.S. Best Picture of the Month too, in The Hollywood Reporter Poll.
Foreign Pix Imports Rise Despite War

(Continued from Page 1)

Cuba, Norway, Argentina, Austria, Spain, Ireland, Finland, Ethiopia, Egypt, Italy, Russia, Hungary, Sweden, Poland, Czechoslovakia, Mexico, China, France and Germany. No breakdown on the number from each country is available.

Censor Esmond’s report shows a net revenue from reviewing and licensing motion pictures, except newsreels, of $311,800, an increase of $15,727 over the preceding year, while expenditures were $68,578, or approximately $5,500 less than in 1938-39.

A total of 1,762 full-length films were reviewed during the year, nine being rejected in their entirety (though later “Eccstasy,” “Whirlpool,” “Pools of Desire” were re-vised and approved by the Board of Regents). Eliminations of 926 scenes, subtitles and dialog were made on statutory grounds in 111 films.

Esmond’s report stated that the Motion Picture Division has more work than the records show, since conferences are held with the representatives of producers in New York and according to the suggestions being made for the revision of pictures to relieve them of objections.

Esmond, using Attorney General John J. Bennett’s recent ruling, pointed out in connection with an increase in 16 millimeter films that excepting newsreels, the latter come within provisions of the statute and must be submitted for licensing before exhibition “at any place of amusement for pay or in connection with any business in the State of New York.”

In addition to licensing or rejecting pix, Motion Picture Division also inspects theaters or places where films are exhibited, stored or used to see that the license leader is displayed in accordance with statutory provisions and that film has been licensed.

Stowell Funeral Tonight

Funeral services will be held to-night at the Memorial Funeral Parlor, Ridgewood, N. J., for Clarence Warner Stowell, 56, who played the role of the Congressman in the M of T’s “The Ramparts We Watch.” Stowell died in Paterson, N. J., on Monday night.

STorks!

Edward Sokolowski, manager of the Plainfield, Conn. Theater is father of a second boy, Michael, born at Backus Hospital, Norwich, Conn. and weighing 8 pounds 9½ ounces.

Williamson, Pa. — A daughter, the fourth, was born to Mr. and Mrs. Gregory H. Back. Father is manager of the Capitol Theater.

Distribs. Will Fight Army Camp Clearance

(Continued from Page 1)

kell wants to present pictures in the camp theater at the same availability as the theaters in Anniston, about six miles away. Under present arrangements, the camp theater must follow Anniston by 30 days, but the General wants to give his soldiers brand new pictures.

General Haskell, pointing out that the Fort already has 15,000 troops and will shortly have 20,000 as compared with Anniston’s total population of 23,477, calls the clearance rule locally a case of “the tail wagging the dog.” General Haskell was quoted in The New York Times yesterday as saying that “We’re not from the sticks. When you bring boys here from New York and for several months give them pictures they have seen on Broadway, they don’t like it.” The General also wants the admission price reduced from 20 cents to a dime.

Distribution sources yesterday said they would not ask the theaters in Anniston or any other city near an Army camp to cut their clearance for new books. Whether they can be compelled to do so, inasmuch as the General is taking up the matter with the War Department, is a question that cannot yet be answered.

Army Camp Film Bookings Spurt Under Defense Plan

New Orleans—Film bookings for Army camps show a up-trend in the Gulf states as a result of the speed-up of national defense. An idea of the importance of the new bookings may be gathered from the fact that the territory was formerly handled out of Washington by the civilian-operated United States Army Motion Picture Service, is now a new division with booking offices in Atlanta under the direction of M. W. Smith, veteran of the service.

Films are now being shown in black-topped tents in Camp Beauregard, Alexandria, La.; Camp Shelby, Hattiesburg, Miss., and Fort Barrancas, Pensacola, Fla. The last named is a survivor of an old Spanish garrison post. Theaters to replace the black-tops are to be erected shortly.

Poller’s Brother Killed

Nathan Poller, a brother of M. G. Poller, head of RKO Radio’s play-date department, was killed late Saturday night in an automobile accident near Washington. Funeral services were held yesterday at the Riverside Memorial Chapel.

What? No Fun? ?

Chicago—On the B & K Granada marquee Friday night: “Time for Comedy’’ with "Brigham Young.”
Gene Autry's First $500,000 All-Star Production!

Melody Ranch

A Republic Picture

Gene Autry • Jimmy Durante
Ann Miller • Barton MacLane • Barbara Allen
George Gabby Hayes • Jerome Cowan • Mary Lee
Divorce a Fake Issue, MPTOA Holds

(Continued from Page 1)

more than they are due to exhibitors owning stock in a distributing company. It is stated that "all such affiliations were abolished, it would cure none of the abuses in our business and the Department of Justice discovered that when they got to preparing their case."

Because the divorce issue was a "fake, that could produce no benefit," exhibitors, Kuykendall declares the MPTOA refused to be "tied up in the scheme."

One MPTOA Objective Attained

Of the 10 specific complaints and proposals advanced by the MPTOA several years ago, only one, the separate score charge, was fully accomplished. The other 9 were filed, Kuykendall declares. Taking each of the parts of the so-called "triple exclusions" and comparing them with the results of the recently-approved consent decree, the MPTOA president points to the result as follows:


3. Unreasonable clearance: Relies exclusively on outside arbitration.

4. Competition overbuying: Highly restricted "remedy for discrimination" and for "refusing to license someone" subject to outside arbitration.

5. Unfair cut-rate competition between theaters, including double and triple features, giveaways, etc.: Nothing accomplished.


8. Separate score charge: Abolished before the consent decree by "persistent effort of MPTOA." No longer a problem.


10. Forcing short subjects: Involved prohibition of dubious effectiveness, relying on outside arbitration.

Assails Outside Arbitration

Kuykendall's bulletin is especially bitter against the plan to have outside arbitrate disputes. Because the motion picture business is so different from other industries, Kuykendall believes that controversies should be heard by men who understand the problems of exhibition and distribution and not by men who

"FOG CHECKS" FOR DRIVE-IN

It's the Texas Innovation of F. F. McHenry

(Continued from Page 1)

ark attorney, as assignee of the claim of Affiliated Enterprises, owners of the trademark and copyrights under which Bank Night was introduced.

Earl Goldstein, of Affiliated, testified Bank Night was an advertising plan to stimulate attendance. He said registration for participation in drawing prizes was open both to theater patrons and the public at large and announcement of drawing winners was made.

He added persons outside the theater who heard their name called could enter and claim the prize and continued running of prizes to the public without requiring ticket purchase removed the element of "consideration."

Judge Smith ruled the attempt to remove the element of consideration generally considered necessary in definition of lottery was merely a "subterfuge," and said the primary purpose of the game was a lottery for the benefit of theater patrons who paid admission.

A. Louis Ginsberg, president of A. & G., testified that the salesman for Affiliated told him names of winners should merely be mumbled in the lobby so it would be difficult for public to hear. He said from a "practical" viewpoint people paid admissions and entered the theater to see if their name would be drawn. Ginsberg claimed the time allowed for the public to get to the stage from the lobby was so limited it was almost impossible for the winner to reach the stage before another drawing.

Argentine Grants Dollar Exchange for Film Imports

(Continued from Page 1)

understood, that all American companies have enough import licenses in reserve to assure distribution of new pictures for five or six months. Distributors in the exchange-import negotiations had the support of the Argentine Film Producers Association.

Washington Bureau of THE FILM DAILY

Washington—Special Argentine mission now here has proposed a combined loan and purchase program to alleviate the Argentina foreign exchange situation, with the Administration saying them favorable consideration.

and I am afraid that if we have to buy all five, we'll get the weak pictures under the new arrangement as under the old arrangement. In addition, there may be added expense for the exhibitor in traveling to preview these pictures at "travel showings" and an increased selling expense by the producer.

Wednesday, November 27, 1940

Hollywood

ROUBEN MAMOULIAN, who directed
"The Mark Of Zorro," for 20th Century-Fox, is spending a six-weeks' vacation in Honolulu before starting work on "Blood And Sand." That picture was shot back to await Tyrone Power, who is to appear with Jack Oakie in "The Great American Broadcast." 

N order that the boys working in "Men Of Boys Town" could become better acquainted, Norman Taurog, who is directing the picture for M-G-M, has them all out to his home for a weiner roast. Spencer Tracy and Mickey Rooney, who head the cast, were the chief custodians of the weiners and buns.

To most everyone South America is a place comprised of three vague localities known as the Argentine, Buenos Aires, and Rio, where everyone speaks Spanish and is a gaucho. Wesley Ruggles, Columbia director, who is touring South America, is gathering material for an authentic picture of life in South America.

DOROTHY FAY has been signed to play the chief feminine role in "White Eagle," the new Buck Jones serial, which Larry Darmour will produce. Deal was set by Lou Irwin.

PRODUCER Edvin Finney will introduce eight songs in Tex Ritter's forthcoming motion picture, "Under Texas Stars." The outdoor drama features Cal Shrum and his Rhythm Rangers as the band and places more than the usual emphasis on the musical portion of the film.

JOE NEWMAN is directing "Behind The Law," a new "Crime Does Not Pay" subject at M-G-M. The script was written by Howard Dindo.

DIRECTORS usually look for the most attractive actors to appear in their pictures, but Richard Thorpe, whose contract has just been renewed by M-G-M, cast 100 of the worst looking extras he could find for "The Bad Man," which he is directing. The group comprises themanda army which is led by Wallace Beery, star of the picture.

REPUBLIC has purchased an original story by George Carleton Brown, titled "Babes on Broadway," which is just the working title, and it will feature all their youngest contract players, such as Mary Lee, Lois Ransom, Jane Frazee, Carol Adams and June Johnson.

SMILEY BURNETTE trained in 11 weeks of p.a.'s, during which he traveled 35,000 miles and lost 77 days, he made 73 one night stands.
“SHORT SUBJECT REVIEWS”

“Lure of the Trout”
Warners
Swell Sport Reel
Richly hued with Technicolor, this reel devoted to trout fishing will make anglers do nip-ups when they see it, and will also interest the general public. Subject was photographed at a Southern trout stream which is stocked with all species of trout and artfully built up by the owner to simulate conditions a fisherman would encounter on any trout stream in the country. Ed Thorgersen gives a snappy and interesting commentary, and Jack Painter gets credit for a fine photographic job.

“Fishing in the Alps”
 Warners
Corking Musical Number
Any audience will like this short. The music is good, the settings are smooth, but the reel is distinctive because of expert photography and good direction which together create some amazing effects. Joan Negulesco directed. Busse plays several solos on the trumpet and the orchestra and sections of it, abetted by a vocalist on several numbers, give out with “Hot Lips,” “Along the Sante Fe Trail,” “Huckleberry Duck” and “Wang Wang Blues.”

“Land of the Pilgrims”
20th-Fox
Fair Cartoon
Reel depicts the landing of the Pilgrims from the good ship Mayflower. Short has some laughs and Technicolor enriches it. The Pilgrims land to discover that the Indians are up to the minute business men, who use hot dog stands, etc., wheeled out upon their arrival. One young Pilgrim has a considerable amount of trouble getting his Thanksgiving turkey, only to be notified as he is about to chop it head off that by order of the president Thanksgiving was the week before. Paul Terry was the producer.

“Community Sing”
Columbia
Entertaining Musical Number
Featuring Don Baker at the organ, with vocal assistance from the Song Spinners, this number presents some good songs in a fashion that should get co-operation from audiences. Numbers include “The Beer Barrel Polka,” “You Made Me Love You,” “I Can’t Give You Anything But Love Baby,” “Same Old Story,” and it winds up with a good hurrah “American.” B. K. Blake produced.

“Information Please”
 RKO-Pathé
Entertaining Reel
Up to par in all respects, this new release in the information please series should entertain audiences. In addition to the regular board of experts, comprised of Franklin P. Adams, John Kieran and Oscar Levant, Alice Marble is seen and heard as the guest star. The experts acquitted themselves well with a variety of questions. Frank Donovan was the producer.

“Savoy in the Alps”
Columbia
Interesting Travlogue
Savoy, one of the most picturesque spots of France and under French rule since 1809, is the subject of this new travlogue, produced by André de La Varre for Columbia release. The subject is interesting and the photography is fine, with some of the scenery, including famed Mt. Blanc, breathtakingly beautiful. However, the gaiety depicted strikes a strange note, in view of France’s plight today.

“Picture People”
 RKO-Pathé
Hollywood Personalities
Reel is filled with a host of Hollywood notables attending the opening of Don Dickerman’s Pirate Den, a new night club. Fred MacMurray, Rudy Vallee, Ken Murray, W. C. Fields, Nancy Kelly, Dorothy Lamour, Marjorie Weaver, Jackie Cooper, Jimmy Didler, Gary Cooper, Bobbi Grantville, Jack Benny and Bill Tilden are seen cavorting in the club. Reel has some laughs and should interest movie fans. Louise Rousseau directed, with Frank Donovan getting credit as the producer.

“Old Dominion State”
20th-Fox
Interesting Subject
The impressive beauty of Virginia’s Blue Ridge Mountains and the rolling country, and the Shenandoah Valley are beautifully photographed in Technicolor in this reel, as well as other points of interest in the state. Short shows a number of historic points of interest such as the homes and birthplaces of Jefferson, Lee, Jeb Stuart and others. Virginia Beach, Richmond, Williamsburg and the University of Virginia also get their share of attention. Thomas provides an interesting commentary and Jack Painter handled the cameras.

“Bar Buckaroos”
RKO
Fair Musical Comedy
Ray Whitney and his Six-Bar cowboys need entry money for a rodeo and they take a job in a saloon playing music to keep peace. First the music keeps the people from buying drinks and then Whitney is intrigued into playing a number that starts a free-for-all riot which ruins the place.

“Nite Work If You Can Do It”
Columbia
Good Subject Matter
Jefferson Machamer, well known cartoonist and artist, is seen at his easel drawing some of the sketches which appear in national publications. Machamer gives an interesting illustration of the part basic curves play in all drawings. Next seen is the work of Jack Gast. Gast has an unusual business, creating beautiful flowers and decorations from anything ranging from weeds to old corn husks. Finally a camera is set up, showing this work from all angles with some amusing results. James Wallington gives a good running commentary.

“Sour Puss”
Warners
Funny Cartoon
Plenty of laughs have been incorporated into this cartoon produced by Leon Schlesinger. Porky and a feline friend plan a fish dinner. But their plans are more than a little upset by a flying fish.

“Mouse Meets Lion”
Columbia
Fair Cartoon
Prancing through the jungle, a young mouse accidentally pulls a lion’s mane, mistaking it for grass. The enraged lion finally lets the mouse go after some heavy pleading, and he returns the favor by grazing through the ropes that hold the lion in a trap.

CHILDREN’S HOLIDAY PROGRAMS

Just the thing to solve your Saturday and Holiday booking problems.

COLUMBIA
“HAPPY-HOUR” ENTERTAINMENTS

Now available - 60-Unit Programs
6 reels (1 hour) endorsed for children by club women from all parts of the nation.

FOR A SAMPLE BOOKING ASK YOUR COLUMBIA EXCHANGE FOR “HAPPY-HOUR” UNIT #67 FEATURING “PUSS IN BOOTS”

Endorsed by The Scarsdale Better Films Council
May Hear Exhibitors On New FWC Decree

(Continued from Page 1)

Harold Collins and Albert Law, now stationed on the Coast, will be present before Judge George Con-sor of the New York district court to urge approval of the FWC decree. A hearing will take place in the court on the 11th, and the case is expected to be settled and an agreement reached between the exhibitors and the Film Booking Officials. It is expected that the exhibitors will be able to present their point of view and make their case before the court.

CUBAN DECREES "ALL A MISTAKE"
Resulted from Liberty That Senate Passage of Neely Bill Made Measure a Law in U. S.

By MARY LOUISE BLANCO
FILM DAILY Staff Correspondent

Havana (By Air Mail)—Cuba's anti-block-booking and blind-selling decree, suspension of which is now before the Senate by the National Union of Motion Picture Theater Owners and the Association of Motion Picture Distributors of Cuba, among others, was decided upon by the court. The decree, if enacted, will result in a considerable easing of the situation in the motion picture industry. The decree will provide for the establishment of a new system of distribution, which will be more conducive to the welfare of the industry.

AFM to Continue Fight In AGMA Case—Petullo

(Continued from Page 1)

first appearance on the A F of L Convention floor here. The AFM head said he knew nothing about any plan for a council of amusement or theatrical unions such as building trade councils. Asked if the AFM would oppose the formation of a council, he replied: "I don't know anything about it."

He also refused to discuss the possible effect the Ascot-NBC-CBS music fight might have on musicians after Jan. 1. Petrullo declared that the AFM believed that a performer had an equity right in his record and as a result sought to make itself part of the NAPA suit on the subject.

"We feel that the making of a record does not entitle the recorder to a promiscuous and unjustified use of the record," he said. "We feel when the record is paid for by the employer, the matter doesn't stop there and that is why we are backing NAPA in this fight.

Police Ignore Court Ruling Sunday Pix Ban is Invalid

Fayetteville, N. C.—Chief of Police A. B. Crews, ignoring a court ruling that the city's anti-Sunday films ordinance was invalid, caused the arrest of three local theater managers who opened their houses Sunday.

"Since the ordinance is in force, my officers will enforce it," said Crews.

Myer Beck Hospitalized

Myer P. Beck of Russell Birdwell & Associates enters Mt. Sinai Hospital today for four or five days. He'll have a septum operation.

Auto Hurts Kill Mailey

Manchester, N. H.—Albert H. Mul-ley, 75, former Boston theater manager, is dead here as the result of injuries suffered when struck by an automobile.

Do they escape in time to tell what they know in

BLACKOUT

...the love story that happened ONE MINUTE AGO as London fights NOW!

Released thru UNITED ARTISTS
NAME ADMINISTRATIVE ARBITRATION COM.

Invest U. S. 'Frozen' Coin in British Pix Rights?

British Industry Asks As Much Help as Possible for Productions, Says Friedman

Investment of American film coin now "frozen" in Great Britain in the U. S. rights to British pictures as a means of helping U. K. producers solve war-time difficulties is urged by Ernest Friedman, managing editor of London's The Daily Film Re- porter, in a personal letter to the Editor of THE DAILY FIlM.

Total of "frozen" currency to the credit of U. S. companies is now rem (Continued on Page 7)

Resume La Crosse Trust Trial Jan. 6

Trial of the La Crosse Theaters Co. trust suit against three major companies and two circuits has been set for Jan. 6 in Madison, Wis. Case will continue until left off on Nov. 18 when it was adjourned. At that time it was rumored that there (Continued on Page 10)

Swedish Exchange Said Available for Pictures

Stockholm (By Air Mail) — Despite the tightening of foreign exchange restrictions in Sweden since the German occupation of neighboring coun (Continued on Page 4)

It's Re-dress Now!

West Coast Var., THE FILM DAILY

Hollywood — Gertrude Ross, Austrian actress who has been "strip-picking" Universal's studio as protest against David Loew and Albert Lewin's cutting out scenes purporting her in their new film, "To End Our Night," has had all clothes but brassiere and panties yester day, which was the third successive day of her demonstrative display. When motorists gawked and were strip ping off their cars and crowds of film workers stopped work, the produc ers retreated, promising to rehteuch her scenes in the picture or give her a part in their next picture. She said she had to have agreed—ending the semi-nude pick eting. (Ed. Note: All this would never have happened if production had remained in Fort Lee, N. J.)

RETURN FIRE

... on two issues

By CHESTER B. BAHN

RETURN FIRE

First, there's the issue raised by Maj. Gen. William Haskell, commander of the 27th (N. Y.) Division, now in training at Fort McClellan, six miles outside of Anniston, Ala. General Haskell takes exception to the prevailing Army Motion Picture Service policy which respects clearance rights, thus assuring protection for exhibitors, and also to admission prices in effect in the camp's three theaters.

The division commander wants equal availability and an admission cut to a dime. As an alternative to the existing Fort McClellan film setup, the General is reported considering free film shows for the 27th, financed through profits earned by the Post Exchange.

As an old division man himself, this side lines observer can understand and sympathize with General Haskell's desire to provide his men with the best film entertain ment at lowest possible cost. But there are a couple of things that the General, perhaps inadvertently, has overlooked. The indu (Continued on Page 2)

Tele Panel Reports

Will Be Ready Jan. 1

Completion of reports of the nine panels comprising the National Tele vision Systems Committee by Jan. 1 is forecast by Dr. W. R. G. Baker, chairman, Dr. Baker, head of GE's tele and (Continued on Page 4)

DROPs FWC Contempt Case

Compromise Reached Federal Court is Told

Argentine Industry Eyes Cheap Government Credits

Buenos Aires (By Air Mail) — Organization of an Argentine film industry association as an affiliate of the Union Industrial Argentina is being discussed here.

An agreement with the Government plans to place at the disposal of native manufacturing indus (Continued on Page 3)

Paul Felix Warburg Appointed Chairman of AAA Unit

An administrative committee for the motion picture industry's arbitration system was appointed yesterday, with Paul Felix Warburg as chairman, it was announced by Lucius R. Eastman, chairman of the board of the American Arbitration Ass'n, following a meeting of the executive committee at the Uptown Club.

At the same session, C. Y. Whitney was elected president of the A.A.A., succeeding Franklin E. Parker, Jr., who has headed the association since 1938.

The administrative committee consists of seven members but the group may be enlarged at the discretion of the association. Warburg is a part (Continued on Page 10)

No Immediate Move On Decree by MPTOA

The MPTOA will take no further action for the present against the recent decree, Henry G. Gray, of Sage, Gray, Todd and Sims, counsel for the association, stated yesterday. Gray said that the MPTOA was (Continued on Page 2)

ITOA Raps "Sneaks"

ITOA, via The Independent, its house organ, coens an attack on sneak previews which, it contends, "has been set up as a regular policy by some affiliated theatres in various sections of the country." ITOA claims that major circu lates here have extended the practice to White Plains and Yonkers, giving the house three features one night a week. ITOA urges the hope that author ity under the consent decree will end the "pernicious practice and inexcusable evil."
Return Fire

...on two issues

(Continued from Page 1)

try cannot afford to do so, and the General, in fairness, shouldn't.

The Army, through the non-profit Motion Picture Service, has call on all product, and pays a nominal flat rental ranging from $10 to $25 as a rule. Army theaters have a straight 2% cash admission, but the soldiers can save materially by investing in a 10-admission coupon book at $1.40.

In view of the much higher rentals that the commercial theater operator can pay and his costly investment in house and equipment, the provision for clearance actually represents the reasonableness in minimum of protection for the exhibitor.

Not only does the existing industry film setup represent a sizeable sacrifice of profit, but the difference between the nominal rentals charged and the prevailing trade terms—between the Army program expansion actually entails a further loss, represented by the hundreds of thousands of volunteers and conscripts who for some years to come will only patronize Army post theaters.

A 5 a matter of fact, the industry's long-established patriotic concessions to the Army (and to the Navy, no less) are probably without parallel in the business field. The Army, for instance, does not expect his military soldier or his boot maker to make comparable concessions; in fact, unless the service has changed greatly, he probably pays a higher premium, and that without discrimination.

Which brings up the second issue, raised by the New York Daily News the other day, that at the very heart of the military operations is the fact that the Navy, Army, and Air Force is itself a separate entity, with its own board of accounts, which concern itself with, "What do you think of the suggestion that all men in uniform be admitted to movies and legitimate theaters at half price?"

Here's a counter query for Jimmy and the Daily News: "What do you think of the suggestion that all men in uniform receive the daily papers at half price?"

Marlene Dietrich Sued for $98,000 on French Pict Deal

Suit for $98,000 was filed against Marlene Dietrich yesterday by Film-

theater-Parant Productions in the Supreme Court of New York County.

Soul Rogers, attorney for the plaintiffs, asked for a warrant of attachment which was granted by the court.

Plaintiffs charge that Miss Dietrich agreed to make a picture in Paris under a deal made in 1938. She was to receive $82,000 plus a percentage of the gross, according to the complaint, and was advanced $18,750. She came back to the U. S., it is charged, and then allegedly refused to appear in the film.

When the war broke out and the Paris studios were confiscated for barracks, the plaintiffs stated, Miss Dietrich agreed to make a picture in London, but the actress refused to return, according to the complaint.

Miss Dietrich also refused to return the advances she had been paid.

Plaintiffs contend that her various refusals have caused them a loss of $88,000 and seek to recover $20,000 in attorney's fees.

Silverstone Denies Report Of UA-Producer Deals

West Coast Bureau of THE FILM DAILY

Hollywood—Murray Silverstone has denied a published report that United Artists is discussing a producer-director deal with Fritz Lang. He also stated that no deal is pending with Theodora Thawne, Jr., and Ben Hecht. He preferred not to make any reference at this time to deals now in the making that may be in the negotiating stages.

 Trio Has Chevalier Pix

"The Man of the Hour," French six-starrring Maurice Chevalier, is being distributed by Trio Films, Inc., of 154 W. 55th St.

$12,000 Ad Budget Bocks "Son of Monte Cristo" Bow

UA will spend $12,000 on the local ad campaign for "The Son of Monte Cristo" which will have a release world premiere at the Capitol on Dec. 4. Booking of the Edward Smallpix subs for Metro's "Third Finger, Left Hand," originally announced to follow "The Great Dictator." National release will come around the holidays. UA will reissue "Tarzan" films during the next four months, and for them the company claims the greatest stellar roster in its history. Films include Korda's "Lady Hamilton," Lesser's "That Uncertain Feeling," Pascall's "Major Barbara," Roosevelt's "Pot o' Gold," the Loew-Law "So Ends Our Night," Roach's "Topper Returns" and "Broadway Limited" and Rowlund's "Cheers for Miss Bishop."

Syracuse May License Bingo and Giveaways

Syracuse, N. Y.—Arouse by the Bingo and auto giveaway situation here, the city administration may crack down via control by a new licensing system.

At the present time, top theatrical Bingo game is that operated twice weekly by Al Gilbert in his Riviera Bowery Branch, with admission at 75 cents. Karp's Cameo is reported planning Bingo at 68 cents. Dollar Bingo, recently installed at the State Fair Coliseum as a Wednesday night feature, is packing them in.

Fitzers, with a 30 cent admission at the Rivoli, are now giving away four door sedans Mondays and Saturdays.

Deal for Philadelphia's Carman Theater is Cold

Philadelphia—Deal by which the Carman theater, now operated in re-

cept disposition of the former citizens' and firemen's association, has been sold to the hands of Jay Emanuel, Frank McNamee and Ir Rappaport on a 10-year lease, is cold, it was learned yesterday. Emanuel is one of three receivers for the house, formerly op-

erated by George Graves, who is suing S-W and the majors under the Sherman Act.

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"The Man of the Hour," French six-starrring Maurice Chevalier, is being distributed by Trio Films, Inc., of 154 W. 55th St.

$12,000 Ad Budget Bocks "Son of Monte Cristo" Bow

UA will spend $12,000 on the local ad campaign for "The Son of Monte Cristo" which will have a release world premiere at the Capitol on Dec. 4. Booking of the Edward Smallpix subs for Metro's "Third Finger, Left Hand," originally announced to follow "The Great Dictator." National release will come around the holidays. UA will reissue "Tarzan" films during the next four months, and for them the company claims the greatest stellar roster in its history. Films include Korda's "Lady Hamilton," Lesser's "That Uncertain Feeling," Pascall's "Major Barbara," Roosevelt's "Pot o' Gold," the Loew-Law "So Ends Our Night," Roach's "Topper Returns" and "Broadway Limited" and Rowlund's "Cheers for Miss Bishop."

Syracuse May License Bingo and Giveaways

Syracuse, N. Y.—Arouse by the Bingo and auto giveaway situation here, the city administration may crack down via control by a new licensing system.

At the present time, top theatrical Bingo game is that operated twice weekly by Al Gilbert in his Riviera Bowery Branch, with admission at 75 cents. Karp's Cameo is reported planning Bingo at 68 cents. Dollar Bingo, recently installed at the State Fair Coliseum as a Wednesday night feature, is packing them in.

Fitzers, with a 30 cent admission at the Rivoli, are now giving away four door sedans Mondays and Saturdays.

Deal for Philadelphia's Carman Theater is Cold

Philadelphia—Deal by which the Carman theater, now operated in re-

cept disposition of the former citizens' and firemen's association, has been sold to the hands of Jay Emanuel, Frank McNamee and Ir Rappaport on a 10-year lease, is cold, it was learned yesterday. Emanuel is one of three receivers for the house, formerly op-

erated by George Graves, who is suing S-W and the majors under the Sherman Act.
Government Drops FWC Contempt Case

(Continued from Page 1)

the Government's charges that the major companies granted more favorable terms to the Fox West Coast chain than to indie exhibitors.

Companies named in the contempt case were Fox West Coast, Fox West Coast Service Corp., 20th Century-Fox, Loew's, Inc., M-G-M, Paramount, RKO, RKO Distribution Co., Universal Film Exchanges, Warner Bros., Vitaphone and United Artists.

Schaefer, Reisman, Armour
Confer on World Distrib'n

West Coast Bureau of THE FILM DAILY

Hollywood—Phil Reisman, RKO v.p. and general manager of the company's export division, is here confering with President George J. Schaefer, Reginald Armour of the company's foreign department, and Daniel F. Greenhouse, manager in the Philippines, on world distribution problems.

Arthur Lubin Signs
7-Year "U" Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Arthur Lubin has signed a seven-year exclusive contract with Universal Pictures.

His first assignment under the deal will be "Buck Privates" starring Abbott & Costello and the Andrews Sisters.

Michael J. O'Brien Dead

Montreal—Michael J. O'Brien, 89, outstanding Canadian industrialist, who died Tuesday was owner of a chain of motion picture theaters by which he established in his home town of Renfrew, Ont, and nearby municipalities. He also financed the Renfrew "Millionaires" pro hockey team.

Harry L. Hamilton Drowns

Canton, O.—Harry L. Hamilton, veteran theater executive found dead in a Cincinnati park reservoir, formerly managed Gus Sun houses here and in Portsmouth and Newark.

"Happy Birthday to You"

From THE FILM DAILY to
H. Emerson Yorke
John W. Ward
Mollie A. Shaver
Mrs. Henry A. Reisman
The Sylvia Ratzenstein

D A T E B O O K

Nov. 29: Chicago Warner Club dinner dance, Terrace Casino, Hotel Meridien.

Nov. 30: Dave Miller testimonial dinner, Hotel Biltmore, Cleveland.

Dec. 1-2: MP TO of North and South Carolina convention, Charlotte Hotel, Charlotte.


Dec. 8: Bill Robinson testimonial dinner, McKea Temple.

Dec. 9: Warner Bros. stockholders' meeting, Wilshamton, Del.

Dec. 12: Phillip Variety Club dinner, the Belle Vue-Stanford.

Dec. 13: B & K Employees Association dinner, Stevens Hotel.

Dec. 14: Cleveland Variety Club dinner dance, Hotel Biltmore.

Dec. 16: Theater Owners of Oklahoma convention, Skirvin Hotel, Oklahoma City.

Dec. 20: Actors' Equity quarterly meeting.

Dec. 31: The Lambs Gala, Waldorf-Astoria.

Jan. 30: American Film Institute's annual benefit, Winter Garden.

Feb. 2-3: Virginia MP TO Winter convention, Shreveport, La.

May 5-8: SMP Spring convention, Sagamore Hotel, Rochester.

Argentine Industry Eyes
Cheap Government Credits

(Continued from Page 1)

tries long term credits to the extent of approximately 350,000,000 pesos.

These credits will be administered by a Government board on which private industry will be represented by Mui Coombo, president of the UIA.

Industry leaders believe that if the film industry has an organization affiliated with the UIA, the way will be open to obtain the cheap Government credits.

"Arizona" at Higher Prices

in Three More Situations

Columbia's "Arizona" starts additional advance admission engagements today in Providence, Memphis and Houston.

"To the Colors!"

Bernard Cohencious of RKO Radio's purchasing department is the first employee of the home office to enlist for emergency service. Cohencious volunteered for the regular army and will accompany a contingent to Camp Upton, L. I., Saturday morning. After a few days there he expects to be assigned to Camp Dix, N. J. Cohencious has been with RKO Radio for four years. RKO Radio employees who enlist or are drafted receive an advance salary of four weeks it was announced some time ago.

Boston — Myron J. Segal, eldest son of Harry Segal, head of Imperial Pictures here, has enlisted in the National Guard's Quartermaster Corps.
Tele Panel Reports
To Be Ready Jan. 1

(Continued from Page 1)

radio department, said that members of four panels will meet at the Hotel Roosevelt here in early December, probably on the 12th, with members of the five other panels convening before or after the Jan. 1. The committee's full report will go to the FCC Jan. 27.

Dr. Baker declared that the work of the nine panels which comprises 168 engineers and represents 41 firms is an "example of what industry can do in co-operation with a Government agency." In discussing the mechanics of the group, Dr. Baker explained rapidly that the panels, report, their proceedings are sent to members for study and discussion at meetings.

While evaluating that the introduction of color by CBS recently as well as the two-color demonstration by his own firm, has not caused a delay, Dr. Baker said that the present color system is "a step too soon." He said that some of panels has been delayed somewhat due to field tests which are still under way. Facilities of Hazeltime, DuMont, Philco, RCA, and GE are being used in these tests, he stated.

"Very elaborate tests in respect to the utilization of FM in both the synchronizing and sound section of the channel are also being conducted," Dr. Baker disclosed.

**NBC Engineers Continuing Experimental Transmissions**

Engineers of NBC are continuing their experimental work on television transmissions in this area, it was announced yesterday. In addition to the test programs on the 12 at various times, two experimental programs of interest will be shown during the coming week, one a play-by-play account of a hockey game from Madison Square Garden, and the other, a feature film.

**CBS Demonstrates Tele Ability To Reproduce Color Art Works**

A special color television show was presented early this week by CBS wherein slides of well-known oil art works, both oils and water color works, were scanned, and sent over coaxial cable in that rapidly growing field of television. A color television receiver before a group of artists, critics and members of the committee for National Art Week.

Introducing the demonstration, Gilbert Seldes, CBS director of television programs, said: "When color television comes into the American home, we hope it will become a greater force for wider appreciation of the visual arts. As radio has been for the appreciation of fine music."

**Turkey Day in Philly**

Philadelphia — Observing this state's Thanksgiving Day, local film exchanges are closed today.

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**FRANKLIN'S "MILLIONS" NO FUN**

N. B. Circuit Operator Finds Reputed Wealth in "American Vaudeville" a Liability

St. John, N. B.—Being a synthetic millionaire has plenty of liabilities, J. M. Franklin, head of the Franklin & Herschorn circuit has discovered. In "American Vaudeville," just published, Franklin is named as the partner of the late Mike Shea of Buffalo, N. Y., in a six Canadian vaude theaters to Keith-Albee, for $50,000,000. According to the book, the payoff to Shea and Franklin equally was 10 years ago.

It seems to be useless for Franklin to deny receiving any part of the $5, and to insist that while he was Canadian general manager for Keith-Albee and successor, RKO, ne was not a Shea partner.

Professional and amateur beggars are beating a path to his office in the daytime. Franklin told his employers that they need not think of paying off the $200,000,000 for his decision. His operation has been maintained at a strong position in the American market.

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**British Judge Criticizes Quota: Dismisses Summons**

Manchester, Eng. — (By Air Mail) Quotations has been issued a summons by the Manchester Stipendiary Magistrate in dismissing three summonses against the J. F. Emery Corporation for non-compliance with quota.

"I can't help feeling the defendant has a case to argue," he said. "There may be instances where there is competition and where it is impossible to get a quota show. You cannot expect a first-class house to put on third class stuff, or to put on something that another house has finished with."

"It is only fair to say that the defendant has even exceeded his quota in a general sense, taking the whole of his circuit. That shows he has made an attempt to comply with the regulations. If there had been a general shortage I should have taken a different view."

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**Eastman Sues on Patent**

Patent infringement suit was brought yesterday in the Federal Court by Eastman Kodak Co., Inc., against Charles McAlley and Mc-Alley Woodcrafting Co. Infringement of a patented motion picture film reel by the defendants through the manufacture and sale of the reel is claimed.

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**Swedish Exchange Available for Pix**

(Continued from Page 1)

tries, it is still possible for distributors to obtain funds for imports of U. S. films by maintaining their strong position in the Swedish market.

War conditions have so far failed to curtail the activities of Sweden's industry. While one or two small producing companies have been merged with larger operations, film production has been maintained at approximately the same level as in 1939, it is reported.

There are 1,514 theaters now operating in Sweden; this is approximately the same number reported in 1939.

**Hong Kong Exch. Control Without Effect on Pictures**

**Washington—No war restrictions have been imposed upon imports of films in connection with the American Consulate General station there reports. Foreign-exchange control is in effect but it has not adversely affected payments for normal film imports.**

About 250 feature films are required, and such quantities since the war, has been maintained at approximately 75 per cent of the total number shown. The remainder are mainly Chinese films produced either locally or in Shanghai. Native production is lower this year.

**Legit. to Buck Films Via Syracuse's Civic**

Syracuse, N. Y.—Syracuse, without any approaching consistent legit, bookings since the retreat of Joe and J. J. Shubert, native sons, and the passing of the Winter Opera House, is going to get a series of road attractions via the Syracuse University-operated Civic theater.

As opposition to films, the Empire Amusement Co., of New York, has set "The Male Animal," "The Man Who Came to Dinner," "The Little Foxes," "The Time of Your Life" may also be booked in.

Loretta Young to Star in Lloyd's First for "U"**

West Coast Bureau of THE FILM DAILY

Hollywood — Loretta Young will star in "The Lady From Cheyenne," the first of three pictures which Fox-Lloyd will produce for Universal this season.

Lloyd will personally direct.

**Herbert Gets "U" Term Pact**

**West Coast Bureau of THE FILM DAILY**

Hollywood—Universal has signed Hugh Herbert to a five-year starring contract.

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**AAA Seeks Experienced Men To Place Trained Clerks in Key Spots**

American Arbitration Association plans to spot men with long arbitration experience in the more important cities so that they can give advice and assistance to the clerks of the boards in other cities in the same general territory.

First man to be named to a key city will be Walter Elliott, who has been with the AAA in New York for 10 years. Elliott will be placed in charge of the Los Angeles arbitration office, and clerks who will be named for other Coast and western boards may draw on him for information. J. Noble Braden, executive secretary of the AAA, is now on a tour of western and midwestern key cities selecting candidates for the new clerks. Final appointments must be approved by the AAA board. Eastern personnel will be picked after Jan.
THere's PUNCH in JUDY!

Oh! what a show! It's George M. Cohan's stage hit! It's got heart-throbs! It's got laughs and thrills! It's got Judy singing glad songs! heart songs! thrill songs! laugh songs! Mr. Exhibitor here's the first big solo starring hit of M-G-M's joyous darling

Great performances by:
JUDY GARLAND
GEORGE MURPHY
CHARLES WINNINGER
DOUGLAS McPHAIL
and all the cast!

Screen Play by Jack McGowan • Based upon the Musical Comedy Written, Composed and Produced by George M. Cohan • Directed by NORMAN TAUROG • Produced by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture

JUDY GARLAND in "LITTLE NELLIE KELLY" (it's grand!)
"Frozen" Coin for U. K. Pix?
Investment in American Rights is Urged

(Continued from Page 1)

Films Attract Londoners

A large number of cinemas are shut in London and particularly in the bombed suburbs where the Nazis have been in their blind and vicious bombing, but again don’t run away with the idea that London is a shell of a city. Quite on the contrary, every cinema has gone dark, because it hasn’t. There have been hits on many houses, but it is literally amazing how the desire for some entertainment continues to attract the people, and even in the West End, which is more or less deserted at night, there were queues to see ‘For- eign Correspondent’—I don’t say there were queues at night, but there were in the morning and afternoon.

"Naturally, the Motion Picture Industry here has suffered pretty badly, but there are some compensa- tions in the sense that the people outside of those towns that are receiving particularly vicious treatment from the air raiders, are doing an amazingly good business. Indeed, the returns are above normal, which, as I think you will agree, is something to marvel at.

"Take a picture like ‘Rebecca’—this has done grand business in the West End. There was a tragic release in London, but there was a silver lining to that cloud, because when this air terror passes— and we are assured that it will pass because every day finds our own Air Force getting on top of the Ger- mans—then the picture will be re- released because, of course, thou- sands and thousands of people in London and the suburbs will want to see it. So other companies will take exactly the same course of action.

Suggests U. S. Take U. K. Films

"There are a great many other things I could dwell upon, but I know my time has been used up. If you would like to convey to the Motion Picture Industry of America— you are grateful for their sympathy. The War does not take our atten- tion as, with every other industry, in fighting the battle for democracy. We would like as much help as could be given to our produc- tions, in the shape of taking our films for America, and your people might use their frozen currency very well in this connection. Exhibitors here are playing all the best American pictures they can get, because for the sake of the same type of production, irrespective of the fact that a certain amount of the product coming over here is regretable but Britain has already been a good market, and will be even more so in the future, that our industry must recognize its powers, if they have lost certain of their markets on the continent, this coun- try is going to step up its custom- ership in 2:30.

Above all, do discredit any stupid stories that we are starving, because I can assure you there’s not one word of truth in that nonsense. We have had a very good breakfast consisting of porridge, and bacon and eggs—

Bingo on the Gain
Wilkes-Barre, Pa—Bingo is on the gain here, survey showing at least 50 games, new high for the area as against about 40 a year ago. Practically all give money prizes. Approximately 40 games advertised in the daily.

No Immediate Move
On Decree by MPTOA

(Continued from Page 1)

not in a legal position to appeal the decision of Federal Judge Henry W. Goddard which approved the decree since it was not a party to the suit. Furthermore, Gray declared, the MPTOA would not request the Court for permission to intervene in the suit so as to set up a legal basis for an appeal.

It is understood that several other exhibitor organizations are consider- ing an intervention move in the hope that it could be used as the basis for continuing opposition to the decree.

Gray was not certain whether the MPTOA would bring triple damage anti-trust suits against the major companies.

Spanish Distributing Co.
Invades Argentine Field

Buenos Aires (By Cable)—Gene- ralcine, Spanish distributing com- pany, has transferred its headquar- ters to this city, and will enter the Argentine field, handling U. S., Brit- ish, French and Italian product as well as films to be made by the S.I.D.E. Estudios Cinematograficos Argentinos. Generalcine, headed by Alberto Borea, Luis A. Bloch and Ubaldo Marinarena, will take over S.I.D.E.’s non-American distributing setup and as well will assist the latter in financing production. Dr. Alfredo P. Mura heads S.I.D.E.

For Sunday Shows, “But”

Westfield, N. J.—Although the Sunday movie question was approved by a 841-vote majority, the Town Council has declined to adopt an or- dinance providing for Sunday shows. Instead the council will meet De- cember 28 to formulate a bill which would prohibit shows from 6 to 9 p.m. Sun- day. The ordinance would set the Town council opening hour at 1:30. The 6 to 9 closing time was voted by the be- st of church leaders.

exactly the same as in pre-war days, and having dined last night as on a nice steak as I can ever remember, you will understand that there is no shortage of food. Our lives may be rather more hazardous, and we are having to put up with a great many inconveniences,—our staffs find their transport a bit disorganized, and it isn’t nice to have to hurry home and hop into a shelter, but they cheer- fully bear it, and will continue to do so because they know the other al- terative, namely life under Nazi rule would be literally hell upon earth.”
“Ellery Queen, Master Detective” with Ralph Bellamy, Margaret Lindsay, Charles Grapewin

Columbia-Darmon 66 mins. (Hollywood Preview)

MADE-TO-ORDER ELLERY QUEEN FARE Launches New Series in a Way to SATISFY.

Larry Darmour’s new “Ellery Queen” series, starring Ralph Bellamy, gets off to an audience-satisfying beginning. Replete with thrills, a few comedy pointed sequences, a top-notch production, and an absolutely absorbing film noir detective style, is a likely picture to be a hit. Darmour’s Ellery Queen fare, the picture is a credit to the producer.

Kurt Neumann’s direction places the picture smoothly from Eric Taylor’s screenplay. Bellamy, as Ellery Queen, appears to advance to a new level, but without using his usual tendentious in detective series, the romantic sequences remain more impressionable than his shrewdness as the Master Detective. Margaret Lindsay performs ably. Charles Grapewin, James Burke, Michael Whalen and Marsha Hunt and add to the quality of the production. Fred Niblo, Charles Lane, Ann Shoemaker, Marion Martin, Douglas Fowler, Morgan Wallace, Byron Foulger and Katherine DeMille assist in lesser roles.

Faced with the doctor’s decision that death is imminent within two months, John Braun, noted physical culturist, makes a new will, cutting off his daughter’s inheritance, in order to thwart her marriage to his own doctor, who has unbeknownst to the rest, faked the rays that prove Braun’s illness. Disappearance of the will, Braun’s murder, disappearance of his body, Queen’s entrance into the case, all mix into a final denouement.

J. Larry Darmour served as producer, with R. C. Flotow assisting as associate. Production values were visibly up to a par of satisfaction. Cameraman James Brown is deserving of honorable mention for his fine photography.

CAST: Ralph Bellamy, Margaret Lindsay, Charles Lane, Ann Shoemaker, Marion Martin, Douglas Fowler, Morgan Wallace, Byron Foulger, Katherine DeMille.

CREDITS: Producer, Larry Darmour; Associate Producer, R. C. Flotow; Director, Kurt Neumann; Screenplay, Eric Taylor; Cameraman, James Brown, Jr.; Editor, Dwight Caldwell.

DIRECTION, Smooth. PHOTOGRAPHY, Fine.

“Law and Order” with Johnny Mack Brown, Fuzzy Knight, Nell O’Day, James Craig

Universal 57 Mins.

RAPID ACTION RAISES THIS WESTERN INTO A WIN-O-FUN-MINE CLASS FOR OUT-DOOR FANS.

Here’s a better than average western with the usual heroes but unusually good riding sequences. To boot, fistcars and gunplay, a major part of the street fight which finds Johnny Mack Brown, from his cleaning-up of Cayenne, ride into the lawless community of Blackwater and doing a similar job. His opponents in the process are Ethan Laidlaw, Ted Adams and Harry Corning, cast in roles of desperate brothers.

Like most cactus dramas, “Law and Order,” despite its foundation (a novel by Gilbert Murray), runs close to plot pattern. Nell O’Day is a pleasing heroine, her character being her good looks and horsemanship. Against the serious notes supplied by six-shooters, bravado and woolly heroes, is built an good deal of comedy. The lauds are supplied by Fuzzy Knight via bits including the hoister and gun-sight gags, plus his habit of exaggerating his bravery and prowess.

There is a wing of romance ‘twixt the blonde Miss O’Day and Johnny Mack Brown, with the latter, at the minute, riding off and promising to return to her. Scenes in the desert are calculated to thrill onlookers or the saving of James Dodd (playing the part of Miss O’Day’s brother) from the villains’ gun and the latter’s meeting the woman of his dreams.


CREDITS: Screenplay, David Butler; Author, Sherman Lowe; Director, Victor McLoud; Author, W. R. Burnett; Cameraman, Jerome Ash; Musical Director, J. H. Saler; Director, Ray Taylor.

DIRECTION, Pappy. PHOTOGRAPHY, OK.

Westinghouse $1 Dividends

Westinghouse Electric & Mfg. Co. yesterday declared dividends of $1 each on the common and 7 per cent participating preferred, both payable Dec. 20 to record Dec. 9. These dividends bring payments for the year on each class of stock to $4.75, against $3.50 in 1930.

Six Acts, Two Features Clicks in Fox, St. Louis

St. Louis — B. O. response to “fleisch” policy installed four weeks ago in Fox & M’s 5,000-seat Fox here promises to continue. Recent Fox program embraces two features and six acts, plus 20-piece orchestra and an emcee. No price rise marked the advent of “fleisch.”

“The Border Legion” with Roy Rogers, George “Gabby” Hayes, Carol Hughes

Republic 58 Mins.

ACTIONFUL AND EXCITING WESTERN IS ONE OF BEST IN THE ROY ROGERS SERIES.

The Western fans will get a full measure of action in this release. The story is well paced, the cast is able, there is a plentiful amount of action and a wild and woolly climax. Picture’s locations are interesting and the script is plausible.

Associate producer and director Joseph B. Silverman contrives the picture with a sure knowledge of his characters and type. The lead role, putting over a couple of songs smacking the villains with gusto. “Gabby” Hayes is amusing, Carol Hughes (played by the screen’s most interesting, and good characterizations are provided by Joseph Sawyer, Maude Eburne, Jay Novello and Hal Taliaferro, Dick Wessel, Paul Forcas, Robert E. Wagner.

CREDITS: Associate Producer and Director, Joseph Kale; Screenplay, Olive Cooper and Louis Stevens; Based on a novel by Zane Kane (thieves); Producer, Jack Marta; Editor, Edward Mann.

DIRECTION, Able. PHOTOGRAPHY, Good.

Capt. Barney Oldfield To Continue Pix Column

Lincoln, Neb.—Uncle Sam closed down on Barney Oldfield, Journalist’s marathon film-seeing movie critic here, and after five weeks in which he saw and wrote about 2,500 films, ordered him into the Army at Fort Crook. Barney is a captain of infantry, and has held a commission in the reserve since 1930. Orders call for a year’s duty with the 3rd Infantry, regular army. Journal is making arrangements to allow his weekly column on films to stay in, but KFOR, the radio station on which he did 810 broadcasts up to Saturday is putting Henrietta Dirks, his girl friend, no duty for his sponsor, Lincoln Theatres Corp. (J. H. Cooper-Paramount).

“Pastor Hall” Opens in Cuba

Havana (By Air Mail) — UA’s “Pastor Hall” started at the Encanto Theater Monday. Play in censor’s okay was occasioned by a fact that religious ministral approval was necessary because of its anti-Nazi theme.

“Always A Bride”

Walters 57 Mins.

MILD, POORLY PLAYED COMEDY FEATURING TALK AND VERY LITTLE ACTION.

A talky, poorly played comedy which appears to be a little something written for the stage and not properly adapted for a motion picture. The players, mostly unknown, do the best they can with the material on hand, but the whole thing is pretty flat.

Plot concerns the girl (Rosemary Lane) who is engaged to marry the town’s leading young man—a stuffed shirt. The unnatural romance is broken up by a faithful chap whom she marries despite the fact he is broke. Eventually he redeems himself by running for mayor and winning after exposing the incumbent’s graft.


CREDITS: Associate Producer, William Jacobs; Director, Noel Smith; Author, Barry Connors; Screenplay, Robert E. Kent; Cameraman, Charles Schonbuehn; Art Director, Ted Smith; Editor, Frank Magee.

DIRECTION, Poor. PHOTOGRAPHY, Good.

Ordinance Clears Way For Two New Theaters

Winchester, Ky.—An ordinance permitting granting of licenses to new movie theaters here was adopted unanimously by the City Commission. It lessened from 300 to 50 feet the minimum distance a theater must be from the nearest school, hospital or amusement place and repealed a 1930 ordinance prohibiting licensing of theaters in buildings used as hotels or lodging places.

Object of the ordinance was to permit licensing of a picture theater newly-opened by Harry Schwartz, Lexington, and George B. Meyers, Frankfort, and another being constructed by S. D. Lee, of the Winchester Amusement Co., which already operates two theaters here and is remodeling a store to be used as a third.

Would Amend Building Code to Permit Theater

P. Lauderdale, Fla. — The Planning Board here has recommended to the City Commission that the present building code be amended to allow construction of theater buildings similar to the one planned by the Ware Investment Co.

The company has requested permission for the construction of a $30,000 theater building and when the board found the plans did not have sufficient exits to conform to the code.
“Motorcycle Stunting”
Paramount
10 mins.

“Diary of a Racing Pigeon”
Warners
10 mins.

Highly Interesting Short
An interesting and informative short, this one-reeler deals with the training of racing pigeons, from the time they learn to fly until they have progressed to the stage where they race against time in big events. The commentary is presented in the form of what the pigeon is thinking, and shots from a plane literally give an audience a pigeon’s-eye view of what he sees when he flies and how he does it. Knox Manning was the commentator and Del Frenzier the director. Reel is in color.

“The Tattle Television”
RKO
19 mins.

Leon Errol should amuse audiences in this release. He and his wife are at a neighbor’s watching a television broadcast of a wrestling match when his wife suggests that she would like a set of her own as a birthday gift. Errol sets out to buy a set and immediately runs into difficulties with amusing results.

“Cookoo Cavaliers”
(Three Stooges Comedy)
Columbia
Ribbon Humor
17 mins.

Slapstick comedy addicts who enjoy nothing subtler than fingers shoved in eyes and a salvo of indiscriminate knocks on the head will find this two-reeler delightful. Too, there are educational advantages in this short, such as how to tear the hair from a pretty girl’s head and disfigure three other comedy damsels by making them bald. These nuances hatch from the circumstance of the fish-peddling stooges giving up that trade and seeking the vocation of saloon-keepers. Unfortunately their academic career results in their becoming proprietors of a saloon—a beauty salon. The possibilities for horseplay is patent. The title, “Cookoo Cavaliers,” could have been made to fit the film exactly by dropping the second word entirely. What the footage lacks in wholesome humor, it more than makes up via the beauty angle. The girls selected to enact the merry roles will make male filmgoers wish there was a Santa Claus.

“Mexican Jumping Beans”
Warners
10 mins.

“Stranger Than Fiction”
Universal
9 mins.

Interesting Material
Albert Enlow, slingshot expert extraordinary; Harry Heist, an expert crocheter who makes amazing things in his spare time; a trolley car bungalo colony, a miniature tugboat that looks real and does anything its big sisters can; a prison artist who has developed great talent; and a peck penguin are presented in this subject. The material is both interesting and entertaining.

“Hunting Wild Deer”
(Sport Reel)
Columbia
9 mins.

Here is a fairly interesting deer-hunting reel, filmed by Andre De La Reu on a recent trip to Cuba. The film was shot on the island of the mor. Nurses, in the role of the modern Diana. There are some picturesque views of young gals, nuns, and laymen’s orchard, and a brief amount of footage showing beagles on the scent. Scenically, and from the standpoint of nature study, the footage has charm, but much more on the technical side could have been done with it to make it really stirring and realistic.

“Wacky Wildlife”
7 mins.

Somewhere in America
There is a Business
- an agency, a manufacturer, or a publication that is seeking this seasoned advertising and promotion man. Here is a man who has risen with national advertisers step by step and who has skimped the dirty work. Here is a man who has applied in New York and other cities, successful modern methods of sound merchandising, sales promotion, advertising, and explorations in practical market research which last year helped to increase the sales of a nationally known business over 60 per cent, and which have consistently brought profit to his present and past employers. At 35, this man now wants to extend the sphere of his usefulness in an organization more interested in a substantially increasing day-to-day business than in the usual up-to-the-top one day, down-in-the-valley the next variety. To a really progressive organization, this man will bring patient thinking, and a rare constructive initiative that will immeasurably benefit and multiply the efforts of your business. In an interview, you will find that his record shows him to be both temperate and consistent, and within, a man well qualified to do a job and do it well. BOX No. 711.

THE FILM DAILY
1501 Broadway, N. Y. C.
Name Administrative Arbitration Com’tee

(Continued from Page 1)

—

Parker will act as chairman of the arbitration committee, which will have the deciding voice in choosing panel of arbitrators for the motion picture tribunals.

Serving with Warburg as vice-chairmen will be Hermann Trion, general manager of Steinway & Sons, and Evan E. Young, vice-president of Pan American Airways. Miss Frances Kellof, first vice-president of the AAA, was named the executive member of the committee.

Others appointed to this key committee are Sylvan Gotshal, of the law firm of A. Gotshal & Manches; P. M. Haight, secretary-treasurer of the International General Electric Co., and Wesley A. Sturges, professor of law at Yale and former head of the Distilled Spirits Institute. None of the members of the committee will receive any compensation. Both Whitney and Eastman become ex-officio members of the committee.

Eastman said that the first task of the administrative committee will be to set up regulations for the establishment, maintenance and administration of the arbitration system for the film business. The committee is scheduled to meet weekly. Operation of the tribunals will be in charge of J. Noble Braden, executive secretary of the AAA.

Warburg's father was a founder of the AAA in 1928. The younger Warburg was active in the preliminary negotiations involving the arbitration features of the consent decree, reporting to the AAA. He is 36 years old and spends considerable time directing social welfare projects.

Six-Point "Inner Unity" Plan

Whitney, in accepting the presidency, advanced a six-point program to strengthening the country's "inner unity" and maintain peace in industry. Objectives, as Whitney outlined them, were:

"To greatly increase the types and numbers of businesses now using the arbitration clause in their contracts. The association is now geared and manned with sufficient personnel to handle many times the number of cases being brought to it.

"To improve relations between Government and business by urging use of arbitration, instead of law courts, to settle their disputes.

"To drive for arbitration laws in states which have not yet provided them.

"Development of better business relations in Inter-American trade through elimination of misunderstandings in Latin-American markets.

"Expansion of better business and economic relations with Canada as a part of Western Hemisphere defense.

"Expansion of arbitration in the

WHO'S WHO IN HOLLYWOOD

BERNARD B. BROWN. Head of Universal's Sound Department. Born at LaFarge, Wis. Attended Public School and High School in Hollywood, Calif. Attended the Los Angeles Conservatory of Music and Arts where he specialized in the study of the violin. After graduation he was for two and a half years violinist at the Philharmonic Auditorium in Los Angeles. Started at Warner Bros. Studio as violinist, later becoming musical director and scoring all pictures at that studio. When sound revolutionized the making of motion pictures, Warners undertook the development of a new musical director for the new development by having him tutored by the finest sound engineers available. Later was made head of the Sound and Musical Recording Department. Joined Universal as Recording Supervisor. Later was made head of the Sound Department. Has made all recordings of all the Deanna Durbin pictures, including the Stokowski recordings for "100 Men and a Girl," which won the Motion Picture Award for music in 1938. In 1940, was awarded the Sound Award of "When Tomorrow Comes." Invented the multiple microphone, which is now used for recording music. Was first sound engineer to use the method of recording the orchestra music without the singer, and then playing the record back as an accompaniment for the singer. One of his latest inventions was development of a special sound house for recording singers. Hobbies: tennis, skiing and photography.

Paul Short New Head
Of Dallas Variety Club

Dallas, Tex.—The Variety Club of Dallas (Tent No. 17) Monday night unanimously named Paul Short, divisional manager of National Screen Service, as chief Barker to replace R. J. O'Donnell, who retired from the post after five years' service.

The following were named directors: R. E. Griffith, Paul Short, Lynn Stocker, B. C. Gibson, Ted deBoer, James O. Cherry, William O'Donnell, Burt King, W. G. Underwood, Don Douglas and Jake Lutizer.

Burt King was elected first assistant Barker; James O. Cherry second assistant Barker; Ted deBoer, dochrey; Don Douglas, property master. Delegates named to the national convention at Atlantic City in April are: Duke Evans and Clyde Hoover, with Wallace Wolithall and Fred Hoenischeld as alternates.

Title Changing Epidemic Hits Para.: Four Swaps

Title changing epidemic hit Paramount yesterday. "The Southerner" reverted to the original "Virginia," reportedly to meet Virginia quawks. Pix was filmed largely on location in the state. Other swaps:

From "There's Always Juliet" to "The Mad Doctor"; from "Magic in Music" to "The Hard-Boiled Canary." Latter was also variously titled "Interlochen" and "There's Magic in Music." Pacifico to cover commercial relations with the Hawaiian Islands, Philippines, Dutch East Indies, and countries with which this country has commercial relations.
BRANDT ASKS TRIAL PERIOD FOR DECREES
NBC to Test Theater Television Within 4 Weeks

New Yorker Theater Will Be Used for Experiment, Company Execs. Disclose

NBC within four weeks will begin testing theater television, using a 9 by 12 screen in the New Yorker theater, it was disclosed yesterday by H. L. Mullen, vice- general manager, and A. H. Morton, vice-president in charge of television. The New Yorker, at 528 Eighth Ave., seats 386.

Tele's immediate future and the probable action that will be taken if the National Television Systems Committee hands down a favorable (Continued on Page 10)

Xmas Eve Closing Urged in Detroit

Detroit—A move to close all theaters for Christmas Eve has been started by Co-operative Theaters of Michigan.

Two hundred theaters in Detroit were polled, including members and non-members of Co-operative, and the first reply to the poll was 85 to (Continued on Page 4)

IATSE Said to Plan 16 mm Jurisdiction for the ACG

New Orleans—Daily meetings of the IATSE Executive Board concluded with indications that some definitive ACG action would be taken to establish the jurisdiction of that body in the 16 mm. commercial field, (Continued on Page 7)

Referee.—LeBaron
West Coast Bar, THE FILM DAILY

Hollywood—Evidently inspired by the gridded practice of tossing a coin to decide which team is privileged to make a choice of a goal to defend, Paramount's Production Manager William LeBaron decreed just that to solve a knotty problem: 'Twas two young femme fatale players, each with the name of Dale—blonde Virginia and red-haired Dana. The studio's poll held that two Dales on the lot were two many—and confusing. So the winner of the toss will have as her goal the name of Dale to defend—while the loser will "kick off" the conflicting name.

UA to Add 4 More Producers?
Silverstone Would Raise Roster to 19

Washington Bureau of THE FILM DAILY

Washington—American pictures continue to monopolize the playing time of Panama's 32 motion picture theaters, according to the report of the American commercial attaché in (Continued on Page 7)

"The Great Dictator" Will Open Minimum Run of 17 Weeks in B. A. in Late December

Buenos Aires (By Cable)—"The Great Dictator" is set to open here late in December for a minimum run of 17 weeks, it was reported here yesterday. Chaplin picture goes into the Leoncic's Opera House for a minimum of one week, then to the Normandie for a minimum of four and next to the Suipacha for twelve. Reported selling terms are 70 per cent for top box and 35 per cent for normal.

Philippines Called "Utopia" for Films

The Philippine Islands represent a film trade territory that might be considered a "Utopia," according to Dan Greenhouse, RKO's manager in Manila, who is here for a vacation.

Greenhouse said yesterday, in contrasting his territory with those in other parts of the world, that the Philippines have no foreign exchange restrictions, no quota restrictions, taxes that are not out of proportion with the taxpayers' capacities and no effort on the part of the Govern-

"U" Execs. Will Testify Before Posen Suit Trial

Universal Pictures officers and directors, Universal Corp., Big U Film Exchange, Inc., and Standard Capital Co., were directed yesterday to testify before trial by New York Supreme Court Justice Charles B. McLaughlin in the suit of Samuel I. Posen. Action charges a number of alleged acts of waste and mismanagement and seeks the appointment of a receiver and an accounting.

La. Film Censorship Law Does a Fadeout

New Orleans—Louisiana's film censos law, passed by the late Huey P. Long but never used, has been kicked out by the backdoor route. Legal opinion here is to the effect that the recent "reorganization" amendment, which replaces the state government and which was passed by voters in the general election, automatically kills censorship (Continued on Page 7)

N. Y. Strand Long Runs Cause WB to Sell Away

Product jam, occasioned by lengthy runs of top Warner product at the New York Strand, is causing the company to sell away some pictures originally scheduled and announced for the Broadway show window in an effort to solve the local playdate (Continued on Page 4)

GFD Offices Bombed

London (By Cable)—Offices of General Film Distributors, Ltd., were badly damaged by a bomb dropped by a Nazi aerial raider. Company has moved its headquarters to Aecot.
Savini Reports Midwest Optimistic Future Over

A general feeling of optimism in the Midwest was reported yesterday by R. M. Savini, president of Astor Pictures Corp., who has just returned from a Midwestern tour. New theaters are being built and under discussion in many cities and towns, he said. This, Savini declared, assures the independent distributor of a further outlet for his product. This trend is toward smaller houses allowing greater turnover and lower admission prices. This trend on the part of the exhibitors to meet the average purse is also shown in his preference for reissues as opposed to re-makes. It is the exhibitor's experience, Savini said, that the former are not only more popular, but are sure on many more favorable terms. Reissues, he added, are compared with the original and usually the comparison is far favorable.

Dunbar-Moore Testimonial In Pittsburgh on Dec. 9

Pittsburgh—A testimonial dinner will be given in the Cardinal Room of the William Penn Hotel here on Dec. 9, for Robert Dunbar and F. D. "Dinky" Moore of the local Warner First National exchange, in honor of their recent promotions, Dunbar as producer and Moore as assistant manager of the local office.

E. T. Beedle is chairman of the banquet committee, and Moore as asistant manager of the local office.

20th-Fox Will Pay 37 1/2c Dividend on Preferred

Board of Directors of 20th Century-Fox at its meeting yesterday declared a cash dividend of 37 1/2c per share for the fourth quarter of 1940 on the outstanding preferred stock of the corporation, payable Dec. 27, to stockholders of record at the close of business Dec. 13.

‘Navy’ Does ‘Rockne’ Biz

San Diego, Calif.—Warner’s production, “Hooray for Coast,” has been a success at the box office. The picture went off to a smashing start at the Spreckles theater here, the opening day box equaling that of “Knute Rockne” and “Savanna.”

Higher Taxes Cut Profits Of Canadian Loew Firms

Montreal—Moderate improvement is indicated in annual report of Marcus Loew’s Canadian subsidiary for the fiscal year ended with Aug. 28, but higher taxes reduced profits for period to $48,508 compared with $121,007 in 1939. Net operating profits from the Yonge St. theater and uptown theater, Toronto rentals, and interests is reported at $208,657 compared with $260,301 a year ago. During the year preference dividends amounting to 14 per cent were paid to cover the period to Dec. 31, 1938 whereas during previous fiscal period preferred dividends amounting to 29 3/4 per cent covering period to Dec. 31, 1936.

Montreal—Report of Loew’s London (Ontario) Theaters Ltd., for the year ended Aug. 31, 1940 shows a moderate improvement in gross receipts, but owing largely to heavier depreciation charges and expensing of taxes, a net profit deficit. Revenues are reported at $159,186, compared with $148,266 in previous fiscal year.

After all charges, net profits was reported at $7,707 compared with $11,815 a year previous. A preference dividend of 3 1/2 per cent was paid on Dec. 15 last covering the period to June 30, 1935.

Paramount Enterprises Has 16 in Miami Sector

Miami — Paramount Enterprises, Inc., will operate 16 houses in Miami Beach and here this winter as compared to 19 last year. Four will be brand new structures, just built. Para. sold its old Community on Lincoln Road for $142,500 to Bradley Thompson, Inc. It will be torn down in the Spring and replaced by stores. It is now readying to open a new Lincoln Road 1,000-seat de luxe house to be called the Beach theater, a second in Coral Gables to be called the Coral and seat some 1,000 persons, and a third recently finished theater in the northwest section to seat some 1,000 and be known as the Dade. Already open is its new Boulevard theater on Biscayne boulevard in the northeast section.

Universal Execs. Off for Dave Miller Testimonial

Tom Murray and B. B. Kreisler of Universal plan out to Cleveland today to attend tomorrow's testimonial dinner there for Dave Miller. "U's" branch head celebrating his 50th anniversary. William A. Scully and F. J. A. McCarthy are also expected to arrive in Cleveland for the affair.

Universal's "Love Thy Neighbor" Bow At N. Y. Paramount Dec. 18

"Excellent...the essence of box-office material. Exciting entertainment for any audience!"

—MOTION PICTURE DAILY

THE YEAR’S HIGHEST PITCH IN SCREEN EXCITEMENT IS REACHED IN

BLACKOUT

Starring

CONRAD VEIDT • VALERIE HOBSON

Presented by UNITED ARTISTS

YOU’LL THRILL...

when CONRAD VEIDT fascinating general of "Escape", meets a woman of glamour as darkness engulfs eight million Londoners. You’ll thrill at the flash-news timeliness of a flaming romance that fills the most amazing night two people ever lived!

Here’s one of the suspense-selling ads in U. A.’s mile-a-minute action-campaign!
Brandt Asks Trial Period for Decree

(Continued from Page 1)

operation, Brandt said he would advocate it if the decree1 hurt exhibitors.

"We can lick the decree if we all get together," he contended, "but let's see first if it is as bad as we think it is."

Brandt said he did not agree with Ed Kukendall, Max A. Cohen and some Allied units on their proposals to go to court to halt enforcement of the decree's provisions. Brandt said he believed any such action will be tossed out of court. As to what Kukendall, Cohen and others thought of the decree as a whole, Brandt said he was in absolute accord. He said he also agreed with Kukendall on the issue of Federal Judge Henry W. Goddard appointing outsiders to compose the arbitration appeal boards, branding such action as being "inconsistent."

Pathe Film Reports
9-Mos. Profit of $215,188

(Continued from Page 1)

after all charges for the first nine months of this year was $1,188,960, compared with $1,244,289 for the corresponding period in 1939.

Clyde Fuller Promoted

S. H. Meinhold of Loew's has announced the following promotions and transfers on the New York Loew circuit: Clyde Fuller, assistant at Loew's Valencia, becomes manager of the Oriental, replacing Joseph Rubinfeld, deceased. Harvey Everett, Astoria, moves to Loew's Palace.

Radio Helps ATAHT in B.A.

Buenos Aires (By Air Mail)—Impressive b.o. showing of Warners' ATAHT in the Gran Cine Suiipacha here and in provincial theaters in the interior is credited largely to effective radio exploitation. Radio El Mundo is using episodes from the picture.

Xmas Eve Closing Urged in Detroit

(Continued from Page 1)

3 in favor of closing. Over half of the houses replying agreed to close for the day, regardless of the position that might be taken by their opposition.

The dean usually gives local houses one of the poorest grosses of the year anyway, traditional in show business, and is habitually a home-day in this territory, although matinee and evening business on Christmas Day itself is usually good.

N. Y. Strand Long Runs
Cause WB to Sell Away

(Continued from Page 1)

problem thus presented, it was learned yesterday.

As a result, "The Lady With Red Hair," with Miriam Hopkins and Cluade Rains, will go into RKO's Palace on Dec. 5. Another picture which is expected to go elsewhere is "A Dispatch From Reuter's." Edward G. Robinson starrer, released on Oct. 19, announced to follow "The Letter" on Dec. 6 at the Strand.

Yesterday, decision was reached by Warners to continue "The Letter" at the Strand for four weeks. The Bette Davis starrer opens its second week at the Strand Monday.

Release date for "Lady With Red Hair" is Nov. 30, with piz topl in open in 273 situations over the weekend.

Barney Wetsman Dead

Detroit—Barney B. Wetsman, who builds a number of Detroit theaters, is dead, following a heart attack. He is survived by his brother, Frank A. Wetsman, of Wisper & Wetsman Theaters.

Sullivan Hurt In Crash

Dallas—F. J. Sullivan, manager of Majestic theater, is confined to his home as the result of a car crash during a rainstorm. Sullivan suffered cuts on the face and injury to his knee.

Mono. Has Four in December

Monogram has set four for December release: "Chamber of Horrors," 10th; "Pride of the Bowery," 15th; "Her First Romance" and "Under Texas Stars." Exact dates for last two are unannounced.

STORKS!

L. Brown, manager of the Lyric, New Haven, is father of a 5¼ pound baby girl.

Dallas—John Adams, executive assistant to Karl Hoblitze and R. J. O’Donnell of Interstate Theaters, is the father of a baby girl, christened Lucy Kay.
For Christmas...

"NO, NO, NANETTE"  
With The "Irene" Girl In  
The "Tea For Two"  
Broadway Musical Hit!
The musical comedy sensation of the stage... screened to the favorite melodies of Vincent Youmans... with a happy-go-laughing cast in a carefree world of gaiety, glitter and romance!

RICHARD VICTOR ROLAND
CARLSON ★ MATURE ★ YOUNG

HELEN BRODERICK ★ ZASU PITTS ★ EVE ARDEN
TAMARA ★ BILLY GILBERT ★ STUART ROBERTSON

Produced and Directed by
HERBERT WILCOX

Screen Play by Ken Englund
From the Musical Comedy—"No, No, Nanette"—by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Nyttray
Music by Vincent Youmans — Lyrics by Irving Caesar and Otto Harbach
La. Film Censorship Law Does a Fadeout

(Continued from Page 1) by not providing for a censor board in the new state set up.

The enacted censorship with the aid of a "yes-man" legislation after the March of Time had chronicled his life in part and played up the Sands' Point affair. The late senator had threatened local theater interests with it unless they put back vaudeville in New Orleans theaters and then, after appointing a censor board, and meeting in New York with sales managers of film companies, failed to put the law into effect.

U. S. Films Grab Market in Panama's 32 Theaters

(Continued from Page 1) Panama City made to the U. S. Department of Commerce.

Records of the Panama Statistical Office show that of 25,541 reels shown in the country last year, including the Canal Zone, 10,522 reels came from the U. S. Most of the remaining reels, imported from other countries, however, were also of U. S. origin. English-speaking films are preferred by the inhabitants, who are mainly bi-lingual, to those dubbed in Spanish. Pict attendance is up owing to increased employment in Panama and the Canal Zone resulting from the defense program now in progress.

"Go West" Starts Dec. 5 At Loew's in Syracuse

Syracuse, N. Y. — "Go West," Marx Bros. starrer, will start at Loew's State here Dec. 5, it was announced yesterday.

First key city dates for "Go West," new Marx Bros. film, were announced yesterday by M-G-M. On Dec. 12 the picture will have premieres in Memphis, Wilmington, Harrirburg, Akron, Reading, Kansas City, Columbus, Houston, Nashville, New Orleans, Richmond, Norfolk, St. Louis and Cincinnati.

Hicks Assigned to "Blonde"

West Coast Bureau of THE FILM DAILY

Hollywood—Randall Hicks has been assigned to an important part in "Strawberry Blonde" at Warners. He recently completed a role in "Far Horizon" at the same studio.

REVIEWS OF NEW FILMS

"Barneyard Follies" with Mary Lee, Harry "Pappy" Chessire, Rufe Davis

Republic

STARS

68 Mins.

OFFERING FOR RURAL AREAS HAS AGREEABLE CAST, PLENTY OF MUSIC AND ENOUGH LAUGHS.

Designed for the film trade in rural areas, this offering probably will get a good reception. In this comedy the skies open and a 4 H Club set up for the kids in an orphanage, has been placed to the singing and musical interludes and has a rural farm background. The cast is agreeable and the technical aspects of the picture are of a charming young Miss Mary Lee has the top role, singing pleasingly and performing ably. Harry "Pappy" Chessire, well-known radio personality, gets himself with credit as the kindly manager of the orphanage. Other members of the cast are generally helpful, with Rufe Davis, Alfalfa Switzer, June Storey, Jed Prouty, Victor Kilian, Joan Woodbury and Isabel Randolph among them. Rating: Recommended from the radio ranks for the picture were The Kidoodlers, Ralph Bowman and The Cackle Sisters.

Chessire takes $5,000 of the orphanage money to send to H Tedd Smith's kids. Jed Prouty and Kilian try to run him out so as not to lose control of purchases for the orphanage. From there on Chessire and his charges have lots of troubles; he falls heir to a night club and its performers; a show staged by the kids is stopped by Kilian and in its own sphere. Story revolves around but a happy ending is contrived that is satisfactory.


CREDITS: Associate Producer, Armand Schaefer; Director, Frank McDonald; Or- ganization, Stuart and Derrell Mc- Gowan; Camera, Ernest Miller; Editor, Charles Craft.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Form Esquire-Great Neck Corp.

Albany—Incorporation papers of Esquire-Great Neck Corp., operators of motion picture theaters, have been filed here. Company listed its capital as $80,000, and is believed to be behind the new house being built in Great Neck, L. I. opposite the Skouras as Playhouse. Michael Gerome, Robert Pulley and Richard Jackson were listed as the incorporators, with Simpson, Thacher and Bartlett acting as attorneys.

McGuire Remodels Studio

West Coast Bureau of THE FILM DAILY

Hollywood—McGuire Productions has just completed five new coin-in-the-slot brevities. McGuire, pioneer producer in the new film area, has been overjoyed and remodeled the studio at 1418 Commonwealth. In association with William Friedman, he plans a weekly release of from two to three pictures.

"River Thames—Yesterday"

Paramount

Interesting Subject

The peaceful River Thames, historic English waterway, will bring back nostalgic memories to many who see this reel. Taken before the war, the camera moves from the river's headwaters out to the open sea with a commentary describing the river's history and its usefulness. It is doubtful that many of the docks and other points seen in the film are still as they were. Technicolor enriches the material.

Universal

"Knock, Knock"

7 mins.

Funny Cartoon

Andy Panda and his pop have a considerable amount of trouble with a very fresh and pugnacious woodpecker in this subject with laughable results. Pop Panda sets out to get the woodpecker, in a blistering rage after the bird has made the roof of their loci look like a sieve. But, although Andy finally gets the bird cornered the pandas get the bird from the bird house at long last. The woodpecker bangs pop around plenty.

20th-Fox

"Plane Goofy"

Amusing Short

A salesman for an airplane company descends on a rural farm with his wares, with amusing and amusing results in this reel. He demonstrates his machine in a spectacular manner and the back yard denizens short take to the air themselves in a weird conglomeration of cranes and old egg- beaters. The farmer also has a flight, but decides against it after he safely gets back to earth. Reel, which is in Technicolor, was produced by Paul Terry.

Para. Schedules Two Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Para has added "Two Bad Angels" by William A. Ullman, Jr., and Richard H. Landau, and "One Night in Lisbon," formerly titled "There's Always Juliet," to its Winter production schedule. The latter will star Madeleine Carroll and Fred MacMurray, with Edward H. Griffith directing. "Gay Be Our Laughter" has been shelved.

Brenda Marshall to 'Jinx Woman'

West Coast Bureau of THE FILM DAILY

Hollywood—Brenda Marshall and Jeffrey Lynn have been assigned by Warner Bros. to "Jinx Woman," which is about to start and is called "Our Woman's Milkshake days" and "Hard Luck Dame." Ida Lupino was at one time cast for Miss Marshall's role. Joan Negulesco will direct.

Philippines Called "Utopia" for Films

(Continued from Page 1) ment to discriminate in favor of the local product.

All in all, Greenhouse asserted, the revenue obtained there is not large in relation to other foreign countries, although substantial and the territory is still one of the few that still brings money to American distributors.

Business in the islands has been good, but a slight drop has been noticeable in recent months, Greenhouse adding that he could not account for the recession unless it was a reflection of unsettled world conditions.

Although there are 85 registered producing companies, only 12 contributed to the 60 pictures made in Manila last year, with only three or four companies made 90 per cent of the locally-made product. The four first-run theaters in Manila play American products extensively, but in the hinterlands they divide the playing time with the native productions, Greenhouse said.

ATSE Said to Plan 16 mm Jurisdiction for the ACG

(Continued from Page 1) in the automatic motion picture machine field and in servicing the new coin box motion pictures.

Much of the board's time was occupied with a study of television to see what its future policy would be, but reliable sources here said that the television field was still an unknown quantity which would require further careful study. General impression is that the board's policies will be developed as situations arise.

Dick Anderson of RKO. Industry Veteran, Dies

(Continued from Page 1) for the Hearst International Newsreel. Later he became head of the Universal Newsreel Department and at one time was with Pathe News.

The newsreel veteran, who was 58 years old Wednesday, was a past master of Pacific Lodge 233 F. & A. M. He is survived by his widow, Ruth.

Radio Magic

West Coast Bureau, THE FILM DAILY

Hollywood—John Wayne and John Quillan, radio stars of the WGN radio version of "The Long Voyage Home" in Chicago Thanksgiving and put home in time to hear the broadcast Thursday night. They attended the party who turned out the light and got into bed before the room was dark, but Los Angeles station KNX retained the Chicago program on wax—the following Monday night. So Wayne and Quillan had a treat few radio performers ever have—hearing their own broadcast.

WEDDING BELLS

Coe Jones, formerly with National Screen Service and Trailer-Made, will be married Dec. 8 to Leo D. Politzer, an attorney, and they are now with Peerless Outdoor Advertising Co.
EDITOR'S NOTE: For the convenience of exhibitors and others in the theatrical business familiarize yourself with the changes in the Rules of Arbitration before the arbitration setup becomes operative, THE FILM DAILY today presents the official text.

Introduction. The following is as those changes made subsequent to the publication of the original proposed draft on Oct. 30, its preservation for future guidance and reference is suggested.

L. Initiation of Arbitration

An arbitration proceeding shall be initiated by filing with the Clerk of the Tribunal a Demand for Arbitration and a submission as provided in Section II of the Decree, and by paying a filing fee of $10.00 to the Clerk of the Tribunal.

At the same time of filing the Demand the complainant shall deliver to the Clerk of the Tribunal a copy of the Demand to the defendant party, or parties, and to each exhibitor or distributor named in the Demand, and shall deliver to the defendant party, or parties, and to each exhibitor or distributor named in the Demand, a copy of the Demand delivered to the Clerk of the Tribunal.

The Clerk of the Tribunal shall forthwith deliver a copy of the Demand to each exhibitor, and distributor of the exhibitors, named in the Demand.

If any party intervenes after more than fifteen days after the filing of the Demand, the Clerk of the Tribunal shall not be required to deliver notice of any intervention to any other party to the proceeding.

II. Qualifications of Arbitrators

The qualifications of the arbitrators shall be as provided in Section I of the Decree except that the arbitrator shall be selected from the list of arbitrators prepared and on file in the Clerk of the Tribunal, and in so far as an attached annex thereto shall be in effect as provided in Section III of the Decree.

VI. Hearsings

Hearsings shall be held at the office of the Clerk of the Tribunal, or at such place as the arbitrator shall designate, except on the request of any party to have the controversy or part thereof heard at the place of the controversy or part thereof, unless such notice is waived by the parties.

X. Awards

The award shall be filed with the Clerk of the Tribunal within twenty days from the date of closing the proceeding and after the award has been fixed by the arbitrator for the filing of the award.

The award shall be specific, shall contain a statement of the facts upon which it is based and shall be signed by the arbitrator and shall be sealed with the seal of the Tribunal and an officer duly authorized to administer oaths. Furthermore, in the award the arbitrator shall assign the costs to the parties or award them among the parties in such manner as may seem proper. Costs shall be limited to the estimate of the arbitrator entered in the rules as to the making of award.

The Clerk of the Tribunal shall forthwith after a copy of the award is made award to each party, with the date of filing the award, the award.
30 Fox Intermountain
Houses to Sell Candy

Denver—Candy counters will be placed in about 30 theaters in the
Fox Intermountain area following the
success of counters in the Denver
and Paramount theaters here.
"Fancy Foods," a national man-
er of the Denver, has been placed
in supervision of the project.
Woods has just returned from
Los Angeles where he completed a
training in candy display and selling.
Chuck Norton, chief of service at
the Denver, takes over the assistant
manager job.

Joliet Too Near Chicago
So Legit. Shows Are Off

Joliet, Ill.—Great States circuit
has halted bookings for the Rialto theater here. Decision
results from the conviction that the
town is too near Chicago, attrac-
tions playing here failing to attract
a paying audience. Circuit, how-
ever, will continue legit bookings for
Poirier, Springfield, Quincy,
Decatur, and Danville theaters.

Brody Dinner on Dec. 3

Eoston — Testimonial for Steve
Foy, president of United Artists
management, will be held at the Hotel
Statler on Dec. 3, not Nov. 30, as
published.

Form Cleveland Firm
To Distribute Soundies

Cleveland—Urban Anderson, Sam
Brodella and George Ulejcan have
formed a company here to handle
distribution of Panoram Soundies throughout the
northern Ohio territory. They have leased
five theaters here, and expect to be in operation by the mid-

Joliet—Record on Appeal

Upon receipt of the three copies of the transcript
of or an agreed writing therefor and filed
with the Clerk of the Tribunal, the party
shall notify the party of the
receipt thereof. The party
shall, within five days after
the mailing to the party,
serve a copy of the transcript
or agreed writing and proof
of its delivery to the office
of the other party. The party
shall serve a copy of the
transcript or agreed writing
and proof of its delivery
to the office of the other
party, and shall file with the
Clerk of the Tribunal, within
two days after mailing to the
other party, a written statement
that a copy of the transcript
or agreed writing has been
mailed, that there is no
objection to the transcript
or agreed writing, and
such further information as
shall be specified by the
Clerk of the Tribunal.

VIII. Proceeding in Conformity to
Appeal Board

Unless the Appeal Board remands the pro-
ceeding to the Tribunal or requires the
party to proceed as hereinafter provided, the
decision of the Appeal Board shall be the final
award and shall become binding on all parties
days after it is filed with the Clerk of
the Tribunal.

When the Appeal Board remands a pro-
ceeding the arbitration shall thereupon pro-
ceed in accordance with the decision of
the Appeal Board.

Within ten days after the decision of
the Appeal Board has been filed with the Clerk
of the Tribunal the Appeal Board may re-
serve the proceeding for the purpose of cor-
recting inadvertent errors. In such case the
corrected decision shall become final and shall
be delivered and filed as provided in Rule XVII.

The Clerk of the Tribunal shall forthwith
deliver a copy of the decision corrected thereby
to each of the parties. The decision corrected thereby
shall be served in the manner specified in
Rule XV.

X. Extension of Time

The parties may by written agreement ex-
tend the time specified in any of the Rules for
performing any act, and any agreement by which
the Appeal Board may so do upon the written
request of any party made upon five days
notice to all other parties.

XI. Submission of other contro-
versies

Controversies between exhibitors and dis-
tributors other than those for which arbitration
is provided by the Decree may be sub-
mited to the arbitration system by the
parties.

a) At least one of the parties thereto
shall be a party designated as
in the Decree;

b) A submission in writing setting
forth the terms on which
the arbitration is signed by all
the parties thereto and
served the Clerk of the Tribunal
having jurisdiction.

The decisions in such cases are applicable
shall be to the arbitration of such con-
troversies except as the submission may
otherwise provide and except that no ex-
hibitor or distributor may intervene therein.

XII. Access to Records

At no time shall access to the record of any
proceeding or appeal be permitted to
any person not a party, except that awards,
decisions and opinions may be made public.

XII. Definitions

"Decree" means the Consent Decree
dated November 10, 1940, of the United States District Court for the Southern Dis-
tRICT OF NEW YORK. It includes
"United States of America v. Paramount
Pictures, Inc. et al." (United States District Court for the Southern District of New York).

"Arbitration Tribunal" and "Tribunals" mean the Tribunal established by the Ameri-
can Arbitration Association in any city as
provided in the Decree.

"Clerk of the Tribunal" means the Clerk of the Arbitration Tribunal having jurisdic-
tion.

"File with the Clerk" means actual rece-
ption by the Clerk.

"Deliver" or "Delivery" means either personal delivery or the placing of the doc-
mument in the male properly stamped and ad-
dressed to the person intended to receive
such document.

"Proof of Delivery" means an attestation of
delivery or a affidavit of personal de-
lay. Such proof shall be signed by an
"Award" means award and findings.

"Clerk of the Tribunal" means any individual, partner-
ship, unincorporated association, or corpo-
ration.

Texas Floods Require
Film Delivery Detours

Dallas—Flash floods in East Texas
causie a great deal of detouring by
distributors in the Dallas area, who distribute by truck to points in Texas.
It was not so fortunate on the Amad-
illa run, as sleet storm cut off the
school's show. The day's film was
sent through to the show
houses.

Premiere Exchanges Get
10-Year Select Franchise

Denver—The name of the Pre-
miere Exchanges, here and in Salt
Lake City, will be changed to Spe-
cial Attractions, Inc. with the sign-
ing of a 10-year franchise to handle
the Select Attractions product by the capital, George
Kever, who operates in Denver, and
his brother Harry, who operates in Salt
Lake City, go to Chicago short-
ty for a convention of Select
fracnise holders.

To Team Douglas-Veidt

West Coast Bureau of THE FILM DAILY

Hollywood—Metro will teem Mel-
vy Lynn Douglas and Conrad Veidt
for "Show LB" and "A Woman's Face.",
directed by Jean Claude
in "A Woman's Face." George
Cukor will direct and Victor Sapelle
produce.
NBC to Test Theater Tele Within 4 Weeks

(Continued from Page 1)

report in January were discussed by both Mullen and Morton.

Uppermost, additionally, were the factors that NBC will continue to operate about 300 hours of indoor television, and that national defense is one of the major factors in determining the future of television as an industry.

It was also asserted that the panel reports by the NTSC are now not expected to be completed before the end of January, and that at least one report will be delayed until at least Feb. 15. This came as a surprise as it had been understood that the reports would be ready Jan. 1.

At the present time, it was pointed out, technical problems are being given preference over programming. The engineering discussions include synchronization, sound, etc., and full co-operation is being given, and will continue to be given, to the NTSC. Of the 34 hours of technical tests held during the past week, 20 hours were held for the NTSC; six hours were devoted to programs, and the balance were concerned with FM and sound transmissions. Color television is also being tested, but is still in the experimental stages, with all the various processes being given full consideration by the engineers employed in the research work in the RCA lab. However, it was stated that color tele is still a vague problem.

The practicability of television on a syndicated basis is still one of the major issues confronting NBC. The first step in linking together a network will in all probability be taken as soon as the Washington and Philadelphia stations are completed, with programs being sent to New York, and then on to the rest of the country by coaxial cables. Because of the indefinite state of the costs involved, the possibility of NBC being deterred until the practical tests are begun, but it is believed that an effort will be made for the three-way tie-up as soon as possible.

While there are some 4,500 sets now in use in the metropolitan area, programming will continue to emphasize programs in the home, and television will be determined until the practical tests are begun. But there is no income from that source for the time being, and the rate of progress to date has made an attempt to set up a special rate structure, and as a result future rates will not be determined until the AFPM, APRA and the state, hands, must take part.

Opening up of new advertisers is another problem that must stand and fashion centers among those most likely to pay the initial bills for localized advertising via the new medium.

UA to Add 4 More Producers? Silverstone Would Raise Roster to 19

(Continued from Page 1)

from of a “final shooting script” which, to quote the foreword, “is appropriately cast not in the form of a producer’s report, but as a costume drama, an affair of cloaks and swords.”

With the use of a narrator and some 20 “scenes,” the article traces the origin and growth of UA, highlighting stormy crises in its corporate history, and discussions, with considerable frankness, current problems presented by the Sam Goldwyn litigation, producers’ relationships, financing, effect of the war, etc.

$25,000,000 Gross In 1939

Fortune says that UA in 1939 grossed about $25,000,000, of which some $15,000,000 came from the U.S. and Canada, and adds this was after a loss of several millions worth of frozen gross in Axis and other countries.

Total UA income from distribution last year is given as $7,000,000.

The article goes on to estimating that “to break even in the U.S., UA must release 15 pictures grossing an average of $1,000,000 apiece.”

It is understood that the company has just released 15 pictures, and that the aid of profit coming in from Britain and Europe. However, it is said that the profits there have increased more than this.

The American market and that UA will make a net profit of $1,000,000 apiece, with the company’s distribution charge said about 27 per cent of the world-wide gross.

$4,000,000 U. S. Sales Overhead

As against that theory, UA pictures play around 10,000 theaters, with each picture’s gross averaging about $1,000,000, and percentage deals with large thea-

ers accounting for two-thirds of the gross. Domestic sales overhead over the entire year is estimated at about one-sixth of UA’s total expenses.

In the 21 years of the company’s existence Fortune says more than 300 pictures have been released, grossing in the aggregate $2,000,000,000 and giving UA a profit of about $15,000,000.

Discussing the Goldwyn suit, the article gives two versions, official and unofficial, of the events leading up to its filing. Silverstone is quoted: “I’d like to make peace with Sam. I’d like to be a real help to Sam and I know I can be. Con-

scious of David O. Selznick with UA is also brought up, with Silver-

stone quoted:

Says Selznick to Stay

 incidental, don’t be fooled if anyone tells you that Dave won’t stay with us. Dave has no boss at UA and he loves that. The best test of whether he’ll leave us or not is that he’s been with us for over five years. And he’s stayed with us despite terrific offers from other companies.”

It is said that if GWTW had been handled by UA rather than Metro, Selznick’s bonus would have been around $2,000,000.

Pending Towne-Baker Deal With UA for 5-Year Term

West Coast Bureau of THE FILM DAILY

Hollywood—Gene Towne and Graham Baker, pending deal with United Artists for sale of pictures a year for five years, and becomes effective in June of next year after Towne and Baker complete “How to Meet a Man” for RKO.

“Hellzapoppin’” Cancels Syracuse Civic Booking

Syracuse, N. Y.—“Hellzapoppin’,” road version, won’t play Syracuse University’s downtown Civic The-

ater after all. Booking for Dec. 5 has been cancelled. While re-routing is the public explanation, de-

cision is said to result from the show management’s conclusion Civic’s stage is too small. Show had a heavy advance at $8.50 top.

RKO Seeks Jean Gabin

West Coast Bureau of THE FILM DAILY

Hollywood—RKO’s Lisbon rep, has been instructed to negotiate with the French actor, Jean Gabin, provided he can come to America.

Chambers on Para. Publicity

Boston—Den Chambers has been placed in charge of Paramount’s publicity for this district, with head-

quarters at the Paramount Exchange

Second Boston Burlesque House Turns to Movies

Boston—Another local burlesque house has “bit the dust”—the Casino going to movies only. The Gayety was first to abandon burlesque in favor of the cinema.

Ask Sunday Vote Recount

Williamsport, Pa.—A petition ask-

ing for an official recount of Wil-

liamson’s vote on Sunday movies has been circulated by the operators local here. Action followed the official tally taken on Sunday. But the movie Sunday was defeated by only 75 votes.

Red Skelton Gets MGM Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has signed Red Skelton to a term contract and he has assigned him to “Mr. Co-Ed” and “Lady, Be Good.”

BOOK REVIEWS


Dodd, Mead & Co. has started publication of a “best pictures of the year” series comparable to Burns Mantle’s “Best Plays.” First issue for the season of 1939-40, is in the press and is a valuable library reference book and a guide for those interested in the construction of a motion picture continuity. The editors have selected seven outstanding pictures of the year, in as many classifications, written an introduction, given highlights of the continuities in detail and synthesized the year of the best pictures.

Picture chosen as the best race of the year is “Baller Mother”; the best drama, “Goonies, Mr. Chips” and “Nicolene” followed by; “Lost Horizon,” “Mr. Smith Goes to Washington” as top comedy, “Mighty Quinn” for gangster films; “Burlesque” for musicals; “The Private sidewalks” for experiments, etc., and biographical films. "Dr. Ehrlich’s Magic Bullet" and "the Bowl of Porcelain" for films not released before 1940 again, "heads" the action films. "Gene With the Wind" was not included for the reason that, because of the length of the film and publicity and probably, in justice of any condensation, the editors were unable to effect an arrangement with the author and hence publishers for the necessary treatment of that picture. While individuals may quarrel with the selection of the "best" in each of the seven classifications, there can be no doubt that the pictures included could not have been selected in any selection. In say, the ten or dozen best films of the year. Whether the seven classifications fully cover the scene, however, is another matter. Let all three of the four other classes will suggest themselves inevitably.

Contains a foreword by Walter F. Wanger, producer and president of the Academy of Motion Picture Arts and Sciences, on the value of such a work not only as a library reference book but also as a display of the extraordinary craftsmanship and skill that went into the making of the outstanding films today and well worth the careful study of boves at dramatic, literary and experimental. Condensations and discussions of the seven films selected fill only a little more than half of the volume. The rest is given over to the presentation of the other pictures of the year; synopses of the major productions with casts and credits, an award of the Motion Picture Academy, by the New York Film Critics Circle, and of “Ten Best Pictures of the Year” by THE FILM DAILY from the votes of the newspaper film critics of the country. A large section adds to the value of the student of the motion picture and for the general reading public which wishes to
THE WEEK IN REVIEW

DOMESTIC

CONSENT DECREES: AAA named Paul Felix Warburg chairman of administrative committee for film industry's system for the consent decree... Gov't closed its N.Y. anti-trust office... Harry Brandt asked for protection for the decree without withdrawing any of his objections to it... "Big Five" will adapt its contract to decree's terms... District judge moves court move against decree while MP'TOA delays any action... Ed Kuykendall, MP'TOA presy, terms theater divestment's place in Gov't's proceedings a fake issue... Until industry's arbitration system is set, AAA announced its willingness to arbitrate pit disputes.

FINANCIAL: Warner Bros. announced profit for the year ended Aug. 31 of $2,747,472 comparable to $1,740,907 for 1939... Pathe Film's "White-Lined" now profitable... "West Coast" reported at $215,188... Gov't during October collected $6,625,429 in ad valorem taxes from the amusement industry, $4,990,886 from October last year.

HAPPENINGS: Distributors will fight.. Gen. Wm. Haskell's proposal that clearance be waived for Army theaters at Fort McClellan, Ala... Gov't dismissed its criminal contempt proceedings against 12 pix companies and 54 individuals in the Fox West Coast case... motion picture survey forecast b.o. gains for the early winter... Douglas Fairbanks' estate interest in UA announced for sale to highest bidder... UA execs discuss new plan of operation and reports indicate that four new producers are likely to be added to its roster... M-G-M is considering advanced prices for "The Philadelphia Story," with a number of tests showing probable... Sunday legit in New York City fails to make dent in film b.o. receipts... New Jersey court ruled Bank Night Illegal... Number of foreign pix reviewed by New York censor board was up...

5-10% FILM ATTENDANCE RISE IS SEEN

$1,150,000 GWTW Gross in 11 Foreign Countries

Represents "Take" Up to Nov. 10; London's Gross Thus Far About $354,000

With a theater gross in this country that has already topped $21,000,000, "Done With The Wind" has grossed $1,150,000 in 11 foreign countries where it has opened to date. Picture is still playing in London with about $354,000 grossed to date. Above figure is not inclusive of earnings since Nov. 10 in countries where it is still playing.

England, where it has only played in London; Australia; Brazil; Uru.

(Continued on Page 5)

20th-Fox Branches To Meet on Decree

Following conferences between Sidney R. Kent and Herman Webber last week on the ramifications of the consent decree, the 20th-Fox sales chief set meetings for every branch with the division manager of the respective territory to acquaint the field forces with the workings of the new procedure. Each division man.

(Continued on Page 5)

Decree Effets Pondered At Metro's Chi. Meeting

Chicago—M-G-M district managers and home office executives met here over the weekend to discuss the effects of the consent decree on distribution and to lay plans for the.

(Continued on Page 5)

Standard Statistics Says Improved Profits Coming As Result of the Upturn

Gain of 5 to 10 per cent in theater attendance is indicated as a strong possibility by Standard Trade and Securities in its latest survey of the motion picture and amusement industries, which points out that the modest gain in domestic theater attendance in the recent past is expected to be accelerated in coming months by higher consumer incomes and the seasonal release of better quality pictures.

Standard Trade and Securities says, "Rising domestic theater attendance and the accompanying expansion in motion picture company.

(Continued on Page 6)

DuMont Coast Tele Post Goes to Buddy

Lewis Buddy has been named to take charge of DuMont's television activities in Los Angeles and is to co-ordinate the various details in connection with the establishment of the telecasting station there.

Buddy formerly headed Paramount's newsreel forces in Europe and covered various fronts of the war until brought back to the U.S. several months ago.

Present plans call for the inaug.

(Continued on Page 12)

"Mr. and Mrs. North" to be First Metro-Backed Play

First play to be backed by Metro under the new film company agreement with the Dramatists Guild was reported at the week-end to be "Mr. and Mrs. North," a dramatization by...

(Continued on Page 6)
FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 29)

NEW YORK STOCK MARKET

Net       High Low Close
Am. Stock.  Pts. (12.5%)  5 1/2  5 1/2  5 1/2  5 1/2
Columbia Ptd.  4 9/16  4 5/8  4 5/8  4 5/8
Columbia Corp.  Ptd.  1 1/16  1 3/16  1 3/16  1 3/16
Dunlap Ptd.  10 7/8  10 7/8  10 7/8  10 7/8
Lowe's, Inc.  29 1/8  28 1/2  29 1/2  29
Parish Ptd.  2 1/2  2 3/4  2 3/4  2 3/4
Payne Film  3 1/8  3 1/16  3 1/16  3 1/16
Paramount  10 1/2  10 1/2  10 1/2  10 1/2
Paramount Corp.  3 1/2  3 1/2  3 1/2  3 1/2
Pathé Film  2 1/2  2 1/2  2 1/2  2 1/2
RKO  3 1/2  3 1/2  3 1/2  3 1/2
RKO Pictures  3 1/4  3 1/4  3 1/4  3 1/4
United Artists Corp.  Pts.  4 1/4  4 1/2  4 1/2  4 1/2
Universal Corp.  9 1/2  9 1/2  9 1/2  9 1/2
WARNER BROS.  9 1/2  9 1/2  9 1/2  9 1/2
W. Y. OVER-THE-COUNTY SECURITIES

N. Y. PLAYHOUSE

2:00-4:00 P.M.  Bldg. Opened

20th-Fox Ad. Pub. Staff

Give Dinner for Reeve

Arch Reeve, who recently resigned as advertising manager of 20th-Fox, was the guest of honor Friday night at a dinner tendered to him by Charles E. McCarthy, the personnel of the ad. and pub. departments, and a number of friends, at the Park Central Hotel. He leaves for the Coast tomorrow, with M. A. Bergman taking over the post.

**The Broadway Parade**

The Great Dictator (United Artists-Chaplin)—last two days. Astor
The Red Skirt (Opera-Seven Artists)—last two days. Bryant
Tiny Skirt (Universal Pictures)—third week. Bryant
The Last of the Mohicans (RKO)—last two weeks. Bryant
I Am a Fugitive (United Artists-Lee) —two weeks. Bryant
The Riddle of the East (United Artists)—two weeks. Bryant
The Lyric (M-G-M)—third week. Bryant
Dance Til You Drop (United Artists)—last two weeks. Bryant
A Dandy (M-G-M)—last two weeks. Bryant
The New York Times (United Artists)—two weeks. Bryant
The Private Life of Helen (United Artists)—two weeks. Bryant
A Romance (United Artists)—last two weeks. Bryant
The World of H. G. Wells (RKO)—last two weeks. Bryant
The Love Nest (M-G-M)—last two weeks. Bryant
A Millionaire (M-G-M)—last two weeks. Bryant
The Man from Nowhere (United Artists)—two weeks. Bryant
The Great Gatsby (M-G-M)—last two weeks. Bryant
The Lucky Strike League (United Artists)—two weeks. Bryant
One Night (United Artists)—two weeks. Bryant
The Firebird (M-G-M)—last two weeks. Bryant
The Woman (M-G-M)—two weeks. Bryant
A Woman of Affairs (United Artists)—two weeks. Bryant
The Road to Yesterday (United Artists)—two weeks. Bryant
The Clansman (M-G-M)—two weeks. Bryant
The Police at Bertha's (M-G-M)—two weeks. Bryant
The Great Divide (United Artists)—last two weeks. Bryant
The Great Gatsby (M-G-M)—last two weeks. Bryant
The Great Dictator (United Artists-Chaplin)—last two days. Capitol
The Red Skirt (Opera-Seven Artists)—last two days. Capitol
Tiny Skirt (Universal Pictures)—third week. Capitol
The Last of the Mohicans (RKO)—last two weeks. Capitol
I Am a Fugitive (United Artists-Lee) —two weeks. Capitol
The Riddle of the East (United Artists)—two weeks. Capitol
The Lyric (M-G-M)—third week. Capitol
Dance Til You Drop (United Artists)—last two weeks. Capitol
A Dandy (M-G-M)—last two weeks. Capitol
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The Man from Nowhere (United Artists)—two weeks. Capitol
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The Lucky Strike League (United Artists)—two weeks. Capitol
One Night (United Artists)—two weeks. Capitol
The Firebird (M-G-M)—last two weeks. Capitol
The Woman (M-G-M)—two weeks. Capitol
A Woman of Affairs (United Artists)—two weeks. Capitol
The Road to Yesterday (United Artists)—two weeks. Capitol
The Clansman (M-G-M)—two weeks. Capitol
The Police at Bertha's (M-G-M)—two weeks. Capitol
The Great Divide (United Artists)—last two weeks. Capitol
The Great Gatsby (M-G-M)—last two weeks. Capitol

**Bergman Presented Watch As He Leaves Columbia**

Maurice A. Bergman, who recently resigned as Columbia's director of advertising-exploitation-publicity, and who takes up his new post today as advertising manager for 20th-Fox, under Charles McCarthy, was attended a surprise luncheon Friday in the Hotel Astor by Columbia co-workers, more than 100 of whom attended, including Jack Cohen, vice-president, and Mr. N. G. Wood, who succeeds him in the Latin American market.

Strange across the Ballroom was a 20-foot banner reading: "Columbia Pictures presents to 20th-Century-Fox "THE BOY.BigInteger"—Maurice Bergman." Letter was presented with a watch as a farewell gift.


**Gates Named President Of Majestic Radio Corp.**

Howard Gates, pioneer of the radio industry, has been named presi- dent of Majestic Radio and Television Corp., effective today. A controlling interest in Majestic is held by DuMont Television, which, in turn, is controlled by Paramount.

Gates has spent 21 years in designing, engineering and building radio receiving sets. He resigns from Del- rola Radio Corp. as vice-president in charge of engineering to accept the Majestic presidency.

**RKO Plans No Immediate Change in British Setup**

No change in RKO's British operating head will be made for the present, it was stated over the week-end on the Coast by Phil Reisman, vice-president in charge of international distribution, following reports that a successor to the late Ralph Han- bury had been made. RKO's Lon- don office is in charge of two British sales executives. Hanbury was killed when his home was struck by a German aerial bomb.

**Hughes "Outlaw" Ready In February or March**

Howard Hughes' first production for release through 20th-Fox. "The Outlaw," starring Walter Huston, will be ready for release during Feb- ruary or March, it was learned at the week-end. Picture has a several million dollar budget. Sales policy for the Hughes production is now being formulated by Herman Webber, 20th-Fox sales chief.

**Coming and Going**

NATE J. BLUMBERG, proxy of Universal, left the week-end for Hollywood.

DAVID ROSE leaves tomorrow for the Coast.

WILLIAM C. GERING, Central Bookingagor for 20th-Fox, returns to the home office today from a two weeks' trip through his territory.

WILLIAM F. RODGERS and other Metro sales executives are due back at the home office today from the Chicago meeting.

MURRAY SILVERSTONE returns to his office today after conferences at the studio.

MARGOT GRANAME arrived here at the week-end from Bermuda and immediately left for Canada.

ARCH REEVES leaves for the Coast tomorrow.

KENNY BAKER is at the Warwick.

EDGAR E. LLOYD left over the week-end for a sales trip through the West.

GENE RAYMOND, having completed his role in RKO Radio's "Mr. and Mrs. Smith," arrived in New York yesterday, to attend the concert Wednesday evening of his wife Janesett Mc- Donald at the White Plains Community Center.

JULIUS and PHILLIP EPSTEIN are at the Essex House.

Appellate Div. Will Get Briefs in AGMA Appeal

Decision was reserved Friday by the Appellate Division of the New York Supreme Court on an appeal by AGMA for an injunction to restrain James C. Petriello, AFM prexy, from ordering his men to refuse to work with AGMA members. Former Judge Frederick Crane and Sidney Cohen asked for the injunction, claiming that AGMA would be driven out of operation if Petriello's order remains effective. Samuel Seabury defended Petriello's action and termed AGMA a threat to the musicians' union. Briefs are to be filed this week.

Para. to pay 15c on Com., 2nd Pld.: $1.50, 1st Pld.

Paramount's board of directors on Friday declared a dividend of 15 cents per share on its common stock, which quarterly dividend of $1.50 on its first preferred stock and a quarterly dividend of 15 cents on its second preferred. Dividends are payable Dec. 24 to common stockholders of record on Dec. 9 and preferred stockholders of record on Dec. 10.

Happy Birthday to you!
THE PAYING PUBLIC WANTS...

ROMANTIC INTRIGUE

EXCITING SWORD-PLAY

PRODUCTION MAGNIFICENCE

BREATHELESS ACTION

TORRID LOVE SCENES

Edward Small gives you ALL of them in...
More thrilling, more romantic than THE COUNT OF MONTE CRISTO!
$1,150,000 for GWTW
In 11 Foreign Nations

(Continued from Page 1)

(Continued from Page 1)

Kuykendall May Reveal
MPTOA Decree Action

Charlotte, N.C.—MPTOA's future
course of action with respect to
the New York equity suit consent
decree may be indicated here today
when Ed Kuykendall, organization's presi-
dent, addresses the annual convoca-
tion of the TOA of the Carolinas.

Two-day meeting opened yester-
day at the Charlotte Hotel with Presi-
dent Lyle M. Wilson of Roanoke
Rapids presiding. Program for
today's business sessions calls for
addresses by William Conm, Wbch-
ter, Gastonia; Roy P. Rosser, Temple,
Sanford, and Roy Rowe, Pender,
Burgaw.

All Chi. Film Houses
Join to Aid the Needy

Chicago—All film theaters here
will hold special morning shows Dec.
23 to raise funds to be expended for
Christmas cheer for the needy.

New Stage Show at Strand
Strand Theater does the unusual
next Thursday night—opens a new
stage show in the midst of a picture's
run. New stage show will be Hum-
phrey Bogart and Mayo Methot ap-
pearing with Ozie Nelson's orches-
tra.

900 at WB Chi. Club Dance
Chicago—Annual dinner dance for
Warner employees in Chicago attract-
ed 900 Friday night to the Morrison
Hotel where the local Warner Club
affair was held in the Casino Terrace.
See 5 to 10% Film Attendance Rise

(Continued from Page 1)

profits, should more than offset con-
tinued low foreign revenues in com-
ing months. Most producers and
exhibitors should report improved
profits or the current quarter and
during the early part of 1941, at
least.

The survey asserts that the ex-
cess profits tax will have little ef-
fic on most film companies and that
the settlement of the New York
equity suit by consent decree “should
not prove burdensome to the pro-
ducers involved, as they are also
leading theater operators.

It is pointed out that the gain in
theater attendance will not only
swell b.o. receipts but will simi-
larly increase rentals, and that
“since their operating costs are
relatively fixed and new picture costs
are lower, larger gross should re-
sult in a more proportionate in-
crease in net profits.”

The survey adds:

“Continued warfare in Europe will
have an adverse effect on foreign
revenues, but unless the war is de-
feated it is unlikely that they will
decline much from recent low levels.
Increased domestic profits, therefore,
should result in larger aggregate
earnings for the industry, with those
motion picture producers who op-
erate a substantial number of theaters
making the best showing.”

Investors Turning Interest
To Film Stock Possibilities

Increased trading in film company
stock is reported to be the interest
of investors who do not want to hold
issues that are rated in the “war
baby” class, according to the Wall St.
prices. It is said that as far as taxes are
concerned, film stocks are not among the
more
hard hit issues.

Investor interest is further stimu-
lated by recognition of the fact that
on an earnings basis, film stocks have
managed to hold their own with the
1989 level of income, with some
companies registering improvement.
Financial paper says that the larger
companies—WB, Para., Loew’s and
20th-Fox are named—“have recov-
ered to some extent from the shock of
war and the loss of European in-
come.”

Decree Effects Pondered
At Metro’s Chi. Meeting

(Continued from Page 1)

return release of “Gone With The
Wind.” Tyree Dillard, Loew home
office attorney who handled the legal
aspects of the decree to the assem-
bled sales staff. Sessions were pre-
ceded over by William F. Rodgers,
general sales manager.

Fifty managers and district men
were here for the meeting.

Tellhing All
Petaluma, Calif.—There’s nothing like
telling all, as far as accidental kill-
ing on the State’s mar-quees—
Walt at It Adventure—“Ladies Must Live”

“Mr. and Mrs. North” to be
First Metro-Backed Play

(Continued from Page 1)

Owen Davis of a series of stories by
Mr. and Mrs. Richard Lockridge,
Alfred De Liagre Jr. was said to be
set as the producer and director.

Warner Zone Managers
To Meet with Bernhard

Joseph Bernhard, general manager
of Warner Bros. Theaters, will pre-
side over a two-day meeting of the
Warner Theater Zone Managers, be-
inning tomorrow in the home office.
Those present at the meeting will be:
John C. Cathcart, Chicago; Nat Wall,
Cleveland; I. J. Hoffman, New Ha-
en; Don Jacoos. Newark; Moe Sili-
ver, Alban; John J. Payette, Wash-
ington; Herb Copelan, Atlantic City
and Howard Waugh, Memphis.

Among the Home Office execs. who
will participate in the conference are:
Clayton Bond, Ed Hinchy, Leonard
Schlesinger, Harry Goldberg, Frank
Phillips, Nat Pollman, Abel VP,
W. Stewart McDonald, Harry Rosen-
quest, Louis Kaufman, Sam Morris,
Herman Maier and Frank Galli.

Simplex Employees Vote
For CIO Representation

Syracuse, N.Y.—In an election
conducted by Henry J. Winters of
the Regional director of the New
England branch of the Cine Sim-
plex Corp., voted 88 to 22, to be
represented in collective bargain-
ing with the United States Simplex
and Machine Workers, a CIO union.

The Cine Simplex corporation,
which manufactures a new type of
motion picture camera by that name,
was formerly known as the J. M.
Wall Machine Co., Inc.

New Mexico City House
To Play RKO First-Runs

Mexico City — The new Magerit
Theater, which is to be the new RKO
first-run outlet here, opened Dec. 12
with “Lucky Partners” the initial at-
traction. House is owned by Don
Rafael Lafarga.

Hecht to Script “Tonight is Ours”

West Coast Bureau of THE FILM DAILY

Hollywood—Ben Hecht will do the
script for “Tonight is Ours,” the
forthcoming Paramount version of
Lady Eleanor Smith’s popular novel,
“Ballera,” Producer-Director Greg-
ory Ratoff has announced. It will
be a vehicle for Loretta Young who
was signed for the role a few months ago.

Argentine Product To
Mexican Distrib.

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent

Mexico City—Sonia Film and Produciones
Lumis have closed here with Felipe
Mier y Cia., S de R.L., by Jose Ma-
ria Rodriguez, who heads the Argen-
tine firm.

Rodriguez has just terminated a
stay of several months here during
which time he studied the Mexican
market. En route to his Buenos
Aires headquarters, he will stop in
Panama, Colombia and Peru for
business conferences.

Fernando Soler is organizing his
own picture producing company to
produce four pictures in 1941, in two
of which he will star. The launching
of his company, Soler is to
star in two outside productions, one
for Gravos-Oro Films, “Al So de la
Marimba” (While the Marimba
Placed), and one for Produciones
Fernando de Fuentes, “Lubios Sel-
lados” (The Simplex Circle) and a group of
outstanding players of the Mexican
screen and stage at “El Patio,”
swank night spot.

Three new pictures are before the
cameras locally. At the Cinemo-
tografica Latino Americana, S. A.
(CLASA) plant, Gravos-Oro Films’
new product, “La Conquista de la
Marimba” will be filmed. With Fernando Soler
starring under the direction of Juan Bus-
ili, which stars Maximo Acevedo, José
Pardave, Marina Tamayo and Lola
Carmiello topping the sup-
porting cast, the production will
have the same cast and locale as
do the same writer responsible for “En Tiempos de Don Porfirio”
(In the Days of Don Porfirio), also
known as “Melodias de Antano”
(Melodies of Yesteryear).

Producciones Rodriguez Ibarra, “El
Segret del Sacerdoto” (The Priest’s
Secret) is being filmed at the studios
of Laboratorios Cinematograficos
Ibarra, with Arturo de Capdevila,
Alicia Phillips, Rene Cardona, Miguel
(“Lalito”) Montemayor and Pedro
Armendarias heading the cast. Jose-
lio Rodriguez is directing. At the
same studio, Producciones Raul de
Anda started camera work on “Ran-
cho Alegre” (Gay Ranch), a musical
romance which Rolani is directing with Raul de Anda, Car-
men Condor, Carlos (“El Chafan”)
and several others. It will star the
charms of his Encino home and the pros-
cut of “Fat” film roles off the lure of
Hollywood. He will not
uncompleted his “Ziegfeld Girl” part
before committing himself.

Hollywood Speaking—

BY RALPH WILE

DEFFING his vacation trip to Honolulu.
A. Edward Sutherland flew to San
Francisco to catch a performance of “Accident
Daddy,” by Clarence Radaugh, with a
eye to purchasing screen rights. The play is
being presented by the Modern Theatrical
Group and is in its fourth week. Sutherland
feels that several members of the cast war-
tant consideration for a chance in picture and
is combining his story search with talent hunt.

OUR Passing Show: Dr. William Sekelko,
the producer, and Attorney Herbert I.
Sills, of New York, are here for the Brown
reviews. Jack Benny, Arthur W. Stubbins, Leo
Carey, Jerome Kern and Harry Razt at the
previews of “Tin Pan Alley.”

CONSIDERING another phase of the Euro-
pean war, Clarence Brown has taken
30-day option on Samuel Warner’s “Em-
peror We Live.” Based on the ex-
periences of two French aviators serving with
the R.A.F. who are shot down over Paris,
by which our home town today. The story
is scheduled to appear in the Satur-
day evening Post some time in January.
Brown is manufacturing “This Year With
Me,” which concerns itself with the
war from the viewpoint of the refugee.
will be an M-G-M release.

JACK OAKIE has in the past two year
experienced one year and a half of tours
personal appearances and radio shows an-
just six months of picture making. Paradox-
ical as it may seem, three of his pictures have
been released within the past three
weeks. “People,” “The Great Dict-
rator” and “Tin Pan Alley.”

COMBINING business with pleasure, San
Wood, who just finished directing “She’s
All Yours,” (AKA Accidents) for RKO, is
vacationing at Palm Springs before starting casting on “The
Devil and Miss Jones,” starring Jean Arthur
who will be spent preparing the script for shooting.

SEEKING a quiet place for a vacation fol-
lowing the completion of the screen-
play for Metro’s “Alice Adams,” which which Edward H. Griffith will produce
direct, Virginia Van Upp will go to Honolulu
where she has leased a home in Manoa Valley
for several weeks. On her return, Miss Van
Upp will start work on “Dido CaY,” also
for Paramount.

EDWARD EVERETT HORTON, who re-
turned to Hollywood from 61 weeks on
the road in “Springtime For Henry,” will
play the role of Flo Ziegfeld’s press agent
in M-G-M’s, “Ziegfeld Girl.” He is mulling
three offers to tour again and the most at-
tractive offer is one to make a tour of
England. He has been discussing the comforts of his Encino home and the pros-
cut of “Fat” film roles off the lure of
Hollywood. He will not
uncompleted his “Ziegfeld Girl” part
before committing himself.
Kitty Foyle, an unforgettable woman, unforgettably portrayed :: Kitty Foyle, America's White-Collar Girl, fighting for love and a living in a man's world::That might be Kitty sitting across the room from you, behind her typewriter. That may be she seated next to you in the bus. She might have been that unusual girl you wished you'd dare speak to in the dusk yesterday evening:::Women will love it because they will go hand in hand with Kitty; men will enjoy it because they will discover a number of things about women they probably only dimly suspected.
GINGER ROGERS is KITTY FOYLE, romantic sharecropper in the dustbowl of American business, as pictured in Christopher Morley's amazing best seller: The Natural History of A Woman: It had to be written by a man, because no woman would ever admit what it reveals: It is the mind and heart of the 20th Century's young womanhood: As candid as a mirror, as true to life as in the Ladies' Lounge, as intimate as the secrets lovers whisper.
"Mr. and Mrs. Smith," the hilarious story of a bride who couldn't stay mad, will soon reach the nation's screens, its riotous laughs filmed under the directorial genius of the director of "Rebecca" and "Foreign Correspondent." It's one of RKO Radio's big ones—and another of the biggest soon to be released is Orson Welles, as "Citizen Kane."
Studio Trip Again Local “Ten Best” Poll Award

Lincoln Journal and Star Will Send Winner to Coast For Wk. Paying Expenses

Lincoln, Neb — Preparations to outdo the record of the Sunday Journal and Star’s local “Ten Best” movie poll last year which drew 7,222 entries, this year’s local city paper, has announced its contest early in December in collaboration with The JIM DAILY’s poll of the nation’s critics.

The 1940 contest will be the fourth successive year for the stunt, which is handled by the Journal and Star film editor, Capt. Barney Oldfield.

So far as is known, through co-operation with exhibitors, the biggest top prize offered anywhere in the country is given in the Sunday Journal and Star’s contest. The expenses paid, to Hollywood for a week’s stay and tours of three or four major studios and 1940 Poll Prizes.

In addition, there are about 155 other prizes ranging from annual on down to single trip passes.

The Sunday Journal and Star does not work the contest confining it to the city limits and immediate trade territory alone, but predicts the future state.

The idea is this: The major contest is in Lincoln where the Lincoln Theaters Corp. (H. H. Cooper-Paramount), the Nebraska Theaters, Inc. (Howard Fedderer) and the Capitol Theater (Bob Livingston) give a total of 6 annual passes, 6 for months, 6 for 3 months, 6 for 1 month, and 30 trip passes, as well as putting up prior to the money to be the Hollywood trip. That makes one of each of the major passes for each house, and the trip.

In giving the outlyng territory a break, the contest committee okayed the inclusion of county seat towns in the immediate territory affected by the paper’s circulation. They put up passes in each town just as the passes are put up here, but are eligible for the top prize, the Hollywood trip. That localizes the contest, makes the exhibit happy in big town participation, and widens the scope of the paper’s goodwill.

The newspaper plan, to get around those exhibitors who are afraid they might be flouting with local newspaper disaster if participating, are told to impress upon their local editors that it’s purely a Sunday paper stunt, therefore, since hardly any of the towns have their own Sunday editions, there is no competition.

Outstate Exhibits Participate

Several other Lincoln exhibitors have already joined. They include Fay Hocyn, in Tecumseh; Wally Johnson, in Friend; B. M. Montgomery in Hershey; and T. J. Kempkes, in Fairbury.

To sell the idea to the public, there are two daily stories each week in the Journal (morning and evening

Globe Displays Instruments for British Defense; Similar “Blackout” Tie-ups in Nation

An exhibit of rifles, binoculars and steel helmets, collected by the American Committee for Defense of British Homes, is now on display for the benefit of the nation. The exhibits, in conjunction with the premier of the United Artists release, “Blackout,” are being handled this week, in several cities.

Patrons of the theater are requested to donate similar items to distribution for British civilians.

At the end of the “Blackout” campaign, the prizes will be given to the Civilian Committee for the Protection of Homes, Castle Bromwich, Birmingham.

Similar tie-ups will be made throughout the country with representatives of the American Committee for the Defense of British Homes.

Record “Dictator” Deals Closed in 4 Countries

(Continued from Page 1)

the Detroit, the Star, the Sun, and the Star (evening) during the December life of the contest. Each Sunday paper carries the Film Daily’s list of pictures, a ballot, and a story front page calling attention to the amateur critic’s opportunity.

Third Year For Coast Trip

This is the third year for the Hollywood studio trip for the Sunday Journal and Star. In 1938, the trip was won by a farmer’s wife who had never ridden on a train, never been in a hotel, never seen a studio, a broadcast, and had never seen a car driven by a chauffeur, let alone ride in one as she did to the studios. In 1939, it was a 16-year-old country schoolboy who won. His brother, who worked out a list for each member of the family, signed his name. The brother, and no other member of the family won, which means that the 16-year-old had his name attached won the trip. These made swell feature stories, the kind no news column could ever come up with. So besides being a promotional event for the paper, it was loaded in each case with human interest.

So far as the Lincoln exhibitors for co-operation, the interest is higher for participation than a year ago when six theaters outstate took part.

Publisher Joseph W. Seacrest of the Journal said last year there had never been a stunt, to his knowledge, which drew as much response from readers as the “10 Best” poll.

Weber and Browne Again A F of L Vice-Presidents

New Orleans—Joseph N. Weber, former president of the A F of L and George W. Browne, IATSE, were re-elected and secretary-treasurer, respectively, of the A F of L at the annual convention here.

In the instance of Browne, re-election was in haint of voting. The IATSE president for months has been under fire, with the attack in the press led by West- brook Shaw, N. Y. World-Telegram columnist.

Browne was nominated by Thomas Murtha, business manager of the IA’s Brooklyn local and president of the Trades and Labor Council of Greater New York. The nomination was seconded by Thomas V. Green, another IA delegate.

With the International Ladies Garment Workers abstaining from voting, Browne was unanimously elected amid applause and will serve on the A F of L Executive Council, charged with enforcement of the anti- trust laws.

Under the resolution the Council is authorized to exert “all of its influence, efforts, and forces against unionists infected with the trust if the organizations directly involved fail to act. The list of those, privately commenting on Browne’s re-election, pointed out that the 42,000 stage hands and motion picture employees belonging to the IA enjoyed uniformly high wage scales and excellent working conditions and that it was unfair to condemn a union leader on the basis of ‘vague’ charges against some of his aides.

Brumberg to Get Warner Publicity Dept. Berth

Bill Brumberg, for the last three years assistant manager of Warners exchange, was transferred from the home office on Dec. 9 for publicity advertising department assignment, to Mort Blumenback. After some months, Brumberg will get an important post in the field.

Schuster on Withers Film

West Coast Bureau of THE FILM DAILY

Hollywood—Harold Schuster has been signed by 20th Century-Fox to direct Jane Withers’ next starring vehicle, “A Very Young Lady.”

Taff Suit Decision Sets a Precedent

Setting a precedent that may have a important bearing on future cases in the same category, Municipal Court Justice Mario Di Pirro ruled last week that the Taft Theater would have to pay Local 306, projectionists, $760 in back wages and vacation money under terms of the ITOA agreement with the union, despite the claim of the Taft that it had resigned from the ITOA. Theater is operated by the Kinsena Amusement Corp.

According to the Court, the ITOA contract is binding for members of the organization until such time as the contract expires, despite any withdrawal from the organization in the meantime. The Court also ruled that the theater must pay the costs. Granting of the motion for a summary judgment by Justice Pirro is expected to affect five or six other houses which have been in a controversy with the union over back wages.

Dipson-Basil Theater Circuit Changes Name

Albany—Two changes incident to the Dipson interests taking over the Basil end of Dipson-Basil Theaters, Inc., were effected here in legal papers filed with the Secretary of State.

In one D & B Operating Co., Inc. (the firm which operated the circuit) changed its name to Dipson Theaters, Inc., while in the other Dipson-Basil Theaters, Inc. changed its name to Dipson Realty Corp. Inc. Papers were filed by Max Yellen of Buffalo.

Shumow, Sales Manager For WB Chicago Branch

Chicago—Jack Shumow, who recently joined the local Warner Exchange, after 15 years with M-G-M, has been named sales manager of the branch under Sidney Rose, who was transferred here from Omaha last week as exchange manager.

Butterfield Goes Duels In Grand Rapids House

Grand Rapids, Mich.—Butterfield’s Majestic here has switched to duels as a permanent policy, with box office, benefiting, according to Walter J. Norris, city manager.

Military Rites for Tinney

Military funeral was arranged Friday for Frank Tinney, Sr., former musical comedy star, following his death in a veterans’ hospital in Chicago. Tinney, L. L. Tinney was a QMC captain during World War II.
Army's Clearance System Will Stand

(Continued from Page 1)

lower admission prices would not be approved by the Film Division.

A spokesman pointed out that while the Army has not seen the films themselves, the Army's standards are 20 cents but by buying the tickets in books it comes down to 14 cents. If it went lower than that, the exhibitors would probably have good cause to complain, he said.

The current controversy also is just as the Army Motion Picture Service is preparing to celebrate its 25th year of operation, on Jan. 1. A spokesman for the service told The FILM DAILY that the 20 years have been very successful, due to a great extent to the close co-operation that has always existed between it and the producers, distributors and exhibitors of the industry. This policy of complete co-operation will be continued, it was said, and nothing will be done to take business away from exhibitors or harm them in any way.

THE WEEK IN REVIEW

AAA Names Warburg

(Continued from Page 1)

spite the war, 488 having been seen by the board . . . Trial of LaCrosse anti-trust suit resumes Jan. 6, expectations of a settlement having faded . . . NBC expected to test television on 9 by 12-foot screen within the next four weeks . . . Louisiana's censorship law does a fadeout.

FOREIGN

CUBA: Cuban exhibs. a see island's president to revoke the anti-block-booking law, predicting dire results. Later developments called Cuba's law all a mistake, the island republic having thought passing of the Neely bill by the U. S. Senate made it a law.

BRITISH EMPIRE: Suggestion was made by Ernest Fredman, London film trade paper editor, that U.S. "frozen" coin in the U.K. be used to buy exhibition equipment instead of British six . . . Industry in India seeks to have the duty on picture imports removed.

CHRISTMAS SEALS

Help to Protect Your Home from Tuberculosis

Dept. of Justice Ends Probe of Ascap

(Continued from Page 1)

a second action naming it as defendant.

A Department spokesman told The FILM DAILY that the Division was not in a position to either categorically deny or affirm current reports that new litigation was pending. It was pointed out that a civil suit has been pending in New York for five years.

The investigation just completed, it was said, resulted from recent complaints involving questions not in the original suit. Understood to be among them is the angle that Ascap might constitute an illegal copyright pool.

Helen Twelvetrees Sues Over "I'm Still Alive"

Helen Twelvetrees on Friday filed suit in the New York Supreme Court against National Pictures and asked the Court for $100,000 damages and an injunction to restrain the exhibition of the film "I'm Still Alive" and the alleged use of her name in advertising the film. The film, based on the life of a star and her husband, a stunt man, depicts the plaintiff's life with certain libelous fictionalized exceptions, according to the complaint. RKO is also charged with using the plaintiff's name and picture in issuing releases to various newspapers.

Goldstein Buys Exchange

Seattle, Wash.—Al Goldstein has purchased the Premiere Exchange here.

Grant Mitchell in 'Tobacco Road'

West Coast Bureau of THE FILM DAILY

Hollywood — Grant Mitchell has been cast in the bank in 20th-Fox's "Tobacco Road."

FCC Okays Modification Of Two Tele Stations

Washington Bureau of THE FILM DAILY

Washington — FCC Federal Communications Commission, by order of the 2nd Circuit, has granted a modification of its construction permit for a new television station in Detroit. FCC's decision allows the station to begin operations in January after having been delayed for more than a year.
SHORT SUBJECT REVIEWS

Paramount

“The Constable” 7 mins.
Amusing Cartoon
Gabby, the constable, meets up with the irate mayor in the town late at night and discovers one of hizzon-er’s pigs has been lifted. Gabby sets out on the trail of the thieves in a funny, make-up driven adventure that rounds up the crooks with amusing results. Subject was produced by Max Fleischer.

“Congo Man”
17 mins.
Good Musical Number
Eddie Durante and his band and a cast of top notch entertainers are presented in this musical. Nina Oral, Nick Lucas, Pepe Guizar and Peggy Carroll are handled by Durante in few numbers, all highly amusing. Larry Ceballos directed.

Universal

“Torrid Tempos”
18 mins.
Fair Musical
Vivien Fay, ballerina, The Stapletons, tap dancers, Six Hits And A Miss, radio singers, Mary Lou Cook, singer, Jack Gwynne, a magician, and Matty Malneck and his orchestra are seen-and-heard in this two-reeler. Subject is a smooth and entertaining. Larry Ceballos directed.

Metro

“American Spoken Here”
10 mins.
Swell Short
Different and entertaining, this subject should hold the attention of audiences. It shows the origin of several common slanging phrases and traces their development into commonly used expressions. The words “fink” and “brodie,” and the expressions, “kick the bucket” and “mind your p’s and q’s” are traced. How the word fink developed as an expression of contempt to describe somebody who would turn on his friends is particularly absorbing.

Paramount

“Popular Science”
10 mins.
Interesting and Educational
A new sun-dial, telling standard time and adjustable to any location on earth; a new coat designed with multi-pockets for small boys; new kitchen gadgets, and a highly interesting sequence showing how phonograph records are made are presented in the subject. Professor Oakes, the wily wizard of Waukesha, also Monto with a new screwball invention.

Universal

“Wedding Bells”
10 mins.
Funny Comedy
Latest in the Pete Smith series, this one is up to pete in every respect. It is an amusing subject and is laughably commented on by Smith. It deals with the pitfall and expenses encountered by the prospective bridegroom, and winds up on a high note of comedy.

Paramount

“Mommy Loves Puppy”
7 mins.
Fair Cartoon
When a young Stan Bernard puppy starts out with his mother to make the rounds looking for anybody who might be least, he is sent back to the dog’s outpost. However, he ventures out on his own and gets in a considerable amount of trouble before he is rescued by his mother and given a large dose of castor oil. A walrus that gets too much brandy will draw some laughs. Reel was produced by Max Fleischer.

Metro

“Dreams”
10 mins.
Unusual and Interesting
The subject of dreams and their interpretation is treated in interesting fashion in this subject. Material should hold the attention of all audiences as everybody has had many types of dreams which may have seemed inexplicable, but still may have had a definite thought, premonition or reason behind them. A dream Abraham Lincoln had of impending death, which he wrote about in detail among his papers, winds the subject up after two more common types of dreams are dealt with.

Universal

“Kiddie Kure”
11 mins.
Amusing Comedy
The Our Gang kids inadvertently cure a hypochondriac of his ills in this comedy with amusing results. Thurston Hall portrays the ailing man and the usual crew make up the gang of kids. Hall is so busy trying to get the kids out of his house he discovers when all the excitement is over that all he needed to feel perfectly well was a little exercise.

Metro

“Beautiful Bali”
9 mins.
Interesting Travelogue
The Dutch East Indian island of Bali provides the subject matter for this interesting travelogue. Natural beauty of the island is enhanced by the use of Technicolor. Native male dancers are seen, the shots chosen of pastoral and beach scenes are intriguing, and the subject as a whole should interest all audiences. James A. FitzPatrick produced the short.

Metro

“Cheers”
6 mins.
Radio Reel
The radio weekly “The Popular Science Monthly” is the subject of this short radio reel. A newspaper is chased around the city, and the heroine is rescued by the hero, who rides his horse. This is an amusing subject.

WB

“Battle of Britain”
5 mins.
Interesting Military
Another subject presented by WB which deals with the Battle of Britain. This subject is presented as a newsreel, and is an interesting subject.}

Film DAILY
RESERVE POWER

CAMERAMEN depend on the extra ability of each Eastman negative film to meet inevitable emergencies, and by so doing to help maintain exacting shooting schedules. This reserve power always has distinguished Eastman raw films.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X for general studio use
SUPER-XX when little light is available
BACKGROUND-X for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
TO CIRCUMVENT DEGREE BY LEGISLATION?

Metro Creates New Sales Division, 4 Districts

"Ted" O'Shea Promoted to Central Division Manager As Rodgers Shifts Setup

Appointment of E. K. "Ted" O'Shea, formerly New York district manager, as manager of a new, Central Division, and the appointment of John P. Byrne, Ralph Berger, John J. Bowen and Burtus Bishop, Jr., as new district managers was announced yesterday by Metro.

Cuban Exhib. Counsel To Fight for Decree

Havana (By Air Mail)—Negotiations for the modification or revocation of the anti-block-booking measure here were seriously upset at the week-end when Dr. Felipe Trinchet, counsel for the Association of Exhibitors, of Cuba and author of the (Continued on Page 12)

Northwest Allied Protests Week's Clearance Moveup

Minneapolis—Action of local exchanges in moving up clearance between 20-cent and 25-cent houses (Continued on Page 9)

NAME ARBITRATION BUDGETEERS

P. M. Haight to be Administrator; Joseph H. Hazen, Warners Vice Prexy, Represents "Big Five"

Budget committee, provision for which is made in the film arbitration system, will comprise P. M. Haight, secretary-treasurer of the International General Electric Co., as Administrator; Joseph H. Hazen, Warners vice-prexy, and former Judge Van Vechten Veedr, chairman of the Arbitration Appeals Board.

Appointments, together with that of Lucius R. Eastman, chairman of the board of the American Arbitration Association, as alternate to Haight, were announced yesterday by C. V. Whitney, AAA prexy. Hazen represents the "Big Five" on the committee; designation of former Judge Veedr was automatic. Committee's chairman is yet to be named. Principal task of the committee will be to determine the percentage.

(Continued on Page 9)

Para.'s English Biz 10% Ahead, Says Rose

Paramount's volume of business in England is running approximately 10 per cent ahead of last year despite constant air raids according to David Rose, Paramount's managing director in London, who arrived last week-end from Europe. While theaters in the London area (Continued on Page 9)

Hollywood Sends Seven More Before Cameras

West Coast Bureau of THR FILM DAILY

Hollywood — Seven pictures are scheduled to go into production this week. The lineup:

At M-G-M: "Mr. Co-Ed" co-star (Continued on Page 10)

Chi. Censors Decline To Look at Nudist Pix

Chicago—Lieut. Harry Costello, police censor, reports only 14 cuts in films passed by the Board during November. There were no rejections, but the Board refused to consider four nudist films.

(Continued on Page 9)

Allied Co-ops on Arbitration

Myers, Newbury in Pledges of Support

Warburg's Committee Will Meet Tomorrow

First meeting of the Administrative Committee for the film industry's arbitration system, headed by Paul Felix Warburg, will be held tomorrow at the AAA headquarters, it was learned yesterday. At the same time, it was disclosed (Continued on Page 9)

Northwest Allied Ponders Move for State Statute To Nullify Some Clauses

Minneapolis—Northwest Allied may be the first exhibitor organization to seek to circumvent disliked provisions of the consent decree in the New York equity suit via state legislation.

The consent decree, it was pointed out here yesterday, recognizes the possibility that there may be recourse to legislation, either state or Federal, with the second paragraph of Section 23. This reads:

"Whenever obligations or prohibitions are imposed upon the defendants by the laws of any state or by rules or regulations made pursuant thereto, with which the defendant is to comply, it shall be permitted to such defendant to prosecute such actions in such manner as it may deem expedient, including, if it shall so elect, suits in equity in the courts of the United States or of any State or territory of the United States, or in the courts of any other country, or by representatives or agents in their behalf."

(Continued on Page 10)

Wehrenberg Talking St. Louis Trust Suit

St. Louis—Possibility that an anti-trust suit will be filed against the major distributors and Fanchon & Marco loomed yesterday as the clearance controversy between independent exhibitors and the F & M interests reached the stage where Fred Wehrenberg, exhibitor leader, (Continued on Page 12)

Carolina Exhibs. Deplore Gov't's Consent Decree

Charlotte, N. C.—At the annual meeting of the Theater Owners of North and South Carolina held here (Continued on Page 9)

GWTW New Year's Prices Announced

Chicago—Minimum admission prices for "Gone With the Wind" on New Year's will be 40 cents at matinees and 50 cents at night, following the general release of the picture, it was stated at the meeting here of M-G-M execs. Theater terms were not given out, but it had been previously reported that GWTW would be offered at 50-50 in places of the 70-30 prevailing for the roadshow release.

Dual World Premiere Is Set in Denver

Dresser—Dresser is claiming a double world premiere for its double bill tomorrow. Program embraces RKO's "Little Men" and M-G-M's "Before Children's Eyes." George Bancroft, M. E. Morgan and Signa Hasso are due here for p.m. at the opening of "Little Men."
**Chicago Civic Groups Split Over Censorship**

Chicago—Split in the ranks of civic groups here on the question of municipal film censorship has developed. Mrs. Richard McIlvane, president of the Better Films Council, has declared herself as opposed to any drastic changes in the present Chicago censorship setup, although favoring more elastic decisions in the instance of films of social significance.

Mrs. Frank A. Dunn, of the P-T-A, however, has declared against a politically appointed censor board and announced the association shortly will hold meetings to act.

Other executives of leading women's organizations here are in favor of a board of film censors, under civil service as now constituted, rather than a political appointed board, but all were of the opinion that censorship of some kind is needed.

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**Funeral Rites Today For Charles Richman**

Funeral services for Charles Richman, 70, stage and screen actor and once famed Broadway leading man, will be held at 2 p.m. today in the Walter B. Cooke Parlor 115 W. 72nd St. Richman died Sunday of heart disease.

The actor leaves a widow, who lived with him on Grey at their marriage 40 years ago; a son, Grey Duval Richman of Forest Hills, Queens, and a daughter, Jane Grey Richman of Hollywood.

**UA Shifts Earl Collins To Branch Management**

Denver—Earl Collins, United Artists here, has been transferred to Los Angeles where he will be branch manager. Al Hoffman, UA salesman here, has been named Denver manager. Hoffman was manager of the Denver branch prior to Collins.

**NW Allied Against Higher Prices for Specific Films**

Minneapolis—Northwest Allied has gone on record as opposed to advanced admissions for specific pictures. Opposition is largely based on past experiences.

Unit also wants Columbia's "Arizona" on the 1939-40 contract.

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**More First-Runs Going To Palace and Albee**

Three first-run pictures have been set for the union subseqent-run Palace and Albee Theaters on Broadway and in Brooklyn, respectively. "The Bank Dick" (Universal) and "Murder Over New York" open at the Albee tomorrow. "Lady With Red Hair" (Warner) will be premiered at the Palace on Thursday, to be co-presented with "You'll Find Out." Warner's "Dispatch from Reuters" goes into the Palace on the 19th for a first-run. This was previously indicated in *The Film Daily*.

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**Some Circuit Operators Protesting Sunday Legit.**

Some Broadway circuit operators and film distributors are reported to have protested against the inauguration of Sunday legitimate shows on the grounds that they will eventually hurt picture trade.

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**Joseph P. Kennedy Quits As Ambassador to Britain**

Washington—The resignation of Joseph P. Kennedy, whose resignation as Ambassador to the Court of St. James, was submitted to the President Nov. 6, will continue to serve until his successor is designated. This is expected shortly. Kennedy, former film exec, resigned "to help the President keep the U.S. out of war.""The Financial Times" and "The Daily Mirror" of London today.

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**Crosby-Martin To Co-star In Irving Berlin Musical**

West Coast Bureau of THE FILM DAILY

Hollywood—Para. will co-star Bing Crosby and Mary Martin in "Birth of the Blues," Irving Berlin musical for which Mark Sandrich and Berlin will be co-producers. Sandrich will direct.

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**Ill. Allied Frons on Free Shows of Commercial Films**

Chicago—Illinois Allied will fight free exhibition of Chesterfield's commercials "Fobbeiland, U.S.A." "Please Time," locally in opposition to regular theater programs, it is stated by Prexy Jack Kirsch.

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**Coming and Going**

F. J. A. McCarthy has returned from a trip to "U.S." Cleveland and Boston exchanges.

James R. Grainger, Republic's proxy, left the office home yesterday for Covinsville, N. Y., where he will hold today and tomorrow, returning to New York on Thursday.

W. J. Hinnan has returned from Denver.

Henry X. King has arrived here from the coast on a combined week's business trip and vacation.

Gene Raymond expects to return to Hollywood next week.

Joseph Lamm, Monogram comptroller, has arrived on the Coast from a New York vacation.

George Roberts, William Susman and M. A. Levy will attend Wednesday's Cincinnati meeting relative to upping 20th-Fox's Sidney R. Kent drive.

Grace and Paul Hartman, dancers, leave Thursday for RKO's Coast studios to appear in the musical film, "Sonny."

J. Noble Braden, sec'y of the AAA, will be in Omaha on Thursday to set up a film arbitration office.

H. A. DeVry has returned to Chicago from New York. Will DeVry, sales director, has returned from Washington.

Lee Tracy and the members of stage cast, "Every Man for Himself," left San Francisco yesterday for New York, arriving here Friday. Plays open at the Guild Theater next Monday.

Rouen Mamoulian has returned to the 20th-Fox studios from a Honolulu vacation.

Mrs. Ralp L. Zickel, formerly Florence Stegroh of RKO, has returned from an Hawaiian trip of two weeks to Virginia Beach and other places in the South.

A. C. Scurata, manager of exchange operations for RKO Radio Pictures, is in Philadelphia for a few days on a business trip.

L. Deganaro, of Espera Films, is visiting New Haven and the Connecticut territory.

**NWMP, 'Christmas in July' As Dual in B & K Houses**

Chicago—B & K is dualing NWMP with "Christmas in July," first-run at the Uptown, Tivoli and Marbro theaters. There's no price advance.

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**Schenck Trial in February**

Trial of the Government's action against Joseph Schenck will not be reached until February, the U. S. District Attorney's office stated yesterday. Same sources revealed that the George Skouras trial is slated to follow closely after the completion of the Schenck matter. Federal Judge William Bondy yesterday adjourned the Schenck case until Dec. 8.
Watch!

NEXT WEEK
AT SANTA FE!

A 5-Day Fiesta to bring joy to the hearts of showmen everywhere! Colossal conclave of stars, civic officials, the Governors of practically every State in the West, and a series of news-making surprises to be read and heard through the land!

It’s all on account of the 75th Santa Fe Jubilee and the FIRST OPENING OF WARNERS’

“Santa Fe Trail”

Their biggest!

ERROL FLYNN
OLIVIA DEHAVILLAND
“SANTA FE TRAIL”

Directed by MICHAEL CURTIZ
Original Score by Max Steiner

[Image of a movie poster with characters and a campaign to watch the Santa Fe Jubilee and the opening of Warners' 'Santa Fe Trail']


Allied Will Co-op On Arbitration

(Continued from Page 1) no means "fully appreciating all of the provisions of the decree."

A similar offer has come from Lee Newbury, president of the Allied Theater Owners of New Jersey, who wired his organization's "support and co-operation."

Warburg, commenting, said yes-terday that "they came as extremely good news to the Administrative Committee which is now completing its plans for organizing the tribunal."

"Such evidences of co-operation on the part of major exhibitor groups will go a long way in expediting the organizational work of the arbitra-tion system," Warburg continued.

"We feel confident that the indus-try in general and the theater own-ers in particular will find arbitra-tion a quick, efficient and inexpensive means for settling practically every kind of motion picture trade dispute."

Max Block Dies In Fla.

Thompsonville, Conn.—Max Block, 47, former manager of the Old Majes-tic Theater here, died suddenly in Jacksonville, Fla., while on a business trip.

WEDDING BELLS

West Coast Bureaus at THE FILM DAILY

Hollywood—Chester Morris and Mrs. Lillian Barker were married here over the week-end.

Cleveland—Julius Lamm, manag-er of Warner's Uptown Theater, and Mrs. Lamm announce the engagement of their daughter, Theresa Frances, to Richard J. Bandler.

Scranton, Pa.—Mary Louise Mah-an of the Comerford booking office married Thomas J. Regan.

Pottsville, Pa.—J. Lalar Joyce, manager of the Hippodrome Theater, here, married Miss Esther C. Kosar in Scranton.

Pittston, Pa.—Joe Wachs, main-tenance man, American and Roman Theaters here, married Louise Tate.

Scranton, Pa.—Marriage of Billy Warner, projectionist of the Comerford screening room, to Clare Agnes Rafter is announced.

Pittston, Pa.—Celia Wachs, relief cashier, American and Roman Thea-ter here, married Raymond De-lany, Jr., in St. Mary's Assumption Church.

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Chicago—Film Row girls tendered a luncheon Saturday to Emma Appla-nalp, formerly secretary of the Film Board of Review, at the Jacques Re-straunt, in honor of her engagement to R. L. Lipscomb of Rochester, N. Y.

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Along the Rialto

Phil M. Daly

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STUFF:—Joe (Youngstown, O.) Trunk, owner of the uptown, Mahoning and Cameo Theaters—and Mrs. Trunk are at the Waldorf-Astoria celebrating their 25th wedding anniversary in a style which he says, he couldn't afford 25 years ago...

I. J. Schmetz, chairman of the Motion Picture and Radio division of the Cleveland Community Fund, at a final fund meeting an-ounced that his group this year not only went over its quota, but exceeded quota by a greater sum than ever before.....

Sam Ger-mine, booking manager for 20th-Fox in New Haven way, cele-brates his 25th wedding anniversary on Saturday next.....

Clarence M. Shapiro, Metro talent scout, has been named a judge of the Navy ball whereat a queen will be selected from the Northwestern Univ. gala,—while Wayne King, ork leader, will appropriately assist in the job.....Ralph "Buzz" Boyle, Kansas City Club's outfitter, and formerly with the Brooklyn Dodgers, is working as checker at the Metro exchange in Cincy during the lay-off season.....

Thomas J. (Providence, R. I.) Meehan, prominent in New England theatrical circles via his holding of managerial pools for the Poli, Fox-Poli and RKO circuits, will be executive secretary to R. L. Governor-elect J. Howard McGrath when latter takes office on Jan. 2. From New Orleans: J. W. (Pete) Daily, recently pix editor for the Item there, and for more than a decade with the Chi-ago Herald-Examiner, leaves shortly to join the Columbia press agent corps in Hollywood.....

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THIS corner has received a letter from New York's Postmaster Albert Goldman.....asking that all we movie industry folks do Xmas shopping early—...and mail gifts early—If any industry should do just that—....well, filmland should. Isn't one of our boys the Postmaster General?—And shouldn't we give him every co-operation?—With-Fox up New Haven way, and especially since he's announced from Washington that there will be no city, village or rural carrier deliveries—...or window service at post offices—...on Christmas Day......

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WARNERS' home office theater department and zone man-a-gers.....will tender a dinner tonight in the swank Waldorf-Astoria.....to Joseph Bernhard, proxy and general manager of Warner Theaters.....to celebrate his 10th Anniversary with the circuit. Our town's in-stitutional hospitality was double-boured—so that Joe would get top service for top service—...which he has given in lavish amount dur-ing an entire decade......

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WARNING:—Such Xmas presents—...Just now, the trio's ripping open thousands of letters—...which are paradoxically high on the Loew dimes—...Massives have resulted from the Loew decision to put two 1/1 characters (a boy and a girl) in the margin of the Loew Movie Guide newspaper ads—...and then asking the public to christen said characters.....As an incentive, an award of ten bucks for the best names was posted. Nobody had any idea—...when the contest was hatched....that the widgets had made such a hit with readers....Plans are new to have the characters gradually develop a romance—....a proposal—...a marriage—...and a family—...and if they get any more popular—...Hollywood might get 'em....There's one thing they've already achieved for Loew's—...and that is resounding proof that John Q. Pub-lic reads ads—...and particularly, good and human ones.....
MAMMOTH "ARIZONA" LEADS THE PARADE OF COLUMBIA HITS!......
MIGHTY ACTION DRAMA . . . TENSE, FAST AND SUSPENSE-PACKED!

THE STAR OF "NO TIME FOR COMEDY"

AND THE MAN WHO "STAYED FOR BREAKFAST"

TOGETHER FOR THE FIRST TIME!

A GREAT "HEART" DRAMA STARRING THE "AWFUL TRUTH" COMBINATION!
Escape to Glory

Screen play by P. J. Wolfson • Directed by JOHN BRAHM • Produced by Samuel Bischoff

Rosalind Russell and Douglas Fairbanks
This Thing Called Love

Based upon the play by Edwin Burke, as produced by Patterson McNutt • Screen play by George Seaton, Ken Englund, P. J. Wolfson • Directed by ALEXANDER HALL • Produced by William Perlberg

IRENE DUNNE and CARY GRANT
Penny Serenade

Produced and Directed by GEORGE STEVENS
Based on the McCall's Magazine serial novel by Martha Cheavens • Screen play by MORRIS RYSKIND
From the stirring pages of an important novel... the saga of a fascinating family's loves and feuds and valiant destiny!

Gloriously Gay Comedy
FROM THE GREATEST COMEDY STUDIO OF THEM ALL!

FRANCHOT TONE

JOAN BENNETT

"A Girl's Best Friend Is Wall Street"

Based upon the Cosmopolitan Magazine story by Jane Allen
Directed by RICHARD WALLACE • Produced by CHARLES R. ROGERS

MILLIONS OF RADIO AND BOOK FANS WILL BE OVERJOYED TO LEARN THAT ELLERY QUEEN'S NOW ON THE SCREEN!

RALPH BELLAMY as ELLERY QUEEN
with
MARGARET LINDSAY as NIKKI PORTER

Ellery Queen
MASTER DETECTIVE

with
Charley Grapewin
James Burke • Michael Whalen
Screen play by Eric Taylor • Story by ELLERY QUEEN
Directed by Kurt Neumann
**Name Budgeleers On Arbitration**

(Continued from Page 1)

of gross income each of the "Big Five" will pay towards maintaining the arbitration system.

Under the decree the budget for the arbitration system will be made up of a fund established through filing fees, penalties imposed by arbitrators on distributors, and "by such additional amounts to be paid by distributor defendants as may be determined by the budget committee."

The yardstick for apportioning the cost of the "Big Five" will be their gross receipts from August, 1939, to August, 1940. The budget for the first year's operation has been set by the court and department of Justice at a maximum of $900,000. Second year's cost is scheduled in the decree at $465,000.

Decree also provides that "for good cause shown" the arbitration system may increase the arbitration budget to an amount not exceeding $50,000.

**Warburg's Committee Will Meet Tomorrow**

(Continued from Page 1)

that an eighth man has been named to the committee by the A.A.M. He is Daniel Berg, CPA, treasurer of the Merchants Association of New York. At tomorrow's meeting, attention will largely center on the preparation of complaint forms to be used by exhibitors should they desire to invoke the arbitration provisions of the decree.

**Northwest Allied Protests Week's Clearance Moveup**

(Continued from Page 1)

from two to three weeks is being protested by Northwest Allied. Distrists, at the unit's request, have suspended the effective date of the move up for 30 days, and meanwhile Northwest Allied's committee will discuss all clearance in the Twin City area with the film companies.

**30 In Chi. Using Screeno**

Chicago—More than 30 theaters are now reported using Screeno, in the Chicago territory.

**Flynn to Make P. A. For Yulette Charity West Coast Ber. THE FILM DAILY**

Hollywood—Errol Flynn will plane out Thursday night, following his guest shot on the Kraft Music Hall airliner, for Cleveland. O., to take role guest star from Hollywood at the annual Christmas charity show sponsored by the Cleveland Press for the orphans of that city. Flys will plane back in time to entain with the Hollywood contingent for Santa Fe, N. M., on Dec. 12 where the world premier of "some musical Santa Fe Trail" will be held Dec. 13-14-15.

**O'Shea Heads New Metro Div. Rodgers Appoints Four New District Mgrs.**

(Continued from Page 1)

ion and four new sales district, effective on Jan. 1 or as soon thereafter as practicable, followed a meeting of the company sales executives at Los Angeles, where O'Shea's territory will include Cleveland, Buffalo, Cincinnati, Indianapolis, St. Louis, Kansas City, Oklahoma City and Minneapolis. Thomas Connors will supervise the Eastern territory and Edward H. Saunders the Western territory. Additionally, two branch managers have been promoted to larger offices and four salesmen become branch managers. Thomas J. Donaldson, formerly New Haven branch manager, succeeds Byrne as Boston manager. Transfered from the branch managership at Albany to a similar position in New York, succeeding Bowen. John S. Altmont, formerly a New Haven salesman, is the new Washington branch manager, succeeding Blauerg. Franklin D. Steiner, formerly a Cleveland salesman, succeeds Blauerg in Pittsburgh branch manager. Maurice Goldstein, formerly a Boston salesman, is the new New Haven branch manager. Herman Rips, formerly New York-New Jersey salesman, goes to Albany as manager.

Promoted from the Ranks

The promotions, every one of which advances men from within the ranks of the organization, were announced by William P. Rodgers, Metro's general sales manager. The shifts are all part of M-G-M's desire to strengthen its service to its customers and to permit more thorough concentration on the needs of all. Division of the territories will make possible closer supervision and analysis of each branch office's problems in the coming year, it was pointed out.

Metro thus is the second company to announce a settlement of the consent decree. Warners recently announced important changes in its sales setup. Promotion of four salesmen to the positions of branch managers naturally creates vacancies in the sales staff which it is anticipated will be filled by further promotions from within the ranks. Still further vacancies also call for advancement of available personnel within the organization.

**The New Alignment**

Following is the new alignment:

Among home office sales managers, Thomas J. Connors will supervise the districts headed by Maurice N. Wolf, Bowen, Berger, Charles E. Kesnicnich, the Philadelphia office headed by Robert Lynch, and Canadian offices; Edward M. Saunders will supervise the districts headed by John E. Flynn, Byrne and George A. Hickey; and O'Shea will supervise the districts headed by Harry J. Wolfberg, John J. Maloney and Bishop.

Among district managers, Wolf will supervise the Boston, New Haven and Albany offices; Berger, the Washington and Charlotte offices; Bowen, New York and New Jersey; Maloney, Buffalo, Cleveland, Detroit and Pittsburgh; Wolfberg, St. Louis, Cincinnati and Indianapolis; Bishop, Kansas City, Minneapolis and Oklahoma City; Kesnicnich, Atlanta, Dallas and New Orleans; Byrne, Des Moines, Omaha, Denver and Salt Lake City; Flynn, Milwaukee, Chicago and Minneapolis; and Hickey, Los Angeles, Seattle, Portland and San Francisco.

**Carolina Exhibs. Deplore Gov't's Consent Decree**

(Continued from Page 1)

yesterday, a resolution was adopted by the Carolina Exhibitors, declaring that the Government has adopted "a regulating decree that is looked upon with much disfavor by exhibitors generally and which will work an undue hardship upon theaters."

C. H. Arrington of Rocky Mount was elected president, succeeding H. R. Berry of Hartsville who was made first vice-president; Ray Row of Burgaw was elected second vice-president; and Mrs. Pauline Griffith was reelected secretary-treasurer.

**Mich. Exhibs. Would Keep Army Clearance System**

Detroit—Michigan exhibitors appear to be lining up against the demands of Army camp theaters for priority of run over local houses. With Camp Custer, slated to house 35,000 men, located between Battle Lake and Kalamazoo, exhibitors in that territory would be seriously hit by such run privileges.

**Para.'s English Biz 10% Ahead, Says Rose**

(Continued from Page 1)

is only about 25 per cent of normal, patronage in the provinces is good, Rose said.

Approximately 1,600 theaters in the London area are operating and about 200 are closed for various causes, Rose said yesterday. Admission prices have been raised only slightly to offset the additional taxes, but this does not affect business as the English people are hungry for screen entertainment and they keep the theaters well filled.

Under terrific hardships and many delays, Paramount's production unit has completed "Quiet Wedding" and is now preparing to make "Hatter's Castle" at the Denham studios. In addition, plans are under way to produce an untitled story with Clive Brook. Difficulties in casting pictures offer one of the biggest obstacles in production, Rose said. Efforts were being made so that at least three or four pictures would be made this season. All companies, he said, were doing their best to fulfill their quota requirements.

As to monetary remittances to the U. S., Rose said that authorities were ironing out the previously reported plan whereby the figure would be between $12,000,000 and $15,000,000 based on this year's operations. The deal is being discussed with eight companies, instead of seven as herebefore as a separate arrangement had been made with Universal. Paramount is paying its mortgage debentures on theater property with blocked money, Rose said.

Rose leaves today for the Coast by plane and plans to return to England in January.

**Sugarman Hurt In Crash**

Cincinnati—Al Sugarman of RKO suffered tornligaments in his right leg when a truck collided with his car.
N. W. Allied Ponders Decree Circumvention

(Continued from Page 1)

by counsel, the Court, upon application of the defendants, or any of them, shall from time to time enter orders relieving the defendants from compliance with any requirements of this decree in conflict with such laws, rules or regulations, and the right of the defendants to make such applications and to obtain such relief is expressly granted.

Louis Schwartz, counsel who represented Northwest Allied at the open decree hearings, has recommended to the unit that state legislation be worked out and introduced at the coming session of the legislature. The legislation would be designed to protect independent exhibitor interests and nullify as much as possible the alleged evils of aspects of the decree. A committee has been appointed to confer with Schwartz and discuss further details.

It is believed by some here that if a law can be passed, clauses of the decree can be nullified.

South Jersey Allied Unit Names Committees

Philadelphia—More than 40 theaters in the South Jersey area were represented at the meeting of the South Jersey unit of Allied Theater Owners of New Jersey at the Broadwood here yesterday. Committees appointed included:

Entertainment—John Harshaw, Mt. Ephraim; Mrs. Frances Fineman, Haddonfield; Mrs. Rose Pielion, Landisville, and Murray Sternberg, Woodstown. Film committee—Ralph Wilkin, Pitman; H. A. Hill, Paulsboro; Clark Hildinger, Trenton. Legislative committee—Si Myers, Trenton; Jack Warman, Atlantic City; Mrs. Hildinger, Trenton.

Meeting heard a report on national and state Allied activity by E. Thornton Kelly, field representative. The session, first since the recent organization, was enthusiastic, with a large turnout, and the organization is beginning to function.

Next meeting will be held Jan. 6.

“Hands Across the Border”

West Coast Bureau of THE FILM DAILY

Representatives in Hollywood return from the retirement accorded him by government of the Pan American nations when he toured Latin America last Summer, Errol Flynn, who had a luncheon today at Warner’s studio for Los Angeles consuls of these 20 countries.

Renoir Wire

All members of Warner’s sales force received telegrams from the home office yesterday. Wires advised that in just 20 more days the 20th Anniversary drive would be under way.

HORROR PAYS

IN MICHIGAN

(Continued from Page 1)

retained counsel. Distributors were informed of such contemplated action unless an equitable compromise could be reached.

One of the principal points of contention is that not only have certain national distributors raised the clearance for the St. Louis Amendment Co.’s second-run in St. Louis, notably the Granada, from 14 to 21 days but it is charged the 21-day limit is not being enforced against subsequent-run houses of the St. Louis Amusement Co. So far as could be learned the matter has not officially brought to the attention of the Federal Department of Justice.

In the meantime, the independents are continuing their strike. Last week, Wehrenberg is said to have signed up only for Columbia, United Artists, M-G-M, and Paramount. Twentieth-Fox is said to have received recent orders from New York that the 21-day clearance must be strictly enforced against all subsequent.

12 French Re-issues Set For Release by Datlowe

Series of 12 French films will be released by Datlowe during the 1941-42 season, it is announced by Datlowe Productions, recently formed by Samuel A. Datlowe. J. J. Balabert is acting as executive producer.


Pictures are distributed, as Charles Boyer, Harry Baur, Jean Gabin, Raimu and Simone Simon. Pictures in the series are owned by Franco-American Films, with the entire lineup produced in France between 1936-38.

Douglas on Roach Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Gordon Douglas will direct “Broadway Limited” for Hal Roach. Victor McLaglen, ZaSu Pitts and Patsy Kelly are only cast members. Railroad background scenes along the Pennsylvania Railroad have been filmed by Hal Roach, Jr., who is associate producer of the pictures based upon an original story by the late Grover Jones. It is now being adapted by Alan James and Robert Presnell.

700 Playdates for “Power”

“Power and the Land,” U. S. Gov- ernment documentary, has already been set in for more than 700 playdates around the country, Harry Michelson, RKO, short subject sales manager, announced yesterday.

Pix has its New York premiere at the Rivoli Dec. 10.

Wehrenberg Talking St Louis Suit

Tuesday, December 3, 1940

HOLLYWOOD

SPEAKING

By RALPH WILK

NE man’s dish is another man’s poison.

Poison to Richard Thorpe was the heavy snow at Flagstaff, Ariz., making it impossible, for his “The Bad Man” company to work. He returned to studio just as Norman Taurag was sending a camera crew to Flagstaff to get snowy backgrounds for “Men of Boy Town.” Both directors are making pictures for M-G-M.

PRODUCER-DIRECTOR George Stevens is nearing completion of “Penny Serenade” co-starring Cary Grant and Irene Dunne, his first production for Columbia.

FROM the ridiculous to the sublime, Grandville Owen who played the title role in other works, is now being considered by Sam Wood for a role in “The Devil and Miss Jones,” which stars Jean Arthur for RKO. The former was slapstick comedy, while Wood’s picture will be serious drama.

GOD will ambassador to South America, Wesley Ruggles, Columbia producer-director is coming amicable relations. Whos who Argentina, is especially flattered to be the first South American city to show “Arizona,” which Ruggles directed. Ruggles has had print shipped there specially for gala premiere.

BRADBURY FOOTE, M-G-M scenarist, has become half owner of a gold mine in the Tula Rosa range of mountains in New Mexico. While there recently getting location color for script of “Billy The Kid,” he grubstaked an old prospector named Shep Sheffield. Foote has now received a check for $36,750, his share of two months’ take from the claim.

RENEWING his connections with the New York Athletic Club, Charlie Ruggles will fly East next month to compete in the club’s handball tournament. Ruggles is going after the NYAC and the Los Angeles A. C. champi Onships this year. He has held both separately, but will try for both this year.

FOR a gag, on the last day of shooting of “Invisible Woman,” A. Edward Sutherland, who directed the picture for Universal, presented Virginia Bruce, featured player, with a cellogaph box in which he placed a drop of garden’s perfume— in other words, an invisible flower. When the gag had got its laugh, he gave her the bottle of perfume.

NORMAN TAURAG has established an honor system on the set of “Men of Boy Town,” at M-G-M. No accuses anyone of holding up production, but the boys check up on each other. Any boy guilty of spoiling a take has to forfeit his ice cream when the “Good Humor” man comes around.
“The Son of Monte Cristo”  
with Louis Hayward, Joan Bennett, George Sanders

RKO

SENTIMENTAL PIECE IS PLEASANT OFFERING FOR FAMILY TRADE BUT NEEDS SELLING.

Louis Hayward and Joan Bennett

“Little Men”  
with Kay Francis, Jack Oakie, George Bancroft, Jimmy Lydon

Paramount

(1940 TWO-YEAR PREVIEW)


“Second Chorus”  
with Fred Astaire, Paulette Goddard, Artie Shaw and His Band, Charles Butterworth

Paramount-Boris Morros

(1940 TWO-YEAR PREVIEW)

ROUGH TRADE.

The Bank Dick  
with W. C. Fields, Una Merkel, Richard Purcell

Universal

HERES A WOW THAT WILL BRING EM IN AND SATISFY EM: FIELDS IS GREAT AND CLINE’S DIRECTING IS CLEVER.

In “The Bank Dick,” W. C. Fields returns to the formula which earned him such a large early following, and with this he has a chance to be as clever as he once was. Cline, a director who today stands at the top of those who know how to combine the wildness of early days with enough plot twists to make it a picture of today.

The original screenplay by Mahatma Kane Kassar is a full of interesting gag situations. Una Merkel, Cora Witherspoon, Jessie Ralph, Franklin Pangborn, Grady Sutton, Richard Purcell, Shemp Howard, Edward Brophy, Johnnie Shannon, Alan Briggs and Russell Hicks are among the old-timers. Jack Oakter rates commendable mention for his art direction, as does Charles Previn for his musical direction.

The story tells of how the town’s biggest tippler becomes a bank detective when he is spotted by accident while he is credited with the capture of a bank robber and the recovery of all the stolen funds. He induces one of the clergys, engaged to his daughter, to draw enough money to buy some oil stock from a trickster.

When the bank examiner shows up unexpectedly, Fields tries his best to incapacitate the official until the boy’s bonus will arrive. This fails, but in the meantime the stock becomes fabulously valuable through a gusher coming in. The robber returns, uses Fields as the driver of his escape car. A long chase ends in Fields again earning credit for the capture; and with this, the boy becomes one of the town’s first citizens.

Save for those spots where parent associations object to bar room scenes, this is a good film for any house any day; for those in that group it can best be spotted on days when adult patronage is most likely to predominate.


CREDITS: Director, Edward Cine; Au- thor, Mahatma Kane Kassar; Screenplay, Cameraman, Milton Krassen, ASC; Art Director, Jack Otter; associate, Richard Riedel; Editor, Artur H’lon; Musical Director, Charles Previn; Sound Supervisor, Bernard B. Brown.

DIRECTION, C sik. PHOTOGRAPHY, Very Good.

“U” Buys Story  
with Katharine Hepburn, Spencer Tracy, Robert Taylor, John Garfield, George Brent, George Sanders

Hollywood—Universal has bought “Jacaeline” by Lisladias Fodor.

New Stage Show at Para.  

N. Y. Paramount is bringing in a new “in person” show for the fifth week of NWMP, starting tomorrow. The show is “The Great Northern Railway” by R. L. McLeod and Gray and his Casa Loma Band. Red Robin stays but with a new rou- te. Other acts will be Rosemary Lane and the Ink Spots, latter from radio.

“U” Buys Story  

CREDITS: Producer, Boris Morros; As- sociate, Robert Stitman; Director, H. C. Potter; Actor, Frank Cvetak; Screen- play, Elaine Ryan and Jan McClellan Han-
Decree Legalizes Block-Booking. Ed Kuykendall Tells Carolina Exhibs.

By MARY BROOKS PARHAM

Distribute Counsel 'Out-smarted' Gov't—MPTOA

Cuban Exhibit Counsel To Fight for Decree

(Continued from Page 1)
decree stated that he and his organization were determined to fight any change in the measure. He was supported by 11 indy distributors.

Move by Trinchet caused the Minis- ter of Commerce, who has been studying the decree, to state that the Government does not wish to interfere in the controversy and he has been able to handle the situation in the manner he has. He is expected to issue an order to the effect that the decree will not be enforced.

Whether or not the S. distributors will continue to service accounts has not been definitely established. These distributors are currently at work on pictures will be distributed. The U. S. distributors are reported to have turned down a suggestion that the three months' extension period be granted during which time the matter would be negotiated.

NWMP Clicks on Al N. Y. Para.

"North West Mounted Police" starts its fifth and final week at the Broadway Paramount tomorrow. Picture is reported to have grossed more than $79,000 during the first three weeks, with a fourth week's take of $35,000 and an $18,000 weekend.

"Three Scratches" as a "Queen"

"West Coast Bureau of the Film Daily" Hollywood—Larry Darmour's next of the "Ellery Queen" series will be adapted. The three principals in the picture will be Ralph Bellamy, Margaret Lindsay, Charlie Grapewin and James Burke. Eric Taylor is doing the screenplay, and picture goes into production in January.

TO THE COLORS!

Chicago—Douglas Mavor of Warner-Avalon Theater, John Collony of the Rhodes Theaters and Chris Kuris of the Avalon Parking Service have been called to the colors.

St. John, N. B.—Frank Lowney, who was on the staff of the Mayfair, St. John, when he enlisted in the Canadian Army Corps during the outbreak of the war, has been promoted to a sergeant. Mike Cor- ley, who was on the staff of the Regal Films, once worked here when he enlisted in the same unit at the start of the war has been advanced to corporal.

Distrib. Counsel 'Out-smarted' Gov't—MPTOA

Cuban Exhibit Counsel To Fight for Decree

(Continued from Page 1)
decree stated that he and his organization were determined to fight any change in the measure. He was supported by 11 indy distributors.

Move by Trinchet caused the Minis- ter of Commerce, who has been studying the decree, to state that the Government does not wish to interfere in the controversy and he has been able to handle the situation in the manner he has. He is expected to issue an order to the effect that the decree will not be enforced.

Whether or not the S. distributors will continue to service accounts has not been definitely established. These distributors are currently at work on pictures will be distributed. The U. S. distributors are reported to have turned down a suggestion that the three months' extension period be granted during which time the matter would be negotiated.

NWMP Clicks on Al N. Y. Para.

"North West Mounted Police" starts its fifth and final week at the Broadway Paramount tomorrow. Picture is reported to have grossed more than $79,000 during the first three weeks, with a fourth week's take of $35,000 and an $18,000 weekend.

"Three Scratches" as a "Queen"

"West Coast Bureau of the Film Daily" Hollywood—Larry Darmour's next of the "Ellery Queen" series will be adapted. The three principals in the picture will be Ralph Bellamy, Margaret Lindsay, Charlie Grapewin and James Burke. Eric Taylor is doing the screenplay, and picture goes into production in January.

TO THE COLORS!

Chicago—Douglas Mavor of Warner-Avalon Theater, John Collony of the Rhodes Theaters and Chris Kuris of the Avalon Parking Service have been called to the colors.

St. John, N. B.—Frank Lowney, who was on the staff of the Mayfair, St. John, when he enlisted in the Canadian Army Corps during the outbreak of the war, has been promoted to a sergeant. Mike Cor- ley, who was on the staff of the Regal Films, once worked here when he enlisted in the same unit at the start of the war has been advanced to corporal.

Distrib. Counsel 'Out-smarted' Gov't—MPTOA

Cuban Exhibit Counsel To Fight for Decree

(Continued from Page 1)
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TO THE COLORS!
SEE SELLING SYSTEM IN U.S. "Big Five" Dropped as Griffith Suit Defendants

Three Plays . . . about Hollywood

By CHESTER B. BAHN

Now that the last of three plays with a Hollywood locale and story has emulated the Arabs by fading and silently stealing away from Broadway, perhaps a few words about them may be in order. Not about their quality as entertainment, but about their potentialities for mischief insofar as Hollywood and the industry generally is concerned.

All three were stylized comedies, with leanings towards satire and caricature, more or less. Because so-called "standardized" types populated the stories, the composite picture of Hollywood presented was, to put it mildly, vicious. Accepted at face value, it would serve to confirm almost the wildest of nasty charges that in the past have libeled the film capital and screen people.

I WILL be remarked, of course, that no claims of factuality were made for the plays, and that is correct. But unfortunately, either in writing or in production, they represented the work of persons identified with the industry, past or present. Inevitably, there was the conclusion on the part of some that Hollywood "dirt" was being spilled.

Spilled? Pitch-forked probably would be the better word for it. Indeed, in the instance of one play the rumor, rightly or wrongly, was afoot that it was designed to pillory a certain early star who, years later, aspired to missionary endeavor of sorts.

To the dramatic treatment of Hollywood and its follies there can be no objection. Naturally, there is much in Hollywood which invites lampooning. Hollywood appreciates that to the extent that it has on several occasions joined in. But to lampoon is one thing, to do what at least two if not all three of the plays did is essentially another.

IT IS little wonder, then, that Burns Man- tle of the New York Daily News was led to suggest that it might be well were Holly- wood scripts designed for the theater be submitted to Will H. Hays for scrutiny. "Not to function as a censor," quoth Mantle. "Nobody likes a censor. Nobody wants the drama to be censored. But to help by advising . . . as a man of taste, with considerable experience in evaluating the reactions of large numbers of people.

U. S. Files Stipulation in Oklahoma: Action Results From Decree in New York

Oklahoma City—In line with the agreement under the consent decree in the New York equity suit wherein the Government would drop its regional anti-trust suits against the distributors, the "Big Five" co-defendants in the Griffith action have won dismissals.

Charles Dierker, Federal district attorney, has filed a stipulation agreeing to dismissal of the Government anti-trust suit against the 20th Century-Fox, and its Texas subsidiary, Loew’s, Inc., and its M-G-M.

(Continued on Page 3)

UA, "U" May Join In Col. Dismissal Move

United Artists and Universal may join with Columbia in an application tomorrow before Federal Judge Henry W. Goddard to dismiss the Government’s amended equity complaint against the three companies, it was learned yesterday. It is un-

(Continued on Page 3)

SAYS DECREE HAS "JOKER"

Milwaukee Editorial Foresees Wide Circuit Expansion

Milwaukee—Consent decree in the New York equity suit has a "joker" which permits unlimited circuit expansion, it is charged editorially by the Milwaukee Journal.

Paper says, in part: "Another consent decree on examination turns sour. That has been the history of these compromises between Government and bus-

(Continued on Page 6)

Philly Court May Okay Money Games

United Artists and Universal may join with Columbia in an application tomorrow before Federal Judge Henry W. Goddard to dismiss the Government’s amended equity complaint against the three companies, it was learned yesterday. It is un-

(Continued on Page 3)

Loew Board Meets Dec. 11; Extra Dividend is Talked

Today’s scheduled meeting of the board of Loew’s, Inc., has been postponed until Dec. 11 when the possi-

(Continued on Page 7)

Broydi, Mono, Sales Head, Honored at Boston Dinner

Boston—Hail to the new sales manager for Monogram and farewell to the retiring president of the Var-

(Continued on Page 4)

Film Co. Earnings Moving Up; Costs Adjusted; Attendance Increasing

Third Interest in Hart Play May Go to Para.

Negotiations whereby Paramount would acquire approximately a third interest in Moss Hart’s play, "Lady in the Dark," have been con-

(Continued on Page 4)

One-at-a-Time Deals Due, Says Silverstone; Single Pix by All UA Producers?

By AL STEEN

FILM DAILY Staff Writer

The American film industry is drifting toward the English method of selling pictures one at a time in the opinion of Murray Silverstone, head of United Artists, who recently returned from Hollywood conferences. Silverstone bases his opinion on the status of world conditions and developments that are likely to result from the

(Continued on Page 8)

50-50 May be New "Dictator" Terms

Selling terms on "The Great Dic-

(Continued on Page 7)

UA Seeking Dismissal Of Sam Goldwyn Action

Edward C. Rafferty, attorney for United Artists, yesterday asked Federal Judge Edward A. Conger to dismiss Samuel Goldwyn’s suit for termination of his distribution con-

(Continued on Page 4)

Films, Radio Kiss

A closer relationship between motion pictures and radio was seen yesterday when Hedda Hopper, who does an air column under the sponsorship of Sunkist, announced that the picture concerns have lifted the taboo on the air activities. New policy calls for emphasis on special-

(Continued on Page 7)

Continued on Page 2

Continued on Page 4

Continued on Page 7
Three Plays... about Hollywood

(Continued from Page 1)

who support the theater. Both the picture theater and the legitimate theater...

"Mr. Hays... has learned from experience that decency is not only fun, but profitable, as well. He knows that supporters of the theater, and particularly those supporters whose enthusiasm is stimulated by those idolatrous New York measures, want to think well of their heroes."

Exactly.

Triple Feature Programs Still in Gain at St. Louis

St. Louis—Despite the efforts of the Better Films Council of Greater St. Louis to combat triple bills, the practice seems to be growing. Walter Thamigie’s McNair Theater in South St. Louis and the Osage in Kirkwood, are the latest houses to put such a policy into effect on certain nights.

The educational campaign aimed at multiple features by women’s clubs, parent-teacher groups and others continues and fear is felt in some exhibit, quarters that there will be legislative repercussions.

A new Missouri General Assembly which convenes at Jefferson City on Jan. 6 will be dominated by men from the rural districts and smaller communities of the state. A combination of Democratic and Republican rural legislators is a factor that conceivably might bring about legislation. In the past, the BFC has opposed censorship moves.

**MPTO Makes No Move To Establish Albany Unit**

Albany — Although reports from unrivete in the wake of Ed Kuykendall’s resignation, MPTO of New York would establish a sectional group here, all exhibits, here profes...
UA, "U" May Join In Col. Dismissal Move

(Continued from Page 1)

Understood that one of the two companies—has already definitely pledged support to Columbia in its application and that the other company has not determined its course. Columbia is continuing that the original agreement was primarily brought against the "Big Five" as the theater owning companies and that it was only brought in as a defendant as an almost unwilling collaborator of the "Big Five" in alleged abuses.

The contention of the "Little Three" will be that the Government is settling its dispute with the "Big Five" had waived rights against the "Little Three" and could not consistently contend that they were necessary conspirators. Government officials on a number of occasions during negotiations for a decree, privately conceded the difficulties of stating a cause of action against the "Little Three" separately.

Columbia is expected to call the Court's attention to statements made by Government attorneys to the effect that the "Big Five" own controlling interest in the industry.

A dismissal of the complaint would mean a complete disposition of the suit and its termination unless the Government was afforded an opportunity to further amend.

Detroit First-Runs Join For Day-and-date Benefit

Detroit—The Michigan and Fox Theaters, two largest first-runs, will unite Saturday for a "day-and-date" midnight benefit for the Goodfellow's Old Newsboys' Fund. With top caliber stage shows in both houses, there will be a broadcast of the show, with additional acts from practically all leading night clubs. Event is sponsored by The Detroit Times.

Rochester — Annual "tin can" Christmas party, sponsored by the Democrat and Chronicle, will be held at the RKO Palace and Century Theater Dec. 21. Admission will be one cent and one can of food for the Salvation Army Christmas baskets.

"Ted" Curtis Again In Army Air Corps

Rochester—Edward Peck "Ted" Cur- tis, motion picture film editor for Eastman Kodak, left yesterday for Wash- ington to return to Army service. On a year's leave of absence from Kodak, Curtis resumes his rank as a major in the Army Air Corps and will work in the Plans and Operations Section. Curt- ris served with A.F.F. Air Service, 1917-19, and for his exploits decorated with the D.S.C., Croix de Guerre and Order of St. Amb.

FETE BERNHARD ON ANNIVERSARY

Warner Theater Chief Dined by Zone Managers and Home Office Executive Staff

Joseph Bernhard, general manager of Warner Theaters was the guest of honor of the Theater Department, last night in a dinner at the Waldorf Astoria, celebrating his 10th Anniversary with the company. Bernhard was presented with a memory book containing the signatures of the Zone managers, home office staff, heads of departments in the field, district managers and all managers in the Warner Circuit.


Drop "Big Five" from Griffith Trust Suit

Texas subsidiary, RKO Radio Pic- tures, Vitagraph and Paramount.

Remaining defendants in the suit include Griffith Amusement Co., Con- solidated Theaters, Inc., R. E. Griffith Theaters, Inc., and Westex Theater, Inc., the "Little Three"—UA, Universal and Columbia.

Similar discrepancies are in the Schine and Crescent Amusement Co. anti-trust cases shortly.

44 New Members Give Ascap New High Total

New high mark in Ascap's mem- bership has been established with the addition of 44 names to the roster, it is announced by Gene Buck, presi- dent, this makes 139 new members to join Ascap thus far this year, the largest number in any year since the Society was founded in 1914, and brings the total membership to 1,306 including 1,166 composers-authors and 140 publishers.

Nickel More for NWMP

Cleveland—NWMP is being shown at Locow's State at prices duplicating the 5-cent advance for "Boo Boom."
UA Seeks Dismissal Of Goldwyn Suit

(Continued from Page 1)

tract, claiming that Goldwyn had failed to comply with a previous Court order which directed him to amend his complaint.

Judge Conger reserved decision after hearing the argument and an application of Goldwyn’s to fix a date for an examination before trial of Alexander Korda. Korda’s examination will be set for some time after the Court hands down a ruling on U.A.’s move to dismiss.

Judge Conger directed that a deposition of Korda be taken on the Coast in the event that the producer could not conveniently appear in New York. Raftery termed Goldwyn’s 160-page complaint as being completely repetitious.

Third Interest in Hart Play May Go to Para.

(Continued from Page 1)

under the Dramatists Guild’s new basic agreement and represents the first stage attraction acquired by Paramount since the agreement became effective on Nov. 15.

“Lady in the Dark” opens in Boston on Dec. 30 and will be brought to Broadway in mid-January.

Murray Back at Mono.
As Albany Office Mgr.

Albany—Back to his old desk this week came William J. Murray as office manager of Monogram’s exchange, opened here last Spring. Murray was office manager for Grand National here before transferring to Buffalo when Monogram took over the suite.

Murray’s predecessor here, Mitch Panzer, tendered his resignation to franchise holder Nate Sodikman last week and resigned from Florida this week to remain until after the first of the year when he will return to film row in another capacity.

Murray, here for years with GN, served for a time as manager of the Auto Vision Theater outside Rensselaer.

Male Choruses Appear
With “Bitter Sweet”

Rochester—As a special feature for the showing of “Bitter Sweet” at Loew’s, Lester Pollock has booked the male chorus of the Liederkranz Club and the University of Rochester Glee Club to sing on the stage Wednesday night.

Warren Jones with B & K

Chicago—Warren Jones, formerly booking manager for the RKO circuit here, is now associated with Balaban & Katz in the booking department, taking the late Max Turner’s place.

Boston Testimonial Honors Steve Broidy

(Continued from Page 1)

last night’s testimonial banquet given Steve Broidy. The huge banquet room of the Hotel Statler filled with friends of Steve who looked to once for the West Coast to assume his new duties as sales chief.

Fine presided as toastmaster and introduced several speakers including Eddie Morey, of Republic, who, on behalf of the Variety Club, presented Broidy with a handsome plaque, luggage and other gifts. Other speakers who told of the high esteem in which Broidy is held locally and elsewhere included Abe Yarchin, Morey Goldwyn and chairman of the testimonial dinner and who is himself soon to leave for New Haven to accept promotion there as Metro manager for that district; Martin Mullins who succeeds Broidy as head of the Variety Club, Billy Kelly and Sam Pinanski.

Others at the head table were Pat Breen, Foster, Major Pat Healey, state censor; Joe Levenson, Harry Rifkin, Murray Weiss, Ben Welansky.

Maurice Wolf, division manager for M-G-M, paid tribute to Broidy and as a former and long-term president of the Friars Club, Toastmaster Fine included in his remarks a fine tribute also to Wolf and to Marty Mullins, both of whom are charter members and organizers, with several others of the club.

Broidy told of his pleasure at having served in this area and of his delight in the work of the Variety Club and his regret at leaving his friends here.

During the entire afternoon preceding the dinner, Film Row in Boston was filled with friends of Broidy who called to wish him well in his new and wider field.

Allen, New Bedford, Burn

New Bedford, Mass.—Fire destroyed the 55-year-old Allen Theater and damaged seven adjoining clothing stores, causing total loss of $200,000. The fire started in the projection room and quickly spread throughout the 1,000-seat house. The theater’s loss was estimated at $75,000.

Pathé Film to Pay 30c

The Board of Directors of Pathé Film Corp. has declared a dividend of 30c per share on its common stock, payable Dec. 30, to stockholders of record Dec. 10.
Havana (By Air Mail)—Flooding of giveaways on the radio here has cut dramatically into film theater grosses recently, with exhibitors frankly finding competition too much.

Giveaways range from cash to wearing apparel and foodstuffs, the latter being by far the most popular. Houses are in this city and three Illinois spots, Rock Island, Moline and East Moline.

F & M, Station KMOX Tieup

St. Louis—The Fanchon & Marco and KMOX, local CBS outlet, have inaugurated a new one—Electric Appliance Night. It’s a co-op tieup with a power company. Houses are in this city and three Illinois spots, Rock Island, Moline and East Moline.

Movies, Et. al. Lick Stock

Birmingham, Ala.—Stock performances at the old Jefferson Theater, opened after 10 years of darkness, started off with a big enough bank, but petered out in the second month. Reason: Too much competition from movies, state fairs, concerts, and football.

Joseph M. Gaites Dies

Boston—Joseph M. Gaites, 67, former Broadway stage producer and latterly co-director of the Copley Theaters, Inc., here, died yesterday in the Deaconess Hospital where he had been a patient for the past three weeks. For 14 years he was associated with the Shuberts. He is survived by his widow and two step-children.

Shirley Vanderbilt Better

Pittsburgh—Shirley Vanderbilt, nine-year-old daughter of the popular Ad Sales Manager for 20th Century-Fox here, is recovering from an emergency operation for acute appendicitis at the Passavant Hospital here.

First Legit. Since 1927

Montgomery Ala.—Second attraction in this city’s legit history shows good early signs, with Katharine Hepburn starring in “The Philadelphia Story,” on Jan. 23, according to William Watson, film manager of Alabama Theaters, Inc.

Radio Giveaways Hit Grosses in Havana

Davenport Ia.—Sixteen houses represented in the Quad-Cities Theater Managers Association have inaugurated a new one—Electric Appliance Night. It’s a co-op tieup with a power company. Houses are in this city and three Illinois spots, Rock Island, Moline and East Moline.

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First Legit. Since 1927
“Give Us Wings” with Billy Halop, Huntz Hall, Bobby Jordan Universal

62 Mins.

“DIFFERENT” STORY HAS CONSIDERABLE ACTION, FAIRLY FAST PACE AND A FEW GOOD LAUGHS.

The Dead End Kids and Little Tough Guys team up in a topical subject in this Universal release with fairly entertaining results for the program trade. Crop dusting by plane provides the story with a plot, a topical subject that is out of the ordinary. The kids in the picture haul up their end and the film has been given a fairly fast pace.


CREDITS: Associate Producer, Ken Goldsmith; Director, Charles Lamont; Screenplay, Arthur T. Homan and Robert Lee Johnson; Original Story, Eliot Gibbons; Cameraman, John Boyle.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

Robertson Will Manage Keith’s at Syracuse

Syracuse — Franklin Robertson, recently with NBC in New York, comes here as manager of BKO-Schine Keith’s under City Manager Harry Unterforth.

Irvng Cantor moves up from assistant at Keith’s to the Palace in Eastwood. Richard Feldman, assistant at the Strand, goes temporarily to the Eckel. Strand goes dark until Christmas.

“Dark Streets of Cairo” with Ralph Byrd, Sigrid Gurie, George Zucco Universal

INCREDALE CRIMINAL YARN WITH EGYPTIAN BACKGROUND IS JUST FAIR PROGRAM OFFERING.

An Egyptian background, a few fairly well-known “names” and a moderate amount of suspense and action is all this picture has to offer. As a spot offering for the program trade the picture will serve as a filler, but that is about the limit of its scope. The background is replete with secret tunnels and trap doors as well as sinister characters, but the plot is too hokey for even the most gullible filmgoer to swallow.

Ralph Byrd, Sigrid Gurie, Eddie Quillan, and George Zucco head the cast. Among the supporting cast are Rod La Rocque, Katherine DeMille, Sig Arno, Yolande Montez, Paul Byrd, Sigrid Gurie, and Alex Gottlieb is responsible for the original screenplay.

Byrd and Quillan are attached to an American expedition that has just uncovered the “seven jewels of the seventh Pharaoh.” Zucco, leader of a group of patriots plans to steal the jewels to prevent their leaving the country, but he also plans to double-cross his henchmen and sell them to a wealthy Swedish nobleman, Corrigan. Corrigan and his niece, Miss Gurie, arrive in Cairo the same time the expedition leader is murdered and the jewels are stolen. Suffice it to say that Byrd gets the girl, jewels are recovered and Zucco gets his just deserts.

CAST: Sigrid Gurie, Ralph Byrd, Eddie Quillan, George Zucco, Katherine DeMille, Rod La Rocque, Sig Arno, Yolande Montez, Lloyd Corrigan, Henry Brandon, Nestor Paiva, Dick Botelle, Steve Garay, Wright Kramer.

CREDITS: Associate Producer, Joseph G. Sanford; Director, Leslie Kardos; Original Screenplay, Alex Gottlieb; Cameraman, Elwood Bredell; Editor, Paul Landers.

DIRECTION, Adequate. PHOTOGRAPHY, O.K.

Four Springfield Nabes Offer Cooking Schools

Springfield, Mass. — Four nabe theaters here, Liberty, Strand, Phillips and Jefferson, will conduct cooking schools. Each theater will have three sessions and prizes include food baskets, recipe files and an automobile gas range given at each theater. Elizabeth Emery, home economist, will conduct the classes. There is no increase in admission.
Philly Court May
Okay Money Games

(Continued from Page 1)
and “Cash Quiz,” in his chambers
today.

The two games, claimed to be
games of skill, were played, city
solicitor James Francis Ryan and
reporters participating and Ryan
gave him the winner in one of the
games.

“Zingo,” formerly played over the
radio in a newspaper promotion,
makes use of sounds, while “Cash
Quiz” uses cartoons in a question
and answer game. The games, un-
der the test, had been run at two
local houses and will continue until
the decision is handed down. Money
prizes are used. If the decision is
favorable, it would mean the first
legal use of a money game in this
area in many years.

David W. Yaffe is attorney for the
two games.

Loew Board Meets Dec. 11
Extra Dividend is Talked

(Continued from Page 1)
tion of such action has been made by
board members, it is known that
1940 has been a good year and Wall
Street sources are of the opinion
that an extra dividend is in the
offing.

Observers estimate that earnings
will be equal to around $4.75 for
its fiscal year ending Aug. 31, while
the current quarter is estimated to
net $1.40.

Minneapolis Operators
Get Wage Cut Demands

Minneapolis — Northwest Allied
through its Wage Scale Committee,
demanded that the local opera-
tors union take a cut of 10 to 15 per
cent in scale.

Draftees Help N. B. Houses
Fredericton, N. B.—Establishment
of a draft training center here by
the Canadian defense department has
pepped up business considerably at
the two local theaters, Capitol and

“Convoy” Debut In Frisco
San Francisco—U. S. premiere for
“Convoy,” British p!x being distrib-
uted here by RKO, has been set in
for the Golden Gate theater here on
Dec. 11. Run will be a pre-release
engagement, no national release date
having been fixed as yet.

Threat?
Omaha—Best laugh on a marquee here
in a long time was on the Brandon The-
ater front: “You’ll Find Out”; “I’m Still Alive”

Film Co. Earnings Moving Up
Costs Adjusted; Attendance Increasing

(Continued from Page 1)
Co., members of the New York stock
exchange.

Among today’s weekly market letter,
prepared by J. H. Lewis, points out
that the decline in foreign income,
without a commensurate increase in
production, has brought about the
problem of adjusting downward pro-
duction costs, particularly in the
foreign market.

Adjustment of costs to smaller
grosses is significant because of the
nature of the business, the report
asserts, adding that about 50 per
cent of production costs were of a
fixed nature such as the story, its-
self, locations, costumes, etc.

Fixed Costs Pared Down

“Another 40 per cent,” it contin-
ues, “is estimated to be absorbed in
salaries for actors, cameras, etc. It
takes time to adjust these latter
costs downward. A start has been
made in the last year. Even more
the obviously fixed costs men-
tioned above have been pared. For
instance, Loew’s has spent $5,000,-
000 less on production during this
year than during last year. These
reductions spell out a more bal-
anced relation between lowered in-
come and costs resulting in a higher
net income. In other words, mo-
tion picture companies have recog-
nized the gravity of their situation
and have attempted and are at-
tempts to meet it.

Secondly, when the decline in for-

testaneous effects, amortization sched-

ules were not reduced to the extent
income, since a large percentage of
the costs were allocated to foreign
operations. Amortization schedules
had to be adjusted to the new situa-
tion, meaning that a higher percentage
of amortization costs, which are the
result of the production, had to be
applied against domestic earnings.
Initial repercussions on earnings
were severe. But the adjustment
only has to be made once. Earnings
comparisons from now on should be
more favorable. Moreover, other
costs, as explained above, have been
so reduced as to be some offset
against the increased amortization
charges.

Beneficial Effect Substantial

“Lastly, a recent increase in at-
tendance at movies has in part com-
nensuated for the decline in foreign
income. As our national defense
program sets under way we must
expect an accelerating rate of increase
in attendance. The beneficial effect
of this increase upon motion picture
company earnings should be sub-
stantial for the same reason that the
decreases in income are par-
ticularly hurtful, namely, because
the fixed costs do not rise as rap-
didly as theater income. Because of
the character of the costs, it is esti-
mated that close to 85 per cent of
increased rentals resulting from in-
creased theater attendance comes
down to the net income account of
producing companies.

Current earnings of motion pic-
ture companies are now reflecting
the results of these developments,”
the report contends, adding that most
of the larger companies are show-
ing earnings approximating or ex-
ceeding pre-war days.

Foreign income as a percentage
of the total income of film com-
panies ranged from 10 per cent to 35
per cent, the market letter asserts.

50-50 May Be New
“Dictator” Terms

(Continued from Page 1)
terday by Arthur W. Kelly, vice-

president of United Artists in charge
of distribution. While Charles Chap-
lin has not yet given official ap-
proval of the plan, Kelly is of the
opinion that the producer-comedian
will agree.

Increased admission prices for
“Dictator” will not be compulsory
nor will United Artists ask exhibi-
tors to raise their scales, Kelly said.
Some theater men, however, have
asked for the right to boost the scale.

Price clearances agreed upon for
the special engagements will be clear-
ely defined by negotiations, Kelly
said.

Keystone Opens In Philly
Chicago—C. J. Smith, has been
named manager of the newly opened
Philadelphia office of the Keystone
State Amusement Circuit. M. Thudi-
num succeeds him as manager of the
Kansas City office.

Among the larger companies, it con-
tends, Paramount’s foreign income
was in the 10 per cent bracket; Warn-
ers, 25 per cent; Loew’s, 25-30 per
cent; 20th Century-Fox, 25 per cent,
and Columbia, 30 per cent.

26 Years of Progress—

Twenty-sixth Anniversary and Annual
Holiday number of Greater Amusements
will be published under date of Dec. 20.

Replete with unusual and informative
features, graphically presented, this issue
will mark a new high in film trade publica-
tion.

Make Your Reservations Now

GREAT AMUSEMENTS
Lumber Exchange . . . Minneapolis

Page 7

J. Film Daily

Wednesday, December 4, 1940
UA Will Continue Present Profit-Sharing Setup

UA Relations with Goldwyn Improved, Says Silverstone

On Return from Hollywood

(Continued from Page 1)

consent decree in the New York equity suit. While admitting that the new ruling on selling in blocks of five may be workable, Silverstone said he believed the inclusion of three or four weaker pictures with one good one in a block would have a bad effect. Quality would be raised if each picture were sold on its merits and the revenue would be greater, he asserted.

The plan has worked successfully in England and there is no reason why it should not be practical in this country, he added.

Among other things revealed by Silverstone at a press conference yesterday were the following:

(A) A plan whereby UA producers would make only one picture each next season is being considered.

(B) Negotiations are under way for four more producers to be added to the UA roster. (This confirmed a story published in the THE FILM DAILY, Nov. 29.)

(C) Every member of the UA force in England will receive a Christmas bonus in recognition of the work they are trying to do.

(D) The present profit-sharing plan of the company will be continued.

(E) A better feeling and understanding between M-G-M and UA prevails, indicating a possible settlement of the Goldwyn suit against the company. A better quality program should result from each producer concentrating on only one picture, Silverstone said. Under the new profit-sharing plan (UA ANNUAL REPORT for the 1941-42 season) there would include 15 pictures, although additional producers, of course, would increase this number.

French team is massed at the Paris town hall for the trial of M. Thiers, who, in the early part of the war, was proprietor of a coffee and tea house there.

Turns out to be the same man who died last winter at the home of his wife, the former Anne Gregory, in Los Angeles.


dating the next season of "The Man Who Knew Too Much," which has been in the works for some time. The film is expected to be completed in the spring.

"Miss Bishop" Premiere

In Lincoln on Jan. 7

Lincoln, Neb.—Premiere of Richard A. Rowland's "Miss Bishop" will be held in Lincoln, Jan. 7. This is the hometown of authoress Bess Streeter Aldrich. Added sales point is the fact that most of the crowd stuff and background were actually filmed at the University of Nebraska here. Preliminary arrangements were set by Murphy McHenry, Rowland's publicist, who came from the Coast for a half-week stay.

Kalmsenon Returns to N. Y.

Ben Kalmsenon, Warners' Western and Southern sales manager, returned yesterday from a two-weeks' trip to the company's Los Angeles Exchange where he conferred with Henry Herbel, West Coast district manager. Discussions included plans for the forthcoming "20th Year For Sears" Drive which gets under way Dec. 22.

WHO'S WHO IN HOLLYWOOD

• • • Introducing Interesting Personalities • • •

BERNARD VORHAUS. Producer-director. Born Dec. 25, 1904, in New York City. Was graduated from Harvard University, Magna Cum Laude, with honors in English, in 1925. Has an A.B. degree. Took post graduate course in literature. His first job was as writer for the UN in 1926-27 in the then quite small Columbia Pictures Company. Received an unusually concentrated experience writing and almost every other phase of production work. Worked original story for Columbia entitled "Stoppin' Out" that proved unusually successful. This brought him writing assignments from M-G-M and subsequently from Paramount. In 1932 began directing in England and in some cases acted as producer as well, with such stars as Ida Lupino, Merle Oberon and John Loder. The pictures averaged unusually high international grosses among British productions and he was given the opportunity of starting a production company of his own. When most production was suspended in England, he accepted an assignment from Republic as Producer-Director. Vorhaus directed, aside from the Republic Pictures "The Italian Refugee," four films for RKO release among which were two of the Joan Hirtholt-"Dr. Christian" pictures. Recently Vorhaus completed "Three Faces West" for Republic and is currently preparing, as producer-director-"The Lady From New Orleans" and "All Night Program" for Republic.

Jan. 10 May Be Release Date for Hepburn Film

Metro has set Jan. 10 as the tentative release date for "Philadelphia Story" which will have seven pre-release engagements. Pix starts tomorrow in Rochester, Providence, Louisville, Cincinnati, Reading and Milwaukee and, as printed yesterday in THE FILM DAILY, goes into the Music Hall here Dec. 26.

Ivens, Forno Get $25,000

Suit of Jovis Ivens and John Forno against New York University and the Alfred P. Sloan Foundation was settled yesterday in the New York Supreme Court for $25,000. Fletson & Mayors, plaintiffs' attorneys, revealed, Complaint claimed wrongful discharge of plaintiffs, who had been employed to produce two educational pictures for the defendants.

Name Passman City Manager

Boston—Ben Passman has been named City Manager by the E. M. Loew Theaters.

Selznick Wins GWTW Suit Against Ted Todd

Atlanta — The Fulton Superior Court yesterday permanently forbade the printing of the book "Gone With the Wind" either directly or indirectly in connection with a partially completed movie travelogue development made famous by Margaret Mitchell's novel.

The action ends a suit brought by Selznick International to prevent the publication of the book which had been widely considered to be harmful to Selznick International's plans for the film. The suit was dismissed by the court on the ground that the defendant, Ted Todd, an independent producer, had obtained a copyright to the book from the estate of Mitchell, who had proposed to call his travelogue "The Gene With the Wind Country."

Schwartz Leaving Brandt

Arthur Schwartz, chief booker for the Brandt Circuit, has resigned to join his father-in-law in the bakery business. Schwartz will be the guest of honor at a luncheon tendered by his friends at the Astor Hotel Dec. 17.

Loew's House Opens Dec. 24

Loew's new American Theater in this city is scheduled to open Dec. 24. New house has a seating capacity of 2,000.

Editor Sees "Joker" in Consent Decree

(Continued from Page 1)

necessities that are accused by government of violating the law.

"The Department of Justice had been proceeding for more than two years against large motion picture producers on the ground that they were monopolistic. This consent decree, instead of breaking up alleged monopoly, freezes it as it is and may even let it expand. The Government agreed not to seek dissolution of the chains for three years. The companies agreed not to expand the chains except for certain stated exceptions.

"It is in the exceptions that the joke appears. The decree is not to prevent any defendant from acquiring fragments that interests them to protect its investment or its competitive position or for ordinary purposes of business."

For ordinary purposes of business. What else have the producers been buying up theaters for? Attys. Gen. Jackson, it seems, has here the interests on his side. The Government to proceed against movie monopoly. There is now nothing to prevent the chain companies from buying up all the theaters in the United States...
"LITTLE 3" Ask Delay in Other Suits
Skouras Sees 1941 As Best U. S. Year Since 1929

Theater Business Certain
To Forge Ahead, Declares National Theaters Prexy

By GEORGE H. HOLMES
FILM DAILY Staff Correspondent
Portland, Ore.—Take it from Spyros Skouras, prexy of National Theaters, 1941 is going to be the best the U. S. has had since 1929.

Skouras, here from New York on a swing across the country in the interest of Greek war relief, discussed the exhibition outlook at a press conference.

"How do I know that business is (Continued on Page 10)

$153,878 Col. Net For First Quarter

Columbia's net profit for the first quarter ended Sept. 28, amounted to $153,878.41, after all charges and provisions for Federal Income and other taxes.

This compares with a loss of (Continued on Page 10)

Newsreels' War Footage Gets Feminine Approval

The majority of American women do not think that the newsreels are presenting too much war footage, according to a survey recently conducted.

(Continued on Page 10)

45 State Legislatures Meet
Many Expected to Get Industry Measures

Illinois May Outlaw All Theater Games

Chicago—Theater games may be outlawed in Illinois. With Attorney General John Cassidy enforcing state laws against gambling and (Continued on Page 4)

Warners and Erpi Call Off Contracts

Washington Bureau of THE FILM DAILY

Hollywood—It was announced yesterday by H. M. Warner, president of Warners, that all existing contracts between Warner Bros. Pictures, Inc. and Erpi, have been discontinued as of Dec. 4 by mutual agreement.

Warner Bros. Pictures, Inc., several years ago discontinued the use of Western Electric recording equipment, but no official acknowledgment of this fact had been made until the (Continued on Page 4)

Schreiber Conspiracy Suit to Trial Today

Detroit—The suit of Midwest Theaters (Schreiber Circuit) against co-operative theaters of Michigan is slated to go to trial today before Federal Judge Pickard.

Suit charges conspiracy, among other matters, growing out of alleged difficulties in booking suitable pictures. Early trial was sought as an effect of the suit was held likely to delay buying product at the start of (Continued on Page 4)

Los Angeles Flu Epidemic Has Little B. O. Effect

West Coast Bureau of THE FILM DAILY

Los Angeles—There has been no appreciable effect on film theater attendance in the Los Angeles sector due to the flu, according to a representative of Fox West Coast. A spokesman for independent exhibitors said there has been the usual falling-off of December business due to Christmas shopping.

Only one Hollywood production (Continued on Page 4)

41 Detroit Houses Dark Christmas Eve

Detroit—Forty-one Detroit theaters yesterday voted to close Christmas Eve, regardless of what action may be taken by opposition houses.

Houses which will darken include those of several independent circuits; Fred Delodder, Komar & Goldberg, J. C. Ritter, Barney Kilbride, Cohen Brothers, Jack Krasz, Tat and Petriks Flier, Julius D. London, Munz, Robinson Brothers, and Pascoe. Not all houses of all cir-

(Continued on Page 4)

Would Dispose of N. Y. Action First; Will Point To Heavy Financial Burden

Federal Judge Henry W. Goddard will be asked today by Edward C. Raftery, attorney for Universal and United Artists, to restrain proceedings of all other Government equity suits until the Court has passed on and rendered its decision on the D. O. P. suit against the "Little Three." If the Court grants the application of UA and Universal, suits against the Griffith, Schine and Crescent circuits will remain in status quo in all likelihood for the period of a year.

Columbia, it was indicated last night, will support the motion, with Louis D. Frolich, of Schwartz & Frolich, appearing for the company.

Raftery will argue that the necessity of the "Little Three" defending the three suits now pending against circuits, and possible additional ones filed before decision on the D. O. P. action, would place a tremendous (Continued on Page 3)

Para. To Release Blocks in Order

Northwest Allied's protest against a report that Paramount would sell blocks only in order apparently is unwarranted. Barney Balaban, Para. (Continued on Page 10)

Draft Standard Costs To Cover Arbitration

The Administrative Committee of the American Arbitration Association designated to supervise the move, (Continued on Page 4)

New Producing Co.

West Coast Bar, THE FILM DAILY

Hollywood—William H. Pine and William C. Thomas have organized the Pictures Corporation of America with Pine as president and Thomas as vice-president in charge of production. "Power Dive" will be the first of three aviation pictures which they will make for release through Paramount. Pine will continue with Cecil B. DeMille.
“Aunt” to 20th-Fox

West Coast Busy, THE FILM DAILY reports—Twentieth-Fox is negotiating for the screen rights to “Aunt’s Aunt,” which it was reported yesterday, was said that the option was purchased for the title role in the comedy if the play is purchased.

Buffalo Variety Club Names Officers Monday

Buffalo—Tent No. 7, Variety Club of Buffalo, has elected canvassmen (directors): Phil Fox, Columbus; Irving Fried, Tri-State Automatic Candy Corp.; Stanley Kozanowski, Rivoli Theater; George F. Haney, Jr., Capitol Theater; Sydney Lehman, UA; Elmer F. Lux, RKO; W. E. J. Martin, dramatic editor, The Courier-Express; Ralph W. Maw, Metro; Sydney Samson, 20th-Fox; Murray Slavin, Murray White; Ellis, B. Schwartz, Jubilee Theater.

Robert T. Murphy, Shea circuit booker, and retiring chief-barker, was honored at Buffalo’s representation on the national board of directors. Jacob Laven of the Academy, past chief-barker, and Lux, were named as delegates to the Atlantic City convention in April, 1941, with Samson and Lehman as alternates.

Directors will elect officers next Monday.

Louisville Will Have Two New Pix Houses

Louisville—A city permit for construction of a $50,000 theater and a $25,000 store building on Fourth St., near Broadway, will be issued today. \(\text{[correction]}\) Through for hearty, has been issued here by the Building Inspector in the name of the Heyburn Estate. Site is about 100 yards from the present Kentucky Theater.

It is reported that a new downtown house also under the name of George Settos of Settos Theaters, Indianapolis, owners of the recently-opened Vogue. The house is expected to operate as a second-run.

Goldwyn Silent on Report UA Suit May be Settled

West Coast Bureau of THE FILM DAILY

Hollywood—Samuel Goldwyn is maintaining his original stand of not commenting on his suit to abrogate his contract with United Artists and refused to make any statement regarding the report that a settlement of his UA suit impends.

Rites for Mrs. Robbins

New Haven — Funeral services were held yesterday for Ruth C. Robbins, wife of A. E. Robbins, Jr., operator with Adolph Johnson of the Strand, Hamden. Mrs. Robbins died at New Haven Hospital after a long illness. \(\text{[correction]}\) is president of the Hamden Chamber of Commerce.
Forty-Five State Legislatures Meet

(Continued from Page 1)

loom as a possibility in several states.

All of the re-convening legislatures open their sessions in January except Florida and Georgia. Florida’s law-makers assemble on April 4, while the Georgia legislature is scheduled to open its sessions on July 17.

States whose solons meet in 1941 and the date they convene follow: Alabama, Jan. 10; Arizona, Jan. 9; Arkansas, Jan. 9; California, Jan. 2; Colorado, Jan. 4; Connecticut, Jan. 4; Delaware, Jan. 3; Florida, April 4; Georgia, July 17; Idaho, Jan. 2; Illinois, Jan. 4; Indiana, Jan. 5; Iowa, Jan. 9; Kansas, Jan. 10; Maine, Jan. 4; Maryland, Jan. 4; Massachusetts, Jan. 1; Michigan, Jan. 4; Minnesota, Jan. 3; Missouri, Jan. 4; Montana, Jan. 2; Nebraska, Jan. 3; Nevada, Jan. 16; New Hampshire, Jan. 4; New Jersey, Jan. 10; New Mexico, Jan. 10; New York, Jan. 4; North Carolina, Jan. 4; North Dakota, Jan. 3; Ohio, Jan. 2; Oklahoma, Jan. 3; Oregon, Jan. 9; Pennsylvania, Jan. 3; Rhode Island, Jan. 3; South Carolina, Jan. 10; South Dakota, B. S.; Tennessee, Jan. 2; Texas, Jan. 10; Utah, Jan. 9; Vermont, Jan. 4; Washington, Jan. 9; West Virginia, Jan. 11; Wisconsin, Jan. 11; Wyoming, Jan. 10.


For Part-Time Operation

Rocheiter, N. H.—New operating schedules have been announced for the Scenic and Colonial theaters in that state.

Boston — “Papa’s Mazurka” has been deleted by the State Censor to the extent that scene showing girl in bathhouse and scene showing girl exposing bare thigh are ordered out for Boston and Massachusetts audiences.

“Happy Birthday to You”

From THE FILM DAILY to

Walt Disney
Ernest C.Herbourg
Eugenia Eloy David
Virginia Lee Corbin
Sidney H. Algie

“Little Three” Ask Delay in Other Suits

(Continued from Page 1)

financial issues. Johnston, caretaker of the “Little Three,” UA and Universal will contend that the issues and Government charges which will be decided on trial against Florida and Georgia’s law-makers, cover the same ground as the other suits, and that nothing can be gained from duplicating hearings on the “Little Five” on the lesser actions.

At the same time, both UA and Universal will insist that fairness to them would require the D of J to state in its complaint those violations which the Government contends have been committed by the “Little Three.” Granting of the order would require the Government to drop all allegations referring to theater ownership as an abuse of the anti-trust laws.

“Navy” Re-issue Gives Best Biz in Three Years

St. Louis—Walters’ “Here Comes The Navy” opened at the St. Louis Theater here to the highest gross reported by the house in three years. The United States Navy recruiting office co-operated with the theater to plug the local playdate. A full-page layout devoted to a four-ship naval squadron passing down the Mississippi River broke the day after the picture opened, giving added publicity.

Odeon Year’s Profit $473,482; Passes Div.

London (By Air Mail)—Although the gross profit of Odeon Theaters was $473,482 (as against $509,990 the previous year) the board voted to pass up dividend on the common stock in order to conserve its financial resources in the abnormal conditions prevailing.

Arithmetic Lesson

Charlevoix, Pa. — NWMP at the Coyle Theater here broke all previous records by 12 years by playing to 13,699 at advanced prices; town’s population is 10,700.
41 Detroit Houses
Dark Christmas Eve

(Continued from Page 1)
uits are affected, however. Move
was started by Co-operative The-
aters, but is being followed by non-
members as well.
Special Christmas plans being prepared by National Screen Service at cost to present story to public as “in order that our employees may spend Christmas Eve with their families, we will be closed Tuesday. Regular
performances will resume Christmas Day.”

Illinois May Outlaw
All Theater Games

(Continued from Page 1)
games of chance, an East St. Louis
court ruled against bookies yesterday which gives the state law en-
forcement officers still another weapon
to eliminate theater games.

Nazi Plan 142 Features For Season of 1940-41

Washington—The American Vice
Consul in Berlin has reported to the
Commerce Department that 153 films
have so far been offered for distribu-
tion for the 1940-41 season, com-
pared with about 157 announced for
the 1939-40 season. Block bookings
are dropped and only 125 actually deliv-
ered. Included in the 1940-41 total
are: 142 German-language feature
films, two long cultural pictures; and
nine foreign features, eight of which
are Italian.

Rickertor to Distribute
Phonovision in N'Orleans

New Orleans—Phonovision made
its trade debut in the Roosevelt Ho-
tel here. A special trailer which will
be handled by A. F. Rickertor and
Associates, was inspected by spot
operators but delivery dates are said
to be uncertain. Rickertor operates
restaurants, the famous Crescent City
Billiard Hall and other estab-
lishments.

WEDDING BELLs

Ruth Bobar, M-G-M employee in the
Albany exchange, was married to
Steve Wilski, Albany Eastern
League pitcher, in St. Casimir's
church. Attendants were Mrs. L. W.
Carignan, Mrs. Wilski's sister, and
Stanley Wilski, the groom's brother.
Wilski pitched a perfect no-hit, no run game on his 23rd birthday here last September.

Little Rock, Ark.—John H. Rov-
ley, associate manager of R & R
Theaters, Little Rock, and Shirley
Goodgame were married.

City of Springfield Acquires Franklin
As Municipal Theater Through Foreclosure

Springfield, Mass.—Springfield at last has a municipal theater, by way of the tax
time foreclosure route.

The city now has full undisputed title to the Franklin Theater through a decree
of the land court in foreclosure proceedings instituted by the city law department.

The total due the city in taxes, except for the assessment for the cur-
rent year, with interest, is $9,087.95. Taxes for this year amount to about $1,500.
The foreclosure covered the amounts due in back taxes and is for the balance of the
1953 assessment and all the subsequent taxes up to the present year.

Schreiber Conspire
Suit to Trial Today

(Continued from Page 1)
the new selling season and trial was
first set for July 18 last by Federal
Judge Ernest A. O'Brien, but post-
ponement was taken to the Septem-
ber term of court, and then deferred
again.

Postponement in July was due to the
congested calendar, the judge
holding that the trial, which is ex-
pected to extend over a month, would
take up too much time in the Sum-
mer session. Both plaintiff and
defendant were ready to go to trial
at that time.

Swiss Exhibs. Compete
For Old American Films

Zurich (By Air Mail)—Swiss ex-
hibitors are competing with each
other for all old American films
which are available, owing to the diffi-
culty in shipping new U. S. product
into the country and to the practical
stoppage of imports from France.

Only regular supply of films comes
from Germany and German pix there
are receiving a strong play, though
still behind American product. In
most instances old American suc-
sessful films draw better than the
new German product.

More than 50 per cent of the fea-
tures shown in 1939 were of U. S.
origin. Percentage is not so high
in German-Swiss printings. Swiss-
land American pictures are shown
in original versions as it is no longer
possible for the pictures to be dub-
bbed in German for that Swiss area
alone. In French-Switzerland, Amer-
ican films are presented with titles
in French.

Attendance at important first-run
theaters is approximately 20 per
cent under that of last year. Pro-
duction of domestic films is steadily
increasing, with a number having been
synchronized for the German
and French market.

Keye Luke with Count Bernivici
West Coast Bureau of THE FILM DAILY

Hollywood — Keye Luke, star of
Monogram's "Phantom of Chin-
ao" has signed for picture with the
Count Bernivici show opening at the
Fox Theater, St. Louis on Dec. 13
with dates at Cincinnati and Dayton
scheduled to follow. Negotiations
are now under way for the unit to
play the State Lake Theater, Chicago
Dec. 20 with "3 Days with China-
town." Roy Mack is staging the act
which includes Anne Nagel and a
group of dancers.

Walters Standard Costs
To Cover Arbitration

(Continued from Page 1)
For the new 1934 picture arbitration
ystem met yesterday to draw up the necessary
forms to be used in the system. The
Committee announced that the com-
nitee drafted a form to be used by
exhibitors in filing a complaint and that
in addition, an itemized statement
of standard costs to be paid by ex-
hibitors for adjudication of a dispute.

Association officials said that the
committee form had been couched in
simple language to enable an ex-
hibitor to fill it out without the aid
of an expert. Paul Felix Warburg,
chairman, presided at the meet-
ing of the full committee of nine.

Baires Studios to Enter
Production in Argentina

Buenos Aires (By Air Mail)—
Baires Studios, owned by Natalio
Bottana, publisher of La Critica,
laest South American afternoon
daily, plan to produce on their own
next year. Jacques Constant, French
producer-director, has been signed
as assistant to Daniello Timayre,
general manager.

Baires plant is located at Don
Toreci. At present, its labor-
atory only is active, making prints
required by American distributors.

American League 4-Reeler
To Be Released on Jan. 1

Chicago—American League's of-
icial 1941 film, "Batting Around
the American League," will be ready
for release Jan. 1. It's a four reeler
available in both 16 mm. and 35 mm.,
with 40 minute running time. Film
is for free release, with the pro-
vision that no admission charge is
allowed for its exhibition.

Huddle on Jersey Tracks

Trenton — First conference was held
here this week between the newly
appointed New Jersey racing
commission and groups interested
in securing licenses for construc-
tion of tracks. Four of which will
be allowed under the law. Walter
Reade and Bing Crosby are among
the persons who have expressed
interest in securing a license.

As the Premier in Boston

"Murder at the Baskervilles," by A. Conan Doyle, new Astor Pictures
release, will have its world premiere at the Trans-Lux Theater, Boston,
today.

Walters and Eri
Call Off Contracts

(Continued from Page 1)
statement yesterday by Warner Bros.
The agreement covers not only
Warner Bros., and its subsidiaries
both foreign and domestic, but
Eri's subsidiaries as well.

Los Angeles Flu Epidemic
Has Little B. O. Effect

(Continued from Page 1)
was forced to shut down, that being
"Murder Among Friends" at 20th
Century-Fox, which had only half a
day remaining for completion of the
picture. Directors are shooting
around actors who are laid up be-
cause of the ailment.

While the epidemic appears to be
in a mild form, it is widespread.
Los Angeles health officials reporting 55,
000 cases, 72 deaths. It is said to be the worst flu attack in the
city since 1928. San Francisco re-
ported 358 new cases, none of which
were fatal.

Mrs. Jacob Morse Dead

Boston—Film district mourns the
death of Mrs. Josephine Morse, widow of the late Jacob Morse and
mother of Charles and Reginald
Morse, operators of the Kenmore
and a score of other theaters of the
Morse Brothers chain.
HOW TO KILL TIME!

M-G-M didn't take any poll—
We're just guessing!
But we believe that the
Average American Family,
Papa, mama, brother and sister,
Want to go to the movies tonight
For real old fashioned (*pardon the expression!*)
Belly-laughs!
May we suggest a screamingly funny film—

**"MARX BROS. GO WEST"**

*their best!*

with JOHN CARROLL • DIANA LEWIS • Original Screen Play by Irving Brecher
A Metro-Goldwyn-Mayer Picture • Directed by EDWARD BUZZELL • Produced by JACK CUMMINGS
Columbia — 68 Mins.

**“Blonde Plays Cupid”**

*with Penny Singleton, Arthur Lake, Larry Sims*

The big-hearted Bumstead family has its customary amount of troubles in this release, with amusing results. Offering will get a good reception from the family trade, as it is one of the best in this series to date. In selling the picture, exhibitors have the advantage of having a nationally-known comic strip as the origin of the story, and the same cast is intact. The players are agreeable and capable, the story is amusing and there is a lot of good humor.

Penny Singleton, Arthur Lake and Larry Sims comprise the Bumstead family. Daisy appears in the picture, and Jonathan Hale, Gloria Ford, Danny Mummet, Beryl Hersters, and Luana Walters help the proceedings.

Frank R. Strayer directed, with the screenplay by Richard Flourney and Karen De Wolfe.

Penny discovers that Lake has hidden some firecrackers for the Fourth of July, and decides that the whole family will spend the holiday at an aunt’s place out of town. They get on the wrong train, and after getting off are picked up by Ford and Miss Walters, who are on their way to be married.

Will Wright, Luana’s father, arrives in time to break up the marriage and take her home, but Lake and Penny take on the role of cupid with amusing results. Finally, Baby Dumpling saves the day by setting off a stick of dynamite that is wired to Wright’s property, with everybody forgiven.

**CAST:** Penny Singleton, Arthur Lake, Luana Walters, Daisy, Jonathan Hale, Danny Mummet, Irving Bacon, Glenn Ford, Luana Walters, Will Wright, Spencer Charters, Leonas Roberts.

**CREDITS:** Produced by Columbia; Director, Frank R. Strayer; Screenplay, Richard Flourney and Karen De Wolfe; Based on a comic strip by Chic Young; Cameraman, Henry Frelich; Editor, Gene Milford.

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

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**“Missing People”**

*with Will Fyffe, Kay Walsh, Lyn Harding*

**Monogram** 73 Mins.

**BRITISH-MADE WHO-DUN-IT, BASED ON EDGAR WALLACE STORY, IS MODERATELY ENTERTAINING SCREENPLAY.**

Based on an Edgar Wallace story dealing with one of the adventures of J. G. Reeder, the amateur crime expert, this British-made who-dun-it is moderately entertaining screenfare. Story is well constructed and maintains a certain amount of suspense right to the climax; the cast is agreeable and the production value is okay for the budget limitations.

Will Fyffe’s characterization of the country gentleman who turns sleuth is a good job, and he gets effective support from the other players. Kay Walsh and Lyn Harding have important roles. Jack Raymond, director, keeps the suspenseful background of the picture a mystery until the final sequence and his characters are believable.

Lydia Hayward wrote the screenplay. Fyffe is tracing the disappearance of a woman and he discovers clues which link her vanishing act with other women who have also disappeared. He believes that Patricia Roc will be the next victim and enlists her aid in trapping the murder suspect, which he suspects is headed by Harding.


**CREDITS:** Producer, Charles Q. Steel; Director, Jack Raymond; Screenplay, Lydia Hayward; Based on a novel by Edgar Wallace.

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

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**“Queen of the Yukon”**

*with Irene Rich, Charles Bickford, Dave O’Brien*

**Monogram** 73 Mins.

**PLEASING PROGRAM OFFERING HAS GOOD BACKGROUND AND INTERESTING ACTORS.**

Designed obviously for the program trade, this Monogram offering fills the bill nicely. The cast is able, the outdoor backgrounds are good and there is a good amount of action as well as a smoothly running story. Exhibitors catering to audiences who like this type of picture should find the picture worth showing.

Irene Rich is effective as a hard-boiled lady gambler with a heart of gold. Charles Bickford, as the man who plays a role to ingratiate the agreeable casting, has the task of inducting into the game and making the woman believe in it. His act is excellent.

**CAST:** Charles Bickford, Irene Rich, June Carlson, Melvyn Lang, George Cleveland, Guy Usher, Tris Coffin.

**CREDITS:** Associate Producer, Paul Malvern; Director, Phil Rosen; Screenplay, Joseph West; Based on a story by Jack Lopert; Cameraman, Harry Neumann; Editor, Russell Schorngart.

**DIRECTION:** Able. PHOTOGRAPHY: Good.

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**Siegel’s First for Para.**

**To Be “Virginian” Remake**

*West Coast Bureau of THE FILM DAILY*

Hollywood—Paramount will remake “The Virginian” with Joel McCrea in the title role. Film will be in color and is scheduled for the new Sol C. Siegel production unit which is scheduled to make from 12 to 18 pictures a year. Jules Schermer will be Siegel’s assistant while the associate producers will be Eugene Zukor and Joseph Sistrom.

“Casey Jones” will be “Paramount on Parade” and “Two Bad Angels” will be among his productions.

**Kahl Succeeds St. Clair**

Chicago—Bill Kahl has been named country salesman for Columbia and will work in the Indiana territory succeeding to the late John St. Clair.

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**“Design For Murder”**

*with Manning Whiteley, Barbara Everest, Michael Drake*

**World Pictures** 52 Mins.

**ENGLISH-MADE CRIME YARN WITH AMATEURISH CAST IS UNINTERESTING ANYWAYS PRESENTED.**

Produced by John Bottuing, who also produced “Paster Hall,” this English-made film fails to hold much interest for audiences generally. The cast is amateurish, the direction lacks punch, and the production value is below par. Story is gruesome and would not be suitable for any but adult trade.

Manning Whiteley, Barbara Everest, Michael Drake, Kay Petrie, Thelroy Walters, Eileen Bennett.

**CREDITS:** Producer, John Bottuing; Director, Roy Bottuing; Screenplay, Francis Miller; Based on a stage play by Reginald Denham and Edward Percy; Cameraman, D. P. Cooper; Editor, Clifton Boute.

**DIRECTION:** Weak. PHOTOGRAPHY: Poor.

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**FOREIGN**

**“The Man of the Hour”**

*French, Dialogue, English titles*

**Triolo Films, Inc.** 93 Mins.

**NEW YORK POST:** Maurice Chevalier’s “Man of the Hour” is rather a treat.

HERALD TRIBUNE: Inconsequential, but amiable Gallic satire will please Chevallier fans.

**NEW YORK TIMES:** Picture’s gayish is thin and it never dances along as a comedy should.

**CREDITS:** Produced by Les Films Marquis; Director, Julien Duvivier; PLAYERS: Maurice Chevalier, Elvire Popesco, Alerme.

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**“The Kiss of Fire”**

*French, Dialogue, English titles*

**I. E. Lopert** 83 Mins.

**NEW YORK POST:** Performance and sensible script come together to make a tale which is interesting.

DAILY NEWS: The lurid title is no less cool and placid than the story. DAILY TELEGRAPH: Whatever the producer’s intentions, it is all pretty funny.

**CREDITS:** Paris Film production; Director, Agram Sciesz; PLAYERS: Viviane Romance, Tino Rossi, Michel Simon.
### The Film Daily's Calendar

**COLUMBIA**

- West of Abilene, 56 mins. ........................................ 10-21-40
- FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe
- Fugitive From a Prison Camp, 59 mins. ................................ 9-5-40
- FD: 8-6-40. Jack Holt, Marian Marsh, Philip Terry
- He Stayed for Breakfast, 89 mins. .................................. 8-22-40
- FD: 8-12-40. Loretta Young, Melvyn Douglas, Una O'Connor
- Durango Kid, The, 60 mins. ......................................... 8-15-40
- FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald
- Howards of Virginia, The, 122 mins. ................................ 8-29-40
- FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke
- Thundering Frontier, 57 mins. .................................... 12-5-40
- FD: 9-16-40. Charles Starrett, Iris Meredith
- I Married Adventure, 78 mins. .................................... 7-24-40
- FD: 9-25-40. Mr. and Mrs. Martin Johnson

**M-G-M**

- Boom Town, 116 mins. ............................................. 8-30-40
- FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr
- Wyoming, 89 mins. .............................................. 9-13-40
- Dr. Kidde Goes Home, 78 mins. .................................... 9-6-40
- FD: 9-11-40. Lionel Barrymore, Lew Ayres, Paul Her,dman
- Strike Up the Band, 120 mins. .................................... 9-20-40
- FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman
- Dulcy, 64 mins. ..................................................... 10-4-40
- FD: 9-3-40. Ann Sothern, Jan Hunter, Roland Young
- Third Finger, Left Hand, 60 mins. ................................ 10-11-40
- DR: 10-11-40. Myrna Loy, Melvyn Douglas, Lee Bowman
- Escape, 104 mins. .................................................. 11-1-40
- FD: 10-31-40. Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova
- Fullblood, 77 mins. .............................................. 10-25-40
- FD: 10-29-40. Frank Morgan, Virginia Gilmore, Dan Duryea, Jr.
- Haunted Hymือน, 83 mins. ...................................... 9-20-40
- FD: 11-14-40. Robert Montgomery, Constance Cummings, Leslie Banks
- Golden Fleece, The, 68 mins. ................................... 8-16-40
- FD: 9-21-40. Lew Ayres, Rita Johnson, Lloyd Nolan
- Little Nellie Kelly, 100 mins. .................................... 11-22-40
- Ritter Sweet, 92 mins. ............................................ 11-8-40
- FD: 11-20-40. Jeanette MacDonald, Nelson Eddy, George Sanders
- Sky Murder, 72 mins. ............................................. 9-27-40
- FD: 11-22-40. Walter Pidgeon, Donald Meek, Karen Verne
- Philadelphia Story, The, 112 mins. ................................ 10-1-40
- FD: 11-26-40. Katharine Hepburn, Cary Grant, James Stewart

**MISCELLANEOUS**

- Mozart (Mozart Film Corp.), 76 mins. ................................ 10-8-40. Stephen Haggard, Victoria Hopper, John Loder
- Here Is Ireland (Irish-American Film Corp.), 11 mins. ........................................... 10-9-40. Travelogue in color
- Tornado Murder Mystery (Arthur Zeichn., Inc.), 70 mins. ........................................ 10-23-40
- FD: 10-25-40. Bruce Cabot, Tamar Desai
- Face at the Window, The (Arthur Zeichn., Inc.), 65 mins. ........................................ 10-23-40
- FD: 10-25-40. Tod Slaughter, Marjorie Taylor
- Let George Do It (Film Alliance of U. S.), 73 mins. ........................................ 8-31-40
- FD: 10-3-40. George Formby, Phyllis Calvert
- Mercy Plane (Producers Distrib. Corp.), 72 mins. .................................................. 10-31-40
- FD: 10-31-40. James Dunn, Frances Gifford
- Design for Murder (World Pictures), 52 mins. .................................................. 10-4-40
- FD: 12-4-40. Manning Whitely, Barbara Everest, Michael Drake

**MONOGRAM**

- Laughing at Danger, 63 mins. .................................... 8-12-40
- FD: 8-20-40. Frankie Darro, Joy Hodges, Mantan Moreland
- Doomed to Die, 67 mins. ....................................... 8-12-40
- FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds
- Who Is Guilty?, 69 mins. ....................................... 9-2-40
- FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney
- Range Busters, The, 53 mins. .................................... 8-22-40
- That Gang of Mine, 62 mins. .................................... 9-23-40
- FD: 10-3-40. East Side Kids, Joyce Bryant
- Drums of the Desert, 64 mins. .................................. 10-7-40
- Little Miss Molly, 64 mins. ..................................... 10-9-40
- FD: 10-15-40. Boris Karloff, Mary Winsor
- Arizona Frontier, 60 mins. ...................................... 8-19-40
- Take Me Back to Oklahoma, 64 mins. ........................................... 11-11-40
- FD: 11-26-40. Tex Ritter, Bob Wills & His Tex. Playboys
- Missing People, 73 mins. ....................................... 8-19-40
- FD: 12-4-40. Will Wylde, Kay Walsh, Lyn Harding
- Queen of the Yukon, 73 mins. ................................... 8-26-40
- FD: 12-4-40. Norma Shearer, Charles Bickford, Dave O'Brien

**PARAMOUNT**

- Great McGinty, The, 81 mins. ................................... 8-23-40
- FD: 7-23-40. Brian Donlevy, Muriel Angelus, Akim Tamiroff
- Rhythm on the River, 92 mins. .................................. 9-6-40
- FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant
- Three Men from Texas, 70 mins. ................................ 11-15-40
- Rangers of Fortune, 80 mins. ................................... 10-11-40
- Christmas in July, 70 mins. .................................... 10-18-40
- Comin' Round the Mountain, 80 mins. ........................................... 8-16-40
- FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna
- Want a Divorce?, 50 mins. ...................................... 9-20-40
- FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

**PRODUCERS RELEASING CORP.**

- Marked Men, 66 mins. ............................................. 8-28-40

**RKO RADIO**

- Ramparts We Watch, The, 90 mins. ................................ 8-16-40
- FD: 7-24-40. John Adair, John Sommers, Julia Kent
- Dance, Girl, Dance, 90 mins. ................................... 8-23-40
- FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball
- Stranger on the Third Floor, 64 mins. ........................................... 8-16-40
- FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet
- Men Against the Sky, 75 mins. .................................. 9-6-40
- Dreaming Out Loud, 81 mins. ................................... 9-13-40
- FD: 9-10-40. Lum 'n' Abner (Chesire Laugh, Norris Goff)
- I'm Still Alive, 72 mins. ......................................... 9-27-40
- Laddie, 70 mins. .................................................. 10-18-40
- FD: 10-3-40. Tim Holt, Virginia Gilmore, Spring Byington
- Too Many Girls, 85 mins. ....................................... 11-8-40
- FD: 10-4-40. Lucille Ball, Richard Carlson, Ann Miller
- They Knew What They Wanted, 96 mins. ........................................... 10-25-40
Para. To Release Blocks in Order

(amount president, said yesterday it was the company's intention to release blocks in their order, indicating that a recent statement by him had been misinterpreted.

Fred Strom, executive secretary of Northwest Allied, had written a letter to Balaban asserting that under their interpretation Paramount's policy would be contrary to the language of the consent decree which provides that licensing or offer for license of one group shall not be conditioned upon the licensing of another feature or group.

Strom's letter was referred to Paramount's legal department.

Find Two Dividends on Para.'s Pfd. Possible

(Continued from Page 1)

Following the recent declaration of a dividend on Para.'s common, stock, market experts who are familiar with the film company's charter have discovered that holders of the preferred stock may receive two dividends in the same quarter.

Although the recently declared common dividend was the third successive one voted by the board of directors, the common stock has not yet been put on a regular dividend basis.

Under the terms of an unusual provision in the Paramount charter, stockholders converting their preferred stock into common during the current week will receive the accrued portion of the preferred dividend for the quarter and will also get the full common dividend of 16 cents per share.

"Little Men" for Rivoli

"Little Men" will have its metropolitan premiere at the Rivoli Theater on Broadway, beginning Saturday. The pre-release run is one of a series of seven set by RKO for December. The others include the world premiere at Denver on the 4th, and playdates at Augusta, Little Rock, Oklahoma City, Washington and Boston.

"Speed Limited" to Solomon

Saul Solomon, of Exclusive Pictures, has acquired "Speed Limited," for the New York State and northern New Jersey territories, it was announced yesterday. Picture opens at the Central Theater Dec. 11 for a week's run.

SKOURAS SEES BIG GAINS IN '41

Will Be Best Year Since 1929, Exec. Holds

(Continued from Page 1)

due to forge ahead," the circuit operator said. "I'll tell you. The shock of the successes of Nazi armies in Europe has passed; and we have people who are shocked, but not at the quick surrenders of Poland, Belgium, Holland, Denmark, France and Norway. But now Americans realize it has happened.

Says War’s Shock Has Passed

"But the horrors of war kept many people home—they just didn't have the heart to go to the theater when so many people, so many relatives, were suffering. But the shock has passed. Then the election kept many people stirred up. They went to political meetings or stayed home and listened to speeches over the radio. Now this is over, and news from Europe is better. Greece started to turn the tide, and the people of Free France, in Spain and other places are happier and braver. The moral effect of the Greek victories has been terrific. I am very proud. And another thing: what will all this do to the theater business? Good is the fact that our factories are busy. The United States defense program, the great amount of work, equipment and houses selling to England, and the goods that South American countries are buying from us will increase our national income more than $25,000,000. In 1941, our national income will be $100,000,000,000."

Aim at Domestic Market

Skouras predicted that Hollywood studios generally will largely restrict their programs for 1941 to stories appealing to American moviegoers. He said:

"There will be a great many more stories picturing American life and the history of this country. One reason that this can be done is because we have lost a very large part of the export market, so producers don't have to think about how a picture will be received in Madrid or in London. Because the world's market has been so greatly reduced, more effort will be made to get all Americans, men, women and children, interested in the motion-picture theater."

Some Advantages In Decree

Commenting on the blocks-of-five provision of the consent decree that will make the elimination of blind-buying offered certain advantages to exhibitors, "Local theater men in the future will know what they are getting and how to best effectively sell their shows," he commented.
D OF J WINS RIGHT TO SERVE NEW BILL

“Observe Decree to Letter,” Film Salesmen Told

Violators Will Have to “Stand the Rap” Personally, Field Forces Told

Film salesmen of the so-called “Big Five” are understood to have been instructed to observe the terms of the consent decree to the letter when selling starts next season. Violations of the decree, it has been pointed out, calls for personal indictment of the salesman.

A salesman who violates the decree and forces sales contrary to the law will have to “stand the rap” personally, they are being told.

Leonard-Hyland Will Make Soundies Here

Arthur Leonard and Dick Hyland have been signed as Eastern production unit to make Soundies for the Roosevelt-Mills Panoramas, it was announced yesterday by Gordon Mills, president of Soundies Distributing Corp., of America, Hollywood.

Cinemasters, Inc., the Leonard-Hyland organization, produces at the Fox-Movietone Studios in New York and will film the Soundies there. Signing of contracts followed a study by N. H. (Jack) Brower.

Newsreel Theaters to Use Nazi and Italian Footage

First Nazi and Italian newsreel material to be seen here in many months will be shown today or starting next week at several Metropolitanc newsreel houses, it was reliably reported yesterday. It was pointed out by the operator of one newsreel house that insufficient war material is coming in now, that what material is received

No Bid to Adolph?

London (By Cable)—“The Great Dictator” will be given a special screening here next week for Prime Minister Churchill and members of his Cabinet.

MPPDA Board Meet Deferred to Dec. 18

Meeting of the MPPDA board of directors which was scheduled for next Wednesday has been set back to Dec. 18 because it was believed that a quorum would not be available on Dec. 11.

It is understood that the renewal of Will H. Hays’ contract will be one of the subjects for discussion at the session.

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$800,000 for Fund From Guild Air Show

Motion Picture Relief Fund is expected to be richer by $800,000 as a result of contributions from the “Screen Guild Theater,” CBS air show sponsored by the Gulf Oil Corp. The figure is expected to be reached before the end of the 1940-1941 season, according to Jean Hersholt, president of the Relief Fund, who said that the “Screen Guild (Continued on Page 9)

Film Charities Group Endorses Greek Drive

Film industry’s permanent Charities Committee, headed by Sam Goldwyn, yesterday advised Harold S. Vanderbilt, national honorary chairman of the Greek War Relief (Continued on Page 9)

Laval, French Film “Czar” Vice-President to Oversee Entire Industry

Fairbanks, Jr., May Make Three Pix for 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Three-picture deal with Douglas Fairbanks, Jr., is in the works at 20th-Fox for 1941. It was reported yesterday. Fairbanks would be starred in three pictures which would be among the company’s regular releases, it was said.

“Little 3” Get 60 Days to Move for Dismissal or to File Answers; Gov’t Must Announce Order of Trial of Schine, Griffith and Crescent Trust Suits on Jan 13

In face of vigorous opposition from United Artists, Universal and Columbia, Federal Judge Henry W. Goddard yesterday granted the Government’s application to file the amended equity suit complaint and serve it upon the “Little Three.”

Judge Goddard, however, granted a 60-day period for the defendants to either move for a dismissal of the suit or to file answers. At the same time the “Little Three” were granted until June 10 to apply for bills of particulars on all new mat- (Continued on Page 12)

Arbitration Aides For Legal Matters

Two members of the industry’s arbitration system administrative committee have agreed to act as special aides on legal and financial matters growing out of the arbitration provisions of the consent decree. (Continued on Page 4)

RKO Sets 21 Features For Release to May 9

Release dates for 21 RKO features have been set from Dec. 20 to May 9, 1941. It is understood that Walt Disney’s “Reluctant Dragon” (Continued on Page 4)

Hizzoner’s Crack

Price crack of yesterday’s hearing on various applications and motions in the New York equity suit came from the bench.

Robert L. Wright, Special Assistant to the Attorney General, was holding forth on the inability to meet defense request for info, as to the order of trial of anti-trust suits pending in Buffalo, Nashville and Oklahoma City.

“But, Mr. Wright,” admonished Federal Judge Henry W. Goddard, “we want to allow them to do a little business besides defending law suits.”
Havana Exhibitors Fight Municipal Tax Measure

Havana (By Air Mail)—Complaint has been filed here with Mayor Paul G. Menocal by a committee of exhibitors against a new municipal tax increase which will affect theaters in the Havana district in 1941. New tax will increase to $10 a day the payment by first-run exhibitors to the city during the winter season, and the new law also requires that Cuban variety artists be put on bills to a certain extent. Meanwhile, the block-booking decree is in status quo. The commerce minister referred the matter back to the exhibitors and distributors for further talks; a representation of exhibitors and unions demand detention of the measure, and the U. S. distributors have not yet indicated that they will extend servicing of accounts unless the measure is revoked or amended.

"Journey to Jerusalem" To Be Released on Jan. 1

Offices have been established at 729 Seventh Ave. by Theater-On-Film Inc., it was announced yesterday, and will be followed by Joseph Pollak, president of the company, who organized by Pollak in film stage plays intact for the 16 mm. non-theatrical field. First use of production, considered. To Jerusalem, the Maxwell Anderson play, will be ready for national release on Jan. 30. Pollak yesterday said that no definite sales setup has been planned and that he did not know what play he would film next.

O'Shea-Bowen Testimonial Tentatively Set for Jan. 9

Tentative date for a testimonial dinner to Ted O'Shea and Jack Bowen has been set for Jan. 9. Plans will be settled at a luncheon meeting of the industry committee next Tuesday at the Hotel Astor. O'Shea recently was named manager of M-G-M's new Central division, while Bowen has been made district manager.

McCarthy in Washington

F. J. J. McCarthy, Universal Eastern division sales manager, is starting a tour of Southern and Eastern exchanges, conferring with branch managers on the Scrappy Testimonial Drive, starting Sunday. He is due in Washington today, after having covered Atlanta, New Orleans and Cincinnati during the week. Excer returns to New York early next week.

Ed Clarke Dies in Crash

Ed Clarke, associated with O'Brien, Driscoll & Raftery, was killed late Wednesday night in an automobile accident when a car he was driving crashed into a elevated structure, it was learned yesterday. He was 56 years old.

Major Had to Sell Mich. Co-op 100%—Schreiber

Detroit—Suit of Midwest Theaters against Cooperative Theaters went to trial yesterday before Federal Judge Frank A. Picard, after over a year of preliminary maneuvers. In the opening statement, attorneys for the plaintiff claimed that Cooperative had used its buying power to prevent the plaintiff from getting pictures, and, further, that such action is in violation of the anti-trust laws.

In the defense statement, attorneys took the position that the Federal Court does not have jurisdiction as Inter-State Commerce is not involved, and hence there is no violation of anti-trust statutes.

Raymond E. Schreiber, head of the Midwest circuit, took the stand, testifying that he had gone to major companies to buy films but all said they were unable to remove the picture as they had to make deals with Cooperative 100 per cent.

Favor Greater Structural Strength for Film Vaults

Washington Bureau of THE FILM DAILY

Washington—Fire tests of motion picture film, conducted by the National Bureau of Standards yesterday, are expected to result in a recommendation that the structural strength of storage vaults for such films should be increased above present day standards.

The experiments were conducted by S. H. Ineherz, chief of the Fire Resistance Section, and A. C. Hutton, of the Bureau of Standards, referring a final report until data gathered at the experiment could be fully examined. Ingeborg told THE FILM DAILY:

"We have now conducted sufficient experiments to say that if the present standard of vent area equates to 7 cubes of film content one square inch is to be employed, more structural strength in storage vaults for films to be recommended."

"Dictator" at 70-30 Plus, Uruguay, Java Guarantee

Deals for "The Great Dictator" in Uruguay and the Far East at 70-30 terms plus a guarantee were announced yesterday by Walter Giald, head of United Artists' foreign department.

The Charles Chanin picture opens in January in the new 2,000-seat Trocadero Theater in Montevideo. It will be followed by "Kings Row" and then at the Radio City Theater, Montevideo, for a long non-run price run.

The Far East deal calls for an unprecedented simultaneous three-house opening in Batavia, Java.

SPOFYS SKOURAS returned to New York yesterday after a two-week visit to the Coast on business.

PHIL REISSMAN, RKO foreign manager, returns to New York Monday from the Coast.

NORMAN MORAY, short subject sales manager for Warners, has left Hollywood for New York with stopovers at a number of branches scheduled on route.

M. M. DEVANEY, Canadian division sales manager for RKO, is at the home office for confab with sales chiefs.

PETER HARRISON leaves for Florida this weekend, with AL STEFESI heading in Washington for the Southern trip.

MAURICE SEIDLITZ, Loew's district manager, has left for a Florida vacation.

CLARENCE ELLIS, of Pathé News, sails today on the Santa Lucia for South America.

FRANK DONOVAN, Pathé News exec., is in Hollywood.

LINDA DARNELL and her mother have returned to Hollywood after a vacation in Mexico City.

FRANCISCO LANCE leaves for the Coast today.

KING VIDOR and his wife leave the Coast next week to spend a two-week vacation here.

OWEN DAVIS, JR., is on route here from the Coast.

LEONARD SPIEGELGASS, producer, arrives tomorrow by plane from the Coast to confer with Jules Levy and Daman Runyan on "S much the Baby."

JACK BENNY and MARY LIVINGSTON arrive from the Coast next Thursday.

VAN NOMIKOS of Chicago is in Washington today conferring with Sporys Skouras on Gersh war relief plans.

J. J. MCCRATH arrives in Washington today.

Garland's Starring Going Into Criterion Christmas

"Little Nellie Kelly," which marks Judy Garland's first solo starring picture for Metro, will be the Christmas offering at Loew's Criterion.

COMING AND GOING

HAPPY BIRTHDAY TO YOU

Harry G. Landside
Dorothy
DECEMBER 7

Lou Marcus
M. J. O'Toole
A. M. Brantinger
Ericht Allen
Macellia Albani
Frances Gifford

William S. Hart
Paul Cavagnol
Fred Herkwis

Friday, December 6, 1940
BOTTLENECK IN FILM INDUSTRY!

Seat Supply Can’t Fill the Ticket Demand!

IT’S ON ACCOUNT OF THAT TERRIFIC TURNOUT FOR BETTE DAVIS

They’re Blaming The Whole Thing On WARNERS —and we love it!

BETTE DAVIS in “THE LETTER”
By W. Somerset Maugham with HERBERT MARSHALL JAMES STEPHENSON
Frieda Inescort • Gade Sondergaard
A WILLIAM WYLER Prod’n Screen Play by Howard Koch • Music by Max Steiner
A Warner Bros.-First National Picture

The only smart way to solve it is to HOLD ’THE LETTER’!

... as they did in BOSTON • ROCHESTER • SYRACUSE
CINCINNATI • DAYTON • CLEVELAND • LOUISVILLE • LOS ANGELES
NEW YORK • PHILADELPHIA • PITTSBURGH • ST. LOUIS
SAN FRANCISCO • SEATTLE • BALTIMORE
Pierre Laval French Film Industry "Czar"

(Continued from Page 1)

for an appeal to the Minister of Information from the veto.
Under the new setup, the industry is split into five branches: Technical, Production, Creative, Distribution and Exhibition.
French Government plans to establish its own Cinema City on the Riviera, with production to be centered there. Jacques de la Commune and Jean-Louis Fixer-Vigancourt are actively functioning under Laval.

RKO Sets 21 Features
For Release to May 9

(Continued from Page 1)

will be available for release during this period.
Pictures and their release dates follow:

Credits to Argentina
Affects U. S. Exchange

(Continued from Page 1)

it affects Argentina's dollars exchange for film imports.
Secretary Morgenthau said that arrangements were being concluded for a $50,000,000 extension from the Stabilization Fund to help Argentina stabilize her currency against the United States dollar.
Warren Lee Pierson, head of the Export-Import Bank said his agency would make $50,000,000 available to the South American country. The announcement followed an Argentine Financial Mission's visit to Pierson and Under-secretary of the Treasury Bill yesterday.

Meroff and Ork Plus 2 Pix

Boston — Benny Meroff and his band are the stage attraction at RKO Boston beginning today with "The Fargo Kid," and "Five Little Peppers in Trouble," as the executive. Meroff once played the Metropolitan Theater here for a period of six months. His attraction to Boston is being heavily billed.

Arbitration Aides
For Legal Matters

(Continued from Page 1)

cree. They are Sylvan Gotshals and S. D. Leidensdorf.
It also was announced yesterday that President Bradley of the executive committee of the American Arbitration Association, had been designated as executive director of the 31 member, multi-arbitration tribunals.
Gotshal is a member of the law firm of Gotshal and Manges and will be the advisory member in charge of leases and other legal matters arising in the course of administering the decree. Leidensdorf, like Gotshal, is a member of the board of the AAA and a prominent certified public accountant. He will advise the administrative committee of the finance system which the AAA is installing for the motion picture arbitration system.
Both men will serve without compensation.

 Warners May Film Life
Of Churchill in England

London (By Air Mail)—Max Miller, managing director here for Warner Bros., believes that the Prime Minister Winston Churchill would have great entertainment as well as propaganda value and is seeking permission to make a production about the life of England's war leader.
Miller believes that there could be no better way for Warner Bros. to do their bit for England, since they can't make guns or planes, than to produce such a film. "We don't seek to make one half-penny profit out of the idea," he said.
If permission is obtained, filming will start early in the new year at the Teddington studios.

Loew Metropolitan Houses
To Use Special Kid Shows

A special morning show for kids will be featured in a number of Loew Metropolitan houses during Christmas week. Shows will have special cartoons and other subjects in addition to the regular features on the program. The Gangler Brothers Circus will also be featured in several Loew houses during the holidays at special Saturday morning shows for kids. Some 25 or more houses will give the special shows.

Cobina Wright, Jr., Cast
West Coast Bureau of THE FILM DAILY

Hollywood — Cobina Wright, Jr. and George Montgomery have been cast by 20th-Fox for the leads in "The Cowboy and the Blonde," story by Walter Bullock based on an idea by Robert Ross who will also act as co-producer with Walter Morosco on the production.
RKO RADIO’S GREAT CHRISTMAS ATTRACTION...
The "No, No" Girl with the Yes, Yes eyes...

CHRISTMAS ATTRACTION
RADIO CITY MUSIC HALL
ALL THAT IT TAKES FOR A "MAKE-YOU-HAPPY" HIT!

The glamorous star of "Irene" in the famous "Tea For Two" musical romance... told to the lilting melodies of VINCENT YOUMANS... From stage to screen in a glorious sunburst of golden entertainment, with a happy-go-laughing cast playing the story to the hilt for comedy. A magnificent show for any day in the year—AND BOX-OFFICE EVERY MINUTE!

ANNA NEAGLE

in

O, No, Nanette

with

RICHARD CARLSON  *  VICTOR MATURE  *  ROLAND YOUNG

HELEN BRODERICK  *  ZASU PITTS  *  EVE ARDEN

TAMARA  *  BILLY GILBERT  *  STUART ROBERTSON

Produced and Directed by

HERBERT WILCOX

Screen Play by Ken Englund

From the Musical Comedy—"No, No, Nanette"—by Frank Mandel, Otto Harbach, Vincent Youmans, Emil Nyitray

Music by Vincent Youmans—Lyrics by Irving Caesar and Otto Harbach
YOU’LL BE SEEING ORSON WELLES SOON AS "CITIZEN KANE"

Anticipation is sweeping Hollywood over its first look at Orson Welles’ long-awaited first motion picture “Citizen Kane.” Inside word has it that sensationally new dramatic treatments are only one of the unique elements that go to make it one of the biggest attractions ever screened. RKO Radio will release it soon—and another big one from the same studios soon to lead the nation in laughter is the Alfred Hitchcock-directed comedy starring Carole Lombard and Robert Montgomery—"Mr. and Mrs. Smith."
Leonard-Hyland Will Make Soundies Here

(Continued from Page 1)

general manager for Soundies, of the prevalent availability in the East and the organizational setup of Leonard and Hyland.

Top-flight name bands, singers and specials are already being signed by Cinemasters and production on the first series of Soundies will start Dec. 16. Highlight of the contract is a clause assuring production standards which will pass censorship in any situation.

Both Leonard and Hyland are alumni of Warner Bros., the former at one time a casting director under Lee Stewart at the Vitaphone Studio and the latter part owner of Warner's publicity and exploitation in the South. Following a number of features independently produced and directed by Leonard, Hyland resigned from Warners to form Cinemasters with him for the production of industrial and theatrical films. Current output includes the Columbia-released "Hobby Lobby," featuring Mrs. Eleanor Roosevelt, the first in a series based on the Dave Elman radio program.

Studios Make No Halt in Prod'n Due to Flu

West Coast Bureau of THE FILM DAILY

Hollywood—Officials of film industry were cheered by information from health and school officials that headway is being made in the fight against the spread of mild influenza throughout Los Angeles County. Studios report no halt in production because of the ailment.

Dr. Bertram Brown, California state health director, said that the mild form of disease is of the same "A" influenza which uniformly is mild with a high attack rate but slow mortality rate. It appears suddenly, reaches a peak quickly and drops off just as rapidly.

San Francisco—Reports received here indicate that the epidemic of a mild form of the flu which struck California a few days ago, is spreading into neighboring states. From Eugene, Ore., comes the report that the infirmary of the State University is filled with patients suffering from a mild attack of the flu. Portland health officers, however, state that city has no cases. "A" influenza can be transmitted by contact with infected people, officers say. Reports from 4,000 cases of mild to severe colds among the 12,000 National Guardsmen encamped there.

At Gold Hill, Ore., and Kennewich, Wash., public schools were closed as a precautionary measure.

Jack Schirrbner III

Boston—Jack Schriber, assistant to Ronald Moon at the Cameo in Sayville, N.Y., Lockwood and Gordon-owned theater, is seriously ill with bronchial infection.

Newsreel Theaters to Use Nazi and Italian Footage

(Continued from Page 1)

does come in pro-British, and that a number of complaints have been registered by patrons as to the one-sidedness of the material.

Formerly, lack of Nazi material which parallels a stipulation by Nazi officials here that they have a right to okay the content of the entire reel if any Nazi material was used, but it was said this restriction has been dropped because of the German wish to present their material to the public here. Italian material now available was run through the British blockade, it was said, with Nazi material also run through the blockade and circuitously delivered via Russia and the Orient in some cases.

Newsreel managers were principally concerned as to whether or not material would start trouble in the theaters, but said it was worth a chance to spruce up the general run of stuff now coming in.

First Nazi clip that will be used depicts the bombing of London shot with a Nazi bomber with regular newsreel equipment.

Ice Show Opens In Hub; Exhibs. Fear Dip In B. O.

Boston—"Ice-Capades" opened at Boston Garden yesterday and drew capacity audiences. This big spectacular feature is viewed with little delight by exhibs, for it means 12,000 to 15,000 daily and nightly amusement patrons who visit Garden and who might ordinarily be considered movie patrons.

"Hi Ya, Gentlemen," with Max Baer and Ella Logan, musical comedy, started Wednesday at Colonial and reopened at Colonial on Sunday as an opposition legit. house.

Miriam Hopkins comes, in person, as star of "Babes of Angels" at Wilbur Theatre Dec. 30.

Metro to Make "Roosty"

West Coast Bureau of THE FILM DAILY

Hollywood—"Roosty" an adaptation of the Broadway stage play of the same name by Martin Berkeley, will be produced for Metro by Jack Chertok, with Harry Bucquet the director.

Catholics Renew Legion Of Decency Pledge Sun.

Pledge of the Legion of Decency will be renewed in thousands of Catholic churches throughout the U. S. on Sunday in response to the invitation of the Bishops' Committee on Motion Pictures of which the Most Rev. John T. McNicholas, O.F., S.T.M., Archbishop of Cincinnati is chairman.

Legion of Decency points out that the renewal of the pledge has great significance at this time in view of the fact that the Bishops in extending the invitation to renew the pledge stated: "We therefore register our strong protest against the increasing objectionable tendencines which lately have become manifest in films."

Catholic editors have been quick to react to the Bishops' Committee's recent strictures, press checkup shows. Perhaps typical of what has been written is an editorial in the Huntington, Ind., Sunday Visitor, which reads in part:

"The moguls are riding for a fall. The Legion of Decency will soon be forced to intensify its drive, and there will come again a decline in attendance at motion pictures. Decency has paid the producers, but they evidently can't resist the temptation to please the sordid-minded. When motion was as their lowest moral pitch, attendance in the United States fell to some fifty million per week. Following the clean-up it jumped to more than eighty million per week. Watch it skid again, and soon, unless the producers wake up."

Coast Film Leaders Meet On Gov't's S. Amer. Policy

West Coast Bureau of THE FILM DAILY

Hollywood—John Hay Whitney addressed a group of film industry leaders, including representatives of screen actors, directors and producers guilds, at the request of Frank Skouras and M. A. Lightman, operators of the Commonwealth Theatre, in their meeting of the American Legion.

Whitney was recently appointed head of the motion picture division of the Labor Department's formulat- ing committee of the American re-

Goldwyn Committee Backs Greek Drive

(Continued from Page 1)

Association, Inc., that it has "heart- fully endorsed and approved the possible aid" to the association's drive. Telegram came simultaneously with the return from the West of Spyros Skouras, former vice president, and national proxy. Skouras conferred with Goldwyn on the Coast, and Goldwyn's wire said "it is particularly gratifying to be able to extend our co-operation to such a prominent figure in our industry."

The Association's appeal passed the $150,000 mark when additional gifts, including one of $1,000 by Sidney Kent, proxy of 20th-Fox, sent that organization.

Among the members of the National Citizens Committee, which is sponsoring the nation-wide fund-raising effort, are:


Chicago—Spyros Skouras here yesterday on his way East said that a large number of exhibitors from stage and screen will participate in the shows to be held in key cities for the benefit of Goldwyn's War Relief funds. Van Nomollos leaves for Washington today to complete relief plans with Skouras.

Para. Refunding Program Is Negotiated Privately

Paramount's preferred refunding program is being negotiated privately. It was reported yesterday that directors were considering the calling in of $14,158,000 5% convertible preferred stock at $125,000 $10 par 60 cents convertible second preferred.

Fryer Requiring Funds

Vinita, Okla. —Richard Fryer, operator of the State Theater here has relinquished control of that house to I. K. Burns and M. L. Biggs of Vini-

Mrs. Sarah Schwartz Dies

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Sarah Schwartz, wife of Sam Schwartz, pioneer film exhibitor, and mother of Martin and Charles Schwartz, died here on Wed-

Friday, December 6, 1940

9
HERE Y'AR GEANTS!
IT'S THE GREATEST SHOW ON THE MIDWAY!
OUR OWN "GENERAL" FRANK C. WALKER IN THE
HONOR SEAT! BEN BERNIE CRACKING THE WHIP
ON THE G-R-R-REATEST BUNCH OF SPEAKERS EVER
UNDER ONE TENT! 1000 GEANTS IS ALL WE CAN
HOLD! IT'S COLOSSAL! EVERY YEAR A SELL-OUT
-SO GET YOUR "DUCKETS" NOW!

TICKETS $10.00 EACH
Send checks and reservations to:-
H. A. BROWN, Treasurer
1638 LINCOLN LIBERTY BUILDING, PHILA., PA

Make checks payable to—
THE VARIETY CLUB BANQUET COMMITTEE

All this and more . . . at the 6th ANNUAL
BANQUET of the VARIETY CLUB of
PHILADELPHIA (Tent No. 13) to be held
at the Bellevue-Stratford Hotel on Thurs-
day, December 12th . . . Dress formal . .
All stag . . . You'll never forget it!
REVIEWS OF NEW FILMS

"West of Pinto Basin"
with Ray "Crash" Corrigan, John "Dusty" King, Max "Alibi" Terhune
Monogram-Weaks 60 Mins.
(HOLLYWOOD PREVIEW)

THIRD of "RANGE BUSTERS" SERIES IS WELL-HANDLED WESTERN; SHOULD PLEASE.

This third "Range Busters" picture definitively establishes the series as standard, satisfactory, film fare, with an appeal to exhibitors who play westerns. Co-starring Ray "Crash" Corrigan, John "Dusty" King and Max "Alibi" Terhune, "West of Pinto Basin" contributes its share of hard riding, gun-fighting, episodes to please the average western fan.

Corrigan, King and Terhune, the three "Range Busters" work smoothly as a combo, offering a wide range of talent for the series, from hard riding appeal to romance and comedy, Terhune's ventriloquisms are comical and pleasing.

Directed by S. Roy Luby, the picture flows smoothly from Earl Snell's screen adaptation of Elmer Clifton's original story. Produced by Geo. W. Weeks, with Anna Bill Ward acting as associate producer, fine backgrounds, good photography and production values were incorporated.

Faced with the task of unravelling the persistent holding-up of the stagecoach from Pinto Basin, the impossibility of any money getting in to complete the dam being built in order to save the ranchers who are being forced out through drought, and who are being forced to sell their ranches to the head of the gang of plotters, engineering a squeeze-out. The "Range Busters" start a counter-plot, are accused and jailed as the stage robbers but emerge in time to corner the real culprits and end matters with law and order again victorious.

Jerry Smith, "The Yodeling Cowboy," offers several fine vocals, including "Rhythm of the Saddle" and "Ridin' the Trail Tonight." The featured song "That Little Prairie Gal of Mine" was written by Lew Porter and Johnny Lange.


CREDITS: Producer, Geo. W. Weeks; Associate Producer, Anna Bill Ward; Director, S. Roy Luby; Author, Elmer Clifton; Screenplay, Earl Snell; Cameraman, Ed Linden; Musical Director, Frank Sanucci; Editor, Roy Clarke; Featured Song, "That Little Prairie Gal of Mine" by Lew Porter and Johnny Lange; Specialty Songs, "Rhythm of the Saddle" and "Ridin' the Trail Tonight" by Jerry Smith.

DIRECTION, Smooth. PHOTOGRAPHY, Good.

Miriam Hopkins for "Hildreth"?
West Coast Bureau of THE FILM DAILY

Hollywood—Fritz Lang will produce "Hildreth," novel by Harlow Estes, for UA release and is negotiating with Miriam Hopkins for the leading role.

"Murder Over New York"
with Sidney Toler, Marjorie Weaver, Robert Lowery
20th-Fox 65 Mins.

MURDER MYSTERY WITH NEW YORK BACKGROUND UP TO PAR FOR THE CHAIN SERIES.

Latest in 20th-Fox's Charlie Chan series, this one is up to par in every respect and is a useful offering for the program trade. There are two murders, a sufficient amount of assault and battery, and plenty of suspense until the culprits are disclosed. The cast is agreeable, the production value and backgrounds okay, and the picture rolls along smoothly enough to keep an audience interested.

Sidney Toler gives his usual fine interpretation of the wily Oriental sleuth. Marjorie Weaver is an attractive decoration, and Robert Lowery, Ricardo Cortez, Donald McBride, Sen Yung, Melville Cooper, Joan Valerie and Kate Richmond give competent support. Harry Lachman directed, maintaining the suspense and action nicely. The screenplay was contributed by Lester Ziffren.

Toler comes to New York for a vacation and to attend a police convention. Shortly afterwards, Toler is invited to Cortez's apartment for dinner and a police friend, Frederick Worlock, is found dead from gas. Toler and police inspector McBride immediately get down to cases and the chase starts. Witnesses and investigators are the intended victims of the murderer and one suspect and potential witness is murdered. However, Toler pursues his quarry until he uncovers the head of the combination saboteur-spy-murder ring in an exciting climax.

CAST: Sidney Toler, Marjorie Weaver, Robert Lowery, Ricardo Cortez, Donald McBride, Melville Cooper, Joan Valerie, Kate Richmond, Sen Yung, John Sutton, Lance Hodgson, Clarence Muse, Frederick Worlock, Lail Chand Mehra.

CREDITS: Producer, Sol M. Wurtzel; Director, Harry Lachman; Original Screenplay, Lester Ziffren; Based on a character created by Earl Derr Biggers; Cameraman, Virgil Miller; Editor, Louis Loefler.

DIRECTION, Good. PHOTOGRAPHY, Good.

WARNERS BRO'S. CASTINGS
West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has cast Barbara O'Neil and Montague Love in "Winged Victory," and George Tobias, William Frawley and Harry Davenport in "The Bride Came C.O.D." Raymond Massey is being considered for the Methodist clergyman in "One Foot in Heaven."

SEEK RIGHTS TO "KELLY PLAY"
West Coast Bureau of THE FILM DAILY

Hollywood — Metro is seeking screen rights to George Kelly's play, "Reflected Glory," as a vehicle for Joan Crawford.

Scripiting New Marx Bros. Film
West Coast Bureau of THE FILM DAILY

Hollywood—Nat Perrin is writing the scenario for Marx Bros. next, and last under present contract, Marx Bros. picture.
Arbitration Pledge Offered by Columbia

(Continued from Page 1)

N. Y. Dailies, Syndicates To Make Santa Fe Junket

All New York dailies and news syndicates, along with representatives from Times-Life Magazines, Redbook and the Saturday Evening Post, will be aboard Warners' "Santa Fe Trail Special," when it pulls out Wednesday, en route to the "Santa Fe Trail" world premiere at Santa Fe, N. M.

Three cars will be attached to the Commodore Vanderbilt, to carry the group, which includes Howard Barnes, Howard-Tribune; Harry Stanton, head of the Herald-Tribune Syndicate; Lucius Beebe; Lee Mortimer; Daily Mirror; Jack Lait, Editor-in-Chief Daily Mirror; Frank Farrell, World-Telegram; G. E. Blackford, Journal-American; Eileen Creelman, The Sun; John McManus, P.M.

Aboard also will be Joe Connolly, Damon Runyon, Louis Solod and Ed Sullivan, as well as Louis Alweli, INS; Joan Younger, UP; George Tucker, AP; Loinle Mois, King Features; Sid Hydenman, Redbook; Al Wright, Time, and Dmitri, Saturday Evening Post, photographer.

The three-car contingent will take on a dining car at Albuquerque, where they will join the 17-car train from Hollywood.

Mohawk Planning Shorts For Independent Market

Mohawk Film Corp. is preparing to place a program of short subjects on the independent market.

Plan is to select the best of the former Educational comedies and musicals and present them in groups to independent exchanges.

Parkhurst In Beverly Spot

Boston—E. M. Loew announces the appointment of Perce Parkhurst to manage Larcom Theater, Beverly. Parkhurst was formerly in charge of Merrimack Park Drive-In.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood — Parents of Donna Durbin have announced her engagement to Vaughn Paul, associate producer at Universal, with the marriage to take place next summer.

Boston—Esther Yamin, niece of Nathan Yamin, theater operator of Fall River, was married to Norman Zalkind.

New Complaint to "Little 3"

Get 60 Days to Ask Dismissal or Answer

(Continued from Page 1)

Federal Trade Commission, he argued.

Judge Goddard refused to restrain the Government from prosecuting the Schine, Griffith and Crescent anti-trust suits pending trial and disposition of the main action. The Court, however, overriding protests of Robert L. Wright Special Assistant to the Attorney General, stipulated that the Government must appear on Jan. 13 and announce the order in which the three suits would be tried.

Wright contended that he could not be certain of the dates of trial and was willing to concede only that the Griffith case would be tried before all others.

Court Supports Arguments

The Court supported arguments of Edward C. Raftery attorney for UA and Universal, and Louis Frohlich, attorney for Columbia, that it would be impossible to prepare for all three suits without first-hand knowledge of the order of trial.

Wright argued that the principal defendants of the anti-trust suits were independent circuits and that the issues were not similar. At the outbreak of the argument, Wright stated that the principal differences between the old and the new complaints was the fact that the new one contained charges of discrimination by the "Little Three" in licensing to unaffiliated circuits in addition to affiliated ones.

Although Frohlich was prevented by the Court from arguing a motion to dismiss, he adroitly marshalled his attack against the new complaint in the guise of opposition to its filing.

Frohlich Repeats Argument

Frohlich repeatedly declared that with the dropping of the "Big Five" as defendants there could not possibly be a restraint of trade by the "Little Three" in violation of the anti-trust laws. The "Big Five" have assets totaling $520,000,000 and grossed $300,000,000 last year in comparison with a total gross by the "Little Three" of $50,000,000 and assets not exceeding a total of $40,000,000, he said. Frohlich charged the new complaint as being a "sham and a fraud" contending that the Government knew that the "Little Three" could not monopolize the industry, and asserting that the real reason for the new complaint was to force the "Little Three" into signing the consent decree.

The Columbia attorney cited both Assistant Attorney General Thurman W. Arnold and Paul Williamson as special assistants, as bearing out his point that theater ownership was the basis of monopoly. If the Government case rests on trade practice abuses, its remedy is not an anti-trust suit, but a complaint with the

$800,000 for Fund From Guild Air Show

(Continued from Page 1)

The Great Dictator is now playing at two Loew houses in New Jersey in addition to the Astor showing in New York, but no other Metropolitan bookings have been announced as yet. Jersey houses showing the picture are the Loew's State, Newark, and Loew's Jersey City, Jersey City.

NWMP Held In Boston

Boston — Metropolitan holds NWMP for a second week with Jane Withers' "Youth Will Be Served" as the co-feature. NWMP gave the Met a gross of $22,000 last week, one of best weeks in recent months.

Rosalind RUSSELL • Melvyn DOUGLAS

WHEN I HOOK 'EM...

THEY STAY HOOKED!

BIGGER AND BETTER

THAN "HE STAYED FOR BREAKFAST"

in

THIS THING CALLED LOVE

A COLUMBIA PICTURE
PEG STEEL PRICES BUT DELIVERIES LAG

G-E Introduces Trio Of New Lamps To Trade

PLAIN TALK ... about equipment

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

SOME execs. of a certain few firms which, for many years, have been manufacturing equipment consumed by the motion picture industry, appear currently to be standing on the decks of their commercial crafts listening rapturously and exclusively to the siren call of war and defense contracts.

Before remarking on the matter, let it be said with prompt finality that no barrier whatever should be permitted to stand in the way of the production of war and defense goods essential to the preservation of freedom in this world, either at home or abroad, is concerned.

But there is a difference, and a very definite one, 'twixt necessity and more expedience. We do not believe that it is good business practice, nor a just attitude, for any manufacturer or group of manufacturers to so harness their facilities that they cannot easily, from thick filmland, draw the material and devices it requires for smooth operation.

The chances are remote that this condition will prevail, for the simple reason that if certain organizations decide to neglect filmland,—after having sought its patronage and received it in so-called "normal" times,—there will be other companies with sufficient foresight and acumen to grab the neglected trade and consequently be in the driver's seat when the current national and world crisis is but an historical nightmare.

It is written in the archives of the sage and ancient Egyptians that time is long and time is fleeting. The art of doing business, without expediency as the factor, will

Going Okay, Thanks!

Cincinnati—John Stallings, of Mid- west Theater Supply Co. here, estimates that business for the organization thus far this year was approximately 50 per cent better than in 1939. Of 16 new theaters in the mid-East area, 11 were completely equipped by Midwest, he stated,—including seats, carpets, RCA sound equipment, Bremket projectors and lamps, lenses, rewind equipment, etc.

60-In. Fluorescent Is Longest Yet To Appear In the Company's Line

Cleveland—General Electric's Nela Park Engineering Dept. here states that the company has just introduced three new "F" (fluorescent) lamps to meet the increasing demand for fluorescent lighting.

Per general lighting needs, a 100-watt, 60-inch tubular bulb 2½ inches in diameter, which is longer than any previous "F" lamp, has been developed. It lists, according to its makers, at $3.75 and produces more than

Alvin to be Ready In Few Weeks Time

Pittsburgh—Reconstruction of the Alvin Theater, which was almost completely demolished recently when the roof caved in, has begun and the house is expected to reopen within

DeAngelis Lists Jobs Under Way and Planned

New York City and Rochester offices of Michael J. DeAngelis, film theater architect, report that the Apollo Theater under construction in Buffalo for Basil Bros. will be ready

DeAngelis Lists Jobs Under Way and Planned

New York City and Rochester offices of Michael J. DeAngelis, film theater architect, report that the Apollo Theater under construction in Buffalo for Basil Bros. will be ready

Altec Biz Booming In South

Deals Involve Equipment and Service

CTS Fills Orders From Duo Of W. Va. Houses


Peabody chairs and a D-Aovie screen were also installed in B. H. Palmer's Grove, Cedar Grove, W. Va.

CELOTEX AT CAPACITY

Chicago—Brother Dahlgren, president of Celotex Corp., reports sharp improvement in final quarter of organization's operations. Company reported earnings of 93 cents per share for fiscal year ending Nov. 1. Many theater jobs were completed during the year and current operations are at capacity. Officials do not expect any appreciable change in basic price of materials. Expect the 1941 building campaign will bring record business for the next year.

OTO: At this time, the month's volume of business was up 80 per cent from the previous year, with the result that manufacturing operations have been expanded beyond the normal capacity. The plant, which has been in operation for over 50 years, is exclusively devoted to the production of film stock, and is located at 333 N. Cicero Ave., Chicago.

(Continued on Page 6)

RCA's PG-134 Sound Wins Exhib. Favor

That a huge replacement market among exhibitors is waiting for RCA's PG-134 sound reproducing system especially designed to meet the needs of the small

NTS Cincinnati Branch Fills Six New Orders

Cincinnati—Numerous orders are reported filled here by National Theater Supply Co.'s branch, including Irwin chairs, Walker screen, Simplex projectors, Peerless lamps, Alexander Smith carpet for Harry Schwartz and George B. Meyer's Clark, Win.

A Cinderella Story!

Groveton, N. H. — Once upon a time (in fact until very recently), the local Alley Theater was literally the "Alley theater. Ah, but its Prince Charming Owner-Manager Art Sharby purchased the building in front of the house, and extended the lobby through to the street. New patrons don't have to wander down the alley to gain entrance. Art has christened it—"the "Rex."

(Continued on Page 4)
Erpi Foreign Orders Wait on Defense Jobs

Erpi’s merchandising policies in the foreign field have begun to feel the pinch of the national defense call by E. S. Gregor, company’s general foreign manager. Although tempo of production has stepped up upon initiation of emergency requirements Gregor urges caution in establishing delivery schedules. The production of military fighting equipment is already crowding domestic manufacturing facilities to some extent, he points out, and its time condition may soon appear in related fields.

General Seating Co. Supplies Six Houses

Recent installations announced by General Seating Co. include those for the following theaters: Zenith, Davison & Son, Minneapolis, and is expected to re-visit New York before Dec. 15.

John Eberson returned to New York this week from a trip to Washington, D.C.

Drew Eberson, junior partner of John Drew Eberson, returned to New York yesterday.

George Hornstein, of Joe Hornstein, left New York last evening for Florida.

Ben Schilager, film theater architect, returned to his New York office early yesterday from Pennsylvania.

E. E. Warn, Erpi’s manager in Singapore, scheduled to visit New York shortly.

Westinghouse Backlog Hits $180,000,000

Cleveland—Westinghouse Electric & Mfg. Co. has a backlog of unfulfilled orders on the books amounting to $180,000,000, the largest they have ever been, according to A. W. Robertson, chairman of the board, said in an interview here on Wednesday.

Monthly shipments of the company are currently at the rate of between $21,000,000 and $22,000,000, he disclosed. With $23,000,000 authorization at the end of November for plan improvements and expansion projects, of which $15,000,000 is still unexpended and another $8,000,000 authorization in the company’s summer 1941, month by month, plans should increase materially during the coming year, Robertson said.

WTS Handling Collax

Omaha—Western Theater Supply Co. has completed filling of the order for thousands of Collax Houes got Ideal chairs, Dali screen, Simplex projector, Cyclone projection lamps, Alexander Smith carpet, and other items. Plans and remodeling of theatre were entrusted to Western Theater Supply with Leo Dworkar, associate architect.

Montreal House Progressing

Montreal—Installation of footing is completed and concrete pouring has started on construction of the new $50,000 indie theater at the corner of Sherbrooke St. W., and Hingston Ave., Notre Dame de Grace, the owner expects to have ready to open early in March, 1941.

Fine Gets B & L

Evansville, Ind.—Oscar Fine has purchased a pair of new Bausch & Lomb Super Cleophor F-2 new type coated lenses for his Grand Theater here.

Meloy Selects Walker

Shelbyville, Ind.—The Strand Theater here operated by Paul Meloy has installed a new Walker screen.
PATRONS PAY TO
See THE PICTURE

- The surest way to keep your patronage in the profit range is to use the best projection light available.

That means High Intensity projection—the light of daylight quality—that insures clear, comfortable vision of the fast moving, colorful modern productions.

The new “One Kilowatt” arcs now bring High Intensity projection to the small theatre—50% more light than Low Intensity projection at no increase in operating cost.

Installation costs are so low that no theatre can afford to be without this modern projection light.

Let your patrons SEE your pictures with maximum enjoyment. Satisfied patrons come again and bring others.

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 trade-marks of National Carbon Company, Inc.

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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
marking for purposes other than general construction. Atlantans, use, brought no price rise. In fact, U. S. Steel Corp. announced only this week, as did its largest subsidiary, Carnegie-Illinois Steel Co., the reaffirmation of present quotations on all major products through the first quarter of 1941. On matters of price, the rest of the steel industry follows the lead of Carnegie.

(Several weeks ago,—in light of the now developed situation which sees prevailing price levels on steel pegged for another few months,— the publishers of THE FILM DAILY EQUIPMENT NEWS urged at that time that the opportunity to build and remodel theaters be seized.)

One of the key aspects of the current delay in fabricating and delivering structural steel is the calm determination of film theater architects to thoroughly protect their clients who are planning new houses, or remodeling operations. This is being affected by architects' moves to design in reinforced concrete. John Eberon, senior partner of the architectural firm of John and Drew Eberon, said yesterday that his organization is naturally leaning to concrete design in light of current trends, thereby circumventing the threatened inability of steel companies to make deliveries until expiration of six to eight weeks.

Eugene R. Grace, president of Bethlehem Steel, indicated at midweek that his company will have invested in excess of $50,000,000 during 1940 to provide facilities to care for orders.

Despite the present "pinch" which commercial building is experiencing to be widely experiencing as result of the concentration on defense orders, the materials market, as far as film theater construction and improvements are concerned, is generally steady. However, lumber has unexpectedly gone up some 40 per cent, and there are rises recorded in pipe, conduit and copper.

John Eberon asserts, as evidence of the still firm market that bids entered by five contractors figuring on the construction of a 1,000-seat house in the South, were very close to estimates, and, in themselves, only varied 10 per cent.

Probe of local steel situation this week unearths statement from one architect that a mill in New Jersey had nearly completed an order, but that a Government inspector tagged it for national defense, which is designated as Class "A," Classes "B" and "C" are public works and commercial jobs, respectively.

Concrete Enlisted To Beat Steel Famine

(Continued from Page 1)

Bishop-Ward to Build

Greenwood, Miss.—Frank Bishop and Ben Ward, of Ellisville, Miss., will build a theater here seating 400 people.

Alter Closes Many Pacts in The South

(Continued from Page 1)


Mien and Murray Theaters of A- lanta, Ga., has selected Altec Service Corporation to service their new six urban theaters, the Decatur in De- catur, Ga., Little 5 Points Theatre in Atlanta, and the East Point Thea- ter in East Point, Ga. Altec installs the Simplex sound in these theaters and the service and repair work and replacement contracts were negotiated by A. Fiore for Altec.

The Four Star sound system has been installed in the Strand Theater, Key West, Fla., by Altec engineer O. W. Hanock of M. W. Fiore who with A. Fiore of the Altec Al- lanta office, negotiated service and repair-replacement contracts with Juan Cardwell, Jr., for both the Strand and Monroe Theaters.

Jacksonville Project To Be Ready in March

Jacksonville, Fla.—Work is pro- gressing on the new St. John The- ter being erected for the Warn- interests. Robert E. Collins, Min- nie's, is the architect, and H. F. Baird, Jacksonville, is contractor.

Independently operated, the theater will open Monday, March 28, and first national releases. It is expected that the building will be completed by March, 1941.

Lundy Replacing Ritz

Frank Lundy is building a ne- theater at Barnwell, S. C., to replace his old Ritz, to have the same name, is being equipped with ne- RCA Photophone sound equipment. Lundy operates other houses at A- lendale and Denmark, S. C.

Job Goes to Kennedy

Decatur, Ill.—Richard Amussen Co. has let the contract for its new theater here to R. Kennedy, general contractor of Taylorville, Ill. Equi- pment for the house will cost between $125,000 and $150,000. It will be 1,000-seater.

M & N H Better Majestic

Boston—The Majestic Theater, Burlington, Vt., is being redeveloped by its owners, the Maine and No- Handel Theatres. New draperies and stage are being added by Capitol Theat- Supply.

Schwartz Bettors Front

Bridgeport.—Phil Schwartz is evolv- ing a new marquee at the Parkw...
B. S. Moss Reveals Big Queens Project

(Continued from Page 1)
Continental Ave. and Austin St., Forest Hills, one of the largest amusement and business centers in the valley.

Moss, a pioneer in the promotion of successful amusement enterprises, has announced a project which plans a block a unit and a half long by a block wide, in which, under one roof, will be a motion picture theater, a cafe, a bowling alley, and store sites. According to the announcement, the new theater will not be merely a movie theater but rather a "Sound Picture House," completely sound proofed and constructed in accordance with the fundamental principles of modern acoustical science. It will be of an intimate type, giving the spectator and listener all the advantages of the small legitimate theater regardles of where his seat is situated. Carpeted throughout, with seats fully upholstered, walls with ceilings, and floors sound-dampened with newly patented materials, there will be no distraction whatsoever from either interior repercussion or outside noises.

At the high structure will be a striking roof-garden restaurant with a sliding roof, where open air dining and dancing will be enjoyed against an attractively landscaped background of flowers and shrubs. An underground garage will house hundreds of automobiles.

This new "Amusement City," covers an area of 26,000 square feet in the heart of Forest Hills business section, in close proximity to Queen Boulevard, the Eighth Avenue Subway, and the Long Island Railroad station.

Charles W. Myers and Fred E. Murphy acted for the Long Island Railroad Co., sellers, and Marks and Marks represented the Forest Hills Realty Corp., buyers.

Grew Improves Projection

Waterloo, Ia.—Two new Magnare lamps have been installed in the projection booth at the Strand theater at Waterloo for improving the projection of colored pictures, Maurice Green, manager, announced. National Theater Supply company of Des Moines had charge of the installation.

Likes Fluorescent Carpet

Detroit—Howard Reynolds, owner of the Family at Grand Rapids, is putting in the second fluorescent carpeting and upholstery. The installation was done in black lighting in a Michigan theater. Work is being done by National Theater Supply Company.

Harris Modernizing Harris

Russell L. Harris is bringing his Harris at Hugoton, Kansas, up to date with the installation of new RCA Photophone sound and Babcock projection and booth equipment.

WHO'S WHO IN EQUIPMENT

LEON W. CONKOW, President of Altec Service Corp. Graduated from Stevens Institute of Technology, Hoboken, N. J. Began his business career as an employee of Bell Telephone Laboratories. Subsequently joined Vitaphone Corp., with which organization he served in the development of sound films and the equipment essential to their practical reproduction. In 1927 he joined Electrical Research Products, Western Electric subsidiary, and served successively, and decisively successfully, as installation manager and general manager of the Eastern Division, and general operating manager. When Altec Service Corp. came into being in 1937, he became its president. Under the Conway regime, that organization rapidly branched out in order to promptly serve and service every customer-outlet in the domestic field. In addition to heading Altec and headquartering at company's offices, 250 West 57th St., New York, he is president of Conrac, Inc., in Newark, N. J.

(Continued from Page 1)

RCA's PG-134 Sound Wins Exhib. Favor

(Continued from Page 1)
theater was stated this week by Homer B. Snook, manager of RCA phonophone reproducer sales.

System, known as the PG-134, has been greeted with unprecedented enthusiasm in the field despite the fact that its introduction was virtually unheralded, Snook asserted. It provides, he added, in standard equipment many features heretofore confined to systems designed only for larger theaters.

The PG-134 incorporates soundheads equipped with the well-known Rotary Stabilizer mechanism. Its amplifier has high fidelity frequency response and adequate reserve power. The loudspeaker system is the highly efficient two-way type and is designed for minimum backstage requirements. The treble tones are reproduced by a cellular horn while the bass tones are handled by a large folded baffle.

Among the small theaters which have installed the new equipment are the Lyric, Culbertson, Mont.; Liberty, Jonesboro, Ark.; Palace, Coveta, Okla.; Pine, Pine Grove, W. Va.; Ziu, Los Lunas, N. M.; Gem, Baldwin, Kan.; Plaza, Brownwood, Tex.; Sodus, New York; and Strand, Waterville, N. Y.

"THE LETTER"

You can always count on Bette Davis to come through for the box office. Thousands of exhibitors feel the same way about Alexander Smith Carpet... which is why you find this famous carpet in most of the country's successful theatres.

ALEXANDER SMITH CARPET

Remodeling Iowa House Involved Sum of $20,000

Marion, Ia.—Ed Lorenz, manager and co-owner of the Marion Theater, has announced that $20,000 was spent to re-build the house which was closed recently for the repairs.

Changes included lowering of the ceiling, building the box office flush with the sidewalk line; a larger rest room for women; new seats, upholstered, and rearranged in the auditorium; a new front of structural glass; and a new canopy.

NTS Cincinnati Branch Fills Six New Orders

(Continued from Page 1)


NTS also reports that M. A. Chase's Vogue, Cincinnati, has received Irwin chairs and covers, Walker screen, Super Simplex projector, Peerless Magnare lamps, and Alexander Smith carpet.

Also that Irwin chairs and covers, Walker screen, Simplex projector, Peerless lamps and National rectifiers were purchased by Earl Miller for his Gilbert, Gilbert, W. Va.

Theater Shares Quarters

Hill, N. H.—A theater, now nearly completed, will be one of the features of the new model community replacing the old village of Hill, which vanished in a flood control project. The theater will occupy a building in which the town hall, grange hall, library, fire engine house and town officers' quarters will also be located.

Large Order to NTS

Detroit—Bernard A. Brooks, owner of the President Theater, is modernizing the house, using Super-Simplex projectors, sound, and lamp houses. Contract went to National Theater Supply Company. New equipment cost was estimated at $15,000.

Brooks is also starting construction of a new theater in River Rouge, Mich.

E. & W. Better Virginia

Somerset, Ky.—New lamps, rectifiers and screen have been installed in the Virginia here. Benwood Linze rectifiers and Senare lamps also have been installed in the Kentucky, Elliott & Ward house. Equipment for both was purchased from the Mid-West Theater Supply Co., Cincinnati.
Trio Of “F” Lamps
Added To GE Line

(Continued from Page 1)

double the amount of light given off by the standard G-E 40-watt white fluorescent lamp.

The soft white lamp introduced in the “F” category is a soft white lamp which comes in four sizes and ranges in price from $1.05 to $1.35.

Other development and addition to the line, which has certain conceivable application as film industry equipment, is a new pencil size lamp which is smaller than any yet marketed by G-E.

$75,000 Seaford Layton Ready In Mid-December

Seaford, Del.—New $75,000 Layton Theater now under construction here is expected to be completed by mid-December, according to Thomas E. Ayres, owner.

The Layton will be of buff brick. Its auditorium, with a capacity of 800, will include a stage. A modern deep well air conditioning unit will be installed by Marion Hastings, Delmar contractor.

Show Card Colors Ready

Chicago — The Sherwin Williams Co. has developed a line of show card colors for the theater poster trade which have, the organization’s representatives say, unusual opacity, wide covering power, pleasant odor and do not rub or chip off. Twelve assorted colors are now available in 4 oz. ounce bottles, all packed in a strong carton for shipment.

Lighting Equipment Rentals:

A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for preliminary and general lighting activities.

Sales:

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.

Sole Eastern Distributors of equipment manufactured by:

Mole-Richardson Co.

HOLLYWOOD, CALIFORNIA

CHARLES ROSS Inc.

246-50 West 49th Street New York City Tel. Circle 6-5470-1-2

DeVry Puts Up Sound Tracks For Sale—And They’re In Very Good Shape At That!

Chicago—if you need a fleet of sound tracks for use in your business—or as a neat little memento of the recent national political campaign—just get in touch with The DeVry Corp. Those “DeVry” units and fragments are the last word in equipment of this type. Each truck has either 16 or 35 mm. film projector, amplifier, electric phonograph, microphones and stands, sound screen, 3-way horn and speaker assembly, and a flock of other devices. There is little chance that you’ll find any of the mechanisms clogged with barded phrases or campaign promises, ‘cause the trucks have been thoroughly reconditioned.

Capitol M. P. Supply
Reports Latest Jobs

Ben Perce, of Capitol M. P. Supply Corp., reports most recent jobs of that organization include RCA Magic Screens for Fabian’s Paramount and St. George Theater, Staten Island, with latter house also getting a Century projector, as did circuit’s Community, Catskill, N. Y., plus Ascherlamps and Baldor rectifiers.

RCA Magic Screens were also furnished to Prudential’s Garden, Richmond Hill, L. I; Sam Friedman’s Regun, New York City; and Mensa in Philadelphia. Phillips ranches, Netherlands West Indies. This latter outfit also was shipped a Century projec-
tor, Ascherlamps and Imperial generators.

Capitol also lists complete furnishing and decoratingHarry Hecht’s Palace Theater, Passaic, N. J., and supply of drapes and Mohawk carpet to that house.

Cannon’s Is Re-opened

New Haven—The 700-seat Cannon’s has reopened after a six weeks dark period for renovation under the supervision of Modern Theater Equipment Co., with Lou Phillips in charge. Repairs include new mar-
que, carpets, booth, lighting fixtures, screen, chairs, stage drapes, rubber mats, and display frames. The nite is operated by John Cannon and John Cannon, Jr.

Another for Martinsville

Martinsville, Va.—A permit has just been issued to Dr. E. M. McDaniel for the erection of a new theater in South Martinsville to cost $15,000. Plans for the new structure to be built on South Starling Avenue are now being prepared by a local architect and work will start as soon as they are completed.

Pereira in Three Projects

Chicago—Pereira and Pereira, theater architects, are completing plans for the new KRO exchange building in Philadelphia, and next year’s exchange building in Boston is now building. Pereiras’ plans are also being used in the building of the new Paramount Theater in Miami Beach.

Lee Converting Store

Winston, Ky.—S. D. Lee, of the Winchester Amusement Co., is remodeling a store building here for use as a theater.

New Esquire Theater
Now Open In Frisco

San Francisco—The Esquire Theater opened here recently on the site of the old Davies Theater on Market Street.

The Davies was taken over several months ago by the Blumenfeld circuit and has been completely re-equipped and re-equipped with 1000 loge type International seats. The latest in sound equipment, and some new innovations in decorations have been installed. The interior walls have been decorated with marbles treated “as if out of the Black Light” subterfuge which gives a third dimensional quality to the paintings.

The new theater gives Blumenfeld’s a “quality” house on Market Street.

Diesels Gain Favor

Peoria, Ill.—The Caterpillar Trac- tors Company has been buying Caterpillar Diesel engines for some time now being used by several film theaters in Central America. They will shortly send out full details of the installation to the trade, throughout the country. The organization has just issued a 32-page booklet on Diesel engines, featuring eight engine models, listed acco-

New Joy for Hughes

Taylorsville, Ky.—Rebuilding of the Joy Theater here, which recently was destroyed by fire, has now been completed and will reopen soon under ownership of M. C. Hughes, also operator of theaters at Manchester, Mc Kee and Beattyville, Ky.

Ritz Made Colorful

Weatherly, Pa.—Ivory with brown trim is the new color scheme of the lobby of the Ritz Theater which has been redecorated. New frames also have been placed on the lobby walls.

M. & N. Better Oliver

Detroit—Moule and Newman Cir-

cuit, which has just taken over the operation of the James building here, has begun redecorating with the cooperation of the owners of the house, including new front, sign, and marquee.

Bob Johnson Expanding

Newton, Ia.—Robert M. Johnson, operator of the Iowa theater at New-

ton has started remodeling an adjoining building to be used as a second theater for the city. Work is ex-
pected to be completed in February.

Alvin to be Ready
In Few Weeks Time

(Continued from Page 1)

60 days, it is declared by the agent for Harvard University, the owners of the building. The theater was leased and reconditioned by the Harris Amusement Co.

The recent disaster to the historic old Alvin, which would have been much more serious had it not been for the quick action and presence of mind on the part of the management and employees, and the fact that it occurred during the dinner hour, caused deep regret among theater-goers in this city.

Built 50 years ago, it was the first theater in the Western Pennsylvania territory and during the years the most famous stars of stage and screen played there. When road show plays began to wane 10 years ago, with the advent of talking pictures, the theater was closed for a year or two, and in 1933 was taken over by the Harris Amusement Co., remodelled and converted into a motion picture pictures and operated by that concern.

Dry rot was blamed for the collapse of the roof, which was of wood, virtually, although the latest building inspection reported it to be in good condition and perfectly safe.

Productions scheduled for showing at the Alvin have been moved to the Senator Theater, the other first-run theater in the downtown section operated by the Harris Amusement Co.

Humphreys Opens House

Oklahoma City, Okla. — Chet Humphreys, has opened his new Log Cabin Theater in the 2660 Block on North Thirty-Ninth Street. The house, seating 406, is located just out of the city limits by a few feet. Parking space for 800 cars is available to the Log Cabin patrons.

Palace Improves Front

Canton, O.—Complete renovation of the front of the Palace theater here has been completed, George A. Delis, district manager of Tri-State Theaters, Inc., operators, has announced. Entire front has been done over, including display cases.

Maquzz to Build

Nuremberg, Pa.—P. A. Maquzz, owner of a circuit of theaters in Pennsylvania, will open a new house and begin remodeling his building and will install modern equipment throughout. He also is engaged in remodeling his theater at Coplay, Pa.

Abbey Gets Improvements

Abbeyville, Ala. — Improvements just completed at the Abbey Theatre include an improved sound system, overhauling of all machines, and swinging doors to replace a curtain at the auditorium entrance.
Potwin-Schlanger Design is Popular

The new 750-seat Westville Theater in New Haven, Conn., which opened recently, is the third one of its type recently constructed in which the new comparatively flat floor slope and low acoustical design is used. The other two theaters are the Whitney in Hamden, Conn., and the Pix in Rock Hill, N.C.

The success of the first examples has encouraged the exhibitors to repeat these new design ideas. Two more theaters, one in Brooklyn, N.Y., and one in Brooklyn, Pa., are under construction according to the new design approach. C. C. Potwin of the Esri Acoustical Research Department and Ben Schlanger, theater architect, are the designers of all the theaters.

All dust collecting absorbive acoustical materials are eliminated and fully unobstructed vision of the screen is assured in these designs.

Vinson Will Remodel

Sebring, Fla.—P. L. Vinson, owner of the Circle Theater, is announcing that at the close of the present season the theater will be remodeled and enlarged. The seating capacity is to be increased from 475 to 700. New sound equipment and screen will be installed. Wm. Heim, of Avon Park, is the architect.

Paco Selects Hearing Aids

Miami, Fla.—Paramount Enterprises, Inc., is featuring telescopic sound aids for the hard of hearing in its new recently constructed house here. The equipment enables patrons to sit in any seat in the house and hear by means of short wave radio receivers held in their laps what the screen actors are saying.

Faith Branching Out

Bristol, Conn.—Joseph Faith, exhibitor in Terre Haute, Ill., and Collinsville, is planning to convert the Red Men’s Hall here into a 700-seat motion picture theater. Warner Bros. is coming in on the Cameo and new Bristol.

Robb-Little Draw Plans

Concord, Mass.—Plans are being drawn by Architects Robb & Little, of 250 Stuart Street, Boston, for Julius Meyer, who plans a new $50,000 theater on Main Street here. Details have not been decided.

Hopper Buys Equipment

Liberty, Ky.—Oscar Hopper has installed new projector mechanisms, screen, lens and sound in his Allen Theater here.

Apollo Resumes Biz

Belvedere, Ill.—The A. L. Hainline circuit’s Apollo theater has been re-opened after a complete modernization job.

Cavallo and Lautaret To Build Colossal New 6,000-Seat Pic House In Buenos Aires

Cable from Buenos Aires, Argentina, states that the largest film theater in all Latin-America—a 6,000-seater—will be erected there at Tucupia and Sumner Sts. Owners will be Pablo Cavallo and Jaquelin A. Lautaret who currently operate the Gran Rex, seating 3,297, Ambassador, 1,400; Florida, 1,829; and the Pic in Rock Hill, S.C.

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DeAngelis Lists Jobs Under Way and Planned

(Continued from Page 1)

shortly and will have its formal opening about Jan. 1. Paris Construction Co. of Buffalo is the contractor. Also around the New Year, the Star Theater being built in Tonawanda for the Dipson circuit will open. Contractor for this house is Meyo Construction Co. of Rochester.

Last Tuesday the Colonial Theater in Elmira was shut down for complete renovation, including new balcony, new front and complete interior. John Cunningham Estate of Elmira is contractor on this job which is for Fred Schweppe and Dipson & Osborne.

The Grand Theater, recently destroyed by fire in Westfield, N.Y., and owned by Kenneth Blakely, will be demolished and a new edifice comprising a 900-seat theater and store will be constructed. Most up to date design and equipment will be incorporated.

The Cuba Theater, Martina circuit house in Cuba, N.Y., is to be remodeled this winter for summer occupancy.

DeAngelis has just received the new construction contract for the new theater to be built in Wilkes- Barre, Pa., for the Comerford interests. Project calls for a 1,000 seat house and four stores.

To Rebuild Lyric

Terrell, Tex.—The Lyric Theater, which was destroyed by fire recently, will be rebuilt, says Leaman Marshall, manager. The loss of approximately $30,000 was covered by insurance. Work of rebuilding will begin soon as possible.

Comerford’s Latest on Way

Wilkes-Barre, Pa.—Work is about to be started on the Comerford Theater Circuit’s new nabe house in the city. It will be erected on the firm’s land, Carey Avenue in South Wilkes- Barre.

Marshall Re-Opens

The Grundy In Iowa

Ready Plans For Marjul

Bridgewater, Mass.—Plans are expected to be ready in about a month for a new 700-seat theater here for Marjul Theater Co., to cost $100,000 with all equipment included in the general contract. Present plans calls for a one-story brick building, 108 x 155, to include four stores.

"MAYBE I’D BETTER THINK THAT OVER!"

There's no percentage in being insecure about any phase of your business. How can you be certain whether the equipment in your projection room is functioning at its highest possible efficiency? About that, you never need to be in doubt again. An Altec sound service agreement and an Altec booth parts agreement bring you the knowledge that your equipment is operating at its best, not part of the time, but all of the time. Change to Altec today!
PROSCENIUM CHATTER

DOWN in Daytona Beach, Fla., W. R. Lovett, the Surgeon block, has taken out a building permit for a new structure, a part of which is to be used for a motion picture theater. George W. Steed has been awarded the contract.

Bill Senneman is soon to open his new Uark in Fayetteville, Ark., as a unit in the M. A. Lightman circuit.

Albert Duclos is planning construction of a theater and apartment block at Longueuil, Que., near Montreal. In fact plans have already been prepared by L. J. T. Decary, architect.

Henry Hellriegel, theater builder and decorator of Cleveland, has just completed repainting and redecorating the Detroit Theater which is owned by M. S. Fine and Felix Hous.

From Findlay, O., is flashed word that Walt Steue has re-opened his Lyceum Theater which was closed for 'bout a month for a complete overhaul. Among other things, Walt increased seating capacity to 300, had new concrete floor put down, and installed a floor clock equipped with music system.

With Archie Clemons' new Nitro, Nitro, W. Va., set to open on Dec. 15, the busy Archie is planning another house to go up in Cedar Grove, W. Va.

Up in Rochester, N. H., E. Morrison Douglas has been named manager of the City Opera House, as successor to Ethel L. Webster, who died recently.

Adrian Kreiger, manager of the Terrill Theater, Terrill, Ia., clarions that the work of redecorating the house has been finished, and, well, you should lamp those 230 new chromium-trimmed seats.

Lou Kaplan is erecting a 680-seater in Santa Barbara, Cal., and it's to be known as the "Rose." How many's it got Lou?

From Des. Plaines, Ill., issues word that the Benjamin Electric Mfg. Co. has introduced to the trade a new lamp-shielding louver for their "Stream Line" fluorescent lighting fixtures.

O. W. Keeler is building a new 200-seat theater in Kalkaska, Mich., which now lacks a movie palace. Contract for virtually all equipment was awarded to Emie Forbes Theater Supply, including RCA sound and screen, Brennan projectors and lamps, international chairs, and Bigelow carpets.

Those Detroit theater architects, Mears, Wright and Regoey, are designing three major jobs in that general area. Two are new theaters,—the M. & M. Mfg., 3334 Cass, and the Television, Detroit, for Saul Sloan. Third is a large remodeling contract for 1313 J. London circuit's Rex.

Arkansas Exhibitor Made Good Use Of Boxes: So We Use This One To Tell You What He Did:
The innocuous egg box, with its cap-shaped liners, was mane to be the operator of the Alux Theatre, Alus, Ark. The artistic gent, when there was nothing being constructed, is said to have taken the egg box liners and incorporated them into structure of auditorium's rear wall, in order to absorb sound. From all reports, the idea worked out satisfactorily, but in his history, the rear wall is "the next thing to a shell."

Sparks Set to Build Another in Sarasota:
Sarasota, Fla.—E. J. Sparks, head of the Sparks Theatres, Inc. of Florida, is announcing that a new motion picture house will be provided for the city. Work is to start at once on remodeling the old Garden Theater and the project will involve an expenditure of approximately $5,000.

The old seats have been donated to the Salvation Army. Sound equipment with the new wide angle projections will be installed. First-run pictures will be shown.

State Opens Dec. 15:
Tampa—The State Theater, independent house operated by E. E. Gore, which has been under construction for some time, is rapidly near completion. Plans have been made to open it on or about December 15. Warner Bros.—First National product will be featured in the house which is located on Franklin Street, Tampa's main business thoroughfare. Gore also operates the Howard and Rialto Theaters, subsequent runs which exhibit Warner features, and is constructing a new suburban house on Nebraska Avenue.

To Better Warner Stands:
New Haven—Warner's will close the 1,340-seat State, South Manchester, December 16 to 24 to finish the current renovation job, which provides for new marquee, lobby, lighting, carpets, and redecoration. Warner's will reopen it and convert it to a simple theater at the 1,690-seat Cameo, Bristol, this week, and at the 925-seat Rialto, South Norwalk, in a month.

Profen Reopens Star:
Ft. Branch, Ind.—The Star Theater here has been renovated and remodeled and recently opened by Woodrow Profen. The house has been closed during the Summer months.

Robins Plans New House:
Warren, O.—Dan Robins, owner of the Ohio and Robins Theater, contemplates construction of a new theater here. George Ebling, Cleveland architect, is reported preparing plans.

Williston Chooses Hertners:
Indianapolis —Dudley Williston, circuit operator, has purchased two Hertner Transverter's, one for his Park here and the other for his Lyric Theater, Louisville, Ky.

Ky. and W. Va. Houses Obtain NTS Equipment:
Cincinnati—National Theater Supply Co.'s offices here have just supplied two new houses with a considerable amount of equipment.
Theaters are Dr. J. S. Cormn's Bell in Pineville, Ky., which ordered Irwin chairs, Walker screen, Super-Simplex projector, Simplex Hi lamps, Crestwood carpet and Simplex reflectors; and James Roberts' New Theater, Oceana, W. Va., which received a Walker Plastic screen, Super-Simplex projector, Simplex Hi lamps and Simplex reflectors.

Movies For Soldiers:
Tullahoma, Tenn.—Crescent Amusement Co., of Nashville, is rushing a new movie house to completion here in anticipation of the coming to Camp Peay of 25,000 to 30,000 soldiers early next year. Other houses at nearby Manchester and Winchester are being enlarged and remodeled for the same purpose. As a part of the social center of the camp itself the Government will construct two movie theaters.

New Heating Installed:
Parsons, Tenn.—A new steam heating plant has been installed in the Rustic Theater by Owner John Goff and the heating plant formerly in use in it has been installed in the theater at Bruceton also owned by Mr. Goff.

Wilders Signs with Altec:
Norfolk, Va.—W. Whelchke, Altec representative, from Philadelphia, signed contracts with William S. Wilder, for the servicing of the entire Oiler Circuit located in Norfolk, Portsmouth, Newport News and Roanoke.

Register to Build:
Starke, Fla.—Freeman Register has given a contract to Ben F. Hall, builder, for the erection of a $15,000 structure to house a new motion picture theater. The building will be 105 feet by 64 feet.

New Marquee For Rialto:
Searcy, Ark.—The Rialto has installed a new 67-foot marquee. The sign has 300 feet of Neon tubing which varies in three colors.

Repaired Stand Resumes:
Marshall, N. C.—The Princess Theater here, which suffered severe flood damage some weeks ago, has reopened.

EQUIPMENT FIELD NOTES

CONGRATULATIONS TO L. H. Walters, who, on the last day of November, celebrated his fifth anniversary as manager of the Cleveland branch of National Theater Supply!

Jack Sarangas has done wonders with his Royal Theater up in Fall River, Mass.—and it wasn't done with mirrors, but via the offices of Joe Ciffre, Inc., of Boston. Latter remodeled the front, built a new lobby, removed steps and ramped floor, erected a new box office, put up a new marquee and signs, plus adding premium display windows and photo cases.

Repainting project is underway at Loew's Rochester, N. Y., Theater. Men and women's lounges are being redecorated, with other improvements to follow.

Bob Wixon's Vermont, in Vermont, Ill., is back in full operation after a fire damaged the sound equipment. RCA Photophone's representatives replaced the wholly disabled apparatus and had the ale k.o. busy again the jigg time.

The Rialto, Elyria, Ohio, dark for several months, will be rebuilt and reopened by the Rialto Theater Co. Alterations are being carried out by Sibbee & Smith, Elyria architects, and include a new front, general interior and exterior decorations, reseating and air conditioning.

You know that Chattanooga, Tenn., is getting a Tru-Lux theater? Well, Abe Solomon, proxy of Independent Theater Inc., which firm will operate the house, says that he's completed final arrangements for opening the house, and that he'll announce 'em pronto.

M. G. Anas, upper Ohio valley exhibitor, has completed the remodeling of the Mansas Theater at Wierton, W. Va.—clse by Steubenville, has changed the name of the house to the Anas. A new front and marquee have been installed. Auditorium has been redecorated and new appointments added.

C. C. Manda is going to manage the new Liberty Theater which E. W. Pickhorne, proxy of Central Amusement Co., and his colleagues are building in North Little Rock, Ark.

Yesterday, in Charleston, W. Va., Albert and Charley Aaron opened their ultra-modern West Theater, and 'twas quite a debut, too, with much bally et al.

Hot off the new griddle is fact that A. L. Royal is set to construct a new $50,000 theater in Meriden, N. Y., that 'Royal' showman, y'know is a Gulf port gent.

That up-and-coming anthracite community Freeland, Pa., now has three theaters going full blast, since the Rialto opened there last week—house operates the last four days of each week. It's equipped with W. Sound.
Company Will Deliver 39 For 1940-41; Production Pace on Coast Quickest

By RALPH WILK
West Coast Bureau of THE FILM DAILY
Hollywood—While announcing 39 pictures, including “The Ramparts We Watch,” for the 1940-41 season, RKO’s current program will consist of 39 features, it was determined by a FILM DAILY production check-up. It was explained that the line-up had been reduced by eliminating some of the less prominent films so that greater effort could be concentrated on the major productions. Twenty-five features on the current (Continued on Page 7)

Ohio Cities Would Levy on Amusements

Columbus, O. — Admissions tax legislation is virtually certain to be introduced in the General Assembly which convenes the first week in January.

City officials at a state-wide meeting in Cleveland last week recommended the passage of a state law (Continued on Page 8)

Griffis Buys Para. Stock; Kent Sells 20th-Fox Com.

Washington Bureau of THE FILM DAILY
Washington—Acquisition of 2,500 shares of Paramount’s $1 par common stock by Stanton Griffis is reported today in the SEC semi-weekly (Continued on Page 7)

Bank, Quiz Nights Given Boston Okay

Boston — Bank Night has been tacitly approved by the powers in this territory and will be one of the very few games permitted to continue, under the recent ruling of the Massachusetts courts. The new Quiz Night idea also has been given official approval as being a game of skill and therefore not in any sense a lottery.

Kuykendall and Loewenstein Going on Air To Discuss Exhibs.’ Problems and Decree

Oklahoma City—A radio round-table panel discussion over KOMA, will be held next Sunday, with Ed Kuykendall, MPTOA prexy, Morris Loewenstein, president of the Oklahoma Theatre Owners, Inc., and national secretary of the MPTOA, and Neal Barrett, manager of the station participating.

Broadcast will be the day before the annual convention of the state exhibitors association at the Skirvin Hotel. The discussion will center around problems of the industry from the standpoint of the exhibitor and is expected to acquaint the Oklahoma public with the current decree provisions and MPTOA’s stand. Program was requested by the station.

Avoid Arbitration, 20th-Fox Warning

RKO Trims Program, Concentrates on Major Pix

Chicago — Special Master Edgar Eidredge finds no evidence of guilt on the part of Barney Balaban in the United States vs. B & K criminal contempt case and recommends that Balaban be found not guilty and the proceedings dismissed.

This was revealed in an amended report which corrects the Master’s previous report in which he erroneously recommended that Balaban be found guilty of violating the 1932 (Continued on Page 6)

Welles to Control All His Activities from the Coast

West Coast Bureau of THE FILM DAILY
Hollywood — Orson Welles announced has revised his operations plan so that all his film, stage, radio and publishing activities will be controlled from his Hollywood office. He is at work on writing of his second (Continued on Page 7)

Canadian Grosses, Earnings Advancing

Canadian theater grosses and exchange earnings have increased “appreciably” in the last nine months and especially during the last 13 weeks, according to Leo Devaney, RKO’s general manager in Canada, who is in New York for home office conferences.

Not only is the amusement business good but there is a noticeable increase in theater construction, Devaney said. Patronage naturally is up where (Continued on Page 6)

Canadian Distribs. Will Name Association Prexy

A president of the Canadian Motion Picture Distributors Association is expected to be elected within the next 30 or 60 days. This is the group which formerly was affiliated with the MPPDA and recently severed (Continued on Page 7)

Expensive, Will Take Up Valuable Time, Sales Staff Told by Co.'s Counsel

Acting at the direction of Prexy Sidney R. Kent, 20th-Fox general counsel, Felix A. Jenkins, has sent a letter to all of the company’s division and branch managers advising that “it is extremely important that you so conduct our business that we will not need arbitration.”

Letter warns that arbitration proceedings will be “expensive” and, additionally, will “take up valuable time.” Managers are informed that selling clearance is a part of selling pictures under the consent decree. Jenkins adds:

"An exhibitor’s complaint that his (Continued on Page 8)

Film Players Flood Broadway Stages

On-to-Broadway movement on the part of film players who have been on the stage previously, film players who have not been on the stage and stage people who have appeared in pictures, is larger this year than in years, according to a survey of the (Continued on Page 8)

Conn. Allied, MPTOA Meet Jointly on Legislation

New Haven—All exhibitors in the territory are invited to attend a joint meeting of the State’s two exhibit groups tomorrow at Ceriani’s Restaurant (Continued on Page 7)

Threat to U.S. Pix in Mexico

Discriminatory Legislation in New Congress

Golden Joining Weeks In Production Venture

By MARCO-AMELEO GALINDO
FILM DAILY Staff Correspondent
Mexico City (By Air Mail)—Cutting of Mexican playing time for American-made pictures to less than half of what it is now, looms as a possibility if a measure which native producers have introduced in the new Congress is passed which would call for all exhibitors through (Continued on Page 7)

108 Re-issues Give Spot Booking Mark

Booking a total of 108 old pictures during the past 18 weeks, the New York 20th-Fox branch, managed by Harry Busch, has set a new record for spot bookings by company branches. Pictures, which were from one to five years old, were said to have been booked so solidly that all available prints were constantly in use.
RCA Declares 3 Dividends

RCA, for the October-December quarter, will pay $7.54 per share on its outstanding shares of $3.50 convertible convertible first preferred stock. The dividend, which is paid out of the earnings "B" preferred on Jan. 1 to holders of record Dec. 13. Dividend of 20c on outstanding common stock will be paid Jan. 27 to holders on Dec. 20. Dividends were declared at a board meeting Friday.

TWO-A-DAY RUN

The Great Dictator (United Artists-Chaplin)--4th week

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)--4th week

FUTURE OPENINGS

Moon Over Burma (Paramount Pictures)--Dec. 11

20th-Fox English Biz Reported Off 30 P. C.

The 20th-Fox foreign department reported at the week-end that it had received word from its manager in Holland, Louis Groom, for the first time in many months.

A report on the company's business in England indicated a decrease of almost 30 percent in revenue over the same period a year ago, due to increased bombing activities by the Nazis in midland industrial cities and important coastal cities.

It was further reported that houses have been hit in areas receiving the brunt of the Nazi attack, but that repairs were being made and the houses were operating again in a very short time. F. L. Harley, company's managing director in Great Britain, is expected here shortly before Christmas by Clipper from Lisbon.

Jack Ellis Would Retire As MP Associates Prexy

Meeting of the Motion Picture Associates will be held Wednesday, Dec. 18, at the Hotel Astor at 10:00.

Following the luncheon there will be a nomination of officers and a report of the committee. Dinner and dance will be made. Jack Ellis, president, told THE FILM DAILY that he would not run for a fourth term as he did not want to "establish a precedent." It was reported that Joe Lee, Joe Sanders and Nat Beier are potential candidates for the presidency.

Nathanson to Appoint Forum Films Distribrirs

West Coast Bureau of THE FILM DAILY
Los Angeles — Sam Nathanson, vice-president and general manager of Forum Films, Inc. left yesterday for a tour of key cities of the country. He will appoint distributors for the various exchange territories to Dec. 26 and 35 mm. educational product being made by Forum.

First two subjects completed are "I Want a Job" and "Minutes Are Precious." Six new subjects under production. Company plans to make 26 subjects a year.

Arthur W. Kelly, vice-president in charge of sales for United Artists, left over the week-end for Pittsburgh, St. Louis, Chicago and Osahan.

Lev Devaney, RKO's Canadian manager, and Walter Braden, Chicago district chief, are here for a few days.

William Cohen, 20th Century-Fox traveling auditor, is in Oklahoma City.

Ray Bell of M-G-M's publicity staff is in Washington.

Fred Mathews, president of Molligraaf, is in town and stopping at the Hotel Lincoln.

Herman Werber and William Süssman returned from Boston over the week-end.

Allan Dwan, Boris Morros and Mervin Houser are at the Sherry Netherlands.

Bert MacKenzie, M-G-M exploitation director in the Boston territory, plans to spend his holidays at his farm in upstate New York.

Melvin Douglas plans to be in New York shortly.

Boris Kallof is here from the Coast.

Kenny and Mrs. Baker are at the Warwick.

Priscilla Lane returned to Hollywood Friday.

Alllyn Joslyn is due in town today.

M. Marcus, M-G-M manager in Shanghai is in town.

Lucille Ball is a guest at the St. Moritz.

20th-Fox Money Pix in 18 Months

With "Pin Pan Alley," new 20th-Fox musical, continuing to play to heavy business all over the country where it has been released, picture had already built up larger grosses for the time it has been in release than "The Raines Came," company's biggest money maker last year, and home office excess. Friday were optimistic that it would hit the big gross mark established by "Jesse James." Picture, which statistics show to be the company's biggest money maker in the past 15 months, is also cleaning up in second-run situations, it was said.

Picture has also to date outgrossed "Alexander's Ragtime Band" in some 17 key situations. "The Mark Of Zorro" was also continuing its strong business, with seven fourth week holders.

Freshman Rites in Syracuse

Syracuse, N. Y.—Funeral services were held here yesterday for Earl I. Freshman, for many years upstate counsel for Ascap. Dealth occurred Friday from a bullet wound, said self-inflicted.

\[Happy Birthday to You\]
Theatre executives from five leading circuits in the heart of the South joined in cheering the Memphis showing of the new Fred Astaire-Paulette Goddard musical comedy romance, "SECOND CHORUS"...

"Will be one of the biggest hits of the season. Paulette Goddard is really the surprise actress of any year. Teamed with Astaire, she is positively remarkable. Astaire's dancing tops anything he's ever done before!"

—M. A. Lightman, Malco Theatres, Memphis

"One of the most delightfully entertaining pictures I've seen in years!"—R. X. Williams, Pres. M.P.T.O.A., Mississippi

...and Circuit Executives Dave Flexer, Benny Ridblatz, of Memphis, and W. F. Ruffin of Covington, Tenn., chime in the chorus of praise with:

"A certain box office smash hit!"

The Solid South will have a Happy New Year with "SECOND CHORUS"
GENE AUTRY’S FIRST $500 MELODY

GENE AUTRY • JIMM

and BARTON MacLANE • BARBARA ALLEN (VERA VAGUE) • GEO
ALL-STAR PRODUCTION

RANCH

A Republic PICTURE

DURANTE * ANN MILLER

HAYES · JEROME COWAN · MARY LEE

JOSEPH SANTLEY
Director
Balaban is Cleared
In Contempt Action

(Continued from Page 1)
consent decree, which was the sub-
ject of the contempt proceedings
filed in 1938.
In the original report, Eldredge
recommends that Loew's, Warner
Bros., Fox, Universal, United Ar-
tists and RKO be found not guilty,
but held that Paramount, B & K
and B & K Management Corp. be
found guilty. The latter three groups
remain as defendants in the case.

Santa Fe Ready for "Trail"
Opening with 500 Deputies

Santa Fe, N. M.—This city com-
pleted preparations for the three-
day high jinks incident to the world
premiere here next Saturday of War-
ner Bros.' "The Santa Fe Trail." A
police force of 500 special deputies
will be on hand to handle the ten-
thousands expected to attend.

The Hollywood delegation will
leave on Thursday and the New
Yorkers Wednesday. Both trains
reach Santa Fe Friday afternoon.
After receptions by the Mayor and
the Governor, a historical pageant
will be held in Fort Marcy stadium,
to be followed by a "Friday the
Thirteenth Fandango" costume ball.

On Saturday, after the stars visit
the Santa Fe Ski Club and attend a
gymkhana, the premiere showings
of "Santa Fe Trail" will be held in
three theaters, two already sold
out. Grand ball closes the program.

William A. Haynes Dies
In Utica: Illness Brief

Utica, N. Y.—William A. Haynes,
51, manager of the Stanley here and
at one time city manager of Loew's in
Dayton, Ohio, is dead here from a
brief illness. A former newspaper
man in Dayton, O., he also had
operated an exchange in Detroit,
where he built for a period owned the
Harmony.

Haynes leaves a widow, his father,
Franklin D. Haynes, who was in the
theater business in Philadelphia; a
son, Roland, also of Philadelphia, and
another son, Kenneth of Arlington,
Va.

Doyle Takes Over Orient
Supervision for 20th-Fox

Official appointment of Arthur
Doyle as 20th-Fox supervisor of the
Orient district, comprising China,
Japan and the Philippine Islands,
was disclosed at the week-end by
Walter J. Hutchinson, Director of
Foreign Distribution. Doyle for-
merly was the manager in Japan.

McArdle Riles in Toronto

Toronto—Largely attended by mo-
tion picture people, funeral of E. A.
McArdle, former manager of Shea's
Hippodrome, and later of the
Galey, was held here at the week-

Canadian Grosses,
Earnings Advancing

(Continued from Page 1)
thinkers are in the vicinity of army
camps. In addition, there are be-
tween 20,000 and 30,000 "trainees
who serve a compulsory military
training period in the month.

Mervin said, pointing out that in
areas where these men train theater
business also is good.

Devaney said unemployment in
Canada has been greatly reduced,
relief rolls have dropped off due to
re-employment and, in general, more
money is being spent with a natural
beneficial reflection on box-office
grosses.

150 Christmas Week Dates
Set for "No, No, Nanette"

"No, No, Nanette" has been set for
150 Christmas week bookings to
begin next week in Toronto and
the Radio City Music Hall, New York,
on Dec. 19, RKO reported at the
week-end.

Neagle, film's star, will be in
the national limelight via two
major network broadcasts during the
first week's run of the production
in key cities. She will be featured
on Dec. 26 on WGN's big holiday
week show from Chicago, with a
complete Mutual network of 120
stations. Dec. 27 the RKO Ra-
dio star will be the guest artist on
Kate Smith's broadcast.

Standard's Oklahoma City
First-Runs Cut Prices

Oklahoma City, Okla.—Standard
Theaters first-runs which have been
charged, 35 cents plus tax from 2 to
6 p.m. for matinees, have cut
matinee prices to 25 cents for this
period and 40 cents plus tax after 6
p.m. for matinees. The Star, Brenton,
Dixie, and Tower. This brings them
in line with the opposition, the State
theater, which has been charging
only 25 cents for matinees ever since
it opened for business three years
ago.

Copeland and Manfree
To Swap Para. Berths

Des Moines, Ia.—R. M. Copeland,
1929 graduate of the Des Moines
branch for the last 15 years and is one of the old-
est film distribution managers in
Des Moines in point of service.

Col. Assigns Chester Morris
West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has assigned
Chester Morris to the male lead in
"The Return of Boston Blackie" which Robert Florey will direct.
**Chad Hanna** and “Western Union” Plugs Over the Ether Via Kate Smith Programs

Continuing its policy of ballyhooing forthcoming attractions via air plugs, 20th-Fox has set “Chad Hanna” on the Kate Smith show Friday night. Commercial for the Kate Smith program Jan. 31. Air preview Friday of the Technicolor special will be the tenth picture to be tied up with the Kate Smith show.

This “Chad Hanna” air show will originate in New York and “Western Union” will be broadcast from Washington, D. C.

**Griffs Buys Para. Stock; Kent Sells 20th-Fox Com.**

(Continued from Page 1)

Griffs has decided to dispose of a total of 6,500 shares in the common stock of the company.

The 20th Century-Fox report states Sidney R. Kent has disposed of 1,000 shares of common stock at par value and now holds 1,150 shares.

RCA disposed of 928 shares of RKO common stock the report states and now holds 316,328 shares of that class. RCA also holds 555,254 warrants for common stock and 44 additional 26,500 certificates through Standard Capital Co.

Robert L. Daise has disposed of 200 shares of Trans-Lux Corp. $1 par common stock and now holds 2,500 shares, the report states.

Consolidated Film Industries reports E. H. Seifert has disposed of 160 shares of preferred, now holding 400 shares.

**Canadian Distrs. Will Name Association Proxy**

(Continued from Page 1)

It has been agreed that the new head will be one of the Canadian general managers of a major company. Meanwhile, Col. John Cooper is acting as executive secretary of the organization.

**Boston College-Holy Cross Game Pix in Hub Theaters**

Boston — If the Boston College football players do not know every picture which has been filmed here with Holy Cross, then it must be because of inability to see. The squad has been guests of no fewer than four Hub theaters within past six days, in each of which pictures of the game which won the Sugar Bowl for Holy Cross were shown. Coach Lenzy said last night that he believed the exhibits, were hopeful that in some showing Holy Cross would fail to humble and might score. Football pix currently is triple featured with “Third Finger, Left Hand” and “Dr. Kilade’s Crisis” at both Loew’s State and Orpheum.

**Prosecutor Sends Regrets So Gambling Forum Flops**

Milwaukee — A Milwaukee Woman’s Club symposium on “Bingo—A Challenge to Milwaukee Officials,” at which it was hoped to secure some indication from law enforcement officials concerning their attitude toward policy games, Bingo and gambling in general, turned out to be a fizzle when District Attorney Herbert J. Steffes sent his regrets because he was required to prosecute a murder trial.

Memories of the club were particularly interested in learning from Steffes why he was failing to fulfill the requirements of the law with reference to policy games and Bingo. Although Bingo has been outlawed by the State Supreme Court, the Brown County Board has continued to play it despite the fact that a circuit court injunction had been obtained by Charles W. Trampe, local distrib. and exhib. against the hall.

Payne, Wilcoxson Cast

Hollywood—John Payne has been cast by 20th-Century-Fox in an important role in “The Great American War.” Two-time Oscar winner Henry Wilcoxson is “Uncensored.”

**Threat to U. S. Pic Looming in Mexico**

(Continued from Page 1)

out Mexico to play one native film for one week every four weeks, or for as many days at a time as are usually given to any one picture in smaller territory.

Likewise, theaters all over the country by terms of the bill would also be compelled to give one week a month to foreign-made pictures other than American films, with only the time left over going to the Hollywood product.

The bill also calls for the establishment of a financing institution which would be backed by the Mexican government to finance native production.

Generally, hopes of Mexican motion picture producers for a definite and local market are increasing, as license activities are rising on the strength of the inauguration of a new administration under President Manuel Avila Camacho. The confidence generally displayed towards his government is seen as a sign that new activity will now be poured into the industry.

Other plans are also under consideration which seek to support the long-suffering native picture industry, and there is talk of establishing a quota on imports of foreign-made films.

One of these plans calls for the owners of first-run theaters throughout the country to finance the production of their own pictures, should the number made by regular producers prove insufficient to help them to comply with the law’s requirements.

Argentines may also feel the pinch if one of the clauses in the bill goes through. This would make it imperative for American producers to take out a Mexican picture for distribution in the Argentine Republic for which a tax has to be paid. These are the proposals introduced into Mexico.

Producers of the Southern republic have made a noticeable headway here in the past two years, with about three Argentine films now being released every two months.

**Welles to Control All His Activities from the Coast**

(Continued from Page 1)

production which will have a Mexican background.

Welles’ company, Mercury Productions, recently added two new officials and its personnel now is: John Houseman, president; Welles, Arnold Weissberger, Herbert Drake, vice-presidents; F. Newton Dodson, secretary; Richard Baer, assistant secretary.

Fonda for “Swamp Water” West Coast Bureau of THE FILM DAILY

Hollywood—Henry Fonda will likely take the leading role in “Swamp Water.”
Balaban is Cleared
In Contempt Action

(Continued from Page 1)

consent decree, which was the subject of the contempt proceedings filed in 1938.

In the original report, Eldredge recommended that Loew's, Warner Bros., Fox, Universal, United Artists and RKO be found not guilty, but held that Paramount, B & K and B & K Management Corp. be found guilty. The latter three groups remain as defendants in the case.

Santa Fe Ready for "Trail" Opening with 500 Deputies

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The Hollywood delegation will leave on Thursday and the New Yorkers Wednesday. Both groups reach Santa Fe Friday afternoon. After receptions by the Mayor and the Governor, a historical pageant will be held in Fort Marcy stadium, to be followed by a "Friday the Thirteenth Fandango" costume ball.

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William A. Haynes Dies In Utica: Illness Brief

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Haynes leaves a widow, his father, Franklin D. Haynes, who was in the theater business in Philadelphia; a son, Roland, also of Philadelphia, and another son, Kenneth of Arlington, Va.

Doyle Takes Over Orient Supervision for 20th-Fox

Official announcement of Arthur Doyle as 20th-Fox supervisor of the Orient district, comprising China, Japan and the Philippine Islands, was disclosed at the week-end by Walter J. Hutchinson, Director of Foreign Distribution. Doyle formerly was the manager in Japan.

McArule Rites In Toronto

Toronto—Largely attended by motion picture people, funeral of E. A. McArule, former manager of Shea's Hippodrome, and later of the Gaiety, was held here at the week-

150 Christmas Week Dates Set for "No, No, Nanette"

"No, No, Nanette" has been set for 150 Christmas week bookings to follow the world premiere at the Radio City Music Hall, New York, on Dec. 26, RKO reported at the week-end.

Anna Neagle's film star, will be in the national limelight via two major network broadcasts during the first week's run of the production in key cities. She will be featured on Dec. 26 on WGN's big holiday week show from Chicago, with a complete Mutual network of 130 stations. On Dec. 27 the RKO Radio star will be the guest artist on Kate Smith's broadcast.

Standard's Oklahoma City First-Runs Cut Prices

Oklahoma City, Okla.—Standard Theaters first-runs which have been charging 55 cents plus tax from 2 to 6 p.m. for matinees, have cut matinee prices to 25 cents for this period and 40 cents plus tax after 6 p.m. Houses are the Criterion, Mid- west, and Towne. This brings them in line with the opposition, the State theater, which has been charging only 25 cents for matinees ever since it opened for business three years ago.

Copeland and Manfree To Swap Para. Berths

Des Moines, Ia.—R. M. Copeland, veteran Des Moines manager of Paramount, will exchange posts with J. T. Manfree, Kansas City manager next month, it is announced here. Copeland has been in charge of the Des Moines branch for the last 15 years and Manfree has been in charge of the Des Moines branch in point of service.

Col. Assigns Chester Morris

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has assigned Chester Morris to the male lead in "The Return of Boston Blackie" which Robert Florey will direct.
RKO Trims Program; Major Pip Only Set (Continued from Page 1)

program have been completed, three are being developed as of the momentary causes of uncertainty and are held in the 

Staff survey estimates that the production pace is quickening as excesses to correct the deficit for an early start on the 1941-42 program, to be held under the consent decree provisions.

Metro Has 21 Completed

Of the 44-32 announced by M-G-M for this season, 21 are completed, three are shooting, five are in the cutting room and three go into production within the next few weeks. "The Land of Liberty," taken for distribution by Metro, is included among the 21 finished.

Twentieth Century-Fox announced 32 pictures for the 1940-41 program, of which four were to be made in England. Three of the pictures of this six pictures have been made and the fourth is expected. Twenty-nine of the 32 announced pictures have been completed and six are in production. Approximately 23 pictures are in preparation, some of which will be delivered on the 1941-42 program.

Of the six pictures announced by Columbia, in excess of westerns, 13 have been completed, eight are being edited and four are in the shooting stages.

WB Has 11 Ready for Release

Warner Bros., has completed 11 of the 48 pictures sold. Eight are before cameras and seven are in various stages of preparation. Of the 27, eight will start within the next few weeks.

A program of 52 features and seven westerns was announced by Universal. Thirty-one of the features and five of the seven westerns have been completed, in addition to three serials. Four features and one serial are in preparation and 18 are in preparation.

United Artists has delivered 11 of the 22 pictures announced. Eight others will be ready for release during the next four months.

Paramount announced 44 pictures, plus nine Harry Sherman westerns. Of the 44, Paramount has completed and released eight, 11 are completed and awaiting release and six are in production. Seven are in preparation, but none go before the camera before Dec. 16. Gene Markey's one picture is in the cutting room, while one of the two "Kid 'O' a Corn" Morro pictures is awaiting release. Five of the Sherman pictures are finished and one is in production.

Rep. Has Delivered 23

Republic announced 32 features and 30 westerns for the 1940-41 season. Ten features and 13 westerns have been completed and delivered, as well as two of the four monthly features.

Griffis Buys Faro, Stock; Kent Sells 20th-Fox Com.

"Chad Hanna and "Western Union" Plugs Over the Ether Via Kate Smith Programs" (Continued from Page 1)

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Fonda for "Swap Water" (Continued from Page 1)

Walt Disney, who is in charge of THE FILM DAILY offices in Hollywood—Harry Fonda will likely be cast for the stellar role in 20th-Fox's "Swamp Water."
Avoid Arbitration, 20th-Fox Warning

(Continued from Page 1)

clearance is unreasonable is subject to arbitration. If our objection is properly done the clearance we sell should never have to be arbitrated.

Calls for Scrupulous Observance

The general counsel outlined provisions of the decree in effect and warns that they must be scrupulously observed, otherwise your company will be in contempt of court.

Round table conferences designed to fully familiarize all sales personnel of 20th-Fox with the provisions of the consent decree will start Friday when Jenkins addresses the sales staff of Harry Buxbaum's New York office that has not yet taken by the NATO a vital role in the British theater field. Bombing of two houses in a South Coast town yesterday, presumably Portland, was reported. Explosives struck one while it held from 200 to 300 persons, 50 of whom were entrapped. Casualty toll was high.

Walter F. Hiltz Dead

Kentville, N. S.—Walter F. Hiltz, 64, a pioneer film theater operator in the Maritime Provinces, died yesterday. He had been an exhibitor in Kentville, Wolfville and Windsor, is dead after an illness of two years. Surviving, are five sons and three daughters.

French "Nazifying" Picture Industry

Vichy (By Cable)—"Nazification" of the French film industry, in essence, is provided through the application of recent racial decrees which close branches to Jews.

The new law which established Vice-Premier Pierre Laval as the industry's "czar" also gives the Governor complete control over film financing.

NAM Com. to Recommend Declaratory Judgment Act

National Association of Manufacturers' convention here this week will receive a report from its Committee on Relation of Government to Industry calling for:

1. Enactment of a Federal declaratory judgment act to facilitate elimination of unfair competition and at the same time insure avoidance of antitrust.

2. Amendment of the substantive portion of the Sherman Act to effectuate enforcement of the "oil well case" decision and to make "the rule of reason" universally applicable.

A report of the association's former advocacy of an advisory tribunal which would have power to fix attitude of the government toward proposed contracts, combinations or agreements under the anti-trust laws.

A recommendation that the primary enforcement of the Sherman Act should be by civil and not by criminal proceedings, save in exceptional cases.

Presumably, there had been a declaratory judgment statute in existence, the industry's Trade Practice Committee had materialized. The declaratory judgment proposal would require enactment of the department's legacies for the following procedure: voluntary industrial agreements could be made to eliminate unfair competition practices; such agreements could be submitted to the Department of Justice for approval or disapproval within a specified period of time; approval would bar any civil or criminal action under the anti-trust laws instituted in respect to activity carried out under the agreement; such approval could be withdrawn on 30 days notice to the industry; disapproval would indicate intention of the department to negotiate for action under the agreement and would be conclusively deemed to give rise to a justifiable controversy in the federal courts.

Berlin Aids Seal Campaign

Irving Berlin will serve as chairman of the authors' and composers' committee of the current Christmas Seal campaign, it is announced by Frank Kiernan, director of the New York Tuberculosis and Health Association.

Final Kent Drive Meeting

At New York Branch Today

Final meeting of the annual 20th-Fox Kent Seal Drive will be held today at the New York branch. Drive leader M. A. Levy, and Herman Wobber, general manager of distribution, and William Suessen, Eastern division manager, who attended last year's meeting at the week-end in Boston, returned here Saturday night. Levy has served as the Drive leader for two years and others are to be chosen to succeed him for the next two Drive periods, each man being limited to two years in the post.

French "Nazifying" Picture Industry

Vichy (By Cable)—"Nazification" of the French film industry, in essence, is provided through the application of recent racial decrees which close branches to Jews.

The new law which established Vice-Premier Pierre Laval as the industry's "czar" also gives the Governor complete control over film financing.

NAM Com. to Recommend Declaratory Judgment Act

National Association of Manufacturers' convention here this week will receive a report from its Committee on Relation of Government to Industry calling for:

1. Enactment of a Federal declaratory judgment act to facilitate elimination of unfair competition and at the same time insure avoidance of antitrust.

2. Amendment of the substantive portion of the Sherman Act to effectuate enforcement of the "oil well case" decision and to make "the rule of reason" universally applicable.

A recommendation that the primary enforcement of the Sherman Act should be by civil and not by criminal proceedings, save in exceptional cases.

Presumably, there had been a declaratory judgment statute in existence, the industry's Trade Practice Committee had materialized. The declaratory judgment proposal would require enactment of the department's legacies for the following procedure: voluntary industrial agreements could be made to eliminate unfair competition practices; such agreements could be submitted to the Department of Justice for approval or disapproval within a specified period of time; approval would bar any civil or criminal action under the anti-trust laws instituted in respect to activity carried out under the agreement; such approval could be withdrawn on 30 days notice to the industry; disapproval would indicate intention of the department to negotiate for action under the agreement and would be conclusively deemed to give rise to a justifiable controversy in the federal courts.

Berlin Aids Seal Campaign

Irving Berlin will serve as chairman of the authors' and composers' committee of the current Christmas Seal campaign, it is announced by Frank Kiernan, director of the New York Tuberculosis and Health Association.

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The WEEK in REVIEW

"Little 3" Ask Delay

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Little asked Judge Henry W. Goddard of the 22 circuit court in which Columbus is sitting to delay trial. Columbus is alleged to have violated the terms of the consent decree. Columbus has argued that the new counsel, James E. McLean, authorized to file the suit, is not the attorney of record for the citizens of Columbus. The consent decree was entered in 1937 against Columbus, Wobber, and the latter were given 60 days to move for dismissal or to file answers. W. Allied may seek to clarify the use of the decree through state legislation. National Allied pledged support to the decree's provisions.

Other News Items:

Master Edgar Eldridge in Chicago, recommended dismissal of the criminal contempt charges against B. K. and the majors... Metro created new Central sales division and W. Rodgers placed E. K. Ted... Bargains in the Continental sales—men—two—men—men... Rudolph Berger, John F. Bowden and... Trade & Securities survey predicted 5 to 10 percent attendance rise... Washington informed the Army that the current system would stand as is... D. J. E. completed its probe of Acesap but was mum on matters of bringing a suit in... "Great Dictator" terms were given at 50-50 by U.A. Goodbody & Co reported film earnings moving up... Spyrus Skouras predicted that 1941 would be best year for films in U. S. since 1929... Warners and Erp called the current contract... Columbia reported first net of $153,878... Murray Silverstone forecast adoption of English selling system (by individual picture) by U. S. distribs.

Ohio Cities Would Levy Tax on Amusements

(Continued From Page 1)

which would permit municipalities to impose local taxes for the purpose of meeting relief needs. Among those suggested is an amusement tax.

The Ohio Farm Bureau Federation meeting here, also adopted a resolution asking that the state admissions tax be increased.
CANADIAN INDIES WANT DECREE REFORMS
U.S. Supreme Court to Review Neb. Ascap Case

Notes Probable Jurisdiction: Florida Anti-Ascap Law Is Back Before Court

Washington Bureau of THE FILM DAILY
Washington—The U. S. Supreme Court yesterday noted probable jurisdiction in the case arising out of the anti-Ascap law passed by the State of Nebraska, which was declared non-enforceable by the U. S. District Court in Nebraska. The decision means the high court will review the case but reserves the right to dismiss it at any stage of the proceedings if it decides it does not have jurisdiction.

The Nebraska law made it unlawful for authors, composers, proprietors, publishers or owners of copy.

(Harold Scott) (Continued on Page 7)

Hollywood Sends 11 Pix Into Production

West Coast Bureau of THE FILM DAILY
Hollywood—Eleven pictures are scheduled to go into production this week.

At Columbia: Four shooting, including “The Return of Boston Blackie,” a melodrama, featuring Chester Morris, Rochelle Hudson and Constance Worth. Producer, Ralph Cohn; director, Robert Florey.

At M-G-M: Five shooting, includ-

Canada Producing “Fact” Film Monthly—Grierson

Canada at the present time is producing one documentary or “fact film” each month and the British Ministry of Information has a program calling for production of one film of this type per week during

(Continued on Page 6)

No Films for Juves Under 10?
Average Program Unsuitable, Chicago View

French Theaters Fast Returning to Normalcy

By JOSEPH ESLER

Film theaters in both unoccupied and occupied France are returning rapidly to normalcy, according to letters received by John Frei, Hollywood, from the Department of Motion Pictures of Societe de Materiel Acoustique in France's unoccupied zone.

(Continued on Page 7)

50 Detroit Houses Dark Christmas Eve

Detroit—Fifty Detroit theaters have closed and are being used for other purposes.

(Continued on Page 6)

VOL. 78. NO. 113
NEW YORK, TUESDAY, DECEMBER 10, 1940
TEN CENTS
Cinema Lodge Officers Will Meet Tomorrow

First meeting of new officers of Cinema Lodge, B'nai B'rith, will be held tomorrow, probably in the office of Arthur Israel, Jr., district manager, in the Paramount Bldg. Plans for the new year's activities are to be set up at the session.

Newly elected officers, aside from Israel, include the following vice-presidents: Leo Jaffe; Columbia; Jack Schepman, 20th Century-Fox; Abel Vigard, Warner Bros.; Max Streimer, United Artists; Irving Greenfield, RKO; A. R. Steinberg, Loew's, and Adolph Schimmel, Universal. Max B. Blackman, Warner Bros., was elected treasurer; Julius Collins, Ascap, recording secretary; J. Hymen, corresponding secretary; Irving Cohen, Paramount, monitor. Advisory council which recently named include Barbra Balian, Joseph Bernhard, Harry Warner, Nate Blumberg, Maurice Silverman, J. M. Winston, Paramoun, and Harry Cohn, M-G-M. The council also appointed a committee to consider the formation of a national joint board.

BMI to Acquire Catalogues of Film Co. Music Houses?

Resumption of negotiations where-by Broadcast Music, Inc., the radio-controlled rival of Ascap, would acquire the catalogues of music publishers affiliated with film companies was reported yesterday, although confirmation was lacking. Julian Abels, attorney for the music publishing interests of M-G-M, 20th Century-Fox and Universal, said the reports.

Rumored entrance of BMI into the picture followed the shifting of the E. B. Marks Music Corp. music from Ascap to the new organization. Although Ascap denied the latest that the transfer affected only the company and that the composers and authors who created the songs in Marks' catalogues were remaining loyal to Ascap.

Reports from Hollywood yesterday indicated that Columbia Pictures and RKO had agreed to release some of their music scores to the radio-controlled rival of Ascap, BMI.

Art Himmeleiner, Veteran Exhibitor, Died Sunday

Altoona, Pa.—Art Himmeleiner, veteran exhibitor, died Sunday night after lingering illness. Until his health began to fail, he was general manager of Altoona-Public Theaters and associated with the management of the New Market Theatre. He was also closely connected with the Century Theatre and several other local theaters. He is survived by his widow and two brothers, Charles and John. Funeral services and burial will be in his home town.

Schenck, Sears, Debut Aid Greek War Relief

The Greek War Relief Association, Inc., reported yesterday that Nicholas S. Schenck, Gradwell Sears and Ned E. Depeint had joined the ranks of film men who have contributed. Schenck contributed $500, and Depeint gave $100.

New ChI CHQ for Browne

Chicago—By an agreement George Browne, IATSE proxy, will have Western offices on the 12th floor of the Steuben Building, 188 W. Randolph St., Chicago, and will be assisted by hands unions who will also establish headquarters there, moving in from a banquet at night.
SDEA Not Worried
Over Decree’s Effects

(Continued from Page 1)

Falls announced themselves as un-
worried over its effect on their busi-
ness. No action was taken, but a com-
mittee will be appointed to handle
complaints or difficulties should
they arise.

SDEA went on record opposing a
boast of the Federal tax on lower
admissions and opposed legislation
restricting or taxing entertainment
further. Dues were dropped from
three to two cents per seat.

Officers elected were: Dean Nash,
Canton, president; John Anderson,
Pauline, Richard Rowland’s “A. P.
Sorenson, secretary—treasurer;
Charles Hyde, Pierre, E. G. Sorenson,
Chamberlain, Bert Johnson, Rapid
City, board of directors.

RKO was represented by Sheer M.
Fitch; Paramount by Gil Sessler;
Minnesota Amusement Co. by Ralph
Phillips; Joe Powers of National
Screen Service gave a talk on adver-
tising.

Margolies to Work Closely
With Producers Publicists

Al Margolies, who recently was
promoted to the post of director of
publicity for United Artists, will
now be working closely with the public-
ity men of the individual producers.
Margolies will co-ordinate the pro-
cess with the publicity for United
Artists

Publicity is now being mopped out
by Margolies on seven pictures. The
pictures are Richard Rowland’s “Cheers
for Miss Bishop,” Loew-Lewin’s “So
Ends the Night,” Hal Roach’s “Road
Show,” Gabriel Pascal’s “Major
Barbara,” and Alexander Korda’s
“New Wine” and “Lady Hamilton.”

Music Hall Holds “Thief”;
300 Holiday Bookings Set

“Thief of Bagdad,” which will play
a second week at Radio City Music
Hall, is set for 300 holiday dates
around the country. UA said yester-
day that the first four days’ list was
nearly sold out. The biggest list to date
has sold 286 dates in the last four
months.

Happy Birthday to You

FALLS

ALONG THE
ARIOLO

Rialto

Phil W. Daly

(Continued from Page 1)

RKO Opens Depinet
Drive on Jan. 25

(Continued from Page 1)

ing May 9, it was announced yester-
day.

Drive captain will be Leo Devaney,
Canadian Division manager, who has
been conferring at the home office
with execs. and Walter Branson,
MetroWest district manager.

Devaney will hold individual meet-
ing at each of the RKO branches
prior to the official starting date of
the campaign, outlining the plan and
aims of this activity, as well as the
list of liberal cash prizes to be
awarded. He will start his first tour
immediately after Jan. 1.

Mayors, and DG Counsel
To Meet on Differences

Interpretation of wording in some
of the clauses in the Dramatists
GUILD pact with film companies has
caused a hitch which may prevent a
number of film companies from
producing under its terms unless
agreement is reached, it was re-
ported yesterday. A meeting be-
 tween representatives of the film
companies and Sidney Fleischer,
attorney for the Guild, is scheduled
for this week.

Warner has already withdrawn
support of the basic pact and it is
expected that other companies may
follow suit unless the dispute is
ironed out. Paramount is reported to
be going ahead under terms of the
agreement, but Metro, which is re-
putedly going to back “Mr. And
Mrs. North,” is said to have taken
the position that it won’t finance any
further ventures until agreement is
reached.

TO THE COLORS!

Scranton, Pa.—Joe Novack of the
Capitol Theater has joined the 109th
Infantry which will leave for a year’s
encampment after Jan. 1.

Albuquerque, N. M.—Albuquerque
Theater employees have answered
the call to the Colors. David Hall,
door-

West Coast Bureau of THE FILM DAILY
Hollywood—Helen Owings, secre-
tary to S. Charles Einfeld, has joined
the Navy. Miss Owings, who has
been with Warner Bros. for four
years, goes into the office of the
Supervisor of Shipbuilding, Navy
Dept., in San Francisco, this week.
J. R. Talmo continues as executive
secretary to Einfeld.

Honesdale, Pa.—Edward Mullen,
usher at the Lyric Theater, is a mem-
ber of the 106th Infantry National
Guard, and will make his first tour
for a year’s service after the first of the year.
SANTA FE
THIS WEEK AT

A BIGGER SEND-OFF THAN 'DODGE CITY' AND 'VIRGINIA CITY'—BECAUSE IT'S A STORY MILES BIGGER THAN BOTH!

IT ALL GOES TO SHOW THE WORLD THAT WARNERS WILL RELEASE

ERROL FLYNN
OLIVIA DeHAVILLAND

SANTA FE TRAIL

DONALD MASSEY • REAGAN • HALE

MICHAEL CURTIZ
Majors Import Only
26 Films in Nippon

(Continued from Page 1)

Japan in 1940. However, import restrictions and other factors cut the number down so that the distributors were able to release approximately three pictures each.

Although business is good, due to the armament program and the virtual abolition of unemployment, the companies cannot take their money out of the country.

Marcus declared that the proposal for the depositing of the American distributors' money in the Yokohama Species Bank in San Francisco for a three-year period never materialized.

SPG Expects SAG Pledge Of Aid from Ralph Morgan

Support of the Screen Actors Guild will be pledged to the Screen Publicists Guild in its negotiations with the film companies to get a contract. It was reported yesterday. Ralph Morgan, former prexy of the SAG, will extend the pledge of aid by Hollywood's stars when he addresses the monthly meeting of the SPG Thursday, it was said. The Guild will also nominate officers for the coming year Thursday.

20th-Fox Said Talking Deal For "Louisiana Purchase"

Twentieth-Fox is reported negotiating for the purchase of film rights to "Louisiana Purchase," with the asking price said $200,000. Both Metro and Columbia are also reported interested in "Du Barry Was a Lady," with $100,000 mentioned as the asking price.

Rites for Irving Mintz

Irving Mintz, of the Paramount home office projection staff, was buried from the Riverside Memorial Chapel Sunday following a short illness. Mintz was with Paramount for 14 years. He was 49 years of age and is survived by a wife, Anna.

J. Clark Conover Dead

Red Bank, N. J.—Funeral services were held for J. Clark Conover, 66, who for many years operated the Strand.

Canada Producing "Fact" Film Monthly—Grierson

(Continued from Page 1)

the next year, John Grierson, Canadian Film Commissioner, said yesterday. Grierson stated that Columbia, distributor in Canada for the Canadian-made documentaries, had secured contracts with 800 of the 900 theaters in the Dominion, demonstrating the interest of the people in films of this type.

Grierson said that the future of Canadian production rested on the local resources and that it has been expressly made for national and international purposes. He also said that a number of other films would be made in Canada and England for distribution in the non-commercial field. Paramount distributes the documentaries in England, and in other parts of the Empire, other commercial firms handle the product.

Pointing out that the public demand for pictures of this type could not be satisfied in England, Canada and the other colonies at the present time, Grierson, stating that motion pictures should be the "eyes of democracy" because of their advantage over newspapers in dramatizing facts and events, expressed the thought that this country could use many more films of this type for domestic use and export to South and Central America as a stop-gap between newsreels and features.

Grierson, who conferred here with newsreel editors on use of British and Canadian war material, made his first public appearance in New York for over a year when he spoke last night on the subject of "Youth" at Columbia University.

NWMP $250,000 "Take" In 5 Weeks at N. Y. Para.

NWMP in its five weeks at the N. Y. Paramount will gross nearly $250,000, it was said yesterday by Robert M. Weltsman, theater's manager, on the basis of a four weeks' "take" of $214,000.

Cocks Back With Quimby

Syracuse—Harvey Cocks, for the past year manager of the RKO Schine Strand, left yesterday for Fort Wayne, Ind., to assume his former position of general manager of Quimby theaters' eight houses. No successor has been appointed here as yet.

No Films for Chi.
Jubes Under 10!

(Continued from Page 1)

limited, and that the average film program is unsuitable for youngsters under 12. Pictures which are presumably aimed at juvenile patronage by producers and exhibitors largely do not meet the situation she feels. Mrs. McClure would have juive pictures rate higher from the standpoint of educational value.

Discussing the present agitation here for changes in the municipal censorship setup, Mrs. McClure said that censorship at the source is fundamental, with local boards desirable to meet local conditions.

Council's annual meeting will be held Friday at 20 N. Wacker Drive.

NBC's Television Station Returns to Air Tomorrow

After being off the air for eight days, NBC's television station is scheduled to return tomorrow to its regular schedule. The station's managers accounted for the absence by technical difficulties.

Dillenbeck Leaves Buchanan

A. O. Dillenbeck, executive vice-president and a director of Buchanan & Co., advertising agency, yesterday announced his resignation. Among his many accounts was Paramount's, which he handled from 1917 to 1932 and from 1937 until the present. Future plans will be announced after a vacation.

WEDDING BELLs

Canton, O.—Irving Reinhart, son of Mr. and Mrs. Harry Reinhart of the State, McKinley and Mozart Theaters, and himself connected with the circuit, will be married on Jan. 22 to Rita Adler of Canton.

Cleveland—Invitations have been issued for the marriage of Gur Charles Ellis, assistant manager at Warners' Hippodrome, to Mary Elizabeth Stone, on Dec. 22. Ceremony will be performed at Old Stone Church, followed by a reception at Stone's Grill.

Kingsport, Tenn.—Samuel Rogers Davis, manager of Strand Theater, was married to Jean Elizabeth Minnich.

Scranton, Pa.—Announcement is made of the engagement of Harold R. Brazill, projectionist at the Bell Theater, to Mary T. McDonnell.

West Coast Bureau of THE FILM DAILY
Hollywood—Marriage of Ann Morris and Edwin L. Marin took place at Santa Barbara.
Say French Theaters Return to Normalcy

Lab. Technicians Want Pay Jump, 35-Hour Week

Industry on Coast Helping Charities

"A Horse, A Horse—"
Santa Fe, N. M. — Shipment of horses in and around this city will compel Warner Bros. studio to ship 50 head from Hollywood to this city in order to hold the parade scheduled for the opening day of the "Santa Fe Trail Days" celebration. Lack of horses has been caused by its buying up of all available animals by British Government plus the current remount needs of the U. S. Cavalry. Studio is shipping horses ahead of the junket, which leaves Pasadena on Dec. 12.

with all laboratories here for new contracts, asking for wage increases, a 35-hour week, two weeks' vacation with pay, all holidays with pay and a guaranteed five-day work week. All contracts union now has with Eastern laboratories expire Dec. 31.

The union is seeking to make the contract uniform with all labs. A further meeting will be held Thursday, with the labs, now studying the proposed new agreements. The union now has 17 contracts and it is expected that any new contracts, now operating in the East, or that have the signed agreement, will be lined up at the conclusion of negotiations when the new agreements go into effect.

John Rugge, president of the union, heads the union's negotiating committee.

Say French Theaters Return to Normalcy

(Continued from Page 1)

and from H. L. Pemberton, Paris manager in the occupied zone.

In both zones, the staff of Societe which is gradually returning to peacetime strength following de-mobilization and the return of all but a dozen prisoners, is furnishing normal service to some 300 theaters.

In the unoccupied zone under the Vichy regime, as well as in North Africa, sound engineers are reported to be carrying on their normal peacetime service in the 200 theaters which were listed as clients of the Societe in these areas before the war. Hotchkiss reports difficulty, however, in getting from one city to the next, due to the Vichy government's requirement for a special permit from the prefecture for every rail journey.

Latest estimate from Paris indicates that of all the Erpi-serviced theaters in the occupied zone perhaps 50 are out of service, these being concentrated for the most part in northeastern France.

Arthur Dent Leaves AB

London (By Air Mail) — Arthur Dent, one of the founders of Associated British and long its general sales manager, has resigned from the company.

(Continued from Page 1)

(Continued from Page 1)

proxy, declared yesterday on his return from the Coast. Hays, at the same time, emphasized the unity of purpose in Hollywood in "going full steam ahead with a planned program of entertainment."

The MFPDA president pointed out, in reviewing the charity activities on the Coast, that 17,911 workers in all branches of the industry contributed $465,708 to the Community Chest of Greater Los Angeles in a drive directed by Louis B. Mayer. This was 17 per cent above quota.

He added that the industry's permanent charities committee, headed by Sam Goldwyn, had raised $440,000 for the Red Cross and for Allied Relief, and that "practically every employee in Hollywood" continues to donate one-half of one per cent of salary annually to the MP Relief Fund.

George White's Scandals Into Brooklyn's Strand

George White's Scandals will play the Fabian-operated Brooklyn Strand as the Christmas-New Year's week attraction. House is departing from its all-film policy for the holiday period.

THE BANK DICK
by
Mahatma Kane Jeeves

“Darn good I’ll say”

W. C. FIELDS

Beyer & MacArthur at the wheel

(Continued from Page 1)

(Continued from Page 1)

(Continued from Page 1)

Editorial Board

Albany — Dick Struwe, Warner film salesman, received a tip-off birthday present here when his wife gave birth to a 7 pound, 2 ounce daughter. The baby, born in Brady Maternity Hospital, will be named Sally Ellen.

West Coast Bureau of THE FILM DAILY


“I’m Farley Heads Drive For Greater N. Y. Fund

James A. Farley has accepted the "Chairman of the 1941 campaign for the Greater New York Fund, it was announced yesterday at a meeting of the Fund's officers and executive committee, at which James G. Farley, president of the Fund, presided.

Kleiser violated anti-monopoly laws by seeking to control desirable billboard sites and to restrain interstate commerce in posters. Lower Federal courts refused to take the case, holding that the outdoor advertising business was not interstate commerce and that no acts were alleged which might bring the case within the Anti-Trust law prohibitions.

Expect Tennese to Repeal Ascap Law, Blocked by Writ

Knoxville—Formal repeal of the technically extant anti-Ascap statute in this State is expected to be affected at the next session of the Legislature which convenes in January.

Beyer has been awarded a permanent injunction voiding enforcement of the law which was held to be onerous and unconstitutional.

Billboard Anti-Trust Suit Gets Supreme Court's Okay

Washington—In a decision of interest to the industry in the Northwest, the U. S. Supreme Court yesterday directed the Western Washington District Court to entertain a $1,500,000 anti-trust damage suit brought by C. E. Stevens Co., Seattle billboard advertising firm, against Foster & Kleiser Co., large Pacific coast outdoor advertising concern.

The Stevens firm asked triple damages on the grounds that Foster & Kleiser violated anti-trust laws by seeking to control desirable billboard sites and to restrain interstate commerce in posters. Lower Federal courts refused to take the case, holding that the outdoor advertising business was not interstate commerce and that no acts were alleged which might bring the case within the Anti-Trust law prohibitions.

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WB Quarterly Net
To Show 50% Gain

(Continued from Page 1)
net of $642,129.09 for the quarter ended Nov. 25.

Hazen Named to Board

Joseph H. Hazen was elected to the board of Directors of the General Foods Corp. by its shareholders. Hazen is the third-dimensional puppet films. It is declared that raises already screened privately by Pal and his production experts, show production values far superior to anything he has ever done.

The film is being made behind locked doors and is being photographed in Technicolor. Andre Kostelanetz recorded the music for "Western Daze" while in Hollywood recently. Vic McLeeod and Norman Blackburn wrote the lyrics and story. David Raskin, Chaplin's former musical director, composed the music.

GEORGE MURPHY is preparing a novel Christmas greeting for the flyers at March Field, whom he will entertain by introducing boxing matches and dancing Dec. 20. He worked out a dance routine which will spell out a Christmas greeting to the boys in International code.

WITH release of his latest picture, "Barnyard Follies," Director Frank McDonald has hung up some records for bringing radio personalities to the screen. Radio favorites given their first screen chance by McDonald include Harry "Pappy" Cheshire, Mary Jane and Canary De Zurik, known to radio fans as the "Cackle Sisters," Jim Jeffries, the Kidodooders, Isabel Randolph of the Fibber McGee and Molly program, Lulu Belle and Scotty, the Texas Wanderers, Uncle Dave Macn and Son, Morris, and Roy Acuff and his Smokey Mountain Boys.

HAVING completed his role in "A Girl, a Guy and a Club," the Harold Lloyd production for RKO, George Murphy and his wife have motored to Bishop, for a few days skiing. They will be the guests of Dr. MacQuen, prominent Los Angeles dentist.

A GROUP of flyers at March Field have invited Arthur hornblower, Paramount producer, to be their guest at a banquet in his honor on Thursday. The honor is an appreciation of the plug he gave March Field in "Wanted Wings," his current production for Paramount.

Faster Plans Indic Feature in Mexico

West Coast Ber.; THE FILM DAILY

Hollywood -- "The Underdogs," Mexican novel by Dr. Mariano Aztélio, will be produced independently in Mexico by Norman Fox, studio execu- ror, from script by Dorothy Park- er and Alan Campbell. Profit-sharing arrangement is provided. Major re- lease will be negotiated. Story was made as a Spanish language pic in Mexico some years back as "Los Abajo."
UPWARD TREND OF BUSINESS CONTINUING

Copyright Violations Show Slight Drop in 1940

Illegal Use of Pix Found In 26% of Theaters Investigated in 32 States

Copyright violations were found in 26 per cent of theaters investigated in 32 states by the Copyright Protection Bureau, it was announced yesterday by Jack Levin, director of the bureau. This figure is slightly lower than that of last year when similar investigations were conducted and 28 per cent of the theaters were found to have violated the copyright laws.

Levin pointed out yesterday that (Continued on Page 6)

Consent Decree! No, Asserts Ascap

Washington Bureau of THE FILM DAILY—Washington — Reports that the Government may take a hand in settling the Ascap-Radio industry dispute were prevalent yesterday following a statement by a Justice Department official that the controversy may be settled soon.

Meanwhile, the Department said it had no statement to make on the (Continued on Page 4)

Griffith Interrogatory Objections Due Jan. 2

Oklahoma City, Okla.—Remaining defendants in the United States vs. Griffith Amusement Co., equity suit, have been granted until Jan. 2, to object to or answer the Government's interrogatories.

Remaining defendant companies embrace Columbia, Universal, U.A. (Continued on Page 6)

Expect Adelphi Suit Will Be Settled

Chicago—It is expected in film circles here that the Adelphi Theater anti-trust suit against the film companies will be settled when negotiations get under way shortly between Chicago attorneys and the film company defendants.

4 Interstate Suits To Trial in January

Dallas—Four damage suits against Interstate circuit of Texas, filed as the result of the Government winning an anti-trust suit in February, 1939, will be brought to trial next month. The film suits will lead the January term of the Federal Court and Judge William H. Atwell has set Jan. 13 as the starting date.

The U.S. Supreme Court on Feb. 13, 1939, upheld a lower court decision that contracts between Interstate Circuit and its exhibitors are illegal. (Continued on Page 6)

Schreiber Again on Stand In His Midwest Suit

Detroit—Suit of Midwest Theaters versus Co-operative Theaters of Mich., resumed yesterday in Federal Court after a four-day recess. Raymond Schreiber, concluding his testimony as head of Midwest, testified that Co-operative's power was such that he did not even have a chance to bid on pictures, that all majors (Continued on Page 6)

Expect 1,000 to Attend O'Shea-Bowen Luncheon

Chicago — Federal Judge Charles E. Woodward yesterday signed a decree fixing three of the defendants in the Government's criminal contempt case brought here against B & K and the majors, growing out of the consent decree signed by the defendants in 1932. The suit was brought by the Government in 1938. The decree followed out the recommendations contained in Special Master Edgar Eldridge's report made late last year. The companies that were fined by (Continued on Page 6)

Sustained and Increasing Gains Registered in New Survey by Ross Federal

Sustained and increasing gains both in general and theater business are registered in a second countrywide survey conducted by Ross Federal Service, just completed.

In a few sections, checkup shows that the box-office temporarily adversely affected by inclement weather. A quick comeback was anticipated.

An analysis of the regional reports, completed yesterday for THE FILM DAILY shows:

CHICAGO: General business conditions (Continued on Page 8)

Exhibs. Don't Like "Grand Rights" Idea

Any attempt by Hollywood to resort to the "grand rights" angle to insure film music plug on the air if and when the Ascap-networks split comes faces the prospect of strong exhibitor opposition, it was learned here yesterday.

Suggestion that the "grand (Continued on Page 4)

"Zing" and "Cash Quiz" Legal. Philly Judge Rules

Philadelphia—Judge Howard Davis, Common Pleas No. 3, yesterday judged "Zingo" and "Cash Quiz" to (Continued on Page 6)

5-State Meet on Legislation?

Ontario Clearance Board Meets Again on Tuesday

Toronto—Ontario Provincial Clearance Board held its organization meeting yesterday. Following the session, the Board said its plans were not sufficiently advanced to make any announcement. The next meeting will be held Tuesday. Serv.

(Continued on Page 6)

Ontario Allied Would Nullify Decree Provisions

Minneapolis—Northwest Allied is considering a special meeting of exhibitors in five states for the purpose of acting on a proposal to press for state legislation to nullify those sections of the consent decree that are regarded harmful to independent operation.

If the meeting is held, exhibitors in North and South Dakota, Wisconsin, and Minnesota are expected to be present. (Continued on Page 6)
Sargoy, Stein Conduct Symposium at Columbia

Edward A. Sargoy and Joseph L. Stein, who are counsel for the major distributing companies of the Copyright Protection Bureau, conducted a symposium recently at the Columbia University School of Law on the legal problems involved in protecting the sound tracks of copyrighted motion picture films against unauthorized sound recordings, and radio or television broadcasting. They were invited to the Seminar on Legal Problems by Prof. Richard R. Powell and Francis Deak, of the law faculty, who participated in the discussions.

Building Service Employees Win Increase of $1 a Week

Negotiations between Local 54, building service employees, and the New York circuits on a new two-year pact have been completed and a wage increase of $1 a week was granted to members of the union that work a full time week. A 10-year pact is being invoked and the pact is reopened every two years for negotiations. Union embraces janitors, scrubwomen, porters and matrons in houses in the Met area.

Braden Returns Saturday

J. Noble Braden, executive secretory of the American Arbitration Association, will return to New York on Saturday from an extensive trip through the Far West, in the course of which Braden set up arbitration machinery for the film industry in a number of cities. He will leave New York again on Dec. 17 for the Midwest. Braden will complete his field work after Christmas in a trip through the south.

Exhibs. Complain Mexican Union Bans Anti-Rod Pix

Mexico City (By Air Mail)—Exhibitors are protesting here to the Mexican Government against the efforts of the Mexican Confederation of Workers to keep certain American pictures from local screens. Allegation of the exhibs. is that, despite the fact that the official Board of Censors of the Central Department pass pix as all right for showing, nevertheless the organization of Workers "wield unfair powers" to prevent their exhibition.

Pix in question are those with an anti-Communist flavor.

Beck Plans Second Chi. Newsreel House

Chicago—A second newsreel theater for Chicago is planned by Carl Beck at the corner of Dearborn and Madison Sts. House to be called the Today, will seat 206 and will be ready for Early Spring opening.

"Philadephia Story" Clicks at Upped B.O.

Pre-release engagements of "The Philadelphia Story" at Philadelphia and mission prices apparently have been successful. M-G-M announced yesterday that the picture had been held for a second week in four of the pre-release spots, Providence, Reading, Louisville and Rochester. In Providence, business was up $5 per cent above normal business and more than 200 per cent in the Cincinnati and Milwaukee openers. In Milwaukee, "The Philadelphia Story" is out-grossing "Bowman Town.

The upped admission prices in the six cities are at the same scale as that asked for "Bowman Town," ranging from 25 per cent to 33 1/3 per cent over the regular prices. Success of these engagements will determine the policy for the regular runs.

20th-Fox British Film "Spyfire" to Be a Super

London (By Air Mail)—Twenty Century-Fox has announced an opening schedule at Shepherd's Bush and "Spyfire" will be the second film for 1941 production. Scope of the picture—a saga of Espionage—will be much greater than originally planned and will receive the active co-operation of the Air Ministry's "Spyfire." Starring Gordon Harker and Sidney Howard, is now in work at Shepherd's Bush, while the company's first major production, under its £5,000,000 British program, H. G. Wells' popular "Kips," is nearing completion. Michael Redgrave and Dina Wynyard are the stars.

Following "Spyfire" will come an as yet untitled film, and then, in the Spring of 1941, a spectacularly dramatic spectacle of England at the time Napoleon was threatening to invade it.

H. C. Johnson, Para. News, Heads White House Ass'n

Washington Bureau of THE FILM DAILY

Washington—Hueo C. Johnson of Paramount News Washington staff was elected president of the White House Photographers' Association. Thomas S. Bills of M-G-M's News of the Day was re-elected as secretary-treasurer; Harry E. Goodwin of the Washington Post is the new vice-president. The executive committee includes Robert M. McIvor, Paramount News; Charles J. Mack, M-G-M's News of the Day; George Gaylin, Acme; and Robert Walton, A.P.

Kallet Circuit Acquires Two Houses in Port Henry

Oneida, N. Y.—Kallet Theaters, Inc., headed by M. J. Kallet, with headquarters here, has moved into Port Henry, purchasing the Dery Theater for a total outlay of $7,000. Former will be remodeled, re-opening Jan. 1. Kallet operates in 10 other New York cities and towns. They give the circuit 25 houses.
This Calls for ADVERTISING, ADVERTISING, and More ADVERTISING!

Read this clipping. Its meaning is plain...potent...TRUE!

Competition outside your business IS keen...and growing keener. Men with ideas and money to spend developing those ideas are sitting up nights trying to charm your customers away.

You've got to make movie-going a habit again.

This calls for advertising...advertising and more advertising.

Dress up your theatre...brighten up your lobby...institutionalize. Sell your local drawing population this big idea: THE BEST PLACE TO SPEND AN EVENING or A MATINEE IS YOUR THEATRE...from an entertainment standpoint...from any standpoint.

And there is no better place to get that full-dress advertising you need than the place where advertising is a business...an art...a profession...a life-work...where you can RENT everything you need to sell your pictures and your theatre...Trailers...Lobby Displays...Standard Accessories.

COMPETITIONS

Perhaps when the annals of this mad era are on some remote day finally set down in their place in the perspective of Time, it will be known as the Age of Showmanship, a period when all that was accomplished with the multitudes was done with the tools of entertainment, "names" and emotional appeal, supplanting quite the processes of intellect and methods of reason.

Show devices have escaped from the theatre, and now they are all over town, at every night-spotted cross-road, strewn across the nation. So now, more than ever it is the problem of the motion picture showman to increasingly institutionalize his theatre, to make it a place to go, integrated with and built into his community. What the exhibitor is able to put into his theatre on his own cannot be cancelled out or sold away; nor can it be put on the air in competition with him.

Now that "all the world's a stage", indeed, the job for the box office is more explicit.
Exhibs. Don't Like "Grand Rights" Idea

(Continued from Page 1)

rights" device be employed to permit the use of Ascap's catalogue without copyright violation after Jan. 1, recently was advanced on the Coast. Ascap members in their contracts with the Society reserve the "grand rights."

Conceivably, publishing houses linked with the film industry could make available musicals, songs of which is catalogued with Ascap, to radio sponsors through the sale of "grand rights." But, while this practice might be much to the liking of studios desiring to exploit screen operettas and film musicals, exhibitor objections are certain.

This results from the provisions of "grand rights" sales. These provide that not only must the score be played in full but that the story, too, must be in its entirety.

In the past, exhibitor criticism of radio competition has emphasized that where the story is given away on the air, there is nothing left for the theater to sell. So as exhibition interests see it, the "grand rights" plan, applied to current screen musicals, means the box-office will be hurt rather than helped.

Exhibitor opposition, too, stems from the fact that necessarily radio programs thus framed will mean more so-called hour shows on the air. With several major studios planning to increase the number of musical features next season, exhibitor interests see a further menace from 60 minute musicals over the ether.

Warner Employees Give $5,700 for War Relief

Funds totalling $5,200, contributed by Warner Bros. employees, were presented to the British War Relief Society yesterday to finance the purchase of two motor kitchen units and 30 hospital bed outfits.

An additional sum of $500, similarly raised, will be given to the Greek War Relief Fund.

In addition to the money collected, the women employees of the Warner organization have given their services in making some 500 knitted garments.

Happy Birthday to You

From
THE FILM DAILY
December 11
Sally Elbers
Gilbert Roland

DATE BOOK

Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
Dec. 14: Cleveland Variety Club dinner dance, Hollenades Hotel.
Dec. 16: Theatre Owners of Oklahoma convention, Skirvin Hotel, Oklahoma City.
Jan. 16: Staten Island Fabian employes' dance, Mount Club.
Dec. 16: Kinecy-Wirby managers convention, Greenville, C.
Dec. 17: Kansas-Missouri Theaters Association convention, Kansas City.
Dec. 18: MPPDA quarterly meeting.
Dec. 20: Actors' Equity quarterly meeting.
Dec. 20: Cincinnati Metro Pop Club Christmas party.
Jan. 26: Actors' Fund of America annual benefit, Winter Garden.
May 5-6: SMPE spring convention, Stagmore Hotel, Rochester.

Consent Decree! No, Asserts Ascap

(Continued from Page 1)

matter, as consideration of the old Ascap suit is still pending.

It is reported that the Government may try to settle the old suit by a consent decree, which would include objections raised by the broadcast- ers.

Ascap officers yesterday dismissed Washington reports of an impending consent decree with "No Foundation."
Meanwhile, it was announced by the FCC that it had not been asked to mediate in the Ascap-Radio controversy.

Ascap claimed yesterday that 135 music publishers, controlling more than 200,000 songs, have signed new pacts with it.

Norma Talmadge Recovering

West Coast Bureau of THE FILM DAILY

Hollywood—Norma Talmadge is recovering from a golfer operation.

Howard Broadcast As "Wind" Feature

Atlanta—From the Ritz Theater, London, where GWWT is now playing, Howard Howard will make a transatlantic broadcast over NBC at 8 a.m. tomorrow to open a day's celebration here exactly one year after "Wind's" original roadshow premiere. Broadcast will set the stage for tomorrow night's anniversary premiere at Loew's Grand, which launches the pop-priced general re-release of the pic.
“Comrade X” with Clark Gable, Hedy Lamarr, Felix Bressart, Oscar Homolka
Metro 90 Mins.
SPARKLING COMEDY SHOULD BE SMASH B.O. HIT; CAST, STORY, DIRECTION AND PRODUCTION EXCELLENT.
From the forehead to the finale, this new Metro offering is packed with laughs and funny situations. It is a sure-fire box office smash and a nice Christmas present for exhibitors, newspaper syndicates and prestige exhibition to be further enhanced. It’s a picture that every audience will like immensely, and what’s better, will advertise by word of mouth and in a number of cases probably go back for a second helping of the same.

Certainly no exhibitors could ask for two better “names” to splashing on his marque, and no exhibitor could ask for anything more in the way of a supporting cast, direction, story or production value for the purpose of selling the picture. And the picture itself is pure entertainment, satire at its funniest. Director Gottfried Reinhardt more interested than ever before in pictures that are purely entertaining. Some flag waving and pointed jabs at the Bolos are adroitly injected into the proceedings, but not at the expense of undermining the comedy.

Gable is bluff, capable and well cast in the role of a newsmagazine and ex-cameraman, the Topkea Bugle, also being the unknown Comrade X who is continually getting embroiled in bumbling stories out of the country to a country in the midst of a comedia. In juicy supporting roles, Felix Bressart, Oscar Homolka, Eve Arden, Sig Rumann, Natasha Lytess, and Walter Slezak give expert characterizations. Remainder of the cast is equally good.

Director King Vidor handled the players and story with a sure touch, making the gags punch, the every gag and laughers. To boot, there’s a plenty of amusing business into the picture and maintaining a smooth pace from start to finish. Producers therefore leaves nothing to be desired in production value. The screenplay concocted by Ben Hecht and Charles Lederer is a winner in any league. Original story credit goes to Walter Reisch. All the technical work is top notch, with Joe Ruttenberg turning in a neat job of photography.

Gable finds out that Bressart, a porter in the Moscow hotel where he lives, knows his identity as Comrade X when he demands that he take his daughter out of the country before she is shot as a “Communist” or be turned over to the police. Gable meets the daughter, Miss Lamarr, a street car conductor recently released because only men can drive street cars, and lays his plans to get out of the country. Miss Lamarr calmly accepts the proposal, finds and then everything happens at once. The police catch them, Gable gets them out of jail and then they make a perilous flight, finally getting into Rumania in a Russian general’s tank in a sequence that will bring howls of laughter. It’s not necessary to say anything else for this picture, only that the team Lamarr on Democracy, the Dodgers and

“Go West” with Groucho, Chico and Harpo Marx
Metro 81 Mins.
WILD FARCE IS ENTERTAINING SCREENPAAPER FOR GENERAL AUDIENCES. COMEDY VALUES ARE LEADING LEITERS.
The Marx Brothers are back again. They, clown, cavort and make faces at each other and all and sundry, get in their usual iniquities, and are turned in, for the most part and dead in one or two spots that a little editing could improve. Harpo and Chico display their musical talents on the accordion and piano, and the supporting cast is good.

Exhibitors shouldn’t have any trouble selling this picture. It can stand on its feet as a top attraction in the nabe houses, makes a whale of a second attraction for some super-super bill, and it should go over big with the kids in the Eloli Marx fans. In addition to the Marx brothers, John Carroll, Diana Lewis, Walter Woolf King, Robert Barrat and June MacCloy prove helpful to the proceedings. Edward Buzzell directed, making most of the gag situations lively at all times where the script doesn’t slow it down.

Story framework for the picture concerns the Marx brothers’ trek to the West. They happen to be involved in a transaction of property rights a railroad wants and everything happens from there on. The windup sequence is one of the best things they have ever done and it will get heavy laughs from any audience. It might be noted in passing that Groucho is known as S. Quentin Quale in the picture.

CREDITS: Producer, Jack Cummings; Director, Edward Buzzell; Original Screenplay, Irving Brecher; Cameraman, Leonard Smith; Editor, Blanche Sewell.
DIRECTION, EXCELLENT. PHOTOGRAPHY, Good.

McKinney to Nassau As Wometoco Manager
Miami Beach—Irving McKinney has been promoted to head WometoCo’s three Nassau houses. He formerly managed the Grove Breeve. Replacing him is his former assistant, Guy M. Warner.

Gable. (Reviewer’s aside: I think I’ll go see it again myself.)

CAST: Clark Gable, Hedy Lamarr, Felix Bressart, Oscar Homolka, Eve Arden, Sig Rumann, Natasha Lytess, Vladimir Sokoloff, Edgar Barrier, George Renaveant, Mikhail Rasumny.
CREDITS: Producer, Gottfried Reinhardt; Director, King Vidor; Screenplay, Ben Hecht and Charles Lederer; Original Story, Walter Reisch; Cameraman, Joseph Rottenberg; Editor, Harold F. Kress.
DIRECTION, EXCELLENT. PHOTOGRAPHY, Excellent.

“Let’s Make Music” with Bob Crosby, Jean Rogers, Elizabeth Risdon, Joseph Buloff, Joyce Compton
RKO Radio 84 Mins.
FAST, ENTERTAINING COMEDY SPIKED WITH HIT MELODIES AND TOP-FLIGHT CHARACTERS ACTING.
Bob Crosby makes an impressive debut as a film luminary in this his initial feature vehicle, a picture which is laden with bright comedy, warm interest, and Newton High School, a boy who is ordered in the best spirit of modern swing.

The new star (as far as cinemaland is concerned), although he has no surrounding vocal following by virtue of his radio croonings and as maestro of his orchestra) plays with commendable reserve, surety and charm, which augers well for his Hollywood career. His singing, whether solo or as the voice augmented by that rhythmic band, is standup. There’s much of the appeal he carries in "Let’s Make Music" springs from Leslie Goodwin’s intelligent direction and the clever dialogue by Helen Phillips and Bernard Dougall.

It is subtracting nothing from the effectiveness of the Crosby performance to say that attention to the fact that Producer Howard Benedict has seen well to it that the young star would not be performed with very substantial histrionic co-operation. This is provided in chief and resounding measure by Elizabeth Risdon, who turns in a grand performance as the character in the story, the elderly lady who teaches musical appreciation to the all-too-bored pupils of Newton High. Crosby has an array of vocal talent, and his academic cloak completely via becoming a pop song writer whose composition “Fight For Newton High” has a number of things: fame, fortune and the enjoyment of life for herself, and a husband for her school-teaching niece, Jean Rogers, who captivates us.

Audiences will enjoy immensely the laugh-packed situations, the natural acting and charming melody of the song “I Forgot About Me.” “The Big Noise From Winnetka,” and “Fight On For Newton High.” It’s a picture for all situations, ages and type. Crosby is in a delightful role, factor that some inflexible devotees of classical music may be holdouts, and term it esthetically “gross.” But it’s plenty gross for box offices. Even added snap might be given the footage by editing-down the New York City sequences; but that’s a very minor matter.

CAST: Bob Crosby, Jean Rogers, Elizabeth Risdon, Joseph Buloff, Joyce Compton, Leni Stengel, Den Olden, Blade.”
CREDITS: Executive Producer, Lee Marcus; Producer, Howard Benedict; Director, Leslie Goodwin; Screenplay, Nathaniel Wexman; Special Musical Consultant, Bernard Dougall; Musical Director, Roy Webb; Director of Photography, Jack MacBryde; Assistant Director, Van Nest Polglase. Associate, Albert D’Agostino; Gowns by Edward Stevenson; Recorded by P. J. Faulkner, Jr.; Editor, Desmond Marquette.
DIRECTION, Fine, PHOTOGRAPHY, Skillful.

“The Lilac Domino” with Michael Bartlett, June Knight, S. Z. Sakall
Select Attractions 65 Mins.
MUSICAL COMEDY HAS GOOD PRODUCTION VALUE, BUT SUFFERS FROM TECHNICAL FAULTS.
There are a number of pleasant things about the British-made picture, but it has an equal number of faults. As a program offering for the nabe trade, it has possibilities, but only as a supporting attraction. On the plus side of the picture is an elaborate and handsome production value, the handsome, personable singer, Michael Bartlett, and some pleasant music. But Bartlett’s fine voice suffers from poor recording, and the picture suffers from mediocrity.

With the exception of Bartlett, Athene Seyler, S. Z. Sakall and Miss Knight, the cast is only adequate. Bartlett and Miss Knight put over several numbers; pleasingly, but director Frederick Zelnick has failed to give the picture a smooth pace or any real meat to the slight story even in the romantic interludes. Fred Emney contributes a good bit, but with a Hungarian background the British accents are overly thick at times. Adaptation by R. Hutter of the operetta of the same name and the script dialogue, which is static and uns impresed, by Basil Mason and Neil Gow, is to blame for the scrambled continuity and weak lines.

Bartlett, soldier and lady killer, is broke. He and his friends gamble away what is left, but in the meantime Bartlett meets Miss Knight, whom he falls in love with but does not recognize as the daughter of the richest man in Hungary. Masquerades and mistakes crop up until Bartlett gets the girl.

CAST: Michael Bartlett, June Knight, S. Z. Sakall, Athene Seyler, Richard Dolman, Cameron Hall, Fred Emney, Paul Blake, Jane Carr, M. Harvey, Robert Nainby.
CREDITS: Director, Frederic Zelnick; Screenplay, R. Hutter; Dialogue, Basil Mason and Neil Gow; Based on an operetta by E. Gatti and B. Jonbach; Cameramen, Roy Clarke and Bryan Langley; Editor, Lynn Harrison.

Para. Withdraws “Wings,” Set for March Release
Paramount’s “I Wanted Wings,” which had been scheduled for release on March 24, 1941, has been withdrawn from release, according to Neil Arnow, general sales manager. No reason for the withdrawal was given. “I wanted Wings” has to have been an elaborate aviation picture co-starring Ray Milland, William Holden, Wayne Morris and Brian Donley.

Astor Has Xmas Film
“Springtime in the Holy Land,” a two-reel subject in Dufycolor, is being released nationally by Astor Pictures as a special Christmas week attraction.
5-State Exhib. Meet
On Legislation!

(Continued from Page 1)

be illegal games, thereby approving
playing of the theater or cash in
by the owners. The court ruled that
the games as played were dependent
on skill, not chance.

It is expected to increase
the number of games-playing houses,
which have been at a minimum since
"Bank Nights," etc., were outlawed.
David W. Yaffe was the attorney
in both cases.

Griffith Interrogatory
Objections Due Jan. 2

(Continued from Page 1)

R. E. Griffith Theaters, Inc., West-
tex Theaters, Inc., Consolidated
Theaters, Inc. and Griff Amuse-
ament Co., and the three Griffith
brothers, L. C. Griffith, R. E. Grif-
th, and H. J. Griffith.

Press Previews at Studios
West Coast Bureau of THE FILM DAILY

Hollywood—Effective Dec. 15 all
press preview showings will be held
in studio projection rooms, according
to an announcement made by V. 
Frank Freeman, president of MPPA.

WEDDING BELLS

Des Moines, Ia.—Isabelle Conkling of
Paramount's branch will be married
to David B. McCornin in the
Spring. Latter is an attorney.

Richmond, Va.—Robert Dunning
vant, Venus theater attacke, was
married to Edith Bass.

Racine, Wis.—Leonard A. Dorece,
associated with his father, Steve, in
the operation of the Crown theater
here, was married to Mini Schafer.

Green Bay, Wis.—Malcolm Parks,
assistant of the Parker theater here,
was married in Fort Atkinson, to
Caryl Clark.

Sheboygan, Wis.—Roland Blank
enmeier, local projectionist, was mar-
rried to Mildred Scherer.

Decree Relieves Warners of Great Expense
And Risk of Long Litigation, Says Counsel

Wilmington, Del.—Through the consent decree in the New York equity
suit, Warners is relieved "from the great expense and risk of long and arduous
litigations with the Government in many courts," the company's stockholders
were informed at the annual meeting.

Statement on the decree, read by Edwin D. Steel, Jr., of Warner counsel,
emphasized that there had been no admission that the company had done any
wrongful act at all, and that "while the Big Five will not engage
in any general program of extending their theater holdings for three
years, "they are free to acquire theaters to protect their investment or their com-
petitive position, or for ordinary purposes of their business."

Expect 1,000 to Attend
O'Shea-Bowen Luncheon

(Continued from Page 1)

York and New Jersey, at the Astor
on Dec. 19.

Arrangements for the testimonial
were completed yesterday at a meet-
ing of the committee, headed by
Frank Brandt. Tickets will be $5
per head and may be secured from
Joe Lee at the 300 Century-Fox
exchange. Checks are to be made
to Arthur Rapf, treasurer.

Servants with Brandt on the com-
mittee are: J. J. O'Connor, C. C. Menolock, Hon.
James J. Walker, Samuel Riecher, Laurence
Bolognino, William A. Sculy, William F.
Rodgers, R. E. Coan, Fred Stone, Martin
Levine, Howard Dieter, Edward Rugoli,
Samuel Strongberg, Walter Reade, St. Rahman,
E. Meyer Schine, Frank C. Walker, Vincent
McFlain, Charles Haymon, Max A.
Cohen, Harry Sayman, Leo Brecher, Joseph
Ketchel, Leon Rosenblatt, Dai Joyce, Harry Hecht,
Lee Newbury, David Stigner, Donald Weinschel
Joseph Seider, Frank Moscato, H. F. Kuncy,
Ben Rosenwald, Sidney Lost, William Crockett.
Milt Kussell, also.

Harry Behrman, Joe Lee, Bob Wolfe, David
Levy, Jack Ellis, Nat Cohen, Edward Schnitz-
er, Charles Eiseman, Ben Alpert, Oscar A.
Doo, A. P. Waxman, Lionel Tull, Sid Sandler,
Burton Bishop, Lefteris Wolfberg, Joe Mil-
son, Maurice Kahn, Chuck Lewis, Jack
Aliacite, Chester B. Rabin, Sam Shain, Larry
Kosmyn, Herman Robbins, J. T. Thompson,
Charles L. O'Reilly.

Ontario Clearance Board
Meets Again on Tuesday

(Continued from Page 1)

 Voting on the board are Ben Goldschatz,
Morris Stein and T. J. Bragg, rep-
resenting the chain, and H. A.
H. Freedman and N. A. Taylor, re-
presenting the independents, with H.
Firestone as alternate for the in-
dependents. There are two represen-
tatives of the distributors still to be
named. These will be non-voting
members and eligible to be present
on invitation only.

Ahepa to Use Reserve Funds for Greek Relief

Washington Bureau of THE FILM DAILY

Washington—Following a meeting
of the Ahepa leaders at the Hamilton
Hotel here yesterday, attended by
more than 60 chapter leaders from
every part of the nation, Van A. Nomi-
us, Ahepa chairman, announced that
the Ahepa, president of the Greek Society, said
it would turn over a large portion of
its reserve funds to the homeland-
wide drive to raise $10,000,000 for
relief of Greek war victims.

Associated British Now Producing at Welwyn

Associated British production,
transferred from the Elstree Stud-
dios, is proceeding in Welwyn, well
outside of the blitzkrieg area, ac-
tording to a letter received in New
York yesterday from Jack Gross-
man, company exec.

On the production side, only one
theaters remaining rooms re-
main active at Elstree. However,
part of the shipping department has
been shifted there from Wardour St.
It is written that the rest of the
Elstree plant is being used "for a
much more vital purpose."

The Associated British exec. dis-
tresse the work accomplished by
the Elstree Fire Brigade, now part
of the London Region, since the Nazis
began their aerial assaults. The stu-
dio fire fighters, he says "have
had the great luck to be called upon
on many occasions to be among
those to take part in all the big
London fires—all caused by enemy
action and practically every one of
a non-military objective."

"The London Fire Service has been
badly hit in casualties, but they have
been of a very small proportion con-
sidering the great risks which all
the boys seem to take without a single
thought of danger," Grossman
writes.

"Many film folk are in the Civil De-
fence Services, which comprise
women ambulance drivers, rescue
squads, demolition squads, first aid
departments, etc., and nearly every
time we are out on a job, I have
come across men and women of all
ages who have at some time earned
quite a good livelihood with studio
cleanse paint upon their faces."

Canadian Pix Contribute
To Brit. Air Raid Relief

London (By Air Mail)—The Lord
Mayor of London has received a
contribution of £5,000 from the
Motion Picture War Service Commit-
tee of Canada for the aid of victims
of Nazi raids.

Army-Film Liaison Officer

West Coast Bureau of THE FILM DAILY

WEDNESDAY, DECEMBER 11, 1940

The U. S. Army and the motion
picture production defense com-
mittee.

4 Interstate Suits
To Trial in January

(Continued from Page 1)

state and the distributors violated
the Sherman anti-trust laws. The
contracts forced subsequent-runs to
hold their admission prices to a mini-
um of 25 cents.

The film exhibitors are claiming
damages on the grounds that they
were forced to raise their prices
from 20 cents to 25 cents, thereby
suffering losses of patronage.

Ploquin Named French Film Commissioner

Vichy (By Cable)—Active head of
the French film industry under Vice
Premier Pierre Laval, whose post as
"czar" corresponds to the control
exercised by the Federal Industry
by Dr. Goebbels, will be Rene Plo-
quin, designated as Government
Commissioner.

Setup provides additionally for a
Central Committee composed of Mar-
el Pagnol, Jean Painleve, Jean Gal-
land and Jacques Bernard, who, in
turn, will head sub-committees.

Ploquin's Film Commission itself
is a sub-division of the Ministry of
Information, portfolio of which is
held by Laval. Commission is armed
with broad powers, and will be
financed through special dues to be
drawn from the industry.

Licensing of producing companies
and restrictions on length and con-
figuration of film programs is pro-
vided.

Schreiber Again on Stand
In His Midwest Suit

(Continued from Page 1)

sold away from him regardless of
what price he offered to pay, and
that minors took advantage of the
increased rentals.

Jack Broder, owner of the Time,
Times Square, and Rainbow Thea-
ters, testifying for the plaintiff,
said that he did not get a chance
to bid on pictures, although he
offered to sign blank contracts giving
farmers the right to fill in the
names of pictures.

Larchmont to Prudential

The Larchmont Theater, Larch-
mont, N. Y., has been sold to Pruden-
tial Playhouses by the Palmer
Amusement Corp., it was announced
yesterday by Berk and Kruengold,
theater reality operators, Prudential,
headed by J. M. Seider, now operates
about 40 houses in the Met area.

ST ORKS!

Indianapolis — A baby boy was
born to Mr. and Mrs. Lurar Shub-
neill at St. Vincent's Hospital here.
Father is office manager at COLUM-
bia's exchange.
"The Lady in Question"
with Brian Aherne, Rita Hayworth, Glenn Ford, Irene Rich, George Coulouris
Columbia 81 Mins.
LIVELY HUMAN INTEREST DRAMA, WELL WRITTEN, STORY BEST SUIT ED FOR ADULT AUDIENCES.

With the fundamental story elements which made the French film, "Heart of Paris," so successful under that title in U. S. release. Columbia has wrought a new and entertaining picture whose script deals with the court trial of a girl who is accused of murder, in quickened chiefly through the efforts of one of the jurors, and is then befriended by this same Salesman who gives her a job in the bicycle shop he operates, and even brings her into his own household to live.

There are, of course, certain complications in the latter part taken from the core of the sympathetic bicycle dealer falls in love with her. Consequently, the basic human factor is injected, namely, that many individuals can afford to be generous and noble except when a question deeply concerning their own families or themselves crops up.

There is considerable drama in the footwork which finds Brian Aherne as the merchant-juror, Irene Rich as his patient spouse, Glenn Ford as their son, and Rita Hayworth as the accused "lady in question." Virtually all mature audiences will like this feature because it is different from the run-of-the-mine offering; it is well-acted; it is rich in human interest, and not wanting in humor.

Charles Vidor's direction is firm and the dialogue crisp.

CAST: Brian Aherne, Rita Hayworth, Glenn Ford, Irene Rich, George Coulouris, Lloyd Corrigan, Evelyn Keyes, Edward; Nora Curt Bois, Frank Reicher, Sumner Getchell, Nicholas Bels.

CREDITS: Author, Marcel Ackard; Screenplay, Lewis Meltzer; Director, Charles Vidor; Assistant Director, C. C. Coleman; Cameraman, A. L.; Director of Photography, Lucien Andriot; Film Editor, Al Clark; Art Direction, Lionel Banks; Music by Lucien Morawetz; Musical Director, M. W. Stoloff; Sound Engineer, J. S. Westmoreland.

DIRECTION, Firm. PHOTOGRAPHY, Good.

Shirley's First for Metro
West Coast Bureau of THE FILM DAILY

Hollywood—Shirley Temple's first picture under her Metro contract, if negotiations with her representatives are concluded, will be "Cathleen" by Kay Van Riper. At one time Metro considered the story for Virginia Weidler. Metro has bought another story for a child actress, "Mama's Angel," by Angna Enters, the pantomimist.

John Hyams Dies
West Coast Bureau of THE FILM DAILY

Hollywood—John Hyams, veteran vaudeville performer and father of Leila Hyams, died here Monday in Hollywood Hospital. He leaves a widow, two sisters and a brother beside his daughter.

"Gallant Sons"
with Jackie Cooper, Bonita Granville, Gene Reynolds
Metro 73 Mins.
DRAMATIC YARN WOVEN AROUND A MURDER OKAY AS OFFERING FOR SMALLER SPOTS.

A cast of personable and capable kids with the support of some expert adult talent make this offering entertaining as screenplay for the smaller spots. Story itself has a good plot, but its unmasking approaches the incredible at times. There is plenty of action, a considerable amount of drama and emotional appeal, and it moves along without any hitches to a fast climax.

Jackie Cooper, Bonita Granville, Gene Reynolds, Leo Gorcey, June Preisser and William Tracy handle the principal juvenile parts with dispatch, Reynolds doing a bang up job in a sympathetic role. Ian Hunter, Gail Patrick and Edward Ashley are effective on the adult side of the ledger, and June Preisser, El Brendel, Ferike Boros, Minor Watson and Tommy Kelly are helpful. George Seitz directs the picture, making the kids' troubles completely understandable and their emotions realistic.

Reynolds, son of Hunter, a gambler, Cooper, son of Minor Watson, a crusading newspaper publisher, and Bonita Granville, daughter of Miss Patrick, a wealthy widow and sportswoman, are classmates. Hunter takes the rap for a murder charge and Reynolds, inconsolable, goes to live with Gail Patrick and June Preisser. Cooper and Reynolds fall out because of Watson's newspaper charges against the gambler, but Cooper determines there is more than meets the eye in the murder and starts an investigation with the help of the other kids. Ashly is eventually uncovered as the murderer, but not before there is a dramatic action and a hectic climax have transpired.

CAST: Jackie Cooper, Bonita Granville, Gene Reynolds, Gail Patrick, Ian Hunter, June Preisser, Leo Gorcey, William Tracy, Tommy Kelly, Edward Ashley, El Brendel, Ferike Boros, Minor Watson, Charlotte Wynne, Donald Douglas, George Lessey.

CREDITS: Producer, George Seitz; Director, Leo Gorcey, June Preisser, Leo Gorcey, William Tracy, Tommy Kelly, Edward Ashley, El Brendel, Ferike Boros, Minor Watson, Charlotte Wynne, Donald Douglas, George Lessey.

DIRECTION, Firm. PHOTOGRAPHY, Good.

Metro Titles White Biog.
West Coast Bureau of THE FILM DAILY


RKO to Serialize "Fooly"

Newspaper serialization rights to "Kitty Fooly" have been obtained by RKO Radio. Serial will be supplied to key newspapers throughout the country in 24 installments.

"U" Engages Broadway Actor
West Coast Bureau of THE FILM DAILY

Hollywood—Universal has engaged Leonard Elliott, who has appeared on Broadway in "Family Portrait," for "Buck Privates."

"Picture People"
Good Hollywood Stuff
RKO-Pathe 10 mins.

This reel should interest the average audience as well as dyed-in-the-wool movie fans. It reveals Carroll Lombard as a director, all in fun; Gene Autry is seen at home and traveling in his luxurious trailer with his horse, Champion; Charlie McCarthy is seen taking his medical examination to join the Air Corp. ; Lola Lane is seen on her ranch; and the reel also shows Richard Arlen at his airport, which he runs as a school for stunt pilots. Subject matter is interesting and the material has been carefully chosen and shot by Director Louise Rousseau.

"Goofy's Glider"
Funny Cartoon
RKO 8 mins.

"Goofy takes up gliding flying in this reel with laughable results. His first effort to take off as he reads an instruction book is very sad. At the same time a voice is heard in the background detailing instructions and explaining mishaps. Goofy continues his experiments and after considerable trouble finally takes off, but his impetus is so great he disappears from sight. Reel is a Walt Disney production in Technicolor.

"Growing Up"
RKO-Pathe 18 mins.

Interesting Subject
The Dionne quintuplets, now in their seventh year, are brought to the screen in this two-reeler in a biography that should interest audiences. It starts shortly after their birth and shows them at different stages of development from that time on. The quints are shown knitting and doing a number of other things. Dr. Allen Roy Dafoe is the narrator for the subject, and he is certainly qualified for the job.

26 Years of Progress—

Twenty-sixth Anniversary and Annual Holiday number of Greater Amusements will be published under date of Dec. 20.

Replete with unusual and informative features, graphically presented, this issue will mark a new high in film trade publication.

Make Your Reservations Now

GREATER AMUSEMENTS
Lumber Exchange . . . Minneapolis
BIZ UPWARD TREND CONTINUES
Storms Hurt in Some Areas; Quick Comeback
(Continued from Page 1)
for each theater found to be involved in unauthorized extensions of run or so-called "hold-overs," there were seven theaters found to be involved in bicycling. On the other hand, Levin said, where general territorial investigations, not based on specific complaints, were made of the theaters in a number of selected exchange territories, it was found that six theaters ran to only one engaged in bicycling.

In regard to exhibitors who were found to have appropriated unlicensed extra days' use at the same or another theater, Levin's report stressed the fundamental basis of the distribution system; namely, that only those exhibitions booked in advance of playdate, as considered licensed on the regular course by the distributors for specified dates at a designated theater, are considered licensed exhibitions. This basic principle, the report states, is unaffected by the consent decree, whether pictures are marketed singly or in blocks of any number.

During the current year, investigations of stolen, duped and bootlegged prints became a regular department of the bureau's activities. The activity, according to Levin, resulted in the recovery and return to distributors of 91 subjects in whole or part. Investigations ranged from the recovery of duped and stolen prints from the bootleg distributors to locating their sources of supply. The bureau also obtained certain deletions of infringing sequences from 35 mm. and 16 mm. negative and positive films. A former theater employee and a bootleg distributor to whom he had sold such pictures were convicted and sentenced, according to the evidence submitted to Chicago police by Harold L. Groves, in charge of field investigations.

To the late Gabriel Hess, special counsel for the distributors on copyright matters, was paid by his successor, Edward A. Sargoy, in an accompanying report. Associated with Sargoy is Joseph L. Stein.

MOROS, Usher Hosts To Chi. Film Critics
Chicago—Boris Moros and Allen Usher, Paramount district manager, will host to the Chicago film critics at a special showing of "Second Chorus," at the Yar restaurant tomorrow evening.

Jude Back With Lowes
Leo Jaffe, now superintendent of the Clark Building, (S-W), Pittsburgh, has resigned to join the Lowes building. He reports Dec. 23.

Fewer Films Go Before Chicago Censor Board
Chicago—Chicago Censor Board in November reviewed 32 fewer films than in the same month last year. Total for this year was 106, with footage of 507,000, as against 138 with footage of 660,000.

No rejections were made last month. There were no pink films and only 38 cuts were made, whereas in November, 1939, four films were rejected by the Board.

The Board has received a request from N. H. Brower, general manager of Soundies, as to the amount of license fees, required to exhibit Soundies equipment in the Chicago territory. Lriet, Harry Cos-tello advised the City Council will likely determine as there are no provisions in the City Code.

Pan-American Day Banquet
Toronto—Toronto Flying Club, member of the Canadian Flying Clubs Association, will sponsor a Pan-American Day banquet at the Royal York Hotel and the "hemispheric premiers" of M-G-M's "Flight to Freedom," on Dec. 17, as a tribute by Canadian flyers to the associates in the United States.

BRAZZE NAMED DISTRICT MANAGER FOR WB HOUSES
Chicago—Marcel Brazeau, formerly manager of the Avalon Theater, has been named district manager for those managers in Wisconsin, including the Venetian, Raffles, State, Racine, the Rex, Sheboygan, Majestic at Sheboygan, and the Warner Theaters in Milwaukee. Brazeau will make his headquarters in Milwaukee. Jack Keegan has been named manager of the Venetian Theater, Racine.

BASEBALL PIX IN 8 B & K THEATERS AS FREE SHOWS
Chicago—In a triple tie-up, the official baseball pix of the American and National Leagues go into the B & K Tivoli, Uptown, Paradise, Northbord, Southtown, Hardin, Ben- wyn and Gateway Theaters Dec. 24, 26, 27 for free morning shows. Ticket distribution is via the sports department of the Daily News.

RITES FOR "BILL" FRANZY
West Coast Bureau of THE FILM DAILY
BY JAMES DEMPSEY
San Francisco, Dec. 17, 1940—Rites for William "Bill" Franzy, 58, veteran comedian, will be held today.

3 DEFENDANTS FINED IN CHI. COMPLAINT CASE
Judge Woodward's decree are: B & K, $500; B & K Management Corp., $2,500; Pictures, $2,500. These companies entered no defense.

Eldridge found no evidence of guilt, on the part of Barney Balaban, his report and recommended that the charge against him be dismissed.

Perusal of the complaint revealed that the contempt charged in Judge Woodward's decree—"Sec. 59, 209, at the week-end. Midwestern newspaper critics, syndicate writers and columnists will be in the train in Chicago.

Attending from the East and Midwest:
Doris Arden, Chicago Herald Examiner; Louise, L.M.B. J. J. Anchor, U.P.; Howard Barnes, Herald Tribune; Louis Boue, Herald Tribune; Cliff Buschel, manager, Mary Anderson Theater, Louisville, Ky.; Mrs. Douglas Churchill, Eric Chisholm, Collier's; John Cotter, Chicago U.P., Ivan Dmitri, Frank Farrell, World Telegram; Abe Green, Variety; Nate Gross, Chicago Herald Examiner; Mr. and Mrs. Sid L. Hymen, Book Magazine; Jack Lath, Daily Mirror; Mr. and Mrs. Boyd Martin, Louisville Courier Journal; Harry Martin, Memphis Commercial Appeal; Mary Mason, N.B.C.; John McWhorter, Times Mirror; Mr. and Mrs. Ross Martin, Daily Mirror; Leo Mortimer, Daily Mirror; Mrs. Barney Morris, Chicago Sketch; Louie Moser, Chicago American; Merle Foster, Minneapolis; Elmer Cleaveland, Omaha; Leo Moos, Rex; Arvid Smith, Buffalo Evening Bulletin; Mrs. Samuel Pinker, Indianapolis; Louis Stevenson, Bill Syndicate; Ed Sullivan; Mr. and Mrs. Werner, New Yorker; Phoebe Wood, King Features.

Going from the Warner Home Office, in addition to Mort Blumenstock, are; Mitchell Rawson, Ralph Bud, Gil Golden and Sid Rechtman.

GM SENDING OUT TWO FREE SHOWS: TO PLAY SOUTH, WEST
Detroit—Two touring shows, one for outdoor and the second for indoor exhibition, are being routed by General Motors. The outdoor show, Parade of Progress will play the larger centers in the South; it will travel in 22 motor transports and will have a staff of 60 under J. M. Jerpe. "Previews of Progress," indoor extravaganza, will hit its regular circuit including smaller situations. E. L. Foss is in charge of the latter show. The company staff of seven. Both will be free attractions. Shows will feature highlights of the GM products at the New York World's Fair and the San Francisco exposition.
PRODUCT LACK MAY CLOSE CUBAN HOUSES
See Minimum of Disputes Under Arbitration Plan

Forecast Based on Experience of AAA With Other Lines of Business, Trade

Disputes will be held to a minimum if the motion picture industry reacts to an established arbitration system in the same manner that other lines of business have adopted arbitration under the American Arbitration Association.

The very fact that an arbitration system exists has been a factor in avoiding controversies, it was learned yesterday. As an example, it was pointed out that the airlines of the (Continued on Page 12)

Films' Greek Relief Quota is $3,000,000

Washington Bureau of THE FILM DAILY
Washington—The film industry is expected to contribute $3,000,000 of the $10,000,000 sought in the current Greek War Relief Drive, it was said here yesterday by Van Nomikos, Chicago theater operator (Continued on Page 12)

Triple London Premiere For "Dictator" Monday

Three simultaneous openings of "The Great Dictator" in London have been scheduled for Monday, according to Walter Gould, head of United (Continued on Page 9)

British Exhibs. May Seek Cut in Quota

London. (By Air Mail)—In view of the shortage of pictures, and the probability that it will continue, British exhibitors are starting to agitate for a cut in their quota. Difficulty of producers in finding studio space adds to the likelihood of increasing shortage of films.

Present situation sums up to this: If by next March 31, end of the quota year, insufficient pictures have been produced to meet exhibs' quota requirements, it is likely that they will apply to the Board of Trade for a reduction in their quota percentage.

NCCJ CHAIRMANSHIP FOR RUBIN

Heads MP Division—Industry's Interfaith Amity Example Praised by Conference Executive

Appointment of J. Robert Rubin, Loew vice-presy and general counsel, as chairman of the MP division of the National Conference of Christians and Jews was announced yesterday by Arthur H. Compton, national chairman of the National Conference.

The Loew exec has been active in the Conference work of promoting good will among all religious and racial groups and has played a prominent part in the current Mobilization for National Unity Campaign of the Conference.

In announcing Rubin's designation, Compton declared that the film industry "within itself is a notable example of interfaith amity and cooperation successfully at work," and added:

"It is therefore in an especially favorable position to carry this message of friendliness and cooperation to the millions of Americans who make the great motion picture audience.

"At this time, when the industry is contributing so much to the ad-

Suggest Arbitrators, Clerks in 13 Cities

Lists of prospective arbitrators and clerks in 13 cities have been submitted to the American Arbitration Association by J. Noble Braden, (Continued on Page 9)

S-W to Drop Astor, Strand And Take Reading State?

Philadelphia—Rearrangement of the present theater situation in Reading, is looked for, following report (Continued on Page 9)

Dietz to be Toastmaster At NAA's "Flight" Banquet

Washington Bureau of THE FILM DAILY
Washington—Howard Dietz, M-G-M advertising and publicity head, (Continued on Page 12)

Battle Portland's Games Ban

Theaters Ask Writ to Block Interference

Portland, Ore.—District Attorney James R. Bain and Sheriff Martin T. Pratt have been directed by Presiding Circuit Judge Louis P. Hewitt to appear Monday to show cause why they should not be enjoined from interfering with Quiz contests conducted weekly at the Playhouse, (Continued on Page 9)
Realistic Decree Attitude by Exhibs. Used by Myers

Pittsburgh—Abram F. Myers, general counsel for Allied, made a flying visit here at the request of the AMPTO of Western Pennsylvania, Inc., to address a meeting on the consent decree and its effects on the Filmo industry. After Myers’ explanation of the decree, there was an open discussion.

Myers was quoted as saying that while he had not favored the decree, exhibitors must take a realistic viewpoint of the situation, and go along in the matter, that it is here and must be made the best of by all concerned.

A buffet luncheon was served prior to the meeting, which was attended by 130 members of the AMPTO, President Fred A. Beedle presided.

Loew Names Richmond As Associate Executive

Boston—E. M. Loew yesterday announced the appointment of Louis W. Richmond as his associate general manager. Succeeding Richmond as sales manager will be Walter McGee, formerly an executive with the Winchester Amusement Co. at Flint, Mich.

Richmond has been 12 years with the E. M. Loew organization, the last six of which he has spent as sales manager.

Musicians’ Committee Will Confer on Security Tax

Chicago—The Executive Committee of the American Federation of Musicians, meeting here yesterday with President James Petrillo presiding, appointed a committee to confer with Government officials on the tax situation. In Chicago, employees have paid the taxes for bands, but travelling bands have created a situation that has not been straightened out to date.

Mackinnon Ill; May Affect Resignation of Grierson

Montreal—Illness of J. L. Mackinnon, Canadian Minister of Trade and Commerce, who is believed to be now in a hospital at Balboa or in some other city in Colombia, Central America, has been the cause of the filed resignation of John Grierson, Commissioner of Canada’s National Film Board.

"Dictator" B. A. Premiere Receipts to Aviation Group

Buenos Aires (By Cable) — Records from the world premiere of "The Great Dictator" at the Opera Broadway and Normandie Theaters here, have been offered by their operator to the Junta Nacional de Aviacion, Government-subsidized organization which aims to secure 5,000 Argentine airmen.
GREATEST attraction in the history of show business, "GONE WITH THE WIND" is now available for booking. As these lines are printed, other lines wait eagerly at the box-office of Loew's Grand Theatre, Atlanta, where the First Anniversary Premiere of this renowned production is being celebrated.

WITH fitting ceremony, with famed stars and festivities, "GONE WITH THE WIND" is being launched in Atlanta prior to its general release nationwide. The scene of its original, spectacular triumph again resounds to acclaim that echoes through the press of America to the far corners of the country.

THE magic name will soon be on your marquee. For the countless millions who have not yet seen this history-making entertainment—for the countless millions who wait to see it again—"GONE WITH THE WIND" comes in its entirety, exactly as road-shown. Full length! Nothing cut but the price!

WHEN you book it, bear in mind that you are playing an attraction which has broken every existing box-office record for extended runs and for gross business in its road-show engagements; the picture that Gallup poll figures reveal 55 million Americans want to see. That includes your patrons.
Product Lack May Close Cuban Houses

(Continued from Page 1) for future runs. Cuban premiere of the "The Great Dictator," previously advertised for the latter part of this month has now been indefinitely canceled.

The distributors are still standing pat on their request that the anti-block-booking decree be suspended, modified or revoked before they will resume servicing accounts, and Howard Hughes exhibitors are equally as adamant that the bill be retained in its existing form.

It is expected that the exhibitor group backing a move for suspension or revocation of the law will continue its efforts toward this end.

RKO Gives Swank Party For Lucille Ball, Arnaz

Yesterday afternoon RKO Radio tendered a swank cocktail party, on the eve of their departure for Hollywood, for Mr. and Mrs. Desi Arnaz (the Mrs. being Lucille Ball, star player in a number of RKO productions). The affair was given in the Honeymoon Cottage Suite of Hampstead House, Central Park South, and drew a large crowd of flimflaters and others.

Among those present were: Thaya Surmount Window, Ed E. Depinet, Mr. and Mrs. S. Barrett McCormick, Larry Red, Pete Herreman, Alice Hughes, Paul Ash, Rutgers Nelson, John Farmer, Alice Thompson, Ken McClell, May Kelly, Elizabeth Lockwood, Jesse Dunster, Mr. and Mrs. Abel Green, Lucileen Miller, William Hartry, Mr. and Mrs. Ed Zody, Wade Nichols, Prunella Wood, Mr. and Mrs. Al Sindlinger, Elmer Rosen, Jessie Kay, Arthur Kneer, Rodney Butterworth, Pearl Finley, Susan Barden, Mr. and Mrs. William Bechel, Mr. and Mrs. Homer Harmon, Arthur Levy and Evelyn Van Hove.

Hughes Resumes “Outlaw” Filming at Week’s End

West Coast Bureau of THE FILM DAILY

Hollywood — A spokesman for Howard Hughes emphatically declared that "The Outlaw" would be continued in production and that shooting would resume at the end of this week. This will be done whether Howard Hawks continues as director or whether a new director is named.

Alliance Moves Offices

Chicago—Alliance Theater circuit has moved its headquarters to 230 S. Clark St., the Continental Bank building.

WEDDING BELLS

Mr. and Mrs. Morris Hadelman, operator of Shelton and Bridgeport, Conn., houses, announces the engagement of their daughter, Dorothy to Edward Arthur Aaron of Hamden, Conn. The couple will be married in the Spring.

1c Ticket Tax Bill
Looms in Nebraska

(Continued from Page 1) E. M. Neubauer, who had a couple of bills in the last session. They died, but he's already promising a new venture for 1941. He wants to charge every spectator to every show. And every show will be sold in Nebraska theaters, regardless of the cost of the ticket.

The other bill is likely to be Bob Livingston's (of the clearance bill). Livingston, Capitol exhib. wants a rule laid down that films will have to be released a month after general release date, and if unplayed in that length of time, will have to be paid for, and will be immediately open to subsequent-run bookings.

War Damage Insurance Measure in Commons

London (By Cable) — With more than 300 theaters damaged by Nazi air raids in the U.K., the film industry is keenly interested in the Government's insurance scheme against war damage which was introduced in the House of Commons yesterday. The Insurance covers all war damage for the first two years of the war until next March. After that premiums are payable starting July 1, 1941.

Premium on buildings will be two shillings (about 40 cents) annually on buildings. The cost of insurance is estimated at $32,000,000,000.

Film Folk on Ascap’s Maryland Broadcast

Frederick, Md.—A number of filmers appeared on the two-hour broadcast put out over WFMD featuring 18 composers and commemorating their signing of a five-year contract with Ascap. Show was hosted by G. B. Neubauer, and staged by R. H. Burnside, noted Broadway stage producer, and featured Oscar Hammerstein II, Joe E. Lewis, Dr. Bignard Spade, Nick Kenny and Isam Jones. Mayor Lloyd C. Callter of Frederick proclaimed the day as Ascap Musical Festival. Gov. Herbert R. O’Connor of Maryland head a list of many notable’s who attended the banquet. Affair drew an attendance of 150.

£300,000 in “Major Barbara”

London (By Air Mail)—Total production cost of Gabriel Pascal’s “Major Barbara” is now estimated at £300,000.
$15,000 IN CASH PRIZES TO 369 THEATRE MEN WHO PUT ON THE BEST CAMPAIGNS FOR A SHOW WORTH ALL THE EFFORT!
YOUR CHANCE TO CASH in two ways on a big promotion idea for a big show! ... Go after one of these 369 CASH PRIZES, in the great showmanship contest on publicity, advertising and exploitation campaigns that tie in “Little Men” and “Elsie,” the most famous cow in the world... the cow whose tons of publicity make her a real Hollywood “personality” ... the bovine now being featured in big national magazine, newspaper and billboard campaigns ... the contact that will put you in touch with your share of 525,000 retail dealers ready to co-operate. Learn all about it in the special press sheet; about the stills, stunts and tie-ups without end. Get started early and win one of those top cash prizes!

**Here’s the $15,000.00 as Cash Prizes**

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<th>IN CITIES OF 100,000 OR OVER</th>
<th>SUBSEQUENT RUN THEATRES</th>
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**RKO NATIONAL CIRCUIT**

| 1st Prize: $250.00          |
| 2nd Prize: $100.00          |
| 3rd Prize: $50.00           |
| Two of $50.00 each          |

**RKO METROPOLITAN N.Y. CIRCUIT**

| 1st Prize: $300.00          |
| 2nd Prize: $200.00          |
| 3rd Prize: $100.00          |
| Four of $50.00 each         |

Contest begins November 1, 1940, and continues to, and including, April 15, 1941. The contest applies to all “Little Men” engagements opening within this period. All entries must be postmarked or sent not later than midnight, April 25, 1941. In the event of ties, duplicate prizes will be awarded. Full details available without cost at any RKO Exchange.
"Wind and Heart Throbs For All Little Women"

Streamlined to the screen from one of the most popular novels ever written... with two lovable rogues added to the most laughed- and cried-over group of folks ever caught between the covers of a book... All as a million hearts have pictured them, all as millions more will love them... in a drama-suspense-excitement show with a box-office call in every one of its dozens of crowd-pleasing angles.

GENE TOWNE presents

Louisa May Alcott's

Little Men

with

KAY FRANCIS • JACK OAKIE • GEORGE BANCROFT

JIMMY LYDON • ANN GILLIS • CHARLES ESMOND and

"ELSIE" (THE COW)

Directed by NORMAN Z. McLEOD
Produced by GENE TOWNE and GRAHAM BAKER
Screen play by Mark Kelly and Arthur Caesar

"ELSIE" THE FAMOUS COW
"A GIRL, A GUY AND A GOB," HAROLD LLOYD'S RKO PRODUCTION, NOW CUTTING...

Soon to be previewed preparatory to early release, is Harold Lloyd's production for RKO Radio, "A Girl, a Guy and a Gob," a riotous comedy-romance-drama featuring such players as George Murphy, Lucille Ball and Edmond O'Brien. The Hollywood tipoff is that the show has everything it takes for sensational popular entertainment—fast plot, uproarious situations and wise-cracking dialogue, with every scene touched with the movie magic of its producer, and its director, Richard Wallace.
To Battle Portland's Theater Games Ban

(Continued from Page 1)

Oriental and Hollywood theaters in Portland.

The order was issued after the Rainier Theaters Corp., operator of the theaters, had filed an injunction suit against the two officials who, it is alleged, have threatened to stop the contests on the ground that they are lotteries.

It is understood that attorneys for major radio stations here are keeping in close touch with developments. Their interest centers in whether certain Quiz air programs may be affected and, if so, whether it would be advisable for the radio industry to join in the attack on the ban.

In its complaint the theater corporation, a Hamrick-Evergreen circuit subsidiary, asks a permanent injunction restraining the defendants from arresting the operators and employees of the two theaters and from interfering with the contests.

The complaint contends that the Quiz contests are not a lottery, since the awards are obtained through skill, knowledge and ability, and that the prizes and awards are distributed to advertise the theaters and stimulate patronage.

Contests are operated by calling the contestants at random from the audience or by having their numbers drawn from a container. If they answer correctly they receive awards ranging from $1 to $8.

In addition, the theaters conduct a Quiz contest in which the awards range from $50 to $300. One number is drawn and if the holder is present he has the opportunity of winning the award by answering a certain question. If the contestant fails to answer the question correctly or if the holder of the number drawn is not present, the contest is continued the following week.

Jelly Roll to Form Music Co.

West Coast Bureau of THE FILM DAILY

Hollywood—Harry Engels, Coast executive of Broadcast Music, Inc., has made a deal for the output of a publishing firm to be organized here by Jelly Roll Morton and Benjamin Spike will handle the work of Negro composers.

Horse Tripping Ends
In Movie Production

West Coast Bur., THE FILM DAILY

Hollywood—Campaign waged against allegedly cruel to horses in film making has resulted in AMPJ action to discontinue the use of the running-W, wire device used to trip mounts, it is announced by the American Humane Association. Spearhead of the campaign recently has been William Randel, a member of the American Legion, through the medium of his newspaper column.

“Picketing With Pianos” Talked by Caesar

As SWPA Plans January Membership Drive

Starting Jan. 1, the Song Writers’ Protective Association will extend its membership drive, it was announced yesterday. SWPA is lined up with Ascap in the present radio dispute.

Asked whether he is carrying out of this organizational work there might be picketing, etc., Irving Caesar, president of the SWPA, replied, “Why not? Not mere picketing, but picketing with pianos. We have made plans to put 100 pianos and song writing teams on trucks on the streets of New York; 50 in Chicago, 25 in Philadelphia, 10 in Washington, 20 in Hollywood, 15 in Boston, 15 in Detroit, and in other cities.”

Loew’s Times Square Booth
To Be Recruiting Bureau

(Continued from Page 1)

to the U. S. Army to be used as a recruiting bureau next Wednesday, it was disclosed yesterday.

Presentation services, expected to draw high Army officers, city officials and Loew and Metro execs., are set for 1 p.m. The acceptance will be by Col. E. B. Pierson, U. S. A., officer in charge of the recruiting for the Southern N. Y. District.

Lt. General Hugh A. Drum, Commanding General 1st Army, and Brig. General T. J. Phillipson, Commanding General Second Corps Area, will be represented. Others expected to attend include Borough President Stanley Isaacs, Howard Diets, M-G-M executive in charge of promotion; Col. John Reed Kilpatrick and James W. Dunnah of the West Side Association and L. L. Straus and H. Frederick Bright of the Broadway Association.

Maj. Ray Perkins will introduce the speakers. Station WHN will broadcast the program. The 16th Infantry Band will play.

There will be an Army man on duty at the booth, in addition to a rep. of Metro, who will continue to answer questions on points of information. Visitor’s Book will also be maintained. Attendants will be on duty from 10 A.M. to 2 P.M. and 12 noon to 8:30 P.M. Sundays.

J. Robert Rubin Named
To NCCJ Chairmanship

(Continued from Page 1)

vancement of national unity, the National Conference is proud to call on it to contribute toward a deep and lasting amity among our citizens by helping us to advance our aims of justice, unity, understanding among Protestants, Catholics and Jews.”

Four More Army Theaters
To Be Built in War Dept.

Washington Bureau of THE FILM DAILY

Washington—The War Department has announced plans for the construction of theaters in four posts scattered throughout the country. The theaters will be built at Fort Benning, Ga.; Bal- ing, Me.; and Tucson, Ariz., posts. The War Department expects to have at least one theater at each post in the country.

Triple London Premiere
For “Dictator” Monday

(Continued from Page 1)

Artists’ foreign department, who said that the Charles Chaplin picture had been guaranteed a minimum run of 10 weeks. Picture will play at the Prince of Wales, Gwent Haymarket and the Marble Arch Pavilion.

Because the British Government believes “The Great Dictator” will have a tonic effect on morale of the people, Gould said arrangements had been made for the general release throughout Great Britain (outside of London) on Jan. 6. General release in the London territory starts Feb. 4.

The trade and press saw the picture in London yesterday. Prime Minister Winston Churchill and other Government officials saw it at a private screening last week.

S-W to Drop Astor, Strand
And Take Reading State

(Continued from Page 1)

that bids are being taken for the renovation of the State, Wilmer & William, which is called has it that the State will be taken by Stanley-Warner, who will not renew the lease which expires in April.

The Astor and Strand, the latter a nabe.

In addition, it is said that Wilmer & Vincent will reconstruct the old Astor which has been closed, and will reopen it for shows now playing the State.

Possession of the Astor and Strand would revert to J. V. Schreck, an old timer in the business, who leased the house to Stanley-Warner many years ago, and would mean another first step for the town. What product it would play, however, is unknown.

“Junior Quiz Parade”
Shorts for Columbia

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia will add a first feature-length “Junior Quiz Parade” to its current lineup. First of series will go into production shortly. Cast and director are yet to be set.

Radio has two juvenile quiz shows, the Quiz Kids, NBC show out of Chicago, and a recent WHN local program.

Suggest Arbitrators,
Clerks in 13 Cities

(Continued from Page 1)

executive secretary, who is on a nation-wide tour in the interests of the industry’s arbitration system.

Names of the clerks are being submitted in first, second and third choice order and will be passed on to representatives of the Administrative Committee. The Arbitration Committee will pass on the proposed arbitrators.

Braden yesterday was in Indianapolis and will visit Cincinnati, Pittsburgh and Cleveland before returning to New York late this week. Next Tuesday he will leave for Chicago, Milwaukee and Minneapolis. After Christmas he will leave for the South to select more personnel for the boards. So far, he is on schedule and everything points to the actual operation of the boards on Feb. 1.

75 Chi. Area Exhibs.
See “Chorus” Trade Show

Chicago—More than 75 exhibitors attended the trade show of “Second Chorus,” a Paramount release, which the producer, Dard Morros, and Alex Moss of Paramount put on here yesterday. John Balaban, Walter Immerman, Jack Kirsch and other exhibs., were reported enthusiastic over the entertainment value of the picture.

Moros and Moss leave here today for Kansas City and other Western key cities where further trade showings will be held.

Republic Dedicates New Stage to Mabel Normand

West Coast Bureau of THE FILM DAILY

Hollywood—Republic will dedicate its new stage which will be the first completed under its $1,000,000 building plan, to Mabel Normand. Cost of the stage, which is named for Mabel Normand is an old Mack Sennett star and once made “Sis Hopkins,” which will be made with Judy Canova, Republic thought the name for stage very appropriate.

Ambassador to Melcher

Chicago—Ambassador Theater has been leased by the Melcher circuit.

To Vote on Duals
In Parkchester

In connection with the opening of Loew’s American Theater in Parkchester on Dec. 26, residents of the area will be asked to vote on the question of single or double feature. Polls will be open all day in three stationery stores. The 25,000 persons living in the Parkchester development also will be asked to vote each week.

“If you prefer double features, at what time of night do you want to see the main feature?”
“Trail of The Vigilantes”

with Franchot Tone, Broderick Crawford, Peggy Moran, Andy Devine, Mischa Auer

75 mins.

ENTERTAINING WESTERN IS FIRST-RATE SCREENFACE FOR ANY TYPE OF AUDIENCE.

Taking the bull by the horns, so to speak, Universal has turned out a Western that packs fun at itself, still contains lots of action, but maintains its slightly satirical comedy Theme with highly entertaining results. Any audience should be thoroughly entertained by the picture, and it deserves special attention by exhibitors and first-run treatment on its merits. Picture should be a surprise package at the box office.

A first-rate cast includes Franchot Tone, Broderick Crawford, Peggy Moran, Andy Devine, Mischa Auer, William Hall and Charles Trowbridge. Tone, cast as an investigator who goes West to track down the crook and, in the process, fills the bill nicely. Miss Moran is pretty to look at and is personable and able. Andy Devine and Mischa Auer get lots of laughs. Warren William attends to the villainy in slick fashion, Crawford is fine as a rough-tough cowhand, and others in the cast are equally as well placed in their roles.

Director Allan Dwan handles the players expertly, getting out of them to the full, from the script and puts plenty of punch into the action. Harold Shumate’s original screenplay is different, smartly worked out and well paced.

Tone arrives in Peaceful Valley in the middle of a roaring gun fight, with Crawford and his pal Devine wreaking furniture in a saloon, tying up sheriffs and making the welkin ring. Tone gets a job with their outfit and the rancher’s daughter, Miss Moran, falls for him in a big way. There is lots of action, lots of fun and lots of entertainment from there to the finish, in fact from start to finish. Tone gets the girl and is the villain.


CREDITS: Produced by Universal; Director, Allan Dwan; Original Screenplay, Harold Shumate; Cameramen, Joseph Valentine and Milton Krasner; Editor, Edward Curtiss.

DIRECTION, Smart. PHOTOGRAPHY. Good.

Morros Negotiating with Astaire

Hollywood—Boris Morros is negoti-ating with Fred Astaire to star in "Hayfoot, Strawfoot,” a film on con-cription by Don Raye and Hugh Prince. Paramount will release it.

Dorothy Lamour may appear in "Caught in the Draft," opposite Bob Hope for Para.

RKO to Start "Show Business"

Hollywood—"Show Business," which goes before the cameras at the RKO studios on Monday, has acquired Elyse Knox for the feminine lead, also Charles Clute and Mantan Moreland. Irving Reis will direct.

“Misbehaving Husbands”

with Harry Langdon, Betty Blythe, Ralph Byrd

65 Mins. (HOLLYWOOD PREVIEW)

ENTERTAINMENT COMEDY WITH ENOUGH ENTERTAINMENT VALUE TO SATISFY.

"Misbehaving Husbands," Jed Buell’s first production for Producers Releasing Corp., sets an interesting pace for his new association. It’s a feature with enough entertainment value to more than satisfy any audience. Harry Langdon, given plenty of play,NICELAY and veteran director Bill Beaudine have concentrated more on surefire laughs situations than on a starting plot, and a district preview house rewarded them with practically solid laughter. It is completely an audience comedy and will do best when asked for nights when a heavy house is likely. It is excellent counter material for any dramatic feature. Production values, never elaborate, are adequate, and the large number of old and favorite收到了 the cast offers opportunity for exploitation plants on the drama pages. Vernon Smith and Claire Parrish have fashioned a swell screen-play, based on an original by Cea Sabin.

Harry Langdon, department store owner, works late on the night of his twentieth anniversary, missing a surprise dinner planned by his wife, Betty Blythe. He is seen taking a wax window model to be repaired, and picked up by the police, who suspect a murder. He arrives home with a slipper. Esther Muir, Blythe’s friend, tells her about planning a divorce, with Esther’s lawyer, Gayne Whitman.

Since neither will leave the house, Whit man installs Luana Walters, a niece, and Frank Hagney, bodyguard, to protect Betty. Langdon’s attorneys put in Ralph Byrd and Byrd and Luana nearly effect a reconciliation, but Whitman brings in his girl friend, Luana Walters, Frank Hagney, who lost her slipper. Byrd and Luana trip Florence into exposing Whitman’s game, and his past record. Langdon wheels the dummy on roller skates, fits the slipper on it and the pair are reconciled.


CREDITS: Producer, Jed Buell; Director, William Beaudine; Author, Cea Sabin; Screenplay, Vernon Smith and Claire Parrish; Cameramen, Art Reed; Editor, Robert Cran dell; Art director, George M. Martin; DIRECTION, OK. PHOTOGRAPHY. Good.

Next for Two “U” Directors

West Coast Bureau of THE FILM DAILY

Hollywood—Henry Koster’s next film for "The Big Tree" will be "Almost an Angel." Ladislao Furio and Norman Krasna are writing the scenario, which Charles Seiter will direct. Donald Dubbins next picture, following "Nice People" which he is now directing. Her new screen role is "Vera Stirling," in which she will co-star with Charles Boyer.

"It’s In The Air"

with George Formby, Polly Ward, Gary Marsh

65 Mins. (HOLLYWOOD PREVIEW)

ENTERTAINMENT COMEDY WITH ESSENTIAL ENTERTAINMENT VALUE.

"It’s In The Air," George Formby’s first picture for Producers Releasing Corp., shows Formby at his most popular for sets an interesting pace for his new association. It’s a feature with enough entertainment value to more than satisfy any audience. Harry Langdon, given plenty of play, Nicely and veteran director Bill Beaudine have concentrated more on surefire laughs situations than on a starting plot, and a district preview house rewarded them with practically solid laughter. It is completely an audience comedy and will do best when asked for nights when a heavy house is likely. It is excellent counter material for any dramatic feature. Production values, never elaborate, are adequate, and the large number of old and favorite received by the cast offers opportunity for exploitation plants on the drama pages. Vernon Smith and Claire Parrish have fashioned a swell screen-play, based on an original by Cea Sabin.

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"Bronco Bito" a WB British Remake

London (By Air Mail)—Following "Transatlantic Ferry" which goes soon into work at Warners’ Todergton, a new picture will do a remake of George du Maurier’s "Trilby." 

Metro to Remake "Mary Dugan"

West Coast Bureau of THE FILM DAILY

Hollywood—Metro will star La ra Belle, a London stage actress, in the role of Gertie Farrel, in Veiller’s old thriller, "The Trial of Mary Dugan."

It was almost inevitable that the

Joseph M. Schenck's artistry, the 

the original table. (We were able to

But even if we had not been able to

ON THE STREET LINES. (By a

not be found at the newspapers. (The

The Museum of Modern Art should start

an impression of the movie. (We

The Museum of Modern Art—Los

engaged in a tug-

a nullification of the act, the

Also if we had not been able to

But even if we had not been able to

To make the act, the

This is the last line of the article.
See Fewer Disputes

Under Arbitration

(Continued from Page 1)
country were constantly bickering and charging each other with unfair trade practices until the companies organized under the AAA. Since this plan was adopted, there has not been one airline dispute brought before the arbitration association in a year, it was said.

While the motion picture business is unique in its methods of operation and cannot be compared directly with the air travel industry, observers are satisfied that industry controversies will be settled by the parties involved before arbitrating.

Meanwhile, in business circles generally the film arbitration setup is being seriously studied as to the possibilities for its adoption as a self-regulation model. Already, there are predictions that, if successful, it will be heavily adopted.

Counsel for the Department of Justice is quoted as seeing no legal or practical obstacles to the setup's adoption. It is pointed out, too, that every industry has its distribution problem, with resulting disputes.

Dietz to be Toastmaster
At NAA's "Flight" Banquet

(Continued from Page 1)
will be toastmaster when the nation's notables assemble at the Hotel Carlton in the Kingston on Tuesday night for a banquet sponsored by the National Aeronautic Association. Admiral Harold Stark, ranking navy officer, Dr. Leo S. Rowe, director-general of the Pan-American Union, NAA President Gifford Wilson and a string of speakers are slated to talk on subjects of timely significance. This will be Dietz's first appearance on a Washington rostrum.

The banquet will be a highlight in the program of events in connection with NAA's sponsorship of the hemispheric premiere of Metro's "Flight Command," a story of Navy fliers starring Robert Taylor. Guests will be transported from the banquet hall to the Capitol Theater here for the "Flight Command" premiere. Simultaneous showings are to be made in Havana, Mexico City and Toronto in this first hemispheric premiere.

Baldwin Loaned to Columbia

West Coast Bureau of THE FILM DAILY

Hollywood—Earl Baldwin, one of Warners' story writers, has been loaned to Columbia to work on an untitled musical story. This is the first time in 11 years that Warners' have loaned him out.

Pushman in Utica Post

Boston — Hy Pushman, formerly the local E. Loew house's assistant manager, has been named city manager for Utica.

$13,000 Costs Add
To B & K Suit Bill

Defendants' costs in the Government's Chicago contempt action against Paramount, B & K and B & K Management Corp. were reported yesterday to have been approximately $13,000, including $10,000 fee to Special Master Edgar Edgerton and $3,000 court costs.

A decree was signed Tuesday fining B & K $5,000, B & K Management $2,500 and the Continental case went out of alleged violation of the 1932 consent decree.

Films' Greek Relief
Quota is $3,000,000

(Continued from Page 1)
and national president of Ahepa, Greek society.

Nomikos, here for a meeting on Greek relief, expressed his satisfaction with the co-operation received from all branches of the industry.

Samuel Goldwyn is in charge of the studios' activities, he said, and is now developing plans for a gigantic international radio broadcast that will include film stars and world notables. They hope to have Prime Minister Churchill and King George of England, General Metaxas and King George of Greece, and several high officials from Canada sandwiched in between the Hollywood stars and stage personalities, Nomikos said.

The exhibitors will play their most important part through midnight shows, with all the receipts going to the fund, Nomikos disclosed. No date has been set, the Ahepa president said, but they will try to have all the shows on the same night or as nearly close together as possible. The services of all employees including operators, stage hands, ushers, etc., will be donated.

Nomikos is in charge of lining up independent exhibitors, while Spyros Skouras is in charge of arranging for the circuits. It is expected the studies will make individual donations to the fund.

Andy Anderson Sells
N.M. Houses to McGinnis

Albuquerque, N.M.—R. V. McGinnis of Tulsa, Okla., purchased the Real Theater at Mount Sinai, and the Star Theater at Estancia from Andy Anderson last week. The latter will enter a health sanatorium at Pueblo, Colo.

Velas Sells Back to Barlow

Pawpawhat Point, O.—H. A. Barlow took over the Point Theater from Chris Velas as of Dec. 1. The house, originally owned by Barlow, was sold to Velas a year ago. Barlow also operates the Taplin Theatre and owns the American, closed.

Complete Industry
Defense Committees

(Continued from Page 1)
chairmen of each group. These committees include publicity, short-subjects, distributors and newsreels.

The publicity committee, headed by Oscar Doob, of Loew's, is composed of Harry Mandel, RKO; Aubrey Schenck, Fox; Harry Brandt, representing independent circuits; Harry Goldberg, Warners, and Claude Lee, Paramount.

The short subjects committee, as appointed by Chairman William J. Clark, of 20th Century-Fox, includes Fred Quimby, M-G-M; Don Murray, Paramount; Harry Michaelson, RKO; Norman Moray, Warner Bros.; M. J. Weisfeld, Columbia, and Bernis Kreisler, Universal.

The newsreel committee, under E. H. Hatrick, of News of the Day, is composed of Al Richard, Paramount; Truman Talley, Fox Movietone; Tom Meado, Universal, and Walter Ament, Pathé.


Lopez, Bradley and Kinney Bands to Make Soundies

(Continued from Page 1)
Mills Soundies, automatic motion picture machines, it was announced by Dick Hyland. Arthur Leonard will direct the films which will be produced at the Fox-Soundies studios here. Production starts Monday.

Lopez is currently heard over WOR. Bradley's band is at the Biltmore Hotel and Ray Kinney's outfit has passed its fourth year at the Lexington Hotel.

Buffalo Variety Club
Honors U.A's Lehman

Buffalo — Syd Lehman, U.A. branch manager, is the new Chief Barker of Tent No. 7, Variety Club of Buffalo. Elected by the board of 11 directors, he succeeds Robert T. Murphy, chief booker for the Shea circuit, who has held the office for two years.

Other officers: First assistant chief booker, Stanley Kosnowski, Rivoli Theater; second assistant, George F. Hanny, Jr., Capitol Theater; secretary and treasurer, W. E. J. Martin, downtown editor, the Construction Papers, for the seventh consecutive year in the former post and the sixth in the latter.

Completing the directorate are Phil Fox, Columbia; Irving Fried, Tri-State Candy; Elmer F. Lux, RKO; Ralph W. Maw, M-G-M; Sydney Samson, TCF; Melvin Schwartz, Jubilee Theater, and Past Chief Barker Murphy and Jacob Laven, Atlantic Theater, ex-officio. Installation of officers has been set for Jan. 11.

Hollywood Speaking

By RALPH WILE

THERE'll be a sequel to "Santa Fe Trail" and Warners announce. Title of the Errol Flynn starrer will be "They Died With Their Boots On." Studio hasn't announced just where the world premiere will be held, but the gapers are having plenty of fun with the title implications. Film will be based on the story of Geron Casten by screenplay by Anees Mackenzie and Wally Klein. Michael Curtiz will direct.

GENE MARKEY presented a special preview of "You're the One," clashing for the drama class at Stanford University. Markey's production for Paramount featured the music of Olin Tucker's orchestra and the singing of Wee Bonnie Baker.

REINHOLD SCHUNZEL is taking a camera crew to the vineyards and wineries near Flushing for "Carmen From Kenosha," stage musical in which Gertrude will have the title role is shaping up nicely. Producer Boris Petroff is negotiating with John Murray Anderson to do the staging, and Vincent Minelli to do the scenery and costuming. Victor Young and Ned Washington are already set for the music and lyrics and rehearsals will start immediately after the holidays.

CHARLIE RUGGLES has ordered a 20-foot Christmas tree to be decorated for his annual Christmas party. This year, 50 orphans will be guests at a dinner and entertainment on Christmas Day. On Thanksgiving Day, Ruggles gave a turkey dinner for 25 orphans from a downtown rescue mission.

BRADBURY FOOTE, M-G-M scenarist, has accompanied Director Frank Borzage to Flagstaff, Ariz., on his location preparation jay for "Billy, the Kid." Foote, who wrote the script, in collaboration, for M-G-M, will rewrite certain sequences so that they fit the Flagstaff location perfectly, thus saving time when the company arrives for shooting.

THE Okie family loves animals. Jack has a dachshund as his personal pet, but his wife, the former Venita Varden, owns 12 Afghan hounds, 1 cocker spaniel, 1 terrier, 2 Sealyhams, 3 Cairn terriers, 2 West Highland terriers, 2 bantam chickens, 6 rabbits and 200 pigeons.

FIRST production of the New Year will get started at Warners will be "Miss Wheelchair," with director, editor, co. by J. B. Marchand, and Bernhardt directing. Starting date has been set at Jan. 2.
"U" READY TO PURCHASE 1st PREFERRED

Try Three Circuit Trust Suits at Separate Times

No Simultaneous Prosecution With Action Against "Little 3" D.J.J. Agrees

The Government yesterday agreed with counsel for Universal, UA and Columbia to try the three anti-trust suits against the Schine, Griffith and Crescent circuits at separate times and in an "orderly fashion."

The agreement also provides that the Government will not seek to try any of these circuit suits simultaneously with the New York action against the "Little Three," Attorneys for the "Little Three" (Continued on Page 5)

First Halifax Sunday Show in FPC Capitol

Halifax, N. S. — In deference to the local Ministerial Association, important changes have been made in the plan to offer Sunday film shows in Halifax.

Instead of the normal admission rates prevailing, there will be voluntary donations. Instead of the general public being eligible, only the members of the Canadian Army, Navy and Air Force and the British (Continued on Page 5)

Alfred Katz Named UA Manager in Japan

Walter Gould, UA foreign head, announced yesterday the appointment of Alfred Katz as general manager of the company's interests in Japan, with headquarters in Tokyo.

Katz, for many years manager for (Continued on Page 5)

"Story" Into Second Milwaukee Theater

Milwaukee—M.G.M.'s "The Philadelpho Story" in what it is believed to be an unprecedented move has been booked into the Strand to play day and date with the Wisconsin engagement's second week in the same situation. At the latter house, film topped "Room Town" grosses for the first week.

Rumors Persist That Joseph P. Kennedy Will Head Hearst Newspaper Syndicate

Despite denials, persistent rumors are circulating to the effect that Joseph P. Kennedy will become associated with the Hearst newspaper organization. The former motion picture executive and erstwhile ambassador to Great Britain is reported to be resting in Florida but sources believed to be reliable link his name with the Hearst papers. According to reports Kennedy will head a group which will take over the newspaper chain or will assume the general management. In newspaper circles it is said that a general reorganization of the Hearst organization is in prospect.

Exhib. Showmanship Lack Scored by Cohn

One of the largest turnouts of Aampa's season of luncheon meetings was present in the Hotel Edison's Sun Room yesterday to hear Jack Cohn, Columbia's vice president, plead for the application of showmanship to the sale of films to the public.

He declared that, in a considerable number of instances, films currently play the (Continued on Page 8)

Newsreel Theaters Drop Nazi Clips from Reels

Following a week's trial, New York news reel theaters have discontinued the showing of official Nazi newsreel (Continued on Page 4)

Industry Notables At Philly Banquet

Philadelphia—Brief speech by Postmaster General Frank C. Walker highlighted the annual banquet of the Philadelphia Variety Club last night at the Bellevue Stratford Hotel which attracted approximately 1,000 attendants. Party was filled with industry notables and other distinguished guests.

The Postmaster General said that under the consent decrees (Continued on Page 6)

NBC Tele Mobile Unit Will Pick Up Events at Garden

As work continues to complete installation of the new filter which will enable the NBC ultra-short wave unit (Continued on Page 8)

Dutch Industry "Unionized" Device Employed to Insure Rigid Control

U. S. Acts Against Exhibs. Failing to Turn in Taxes

Washington Bureau of THE FILM DAILY—The Bureau of Internal Revenue is taking vigorous action against theater owners and (Continued on Page 6)

Universal Pictures first preferred stock sensitivity on the Big Board yesterday, closing at $119, a gain of seven points. Daily high for the stock was $124, low, $115. Trading yesterday saw total sales of 94,970 shares.

Universal has asked tenders for sale to it of its first preferred stock and authorized the use of $1,000,000 for such purchase.

"U" is inviting tenders of these (Continued on Page 6)

Loew Cash Position Said Up $11,000,000

Loew's, Inc., has increased its cash balance by approximately $11,000,000 since Aug. 31, 1939, and current earnings are running between 50 per cent and 60 per cent ahead of the same period last year, according to The Wall Street Journal (Continued on Page 4)

"Dictator" to Play Odeon, GB Circuits Simultaneously

Walter Gould, head of the UA's foreign department, yesterday announced details of a most unusual circuit contract for a picture ever (Continued on Page 8)

U. S. to Aid Bully for Par'a. 's "Wings"

Government's desire to participate in a campaign on "I Wanted Wings" is said to be the reason for Paramount withdrawing the picture from release on March 21, 1941. Picture is to be given a big build in connection with the air corps recruiting campaign. Release may be set ahead of the original March date.
Shots Upturn Reflected as RKO Radio Reaches Peak

“There has been a noticeable upturn in general interest in short subjects, during a feature called ‘A World of a Man,’ ” Harry Michalson, short subject sales manager for RKO Radio Pictures, said yesterday. Michalson attributed it to exhibit, and public recognition of all-round improvement shown in shorts production and to interest being shown in particular subjects enhanced by the war.

Michalson said RKO Radio would reach its peak for short releases in December, a top month both for number of playdates and gross billings.

Eleven one-and two-reelers are scheduled for current release and holiday playing time, with the set-up headed by M of T’s new “Labor and Defense—1941” and another new two-reeler in the Dionne series. Columbia’s “Going Up,” a first of T’s “Aid the Men—and the U.S.A.” was also early December release. A third two-reeler is Edgar Kennedy’s “Drafted in the Dugout” for RKO.

The second Information Please short featuring Wendell Willkie is in the list of current releases, and will have close to as many engagements as the first unit, Michalson predicts.

British Army Footage Goes Into New Hirilman Feature

Scenes of actual air raids, obtained from the British Army archives, will be included in a feature being prepared by George Hirilman for release by Select Attractions. Title of the picture will be “Bomb Shelter” and will be produced ahead of “The Tigress or the Lady,” which Hirilman had scheduled for production as his next attraction. Picture will be made at the Miami studios of Colomnade Pictures Corp.

Hirilman is completing arrangements with representatives of the British Government to give him every technical assistance in presenting the subject. It is said that the air raid shots have never been seen on the screen before.

Hirilman leaves for Florida late this week to start production. Release is set for Feb. 1.

Mutual Network to Carry “Flight Command” Dinner

Washington Bureau of THE FILM DAILY

Washington—In recognition of its contribution to the celebration of Pan-American Aviation Day, the group which on Tuesday night will precede the hemispheric premiere of Metro’s “Flight Command” is expected to broadcast over WOL in Washington and nation-wide stations of Mutual’s network. Broadcast will originate in Carlton Hotel.

Howard Diets, M-G-M executive in charge of promotion, will introduce Admiral Harold Stark, Gen. George C. Marshall, Dr. Lee S. Howe, director general Pan-American Union and Gill Robb Wilson, president National Aeronautics Association, Following the broadcast, guests will witness the premiere of “Flight Command” at the Capitol Theater.

Sam Schreiber Dead

Detroit — Sam Schreiber, 47, brother of Nate, Jacob and Alex Schreiber, Detroit theater operators, died at Cleveland, O. Burial was at Cloverlipy Cemetery.

FINANCIAL

NEW YORK STOCK MARKET

[Data for stock market prices]

Atlanta — Leslie Howard greeted the audience at the anniversary premiere of “Gone With the Wind” last night. A message sent from London where Howard is in the British Army was read to the audience. Howard thanked those who attended the anniversary performance which was sponsored by the Atlanta Committee of the British War Relief Society and voiced gratitude to the American people for their increasing aid to England.

With the same enthusiasm that greeted its world premiere last year, GWTW was launched on its popularized showings. Vivien Leigh, Lauder, Niven, and Spencer, Alfred Hitchcock headed the Hollywood delegation.

One of the guests of honor was the southern girl named for the occasion “Miss (GWTW) Anniversary,” chosen from among hundreds of applicants in a contest sponsored by the Atlanta Constitution.

Reeve to Leave Hospital

Don Reeve, of the Paramount publicity department, will leave St. Luke’s Hospital next week after convalescence following an appendectomy. However, he has been ordered by doctors to take a long rest and protein diet, and cannot return to work until about Feb. 1, after a stay in California with his family.

TO THE MOTION PICTURE INDUSTRY:

The undersigned are the sole and exclusive owners of all distribution and exhibition rights in and to the motion picture entitled “ECSTASY.”

NOTICE and WARNING are hereby given that any exhibition, distribution or other dealing with the said motion picture “ECSTASY” will be a violation and infringement of the property rights of the undersigned: that the undersigned will hold strictly accountable in consequences any and all parties whomsoever who attempt or participate in such wrongful and unlawful exhibition or other dealing with the said motion picture entitled “ECSTASY.”

Dated: December 11, 1940.

GEORGE J. SCHAEFFER, RKO presy., is due back from the Coast on Monday.

CHARLES CHAPLIN is expected to spend the holidays in Florida.

JACK BENNY and his radio troupe arrived here last night, from Chicago.

ARTHUR BORAN, who has appeared in numerous “March of Time” reels, flies to the Coast, according to M-G-M.

JIMMY SILEO, chief photographer at the Music Hall, returns today from a three-week trip to Mexico where he took color photographs of Mexican life on a special assignment as well as color scenes for Music Hall stage backgrounds.

CHANNING POLLOCK has returned to New York from a lecture tour of the West.

PHIL ENGEL, Warner exploiter, leaves today for a 10-day trip which will take him to Boston, Providence, New Bedford, Syracuse, Rochester and Buffalo to set campaigns on “Santa Fe Trail” and “Four Mothers.”

A. A. FEINBERG arrives here on Wednesday from Minneapolis.

WELEYE RUGGLES and his wife are due in New York today on the return from their trip to London.

CROUCH MARX was due yesterday from the Coast.

HERBERT S. BIBERMAN arrived here yesterday from Hollywood.

HARRY RATHNER of PRC is back from his Coast trip.

ALLAN DWAN is set to return to the Coast from New York next week.

HEFFERIAN T. CATES, CPI presy., is scheduled to arrive here today from the Coast.

ROSALIND RUSSELL, having finished added scenes in Columbia’s “This Thing Called Love,” leaves the Coast today by train for New York.

Hawks Quits “Outlaw”; Hughes May Direct It

West Coast Bureau of THE FILM DAILY

Hollywood — “Outlaw” — Producer — Director: Howard Hughes has definitely withdrawn from the Howard Hughes production of “The Outlaw.” Hughes himself has been in the cast yesterday and it is not unlikely that he personally will direct the picture.

Republic Pacts Leni Lynn

West Coast Bureau of THE FILM DAILY

Hollywood — Republic has signed Leni Lynn, formerly with M-G-M, to a term contract.

WASHINGTON, D.C. — The undersigned are the sole and exclusive owners of all distribution and exhibition rights in and to the motion picture entitled “ECSTASY.”

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Dated: December 11, 1940.
ROSS FEDERAL RESEARCH CORPORATION

Announces the Appointment of

DR. HENRY MANN, Ph.D.

to the post of Analyst of Motion Picture Research.

Dr. Mann who has been working in close association with Ross Federal Research executives for the past two years, has been active in evolving and correlating scientific formulas covering all types of motion picture distribution and production. Ross Federal is thus enabled to render a more thorough and complete motion picture research service than has heretofore been possible.

Dr. Mann studied mathematics at the University of Vienna from 1931 to 1936, receiving his Doctorate in mathematics at the University of Vienna in 1935. For the following two years he was instructor in mathematics and scientific procedures and published four papers on higher mathematics, two of these under the sponsorship of the Academy of Science in Vienna. He later worked on medical statistics with Dr. Curt Fried at the Clinic of Genoa, Italy. During his association with Ross Federal, Dr. Mann has constructed three *errometers* for measuring statistical error which are now used by Ross Federal.

ROSS FEDERAL RESEARCH CORPORATION

18 East 48th Street, New York City
Dutch Pix Industry
Ordered "Unionized"

(Continued from Page 1)

ishing the right of control of the
Undersecretary of the Interior,
which is defined in the Cinema Act.
The chief point in the decree es-

tablishes that the Cinema Union shall
be charged with the promotion
and care of the film industry; and
that all members of the board of
its various branches must join that
organization by July 1, 1941.
The president and vice-president
of the Cinemos Union are appointed
and may be dismissed by the Under-
secretary of Education, Arts and
Sciences.

Subject to the approval of that
Undersecretary, the president of the
Cinema Union is granted authority
to issue regulations governing mem-
bership, including the right to expel
members and reject membership ap-
lications, as well as to impose fines
not exceeding 5,000 florins for of-
fenses.

Newsreel Theaters Drop
Nazi Clips from Reels

(Continued from Page 1)

cips due to a storm of protests from
patrons. The clips were preceded on
the screen by an announcement stat-
ing that it was the desire of the house
to also show the other side of the
news. Patrons were asked to
give the manager their reaction to
the move.

Footage was tried out by the
houses to attempt to build up the
amount of war news available now,
all of which is officially released and
censored by the English government.
Hisses, boos, etc., were elicited from
every audience viewing the material,
and it was feared that apart from
the fact that the patrons definitely
did not like it, there would be more
serious disorders.

New German House Opens

Modern Playhouse, 82nd St. and
Third Ave., new German film thea-
ter, opens today. Karl Elshe man-
ages.

Happy Birthday to You

From
THE FILM DAILY to
December 13
Norman Foster, Hubert Hensley,
L. H. Mitchell, William R. Fraser,
Richard Scheyer

December 14
Frank Campos, James W. Horne

December 15
Charles Rosenzweig

Loew Cash Position
Said Up $11,000,000

(Continued from Page 1)

which yesterday analyzed the com-
pany's financial status.

Cash position of Loew's was said
to be about $28,000,000 as of Dec. 1,
compared to $17,000,000 on Aug. 31,
1939. The Journal estimates that the
next fiscal year's first quarter, ending
about Nov. 30, will be in the neigh-
borhood of $3,15 a common share.
The net for the November period
last year was equal to 71 cents a share.

By reducing studio expense and
making pictures at a lower coat with-
out affecting the quality, Loew's has
been "putting its house in order to
meet the changed conditions," the
Journal asserts. Loew's is expected
to get out between $3,000,000 and
$4,000,000 from Britain during the
current year, compared with the
$1,500,000 and $1,600,000 last year
under currency quota rulings.

Morgan Assures Publicists
Of Actors Guild Support

Ralph Morgan, former president
of the Screen Publicists Guild, at a
meeting of the Screen Publicists Guild
held last night for the purpose of
gaining the support of the film
stars in its drive to get a contract with
the producers, told the publicists that
"the actors will welcome you 100 per
cent."

Morgan said that there are cer-
tain rights and privileges which the
publicists believe they should have
and added: "Many of these rights
and privileges are given to you by
the constitution of the U. S. and
you have the right to demand them
and get them. You are just as much
a part of the industry as the men
who shoot." Rosemary Lane, another
guest, also assured the publicists
that the actors would help them in the
fight for a contract.

Joseph Gould was nominated by
acclamation for a second term as pres-
ident of the SPG. Nominations were
held for other officers with balloting
set to take place next week.

WEDDING BELLS

Detroit—Rosalind Owen, of PRC,
was married to Joseph Iler, whose
sister, Elizabeth Iler and Mrs.
Janet Long, are with Republic.

Washington Branch of THE FILM DAILY
Washington—Stanley Barlow, new-
ly appointed manager of the Vernon
Theater in Alexandria, has revealed
his secret marriage more than a
year ago to the former Margaret F.
Garrett of Sharpsburg, Md. The
wedding took place in the Catholic
Church of St. John, Wilmington,
Del., in August, 1939.
First Halifax Sunday Show in FPC Capitol

(Continued from Page 1)

Navy, each entitled to bring one guest, will be admitted. Instead of opening all the local film theaters, a select few will be opened experimentally, with the Capitol only. This house, operated by Famous Players-Paramount, seats 2,000.

If the receipts do not match the expenses, the circuit will cover the discrepancy.

Instead of continuous operation from 1 p.m. until 11 p.m., or with separate afternoon and night shows, there will be only one show, at 8:45, allowing the men in uniform to go to church services before the show. Theater will open at 8:30.

The program is to include vocal and instrumental numbers by local amateurs and soldiers, and air force men, Army and Navy band music, sing-songs, an educational film, and, finally, a full-length feature of "superior quality.

The operators and other employees of the Capitol have been asked to accept pay at the weekday schedules instead of double time for Sunday work. Army, Navy and Air Force police will serve as ushers.

If the response is so great the Capitol cannot handle, they reserve the right to open the largest of the other local theaters to be opened, with different or similar programs. If necessary, all Halifax theaters will be available on the same basis—viz, Casino, Family, Community, Orpheus, Empire, Oxford, Garrick, Gaity.

Alfred Katz Named
UA Manager in Japan

(Continued from Page 1)

Metro in Poland, succeeds Joe Goltz, who has been transferred as general manager of the United Artists exchanges in China, with headquarters in Shanghai. Goltz replaces Norman Westwood, resigned.

Henie Appeals $77,133 Verdict

Formal notice of appeal of a verdict directing the payment of $77,133.44 to Dennis R. Scanlon has been filed in the Supreme Court by Sonja Henie. Scanlon sued for the sum, claiming that he was entitled to 20 per cent of her earnings under terms of an oral contract.

STORKS!

West Coast Bureau of THE FILM DAILY

Friday, December 13, 1940

REVIEWs OF NEW FILMS

"Lone Star Raiders"
with Robert Livingston, Bob Steele, Rufe Davis
Republic

57 Mins.

WEAK STORY DROPS WESTERN BELOW REGULAR STANDARD FOR THE MASQUEUR SERIES.

Latest release in Republic's Three Masqueur series, this one falls short of the standard established by its predecessors due to a weak story. The dyed-in-the-wool western fans and the followers of Bob Livingston and Bob Steele will probably like the picture though. There is plenty of riding, the customary amount of fist-fighting and shooting, the usual skullduggery by the villains, and Rufe Davis sings and does his imitations.

In addition to Livingston, Steele and Davis, June Johnson, George Douglas, Sarah Padden, John Elliott and John Merton are prominent in the cast. George Sherman directed from a screenplay by Joseph Moncure March and Barry Shipman.

The masqueur work for a ranch having money trouble and further troubles stirred up by Elliott and Merton at the behest of Douglas, a rival rancher trying to get the Government cavalry contract. Sarah Padden shows up as the new owner of the ranch, with the boys not knowing the old owner had even died. She is spared the truth because they don't want her to go back to the old ladies' home. Douglas and his henchmen make further trouble, commit a murder and attempt to keep the masqueurs from riding in the race that decides the cavalry contract, but they come through in good style.


CREDITS: Associate producer, Louis Gray; Director, George Sherman; Screenplay, Joseph Moncure March and Barry Shipman; Original story, Charles Francis Royal; Camera, William Nobles; Editor, Tony Martinelli.

DIRECTION, O. K. PHOTOGRAPHY, Good.

State Film Bowling League To Be Formed in Conn.

New Haven—As a result of an open bowling fan meeting, sponsored by Connecticut MPTO, a committee consisting of AL Parizer, Columbia; Henry Germaine, Paramount; L. Levine, Imperial, and Dick Levine, premium and program salesman, was appointed to organize a state film bowling league. Matches are being arranged for Tuesday night at the Roger Sherman bowling alleys. A combined Paramount and 20th-Fox team will play a Warner team; while all-state exhibitors' representatives will be pitted against Columbia.

Defer American Opening

Formal opening of Loew's American Theater in the new Idlewild Life development, Bronx, has been postponed from Christmas Eve to Dec. 26 at 11 a.m.

Try 3 Circuit Trust Suits Separately

as a result of the agreement have consented to withdraw their application for an order to restrain the Government from prosecuting the circuit actions until completion of the trial of the New York suit.

This application was to be heard today before Federal Judge Henry W. Goddard who has instructed Special Assistant Attorney General Robert L. Wright to advise the Court as to the order in which the suits will be tried.

Attorneys for the defendants stated yesterday that the Government is to inform them within a reasonable time as to the order of trial.

Houser on Fleischer Cartoon Assignment

Mervin Houser has been assigned to handle publicity on the forthcoming untitled cartoon feature which is being prepared by Max Fleischer for Paramount release. Houser, who will headquarter at the Fleischer plant in Miami, is a member of Paramount's studio publicity staff in Hollywood.
Philly Dinner Draws Notables
Film Execs. Galore at Variety Club Event

Philips, December 13, 1940

(Continued from Page 1)

U. S. Acts vs. Exhibs
Who Holds Out Taxes

(Continued from Page 1)

shares, to be submitted to The Commercial National Bank and Trust Com-
pany, 2 p.m. on Dec. 30, with delivery of and payment for such stock as may
be accepted to be made on or about Jan. 6. There are 15,350 shares of preferred
stock of the company at present outstanding.

Since the issuance of the first preferred stock of the company in 1925," the call
for tenders states, "all sinking fund payments thereon
were made before the company's books that the net earnings after all charges including estimated taxes were approximately $2,400,
000. During the year, the company accumulated, and there is included in such
earnings, approximately $59,000, which were blocked in Great Britain; the value of such
pounds at the present official rate of exchange is $1,560,000.

"The right is reserved to reject any and all offers."

Bund Whillock Promoted
Brand Whillock, former assistant manager of Loew's Capitol Theater,
Washington, has been named manager of Loew's Columbia, Washington.

Marry Roses Tomorrow
Bund services for J. Harold
Murray, 48, leading screen actor
who died at Ellingborn, Conn., Wed-
nesday, will be held there tomorrow.
Surviving are his widow and a son.
THE 1941 FILM YEAR BOOK IS NOW IN INTENSIVE PREPARATION
Friday, December 13, 1940

Lack of Exhib. Showmanship Scored by Jack Cohn

Failure to Cash-in on Potentials Deplored by Col. Exec. inampa Talk

(Continued from Page 1)

Cohn mentioned in contrast several specific situations wherein exhibitors, having properly exploited attractions, were enabled to hold pictures over for long and highly profitable runs, whereas, in neighboring communities the same features did not register with the public because the will-to-attend had not been excited by exhibits. One at a theater in Galveston, which had been closed 31 consecutive days in a New England key because of the thorough embarkation of the entire town, had a similar identical film that had routine runs when it was denied promotion.

Exhibs, Who "Go To Town"

Columbia, he said, is fortunate in having a policy to provide exhibitors with accounts which take a picture and "go to town" on exploitation ideas, and their methods should be models for the entire industry. Some exhibitors, Cohn said, have to attend too many theaters, and, therefore, showmanship becomes more thinly spread than when concentration is applied, and added that theatemen generally let too many good pictures get away from them. Touching on the subject of motion picture advertising copy and the part it plays in interesting the public, Cohn asserted that ad writers in the film industry have the advantage of writing about new product almost constantly, while ad writers on most national accounts have labor under the disadvantage of having to coin copy on the same article or articles day in and day out.

Change of Title by Exhibs.

He scored one outlet which took the film, "Glamor for Sale," and, changing the title, advertised it as "Girls On Call." Cohn called this "an insult to the motion picture industry" and declared such practices should severely be dealt with, or otherwise film ad writers would find themselves preparing copy under censorship.

Cohn was introduced by Maurice Bergman, former publicity head for Columbia and now advertising manager of 20th-Fox. Columbia executives at the meeting included Nate Spingold and A. Schneider.

"Fantasia" Theater Not Set

Boston—They are still "dickeying" over the place and the dates for "Fantasia" but it's definitely settled that this feature will not premiere at the Hub directly after the holidays for a long run.

RKO Sets Three International Broadcasts to Feature Desi Arnaz, Cuban Film Star

Three 15-minute radio programs over the NBC International Division stations featuring Desi Arnaz were to be sponsored by RKO during January, it was learned yesterday. Programs, which will be on the air from 1:15-2:00 p.m. on Jan. 7, 14 and 21 will be a part of the RKO Pan-American Good Will Program. Arrangements for the series were made by Phil Reisman, vice-president and foreign manager of RKO, and L. F. Yandell, director of the NBC International Division.

NBC Tele Mobile Unit Will Pick Up Events at Garden

"Dictator" to Play Odeon, GB Circuits Simultaneously

(Continued from Page 1)

tenna atop the Empire State Building to be used for three separate transmissions simultaneously, additional outside pickups by the NBC mobile television unit will be recorded to television audiences next week.

New filter will greatly improve local reception from Station W2XGW, NBC's New York transmitter, which is on the air from 3 to 11 p.m., Mondays through Fridays.

All NBC tele programs next week, except for the daytime tests, will be picked up by the mobile unit at Madison Square Garden. First, on Monday, will be finals of the Diamond Belt Tournament, an amateur boxing show conducted by the N. Y. Journal-American. On Thursday the New York Rangers will be out for revenge on the Boston Bruins, who trimmed them this week, and on Saturday the NBC camera will pick up the N. Y. U. vs. Syracuse, and St. John's University vs. Oklahoma University basketball games.

Texas Variety Club Will Honor O'Donnell Jan. 6

Dallas—R. J. O'Donnell, who will retire after five years as Chief Barker of the Dallas Variety Club at the club's New Year's Eve function, has been named Honorary Life Chief Barker of the local organization, hereafter to be called the Variety Club of Texas. New active Chief Barker will be Paul Short.

Club's first luncheon of the new year, Jan. 6, will be given in O'Donnell's honor and attendance will be all employees of the Dallas film exchanges and employs of Griffin, Robb and Frey, Jefferson and Interstate Theater Circuits.

Short will have a number of personal reps. throughout the State as a result of the state-wide scope of the local club. They include:

Eph Charminsky, San Antonio; Henry Hall, Beeville; John G. Long, Bay City; Clifford Milton, Edinburg; L. M. Crim, Kilgore; Al Lever, Houston; Louie Novy, Austin; Frank Westcott, Corsicana; Don Robb, West Texas; R. N. (Bob) Smith, Rio Grande Valley; Ben Ferguson, College Station; Joe Bryant, Lubbock; R. C. McIlheran, Wichita Falls.

Christmas Basket Shows Expected to Fill 25,000

Chicago—Christmas basket shows to be given in all local film houses and branches of Dec. 23 are expected to net sufficient gifts to fill 25,000 baskets for distribution among the needy.

Montgomery, Ala.—This city's underprivileged children will be visited by Santa with plenty of toys this year, thanks to Paramount Theater, the Girl Scouts and the city firemen.

The theater, according to annual custom, ran a special matinee where the only price of admission was a toy. Girl Scouts collected the toys and the city's firemen are repairing them. More than 500 toys were received.

Des Moines, Ia.—The sixth annual Christmas party for Des Moines Colored schools will be given Sunday day, at the Paramount theater by the Tri-States theaters and Des Moines film men.

Approximately 1,600 crippled children and adults are expected.

Academy Committee To Meet on Awards

West Coast Bureau of THE FILM DAILY

Hollywood—Awards Committee of the Academy, with Walter Wanger, chairman, will meet on Tuesday to start the wheels turning for the annual selections. Eligible will be pictures released during the current year and publicly exhibited in the Los Angeles area before Jan. 12 next.

Rules stated that the Sound Recording Award will be handled by a committee under the chairmanship of John Aaberg of RKO Radio studios, as well as Vinton Hayworth, President, and John Hansen, Nathan Levinson, John Lively, C. L. Loutens, Thomas Huliton, Elmer Rague, Loren Ryder and Douglas Shearer.

Membership of the other Technical Awards Rules Committees follow: Directing, John Ford; Design, W. Painter; Cinematography, Harold McCord, chairman; Editing, John Seitz; Art Directors, Lionel Banks, McClure Capps, Ernst Fegte, Harvey Liss; Dance Directors, Norman Bel Geddes, Herman, John V. Mackay, Hans Peters and Edward Peppler.

Film Editing—Harold McCord, chairman; Anne Baxter, Chartiss, Grace Milford, Murray Seldeen, Blanche Sewell and J. James Williams.


No. 13: COLOR COSTUME

The marvelous collection of costumes from this year's hit show, "Stage Door," has been acquired by the Smithsonian Institution. The costumes were designed by Walter Plunkitt, a former Chicago actor, who plans to use the collection for educational purposes.

Deadline for the next Film Daily is Dec. 19.
ONE-THIRD OF NEEDED PRODUCT NOT SOLD
Allied to be Clearing House for Decree Protests

The Week in Review

By L. H. Mitchell

DOMESTIC

CONSENT DEGREE: Twentieth Century-Fox issued warning to its sales personnel to avoid arbitration under the consent decree, declaring it would be expensive and consume valuable time. * N. W. Allied proposed a five-state conference on legislation to nullify through state legislation some of the Dept. of Justice consent decrees. Canadian industries want "reforms" of the U. S. consent decree made applicable to them, and not be treated as a "step-child" by U. S. distributors. ... Gov t. assured the "Little Three" that its anti-trust suits against Schine, Griffith and Crescent circuits would be tried separately.

* * *

ASCAP: U. S. Supreme Court will review the Federal-Ascap case, with Tennessee expected to revolve its attitude against the company. As- cap has a $5,000 fine case pending in court, and a suggested consent decree if, as reported, the Government should take a hand in settling the Ascap-Radio deal. Other cases may be opposed to any attempt by Hollywood to resort to the "grand rights" angle in the Supreme's effort to free music plugs from the air. If and when the Ascap-Radio split comes.

* * *

HAPPENINGS: RKO is trimming its program, concentrating on major pic, setting 59 features for 1940-41. R. & K was fined $5,000, B. & K Management Corp. $2,500 and Paramount Pictures $2,500 in the Chicago contempt case. Charge of consent decree violations against the other defendants were dismissed. ... Pressure groups in Washington reported preparing to fight for the Neely anti-block-booki bill's enactment. ... Copyright Protection Bureau announced that copyright violations in 1940 show a 2 per cent drop. ... Ross Federal Service reported upward trend of biz continuing. Ohio distributors report better professional dep- low. Loew's cash position said $11,000,000 to $28,000,000. ... Universal ready to purchase its first preferred stock, sending the stock up for a nine-point gain on Thursday.

Members Asked to File Their Complaints Based On Actual Experiences

National Allied is asking its members to file their protests based on actual experience with the effects of the consent decree to the national organization instead of sending isolated cases to the Department of Justice.

In a general bulletin made public at the weekend by General Counsel

(Continued on Page 4)

Vaudeville Demand In New England Up

Boston—Vaudeville, in connection with films, is far from dead, according to Ben Domingo, city manager for RKO, who spoke before students of Massachusetts Institute of Technology. As proof, Domingo read advertisements from immeasurable tear sheets of New England newspapers. Domingo said that practically all

(Continued on Page 6)

Kuykendall Will Speak At Kansas City Conclave

Kansas City Ed Kuykendall, MPTOA presy; H. M. Richey, Metro exec., and Dave Palfreyman of the MPDA, are slated to address the one-day convention of the Kansas-Missouri Theaters Association con- elation here tomorrow. Convention attention largely will

(Continued on Page 6)

New Anti-Trust Laws Urged

Suits Would Be Tried in Industrial Court

Three-Day Santa Fe Bally, Launches Warners "Trail"

Santa Fe, N. M.—With a festival tradition dating back three centuries as a backdrop, world premieres of Warners' Santa Fe Trail," Errol Flynn-Olivia de Havilland starrer, took place here Saturday at the Lensic, Burro Alley and Paris the- aters.

Here for the three-day program

(Continued on Page 6)

Scott Drive For Free Pix

Of Course, You've Heard of "Man Bites Dog"

Pittsburgh—Most unique Drive ever conducted in this territory has just been inaugurated by Vernon F. Scott, who operates the Scott Circuit of some 20 theaters in Johnstown, Altoona and nearby towns, in celebration of his 20 years as an ex- hibitor.

Scott, with a keen sense of humor, has advised the distributing companies whose product he uses of the

(Continued on Page 7)

Avoid Dissipation Of Product—Myers

At least four of "Big Five" parties to the consent decree, "will try to have two or more groups of five ready by Sept. 1," according to present indications, Abram F. Myers, (Continued on Page 5)

Allied Polling Directors On Capital Meeting Date

Allied's directors are being polled as to choice of dates for the an- nual board meeting in Washington. Meeting must be held in January, but the situation is complicated this

(Continued on Page 6)

Second AID Report Says Flat Rental Prices Are The Same As Last Year

With the current selling season in its sixth month, nearly one-third of the required product has not yet been contracted for, according to the second national survey conducted by Allied Information Department. In other words, the report points out, exhibitors still have not bought nationally $2.3 per cent of the amount of product re- quired to run their theaters, based on the total annual feature requirements of all theaters reporting, com-

(Continued on Page 6)

Warner Music Firms Check BMI Strength

Breach in the ranks of Ascap publishers may be widened considerably, it was learned Saturday, when it

"Askit Basket" Assailed As Illegal Game in Neb.

Lincoln, Neb.—Charging the Nebraska theater is offering a gift enter-

(Continued on Page 6)

"Santa Fe Trail" Entertainment Hit

Warners build a railroad, dispose of the fanatical John Brown, present an interesting prelude to the Civil War and deal generally with a con- siderable amount of Western history in "Santa Fe Trail," highly dramatic saga which had a triple world premi- eres in Santa Fe, N. M., Saturday night.

There is broad and sweeping ac- tion on a grandiose scale, romantic interest, a splendid cast to make it live on the screen. Skillful direc- tion, opulent production value and an especially interesting part of our own history re-created. Certainly, exhibitors should be happy with this picture as a holiday package.

—Kennaohan
Younger Viewers Rate Director "Knut Rochke" as Best

Younger viewers of the National Board of Review of Motion Pictures, and the nation-wide 4-Star Clubs, of which the board's junior field groups have voted Warners' "Knut Rochke—All American" as the year's outstanding film, were announced Saturday.

Younger viewers' poll precedes THE FILM DAILY's annual "Ten Best" contest, and selections are from pictures released December 30 to January 31, the last two weeks of the year and the first two weeks of the new year.

By competition period, the film was announced Saturday.

Other winning pictures in the Younger Viewers poll—the group age limits are 8 to 18 years—are in order of preference: "Foreign Correspondent," ATAH, "Broom Town," "Rebecca," "The Great Gatsby," "The Sea Hawk," "GWTW," "Strike Up the Band," and "Howards of Virginia."

Clarence A. MacDonald, Circuit Head, Died Friday

Columbus, O.—Clarence A. MacDonald, 44, head of a neighborhood circuit bearing his name, died Friday night in University Hospital of a heart ailment. Opening of his new Boulevard Theatre in Columbus has been postponed due to his illness. The Beethoven, a second new house, is nearing completion.

MacDonald was a director of the ITO of Ohio. Surviving are his wife and two children.

Pathé News Completes Film Dedicated to Youth of U.S.

"The Last Stronchold" is the title of the fiftieth picture just completed by RKO Pathé News for release by Filmco. Dedicated to the youth of America, the picture is to be distributed primarily in schools and colleges.

With national defense as the subject of "The Last Stronchold," RKO Pathé received assistance on the production from the Army and the Navy Department. Opening with a pictorial review of military events from 1914 to the present, the film shows the forces of our present ever-strengthening defense program as well as forces against which we may be called upon to defend ourselves.

George Mills supervised the picture, James Clemencen is credited as narrator and script writer, and James Faichney was the film editor.

Moon Recalled to Stand in Midwest-Co-op. Suit

Detroit—Raymond E. Moon, former manager of Co-operative Theaters of Michigan, was recalled to the stand in the Midwest Theaters suit on Friday and subjected to considerable cross-examination by attorneys for the defense. Evidence of his testimony confirmed previous testimony that Co-operative deals were closed as a unit, but that no form of threat or coercion was used, according to plaintiff's counsel.
From every corner of the country, exhibitors, newspapers and trade papers are joining in on the chorus of praise for Producer Boris Morros, who put the first big One in "Forty-One!"

"In the box office bag. A show to thunder from the roof-tops!"
—Hollywood Reporter

"Gives every promise of attaining hit classification. Innumerable laughs!"
—Boxoffice

"Hits the right tempo for box office appeal!"
—Film Daily

"Second Chorus is a dandy!"
—John Chapman, N. Y. Daily News

"Perfect entertainment!"
—Karl Habitzelle, Pres. Interstate Theatres

"Will be one of the biggest hits of the year!"
—M. A. Lightman, Malco Theatres

"Just what the public wants today!"
—R. J. O'Donnell, Gen. Mgr., Interstate Theatres

"One of the most delightfully entertaining pictures I've seen in years!"
—R. X. Williams, Pres. MPTOA, Miss.

"A great picture!"
—Elmer Rhoden, Pres. Fox Midwest Theatres

"We can use more pictures like Second Chorus!"
—Ed Durwood, Pres. Durwood-Dubinsky Circuit

"Looks like big box office to me!"
—John Balaban, Balaban & Katz Theatres

"Undoubtedly box office for our territory!"
—J. J. and M. Rubens, Great States Theatres
New Anti-Trust Laws Are Urged

(Continued from Page 1)

the enactment of legislation to:
1. Create an Industrial Court of five or seven members with power to hear and act on all litiga-
tion to be brought by the Federal Government involving the Sherman Act and other anti-
trust laws.
2. Authorize the power of subpoena to the D of J.
3. Provide heavier civil penalties for anti-trust violations, similar to the O'Mahoney-Hobbs Civil Remedies Bill offered at the last session of C. ngress.
4. Authorized larger appropriations for the Anti-Trust Division so that it can more effec-
tively police on a national scale all violations of the anti-trust laws.

In urging the creation of an Indus-
trial Court to handle all anti-trust litigation, the report says:

"Its bench of five or seven mem-
bers should be as competent in the usages of business as they are learned in the law. To should go cases connected with the Sherman Act and the industrial codes by which it is implemented. It would deter-
mine guilt and assess fines, order dissolution or other appropriate order unlawful conduct. An appeal, strict-
ly limited to questions of law, would lie only to the U. S. Supreme Court. A host of cases, now scattered throughout the courts would be gathered into a single calendar to be handled by jurists competent in matters of the national economy. In time its mounting body of decisions would come to constitute for business a flexible code of public con-

The report advocates increased use of "advisory opinion" and consent decrees. "They need only to be cumb-
ined and to be fitted out with re-
quile instruments to emerge as an administrative process. Safety in the uses of such a weapon demands ade-
quately trained personnel and industrial analy-
sis. It likewise requires a compre-
tent and continuous oversight of the operation of the trade."

Jefferson to Miami

Miami, Fla. -- Tom Jefferson has taken over publicity here for Para-
mount Enterprises, Inc. Formerly
with Sehine circuit, Skouras theaters, Prudential and the New York Herald-
Tribune, Jefferson comes here after almost three years in Paramount Pictures' New York office.

"Love Thy Neighbor"

In 247 Spots Dec. 25

Paramount's "Love Thy Neighbor" co-starring Jack Benny, Fred Allen and Mary Martin, will have 247 day-
date Christmas engagements, Neil Agnew said Friday. Fox has its own release at the N. Y. Para-
tmount tower; national release is on Dec. 27.

\[...\]

Allied to Get All Decree Squawks

(Continued from Page 1)

Abvan F. Myers, it is pointed out that the decree provides for close observation of its workings by the D of J.

In maintaining continuing supervision by the Government," the bulletin reads, "leaves open the door of the De-
partment for registering complaints as to abuses of hardships experienced by the exhibitors in the actual op-
eration of the decree. The Depart-
ment is convinced that the fears of the exhibitors as to possible ill ef-
fects are groundless; protests based on actual experience are quite a different thing."

"To make such protests effective," the bulletin continues, "exhibitor or-
ganizations will have to gather and compile the facts, will have to ac-
cumulate enough instances to make a substantial showing, and will have to submit these in such manner and through such channels as to do the most good."

For that reason, Myers suggests that Allied regionals call them to the attention of national Allied so that the full scope and national character of the violations can be pointed out. In this manner, it is understood that Allied will act as a clearinghouse for the protest.

In regard to the decree, itself, Myers contends that there is no evi-
dence that any exhibitor group in the country, except Allied, is taking any steps to find out what the decree really means. He points to the re-

\[...\]

Md. Censor Fees May Jump Dollar

Baltimore—A Legislative commit-
tee, coming as a result of legislative reform in Maryland's ancient lawmaking sys-
tem, is ready to recommend to the State's General Assembly, which will convene January 1, to raise censorship fees from $2 per re-

\[...\]
REVIEWS OF SHORT SUBJECTS

Popular Science
Paramount 10 mins. Interesting and Entertaining
Any audience will find this subject interesting, entertaining and educational. A short subject that shows the amazing new vegetable and flower creations of Fred Golf, a mid-westerner, who is a leading exponent of new technical achievement, is seen in some of the many uses it is being put to.
Professor Oakes, the wiz of Waukosh, comes up with another crackpot invention. Dust explosions are investigated by the Chemical Engineering Division of the Department of Agriculture, and the development and use of contact lenses is shown.

Information Please
RKO-Pathe 10 mins. Punny and Entertaining
This release is one of the best in the Information Please series of shorts. John Kieran, Franklin P. Adams and Oscar Levant, are suggested as the writers of an interesting and hilarious script. The material used is excellent and here is more spontaneous and infectious humor in this issue than is usually found. The experts mull a couple of questions, but come out on top in the long run. Frank Donovan was the producer.

Telenews Theater Will Be Erected in Detroit
Detroit—The Michigan News Reel Co., Inc., has just signed a lease for property situated at 1540-42 Woodward Ave., and will erect another Telenews newsreel theater. Same interests operate theaters in Chicago, San Francisco and Cleveland. Plans are being drawn by C. Edward Schley, Detroit theater architect, and construction will begin soon after Jan. 1. Employer the Michigan News Reel Company, Inc., are Herbert Schetzel, president, and Alfred C. Burger, secretary.

News from RKO Studios
New West Coast Bureau of THE FILM DAILY
Hollywood—Edward Donohue has been tabbed as assistant to Director Irving Reis on “Show Business” at RKO Radio, the Alan Mowbray-Donald MacBride comedy which rolls Monday. Howard Benedict will produce, Morton Grant and Arthur V. Jones have completed script of Tom Holt’s “Range Robbers.” Jerry Cady has returned from a two weeks’ stay at the Circle Z Ranch near Nogales, Arizona, where he compiled the screen adaptation of “Repent at Leisure.” Benny Rubin has been signed for a role in “Summer and James Craig for second lead in “Kitty Foyle.”

For Sonja Henie Film
West Coast Bureau of THE FILM DAILY
Hollywood—Glenn Miller and his band have been signed by 20th Century-Fox for Sonja Henie’s next picture.

“Bring Himself Back Alive”
Paramount 7 mins. Poor Cartoon
This subject is very short on laughs. The character created for the principal role had possibilities, but the scriptwriter, in the removal of the short stife the humor. Hyde Skinner, a jungle trapper, sets out on his rounds. He lays a trap for a lion, but the lion reverses the position and Skinner gets blown up. A fairly funny gag involves a turtle used by Skinner as a means of transportation.

“Snow Fun”
RKO-Pathe 9 mins. Interesting Winter Sports
Filmed at Lake Placid, mecca of New York winter sports enthusiasts, “Snow Fun” is an interesting and hilarious release.
It depicts the numerous activities available for visitors at the winter resort, including skating, ski-joring, skating, bob-sledding, sulky racing on a frozen lake and mushing behind dog teams. Reel is interesting, the material is well selected, and it should serve to put an audience’s mind on winter sports and more winter sports. Frank Donovan produced.

Purdy Complaint Against Carroll Held Insufficient
Rochester—Holding the complaint failed to state facts sufficient for legal action, Supreme Court Justice Barr Kenyon has dismissed the suit filed last month by Mrs. Florence L. Purdy, Ithaca, to void a two-year lease under which H. G. Carroll Theaters Inc. operates the Strand Theater.
While quashing with $10 costs the suit against the Carroll firm, and its president and general manager, Howard G. Carroll, Justice Kenyon gave Mrs. Purdy 20 days to amend her complaint. The judge held that Mrs. Purdy said she will appeal the ruling or serve an amended complaint.
Suing as a minority stockholder of the estate of Kate C. Curtis, Inc., owner of the Strand Theater building, Mrs. Purdy demanded an accounting and that the lease and any other agreements between the estate corporation and the Carroll corporation be declared fraudulent and void.

Start Next “Hardy” Pix
West Coast Bureau of THE FILM DAILY
Hollywood — Metro will start its next in the “Hardy” family series this week with Kathryn Grayson, 16, added to the cast. Title is “Andy Hardy’s Private Secretary.” Kath- erin Brush wrote the story and George Seitz will direct.

Warners Assign Howard
West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. has assigned William K. Howard to direct “Bad Men of Missouri,” after having tentatively assigned two other directors to the film.
One-Third of Needy Product Not Sold

(Continued from Page 1)

pared with the total number of features booked. In terms of playing time, exhibitors have only bought sufficient product to operate their theaters for eight months of the year, the report says.

The AID report further asserts that an analysis of prices paid for flat rentals and guarantees for the 1940-41 season compared with last year proves that a vast majority of the exhibitors are closing their flat rental and guarantee deals for the same or for less money than last year.

Charts Show Survey Results

Results of the survey are set forth in a series of 10 charts, each showing the relative rental situation on a national and territorial basis. The various charts reveal the following data, based on cards received from independent exhibitors, in addition to the information printed above:

(A) Of all the pictures sold nationally, slightly more than 12 per cent of the total were on percentage and slightly less than 88 per cent were flat rental.

(B) The report claims that, with the exception of Metro, the distribution companies are selling more flat-rental contracts, discounting contentions of some companies that national sales policies require exhibitors to buy some pictures on percentage. Figures based on the total number of contracts reported show nationally that 42 per cent of the contracts were sold all-flat and 58 per cent were sold with some percentage figures.

Flat Paid 50 Per Cent for One Film

(C) Very few exhibitors paid 50 per cent for one picture, the majority of these being in non-Allied territories. The chart shows to what extent local exhibitors are willing to pay for pictures.

(D) The report alleges that during the 1939-40 season, it was generally understood that a guarantee was applied against percentage, preferred time was to be eliminated. A chart on this subject points to that the majors continue to require guarantees from exhibitors and, in addition, allegedly forced preferred playing time.

Deviations from Policy Charged

(E) Wide deviations from announced sales policies are claimed, with Metro leading the list. It is pointed out that United Artists, Monogram and Republic had no announced sales policies.

(1) Based on the total number of contracts sold, Metro permitted the greatest cancellation privileges.

(2) In the seven major markets, 47 per cent of all short subject contracts nationally were forced and in one territory the figure reached 75 per cent.

6.6 Per Cent of Exhibs. Unsigned

The AID analysis further contends that 6.6 per cent of the exhibitors reporting have yet to sign any contracts whatever for the 1940-41 product. It also asserts that an examination of the survey cards reveals that exhibitors in organized territories paid a lower percentage of the gross for film than did exhibitors in non-organized areas. This also holds true, the report declares, when the buying of members of exhibitor organizations is compared with that of non-members of the same territory.

A third AID report is being prepared and probably will be ready for release in late January. Sidney Samuelson is chairman of AID. Its other members include Arthur K. Howard, Don Rossiter, P. J. Wood and Abram F. Myers, counsel.

"Askit Basket" Assailed

As Illegal Game in Neb.

(Continued from Page 1)

prise, in violation to the state anti-
Bank Night law, County Attorney
Max Towle filed suit against R. H.
Huffman, city manager of the Lincoln
Theaters Corp., and the Nebraska
manager, Gene Shanahan, in Muni-
cipal court.

Target is the theater's quiz pro-
gram, "Askit Basket," a stunt by
which a country storekeeper (Huf-
uffman) asks questions, and if they're
answered correctly, hands them over
groceries. If the question isn't
answered, there are no prizes. The pro-
gram has been going two months.

Quebec Province Outlaws

Bingo and Other Games

Montreal—Bingo and games, even
under charitable auspices are no
longer to be tolerated in this
province, it is announced at
the Attorney General's Department.

Instructions have been issued to law
officers to enforce Article 236 of
the Criminal Code.

Protests have been flowing in from
the Retail Merchants' Association
and individuals who have seen an
abuse creeping in with tremendous
amounts of money going for Bingo
and other chance games.

Interstate Fort Worth

Houses in Car Giveaway

Fort Worth, Tex. — With Buck
Nites out at Fort Worth Interstate
Circuit theaters, seven houses are
now giving away a Ford in tie-up with
local car agency. Drawing will be held at the Worth Theater on Dec. 23.

Allied Polling Directors

On Capital Meeting Date

(Continued from Page 1)

year because Jan. 20 is Inauguration
Day and the crowds that storm the
Capital make it unadvisable to hold
the sessions on Jan. 19, 20 or 21,
according to Abram F. Myers, gen-
eral counsel. Myers points out that
vaudeville called just before or just
after those dates would enable those
directors who want to attend the
ceremonies to do so strictly on their
own.

Sidney Samuelson wants the meet-
ing to be held as late in the month
as possible so that another product
survey can be submitted by the Al-
lied Information Dept. Usually the
meets are held in mid-January and
extend two days. Samuelson has
suggested that the sessions next
year last three days.

Kuykendall Will Speak

At Kansas City Conclave

(Continued from Page 1)

be centered upon the consent decree
in the New York equity suit, and a
large turnout of exhibs. is expected
as a result.

Sessions will be held at the
KMTA's headquarters, 221 W. 18th
St. Convention luncheon is set for
the Variety Club.

Election of officers will take place.
Frank Cassil is the retiring presi-
dent.

Sunday Theater Donations

Cut Due to House Damage

St. Johns, N. B.—Exhibs. in the
Martine provinces who have been
donating the use of their theaters
for lighting, ushers, stages, etc., for
Sunday night patriotic gatherings
for war welfare, loan, savings
stamp campaigns, are turning
thumbs down.

With no admission fee, a silver
collection only being allowed, under
the Sabbath observance laws, there
has always been a crash when the
doors opened. Result has been con-
siderable damage to floor coverings,
walls, and doors.

"Santa Fe Trail" at Strand

WARNERS' "Santa Fe Trail," star-
ing Errol Flynn and Olivia de Hav-
illand, has been booked into the Strand Theater for a two-week period starting Dec. 20.

Vaudville Demand in New England

(Continued from Page 1)

of the leading film theaters in Maine
are using vaude. It is a great part of
the time and that many of the subur-
ban theaters of Boston are book-
ing vaudeville acts for at least
five nights or for week-ends.

"There is plenty of booking time
remaining for vaudeville acts and
they really are worth their salt," said
Domingo, "and to prove it let me
show you that many of the leading
vaudeville performers, and there are
just as many headliners now as in
those often-sighed-for golden days—
have sold bookings for many weeks to
come.

"Theaters throughout New
England are playing six vaudevi-
le acts and a feature film and making
a nice go of it, too. No, vaudeville is far
from dead, it’s more often the man-
agers who are so, for they cannot
many of them do—learn to book
vaudeville with the pictures so in-
telligently that a perfect set-up re-
resulting in attendance will be great-
ly boosted."

The George A. Hamid offices lo-
ed at 429 Congress St., Portland,
by Domingo. Office here book vaude-
ville acts daily in ever increasing
numbers, according to Paul Denish,
Hamid’s New England manager.

Three-Day Santa Fe Bally

Launches Warners "Trail"

(Continued from Page 1)

were 25 film "names," 185 newspaper
critics, magazine and trade page
writers, feature writers, news com-
mentators, radio and newsreel men
plus a contingent of Warner execs
topped by Charles Einfeld, Joseph
Hazen and Mort Blumenstock.

A 20-car special train brought the
East-West visitors here Friday t
and they were welcomed at the hotel
which started with the crowning of
Olivia de Havilland as Queen of
Santa Fe and a Friday the Third
Garrison's Grand Ball was held Friday
night.

Opening Saturday was preceded
by a sports carnival at the Santa
Fe Skid Club and pioneer parade
Premiere saw steers p.a.'s at all
three houses. Jubilee Ball followed
Program closed yesterday with
farewell parade.

Terry’s Shorts Program

For 20th-Fox 50% Ready

Paul Terry’s cartoon staff has
completed half of its year’s program
of Terry-Toons for 20th Century
Fox distribution. "The Snow Man,"
"The Temperamental Lion," "What a
Little Sneeze Will Do" and "The
Hairless Hare" carry the Terry-Toon
to the season’s half way mark.

The pictures so far have been di-
vided equally between Technicolor
and black and white subjects, an in-
crease over last year in the color
subjects. Four other cartoons are in
work at the New Rochelle studios.
SCOTT DRIVE FOR FREE PIX
Of Course, You've Heard of
"Man Bites Dog"
(Continued from Page 1)

Scott Drive for Free Pictures, stating that he has always co-operated to the fullest extent in their drives by giving extra playing time, advance payments, etc., and anticipates the same co-operation from them. His Drive, Scott says, will be conducted along the following lines: All exchanges to supply at least one free picture for each of his theaters. He in turn will purchase from them a one-sheet to be placed in front of his theaters while showing that particular company's picture, and will also run a trailer on his screen for one week showing which company produced the picture. The exchanges participating will not be allowed to loan or advance any monies but will be permitted to suspend payment for all product during Holy Week, he to make payment for this service at the end of the Drive on July 5. None of his employees are to receive prizes, and he is to derive the full benefit of this Drive. He expects to finish in first place nationally, and at the end of the Drive will hold a ceremonial dinner at $15 per plate, of which $5 will be used for food and entertainment and the balance will be used for a vacation for him to recuperate from the hardships of this phenomenal Drive.

Scott further stated that he feels it is his duty to include all the exchanges serving him and their home offices in this special Drive so that they can show to the world the gratitude they feel for the hundreds of thousands of dollars he has paid for shows during the past 20 years.

Novarro In Auto Accident
West Coast Bureau of THE FILM DAILY

Hollywood—Ramon Novarro was seriously injured in an auto accident.

The story opens at West Point in 1852, when John Brown, Massey, has been causing trouble at the Academy, and is discharged after a fist fight with Flynn, and Flynn and his six friends were involved in the brawl get sent to Kansas territory after their graduation by Robert E. Lee, Moroni Olsen, who commanding officer of the Academy, where the soldiers meet up with Brown and
RESERVE POWER

CAMERAMEN depend on the extra ability of each Eastman negative film to meet inevitable emergencies, and by so doing to help maintain exacting shooting schedules. This reserve power always has distinguished Eastman raw films.

Eastman Kodak Company, Rochester, N.Y.

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

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
U. S. HINTS ASCAP CONSENT DECREE NEAR

Ohio ITO to Ask Federal and State Bingo Levies

Exhib. Asks Members To Supply Data For Drive for Enactment of Tax Acts

Columbus, O.—The ITO of Ohio is preparing to ask State and Federal tax legislation for Bingo and similar games, according to a service bulletin to members issued by Pete J. Wood, secretary.

Wood asked members to investigate and ascertain just what Bingo games are being operated in their vicinity by church, fraternal and veteran organizations and report on a specially prepared form.

The ITO exec. points out that the h. o. intake is not keeping pace with

(Continued on Page 3)

S. R. Kent's Brother Killed in Car Crash

West Coast Bureau of THE FILM DAILY

Hollywood—Ernest Kent, brother of Sidney R. Kent, was killed yesterday morning in an automobile accident on Hollywood Boulevard.

His body was found at the side of the road.

Funeral arrangements await arrival of his brother, Sidney R. Kent, who left New York last night and is due here Thursday.

Bomb Breaks Windows In Brit. Technicolor Labs.

Technicolor's British laboratories had a close call recently when a Nazi aerial bomb landed in comparatively close proximity. It was learned yesterday. All windows in

(Continued on Page 6)

End of Romance?

Albuquerque, N. M.—On the marquee at the Rio Theater:

"Hold That Woman"

"I'm Nobody's Sweetheart Now."

Paramount Is First With Xmas Bonus

First Christmas bonus of the season in the film industry proper has been handed out by Paramount. Company gave a week's bonus to all employees making up to $50 per week, with maximum $50. Maximum this year was 20 per cent increase over last year. Metro and Warners are also reported mulling the bonus situation.

Ill. Legislature May Get Censorship Bill

Springfield, Ill.—Illinois Legislature which convenes in January may be asked to enact a State Censor Board measure as a result of controversy over municipal censorship in Chicago. Rep. Elmer Sandquist is reported considering slipping such a bill into the hoppers.

Sandquist also is studying various state tax plans, including the Nebraska proposal for a tax on all admissions.

Fox-Wisconsin Wins Suit Brought by Annenberg Co.

Milwaukee—Circuit Judge Gustav G. Gehrz yesterday ruled in favor of Fox-Wisconsin Amusement Corp. in the action brought against it by the M. L. Annenberg Investment Co., charging Fox-Wisconsin with breach of contract in the manage-

(Continued on Page 6)

16 Service Features in Cycle

"Flight Command" First; Comedies on Draft

Dietz in Washington For "Command" Dinner

Howard Dietz, executive in charge of promotion for Metro, left yesterday for Washington, where he will be master of ceremonies at the "Flight Command" banquet tonight at the Hotel Carlton that will precede the "hemispheric premiere of

(Continued on Page 6)

Ascap to Give Opinion of Blanket License or Paying Fees on a "Per Use" Basis. It is understood: Pact Also to Include Provision for Clearance at Source

by MILTON F. LUNCH
Washington Bureau of THE FILM DAILY

Washington—Despite Ascap denial, reports that the Justice Department and the Society were negotiating a settlement, were more pertinent than ever yesterday.

No Industry Reps. On AAA Directorate

Abram F. Myers, general counsel of Allied, has been advised by the American Arbitration Association that in view of long established policies, "there will be no appointments to our board of directors or advisory committees of any persons known to be connected with the motion picture industry and no appointments have been made."

Myers was so advised when the general counsel asked the AAA as to the authenticity of a report that R. C. Patterson chairman of the board of RKO, was scheduled to become a member of the AAA board.

Equity Boosts Its Dues To Limit Membership

In a move to limit the membership of Actor's Equity Association and protect members of long standing from an influx of people who are seeking stage jobs now that Equity has boosted the minimum per week.

(Continued on Page 7)

Trouble Under Decree, Kuykendall Warns OTO

 Oklahoma City — "Nothing but trouble is to be expected for exhibitors from the consent decree," Ed Kuykendall, MPTOA, proxy, told 150 exhibitors attending the Annual Convention of Oklahoma Theat- ers Owners, Inc., at the Skirvin Hotel

(Continued on Page 3)

Judge Campbell Will Hear Stadium Dismissal Motion

Chicago — Defendants' motion to dismiss and strike in the Stadium Theater trust case will be held before Federal Judge William Campbell instead of Judge Wilkerson. It

(Continued on Page 3)

Marquee Criticism?

New Orleans—Critical opinion had its say with a vengeance on the marquee of the Circle Theater here with the following:

"5 Little Peppers at Home"

"Victoria the Great"—4 Turkeys

(Continued on Page 7)
Fix Charge to Block Theater License Denied

Minneapolis, Minn.—David Gillman, picture theater operator here who seeks a license to re-open the Gayety, former barouque house, with a "grind" film policy, tossed a bombshell into a city council license committee yesterday when he charged that Harry Dryer, operator of the Bijou, across the street from the Gayety, had told him he "had it fixed" so Gillman could not get a license.

Gillman added that Dryer also had told every picture theater operator in town that no license would be issued to re-open the Gayety as a picture house.

Summoned by the committee, Dryer denied the "fix" charge but admitted he "would do all in his power to prevent issuance of a license," leaving the council in the lap of the City to settle.

Dan Thomas to Direct "U" Studio Publicity

West Coast Bureau of THE FILM DAILY

Hollywood—Dan Thomas has been placed in charge of Universal's studio publicity. In making the change, the company was primarily concerned with a realignment of the setup resulting from Dave Lipton's shift to Columbia as director of advertising. Universal's advertising vice-president, Eugene Murosky will supervise the sale and exhibition activities of the publicity department. Appointments were made by John Joseph, Universal's advertising and publicity chief.

Lipton will remain in Hollywood for two weeks to confer with Lou Smith, Columbia studio publicity director, before heading for New York.

Markey to Produce Three Under Columbia Contact

West Coast Bureau of THE FILM DAILY

Hollywood—Gene Markey will produce three features under a Columbia under his ticket with that studio. Columbia has also placed James Whale, director, under contract.

Wore to Tax Theaters 10% of Gross "Take"

Wore, Mass.—The Board of Selectmen has changed the method of taxing theaters. Instead of a flat $25 fee, the theaters in 1941 will be charged 10 per cent of the gross receipts.

Bradent to Visit Chicago, Minneapolis, Milwaukee

J. Noble Braden, executive secretary of the American Arbitration Association, left yesterday for Minneapolis, Milwaukee to continue his selection of prospective arbitrators and board clerks, preparatory to the establishment of the film industry's arbitration system. He expects to wind up his national round tour of exchange centers by Jan. 8.

Bookers Club Re-Elects

Haloid Kleen President

The Motion Picture Bookers Club met last night at the Hotel Lincoln and elected the following officers: President, Harold Kleen (re-elect); vice-president, Leon Greenfield; treasurer, Benjamin Levine; financial secretary, Peter Bogdani; acting secretary, Ariz Eloshi; sergeant-at-arms, Moe Rosen. Members of the board of directors are: Bernie Korn, Jack Gilber, Jannette Denhet, Max Fried and Harold Margolis.

Wants $100,000, Claiming Photo Used in Col. Film

Minnie Saltzman-Stevens, former opera singer, filed suit yesterday in New York Supreme Court against Columbia Pictures for $100,000 damages. She contends that Columbia used her photograph without her permission in the film "I'll Take Romance." Columbia has raised a general denial.

New York Film Board Will Elect Before Christmas

New York Film Board of Trade with a membership election to unite all factors of the entertainment world behind worthy charitable causes. The Goldwyn, chairman of the industry's permanent charities committee, has invited all radio station and radio program managers to a luncheon at its headquarters tomorrow.

In Civilian Air Reserve

Walter Beadle, Jr., of the Walter Beadle Circuit, and Harry Fellerman, Universal salesman, are the newest film industry recruits in the Civilian Air Reserve in this area, it was announced yesterday by Lester S. Tobias, adjutant of the C.A.R. for the N.Y. area. Beadle has already completed a number of hours toward a license and Fellerman starts his primary training course shortly.

COMING AND GOING

SINDY R. KENT left last night for Hollywood, called there by the death of his brother, Ernest Kent, in an auto accident.

JAMES R. GRAINGER, Republic proxy, left New York yesterday for Chicago, Des Moines, Omaha and San Francisco, and will spend Christmas with his family in Hollywood.

WALTER IMMERMAN, B & G manager, is in Los Angeles to set the opening date for the second run of GWTW.

WALTER VINCENT, vice-president, Wiscon & Independent, is on vacation, confronting with Frank O'Brien, city manager.

HOWARD DIETZ left yesterday for Washington.

WILLIAM R. FERGUSON, Metro exploitation manager, has returned from Atlanta.

F. J. A. McCARTHY, Eastern division sales manager for Metro, left last night for Toronto.

HAMILTON C. RICKBAY, attorney for Atlas Corp., and MRS. RICKBAY, arrived yesterday on the Santa Elena after a West Indies cruise.

ROBERT COBB, Brown derby manager, is at the Waldorf.

JACK BENNY and his wife, MARY LIVINGSTON, are at the Sherry Netherlands.

ERNEST SMITH, who arrived from the Coast.

FRANK DONOVAN, vice-president of RKO-Pathé, has returned to the home office from New York.

BOSSES LEV, art director on "Second Chorus," left New York yesterday for Austin.

EDWIN GILBERT leaves for the Coast next month to start work at Warner's on a serial assignment.

JOSEPH and ANTONIO, Spanish dancers, have postponed their trip to the Coast until January. They have been on a tour of the coast and today they will return to the Waldorf, where they are currently appearing in the Ser Room.

HERBERT J. YATES returned from the Coast over Christmas.

ANNA NEAGLE leaves the Coast this week for Chicago to make a p.a. there in connection with the opening of "No, No, Nanette," going to New York from there.

ROSALIND BLOOM, GIL GILD, SID RECINERIK, MITCHELL RAWSON and RALPH BUDD, of Warners, and a number of editors and writers, return today from San Francisco.

JACK HAYES and PAUL HARTMAN left for the Coast yesterday by car, reporting to RKO already where they will be featured in the Herbert W. Mitchell "Sunny." 

COL. WILLIAM J. DONOVAN arrived in London yesterday.

New V. C. Officers Dined

Indianapolis — The Indianapolis Variety Club, held its annual banquet for the installation of officers at the Claypool Hotel. Incoming officers include Kenneth Collins, chief Barker; Arthur Landes, assistant chief Barker; Albert Blocher, treasurer and Fred Greenburg, secretary.
Ohio ITO to Ask Tax on Bingo Games

(Continued from Page 1)

improved business conditions in Ohio, and observes that the trouble is not so much the quality of pix as it is competition. Of the latter, Wood says, "one of the worst is the Bingo rackets indulged in by various groups and all of which are operated 'scot-free' of all state and Federal taxes."

Wood says that whereas Ohio admission tax collections for the 11 months ended Nov. 30 increased 6 per cent to $1,572,398, the Ohio sales tax total jumped 12.5 per cent to $44,247,296.16.

Wood declares that churches in Cincinnati in 1939 collected over $2,000,000 via Bingo, and that this figure will be exceeded this year. He continues:

"If this industry is to be burdened with Federal and state taxes, we can see no reason for exempting the love groups and, in order that we may be fortified when we go before our State Legislature and the Federal Congress, we must have some authentic figures on which to base our computation of the amount of money that the Federal and state governments are losing by not taxing these Bingo games which, in many instances, are not only 'big business' but rackets."

Judge Campbell Will Hear Stadium Dismissal Motion

(Continued from Page 1)

is reported here that either side can call for action on three days' notice.

Case filed by Frank Ford, operator of the Stadium in Evanston, is based on alleged clearance difficulties.

Hollywood Stars to Attend Chi. Mayor's Xmas Show

Chicago—Among important Hollywood film stars expected here at Mayor Kelly's Christmas show at the Stadium on Thursday are Errol Flynn, Joan Crawford, Charles Ruggles, George Raft and Johnny Weissmuller.

Organizers of the affair predict an attendance of 25,000.

"Happy Birthday to You"

From THE FILM DAILY to

David Butler
Arthur Hoert
George Barraud
Charles Seibel

Trouble Under Decree, Kuykendall Warns OTO

(Continued from Page 3)

here yesterday. "This is the first time the Government has entered the theater business since its organization 25 years ago. The decree would never have existed if the distributors had granted the 10-point program of the MPTOA," he said.

Morris Loewenstein, operator of the Majestic Theater, Oklahoma City, was re-elected president for another year at the afternoon session. Other officers re-elected by acclamation were Max Brock of Lawton, vice-president; Leonard White of Weatherford, secretary-treasurer.

New directors elected were: Louis Grove, Oklahoma City, representing the Oklahoma City district; Lou Chatham, Griffin Theaters, Tula; Ed Holt, Coligate; Ed Crews, Waurika; Glenn Thompson, Healdton; Crawford Speaman, Edmond; Gerald Stetttmann, Chandler; Homer Jones, Alva; and Verbe Gunley, Perryton, Tex., representing the Texas district.

A director was elected from the Oklahoma City district listed as the new general manager of Standard Theaters, Corp., who has not been named since resignation of Walter B. Shuttee, announced this week here.

At the evening session H. M. Richem, M-G-M representative, addressed the group and F. H. Hembry of Dallas, regional representative of Ascap, outlined briefly the history of that organization.

Grainer Off for Coast To Spend the Holidays

James R. Grainer, Republic's president, left the home office last evening for the coast where he will spend the Christmas holiday with his family, stopping en route in Chicago, Des Moines, Omaha and San Francisco.

On his return trip East, Grainer will make stop-overs in Dallas, New Orleans, St. Louis and Indianapolis.

Mrs. Grainer accompanied her husband as far as Chicago, and will meet him in Hollywood.

Grainer expects to return to the home office on Jan. 11.

WEDDING BELLS

Richmond, Va.—Ben Somma, manager, Henrico Theater, was married to Ann Bruce Fletcher here. They are honeymooning in New York.

Clarksdale, Tenn.—Announcement that Helen Wood, radio and screen actress, will be married Jan. 1 to Dr. Alfred George Huenergert, Beverly Hills, Cal., was made here by Miss Wood's father, Ed T. Wood.
IF EVER A PICTURE MERITED ALL THE SPECIAL HANDLING AND PLAYING TIME YOU CAN GIVE IT, 'SANTA FE TRAIL' IS IT!

Available from WARNERS for Xmas and New Year's engagements.
"IRON RAILS TO KANSAS...
IRON NERVES FROM THERE ON!"

ERROL FLYNN
OLIVIA
De HAVILLAND
in "Santa Fe Trail"

RAYMOND
MASSEY
as John Brown

RONALD
REAGAN
as Captain Custer

ALAN
HALE
as Private Bell

WILLIAM LUNDIGAN • VAN HEFLIN • GENE REYNOLDS • HENRY O'NEILL • GUINN "BIG BOY" WILLIAMS

Directed by MICHAEL CURTIZ

Original Screen Play by Robert Buckner • Music by Max Steiner • A Warner Bros.-First National Picture
Dietz in Washington
At ‘Command’ Dinner

mier of the M-G-M aviation drama at Loew’s Capitol.

Pix will be shown simultaneously in Washington, Toronto, Havana and Mexico City, the linking of these cities marking M-G-M’s salute to Pan-American Aviation Day.

Walter Pidgeon, who has one of the leading roles in the film, arrived in Washington yesterday to head the Hollywood delegation to the premiere.

Preview of “Flight Command” aboard a Pennsylvania Central Airline transport Sunday night was termed a success yesterday despite minor mechanical trouble. PCA’s prexy, Bedell Monroe, envisioned a general exhibition of films abroad transports within the next few years.

Rahal Drops $50,000 Suit
Sought “Ridicule” Balm

Ohio City, Ohio.—Suit of Fogie Rahal, owner of Tomorrow Publishing Co., against the Universal Film Exchanges, Inc., and the Midwest theater, operated by Standard Theatres, Inc., who closed the picture, “Charles McCarthy, Detective,” was dismissed on motion of the plaintiff who said he is unable to get witnesses here.

The suit, before Judge Bower Badgoud in Federal Court, sought to collect $50,000 damages, alleging that the magazine “Tomorrow,” published here and its editor, were held up to “ridicule” in the film.

$1.65-$1.10 for Stage Shows
In Detroit Spots

Detroit—Fox and Michigan Theaters are raising 65¢ to $1.65 and $1.10 admissions for New Year’s Eve Shows. Houses played straight pictures a year ago at $1 for the Eve.

Stage shows will be the bill at both houses for the one day only—the Michigan’s stage show opens Dec. 31 for nine days while the Fox opens Dec. 25, to close on the eve, reverting to a policy of staggering stage shows and straight picture weeks at both houses.

Irwin Handling Keeler
West Coast Bureau of THE FILM DAILY

Hollywood—Ruby Keeler is back in Hollywood and has signed a contract with Lou Irwin to handle her.

Neuberger Rites in Rye
Funeral services were held in Rye Sunday for Harold S. Neuberger, 52, partner in the operation of the Fifth St. and Fifth Ave. Playhouses.

M-G-M in New Chi. Exchange
Chicago—M-G-M moved its Chicago Film exchange yesterday into the Warner building, where it will hold open house for the trade.

Two Dinner Will
Honor John Allen
Cincinnati—John Allen, Metro city salesman transferred as manager to the Washington, D. C. exchange will be given a testimonial dinner Saturday in the Queen City Variety Club and Cinemas Club. Allen will be honored by the local exchange with a dinner at the Hotel Alms Friday.

Bomb Breaks Windows
In Brit. Technicolor Labs.

(Continued from Page 1)

the Technicolor establishment were shattered by the blast, but there were no injuries.

Plant is continuing to operate on regular schedule, with November footage totalling about 1,250,000 feet. While no British features in Technicolor are shooting, a few smaller picture prints are being made prints of U. S. color features and is handling British shorts, including some for the Government.

Testimonial for Roy
On Utica Promotion

Albany—Andy Roy, Strand Theatre manager here the past five years, has been promoted to the Stanley, Utica, effective as of yesterday, according to an announcement by Moe Silver, Warner state zone manager. Roy succeeds William C. Haynes, veteran exhibitor, who died several days ago. He will be feted by circuit officials and exchange men tomorrow night at Jack’s Restaurant.

Succeeding Roy at the Strand will be Jules Curley, zone ad manager in Silver’s office.

Roy, well known in theater circles, previously has been in South Bend, Ind., Rochester, Cleveland and Syracuse.

Zone manager Silver will head the list of speakers at the testimonial dinner. Among larger groups of audience will be Jack Swarthout, manager of the American, Troy, a Warner Theaters house.

“Tin Pan Alley” Gels
Fourth Companions Pix

Detroit—The Adams has kept “Tin Pan Alley” for a fourth—but with a fourth different companion picture on the dual roll. Oddity is that there have been three airplanes pictures—“The Great Plane Robbery,” “Charter Pilot,” and “Give Us Wings.”

Start Soundies Production

First Eastern production on Soundies for Roosevelt-Mills was started yesterday at the Fox Movietone Studio in New York with Arthur Leonard and Dick Hyland handling the production. Vincent Lopez, Will Stanley and Ray Kinney operational are being used. Recordings were made yesterday and background work will be filmed today and tomorrow.

Fox-Wisconsin Wins
Annenberg Co. Suit

(Continued from Page 1)

ment of Annenberg’s Oriental and Tower theaters between 1934 and 1937.

Fox-Wisconsin was charged with waving clearance on pictures in favor of its Downer and State Theaters, in charge of the complaint against the Tower Theatres Co., court held, however, that Fox-Wisconsin faithfully fulfilled its obligations to the An- nemberg interests according to its contract.

L. C. Griffith Re-elected
By Oklahoma City’s V. C.

Oklahoma City, Okla.—New officers of the Oklahoma Variety Club are: L. C. Griffith, president of the Griffith Amusement Co., re-elected as chief baker; W. P. Moran, formerly secretary-treasurer of Southwestern Theaters, Inc., first assistant chief baker; H. R. Falls, general manager of the Griffith Amusement Company, second assistant chief baker; W. B. Zeolmer M-G-M exchange manager, re-elected district manager; Sol Davis, republic franchise co-holder, property man.

Directors: Dan V. James, manager of the Black hotel, one year; C. B. “Brownie” Akers, general supervisor of operations. Griffith circuit, two years; Henry S. Griffith, attorney, one year; Robert D. Hutchinson, Midwest Enterprises, Inc., two years; B. J. McKenna, Griffith circuit comptroller, three years and Jimmie Hobbs, Universal branch manager, three years.

Middle States In Deal
For Minnesota Theater

Minneapolis, Minn.—The Minneapolis theater is to be largest single house in the Northwest, which has been dark nearly a year, may re-open on New Year’s eve with a vaudeville continuous policy.

Minneapolis Theater Co., which controls the building, has asked the Federal referee in bankruptcy to order a creditors’ meeting within 15 days so that present trustees may be authorized to complete a deal with Middle States Corp., of Milwaukee, to operate the house. Trustees are C. D. Maclaren, St. Paul, and Gordon Greene and H. W. Boyce of Minneapolis.

The house last was operated by the Benz interests of the Twin Cities, with Greene as manager.

Sherwood to Make 2 for UA

West Coast Bureau of THE FILM DAILY

Hollywood, Calif.—Irwin Sherwood, Indy producer, announces that he will make two pictures with Elisabeth Berger as the star, and her husband, Paul Cohn, as director for United Artists release. First film will be “Rings on Her Fingers.”

HOLLYWOOD Speech—

By RALPH WILK

PETE SMITH has recorded his comments for his newest specialty, “Penny To The Rescue,” the cooking show with Prudence Penny of the L. A. Examiner. Wilke recorded the Technicolor one-reeler, the fourth in the series.

NEWCOMERS who find it difficult to "crash Hollywood" soon feel it should be described as an American city surrounded by the Wall of China.

CLARENCE BROWN has returned from New York to begin preparations for the preview of “Come Live With Me,” starring Jean Arthur, which goes into production at RKO Monday. Nelson, who was Wood’s assistant on "Kitty Foyle," is Ginger Rogers, is at Reno, Nev., with a camera crew for background scenes.

HAVING recovered from a mild attack of flu, George Murphy has reported to M-G-M to discuss his next assignment, and the possibility of a personal appearance tour of South America. He recently scored in "Little Nelly Kelly," in which he shared honors with Judy Garland.

SOL M. WURTZEL, accompanied by his wife, Lester Ziffren, now in South America, will be gone until March 7. Wurtzel had 12 pictures on this year’s program of which two have been completed, two nearly completed, and one starts tomorrow.

NANCY KELLY and John Sutton will play the romantic leads in Jane Withers’ next starring vehicle, “A Very Young Lady.”

GERTRUDE NEISEN has been signed on a one picture contract by Universal. The picture will be a musical which is not yet named.

CLAUDETTE COLBERT has been signed to a new contract by Paramount, under the terms of which she will make two pictures by 1943. She still has two to go under the old deal, the latest of which will be "Skydazz.

PARAMOUNT and Bing Crosby have made a new deal whereby he will continue with Paramount on a straight three-year contract, effective June 1, 1941. He will be permitted to make one outside picture annually.

DAVID HUGHES has been signed for role in "Tobacco Road" at 20th Century-Fox. Sam Arrow of the Lou Irwin Agency set the deal.
in Washington, Toronto, Mexico City and Havana. Picture, directed by Frank Borzage, has had a cast topped by Robert Taylor, Walter Pidgeon and Ruth Hussey. Filmed in cooperation with the Navy, it depicts air maneuvers at sea, with aircraft barriers, battleship and squadrons of fighting planes engaged in every hazard of the service.

In preparation also at Metro in "Combat Car," a story of the Tank Corps to star Wallace Beery.

Other Service features planned follow:

At Paramount: In production of "Wanted Wings," with Ray Milland, William Holden, Wayne Morris, Brian Donlevy, Veronica Lake, Constance Moore, Phil Brown and Harry Davenport. Being produced by Arthur Hornblow, Jr., with Mitchell Leisen directing and produced with cooperation of the United States Army Air Corps, a dramatic story of flying Americans in the air. In production, Buddy DeSylva's "Caught in the Draft," which will have Bob Hope and Dorothy Lamour in the leading roles.

At RKO-Radio: "Parachute Squadron" in production.


At Universal: In production "Buck Privates," conception comedy with music featuring Abbott & Costello and the Andrews Sisters; and "Sky Raiders," a serial dealing with aerial defense and the training of youth in the air.


At Republic: "Rookie's Roost," a conception comedy to go into production shortly.

Service Shorts to be Sold As Specials by Columbia

"U. S. Military Academy" and "U. S. Naval Academy," shorts made by Government co-op, will be coupled and sold as specials by Columbia.

Gran Named Chief Barker

By Milwaukee's V. C.

Milwaukee—The local Variety tent has elected new officers as follows: L. F. Gran, Standard Theaters, chief Barker; first assistant chief Barker, Harold Fitzgerald, Fox-Wisconsin Amusement Corp.; second assistant, Alfred D. Kvol, Warner-Saxe Theaters; B. J. Miller secretary and A. N. Schonis, RKO, treasurer.

Newly elected to the board of governors are Fitzgerald, Gran, Kvol, H. J. Mirsch, George Fischer, Roy Pierce, Harry McDonald, Edward Alperson and Oscar J. Ruby. Holdovers are Oscar Olson, retiring chief Barker, Sum Shorman, Edward Weisfeldt and Charles Trampe.

O'Shea-Bowen Luncheon

To Aid Charity Work

Proceeds from the testimonial luncheon being tendered Thursday at the Astor to Ted O'Shea and Paul Bowen will be turned over to the Charity Fund of Motion Picture Associates through an arrangement made by William F. Rodgers and Harry Brandt, it was announced yesterday. Tickets at $5 per are obtainable from Joe Lee at the 20th-Fox exchange.

Dayton's Amusus Now Dunbar

Dayton, O.—Floyd Williamson has reopened The Amusus and renamed the house The Dunbar.

Equity Boosts Dues To Limit Membership

(Continued from Page 1) to $50, the Council has boosted the initiation fee to $100 and ruled that all payments must be made in cash, no IOU's being acceptable. It is pointed out in an editorial in the Equity magazine that the profession is already overcrowded and that the new minimum wages were attracting a number of people who were more interested in the money than in the stage. Payment to Equity of initiation fees by managers is acceptable, it was said.

Mount Vernon Memorial Said Leased to Schines

Mount Vernon, O.—Memorial Theatre closed as of Dec. 9. It is understood that the theater has been leased by Schines who now control the town.

George Regas Stricken

Hollywood — George Regas, 50, stage and screen actor, died here.

Harold Corbett Dead

Worcester, Mass.—Harold Corbett, former manager of the Worcester Theater, died at Jersey City, N. J.
A SALUTE TO
North, Central and South
AMERICA
President Roosevelt has designated
today as
PAN-AMERICAN
AVIATION DAY

The ties that bind us together
in the Americas were never
closer. This is a day of hemispheric
patriotism.

The motion picture industry plays
its part. As you read these words
gallant pilots are winging their way
through the air with prints of
FLIGHT COMMAND (the new
Metro-Goldwyn-Mayer picture star-
ring Robert Taylor) to Toronto, to
Washington, to Havana, to Mexico
City and on down through the capi-
tals of all Central and South Ameri-
can countries. Banquets will be held
preceding the simultaneous interna-
tional preview.

Watch for FLIGHT COMMAND!
It is unquestionably a momentous
achievement in the drama of the
skies. Remember M-G-M’s "Hell
Divers"? "Test Pilot"?
You'll never forget FLIGHT
COMMAND.

ABOVE: Newspaper advertising dramatizes an important film event from Coast to Coast!

THIS AD APPEARS
TODAY IN 43 PAPERS!

Something new in launching a Film Premiere and of course M-G-M does it first! Direct box-office tie-up! Practical linking of a front-page story of national importance with M-G-M's new giant entertainment! When "Flight Command" comes to your theatre it's preceded by promotion that sells tickets in advance. Friendly Company, friendly to your box-office!

ARGENTINE DEALS ON CASH ONLY BASIS?
Cuban Exhibs. Ask Reforms Based on N.Y. Decree

Proposals for Compromise Of Block-Booking Dispute Before Commerce Minister

By MARY LOUISE BLANCO
FILM DAILY Staff Correspondent
Havana (By Air Mail)—Proposals for compromise settlement of the anti-block-booking bill controversy here, suggested by terms of the equity decree recently signed in New York, have been forwarded to the Minister of Commerce by the Association of Exhibitors of the Republic of Cuba, it is learned.

Meanwhile, the product shortage is becoming daily more acute, one (Continued on Page 6)

O'Loghlin Heading Canadian Distris.

Toronto—J. P. O'Loghlin has been elected president of the Motion Picture Distributors Association, the organization which will represent all the major companies in Canada. O'Loghlin is general manager of 20th Century-Fox Ltd.

Col. John A. Cooper continues as chairman of the board. The MPDA will function in a similar capacity to that of the MPPDA in the United States but will have no connection with it except indirectly.

Dietz in Pix Defense Keynote

Industry's Special Job is "Morale-Power," Metro Exec. Says at "Flight Command" Dinner

By MILTON F. LUNCH
Washington Bureau of THE FILM DAILY

Washington—Howard Dietz, Metro's executive in charge of promotion, sounded the keynote of industry co-operation in national defense here last night as toastmaster of the "Flight Command" dinner at the Carlton Hotel.

Defining "morale-power" as the "particular job of the motion picture industry" in the national emergency, Dietz pointed out that "the movies can show the public the progress of our defense forces and, perhaps even more important, can show the ideals which are all bound together to defend."

"Never get the idea that the shadow world isn't a reflection of the democracy that survives in the real world, for the movies have shown by their dominance in the world market that what the people of all nations really like is the freedom of the open plain, the camaraderie of the cafe, the intimacy of the taxi-driver with his passenger, the interrelation between the poor and the rich, the success story of Cinderella and the social gestures of a Mr. Deeds," Dietz declared.

"It is these things that caused governments, to whom democracy is (Continued on Page 4)

10 Features Added To Shooting Total

West Coast Bureau of THE FILM DAILY
Hollywood—Ten pictures are scheduled to roll this week. At Columbia: Six shooting. None scheduled to go this week. At Paramount: Five shooting, in (Continued on Page 8)

Para. Restricts Legit. Coin to "Good Plays"

Paramount is interested in backing and play which the company (Continued on Page 4)

F & M Wins Action Against Ex-Counsel

St. Louis—Counsel for John S. Leaby and his law associates, Lambert E. Waith and Harold F. Hecker, against whom Circuit Judge Joseph J. Ward awarded a $33,500 judgment in favor of Fanchon & (Continued on Page 8)

Ontario Gov't to Train And License Operators

Montreal—Despite protests from labor bodies and trades unions Pre (Continued on Page 8)

Arbitration for Ascap, BMI? AAA in Offer; Ascap Decree in 38 Hours?

Committee Drafts Rules For Academy's Awards

West Coast Bureau of THE FILM DAILY

Hollywood—Rules to govern the 1940 Academy Awards were drafted by the Awards Committee at its first meeting here last night. Walter (Continued on Page 8)

"Love Thy Neighbor"

Riding to the current cinema scene via one of the most intensive advance build-ups a feature film has enjoyed, "Love Thy Neighbor" packs the power to grab grosses in every situation, not only because of the entertainment it offers, and the magnetic names of Bessy and Allen in the same production, but, too, the radio "feud" of the comedian leads which has made them a vortex of public attention wherever there is a receiving set. Here is topflight diversion—light, swift-moving and cleverly presented. Audiences in all brackets will go far for this one. (For full review turn to Page 7 and for color story of last night's opening turn to Along the Rialto on Page 4.

-MORRIS
225 Attend Schwartz Testimonial Luncheon

A testimonial luncheon to Arthur Schwartz, who has resigned as chief booker for the Brandt circuit, was attended yesterday by 225 persons at the Hotel Statler. Joe Lee was toastmaster and speakers included Tom Conners, Milton Kussel, Henry Kungman and Harry Brandt. Schwartz was presented with a cine-Kodak camera.

Larger house than usual announced: "Mr. Schwartz Goes to Messing." Schwartz is joining his father-in-law in the operation of the Messing Baking Co.

Screen Readers Guild Seeks NLRB Hearing

Petition has been filed with the NLRB by the Screen Readers Guild for a formal hearing before local representatives of Metro, RKO. 20th-Fox and Universal to establish the Guild's right to represent outside readers and bargain for them. Schedules of informal hearings were held last week between legal representatives of the companies and the Guild. Companies hold that outside readers are private contractors and not employees.

Upholsterers Ask $10,000 Injunction vs. Stagehands

Locals 44 and 45 of the Upholsterers International Union of North America, yesterday filed suit in the New York Supreme Court against Local 1, New York stagehands, for an injunction and $10,000 damages. The defendant is charged with seeking to drive the Upholsterers from the field of furnishing theaters with curtains, drapes and wall hangings. The claim is that the contractors obtained by the plaintiff.

Cliff Lewis Heads Para.'s Exploitation Department

West Coast Bureau of THE FILM DAILY

Hollywood—Cliff Lewis has been made head of Paramount's exploitation staff under Bob Gillham and will make his headquarters in New York.

Steinbeck Mexican Film for Early 1941 Release

Pan American Films, Inc., expects to release the John Steinbeck Mexican film, produced by Herbert Kline and A. Hackenschmied, early next year. Subject is tentatively titled "Forgotten Village."

Wednesday, December 18, 1940

COMING and GOING

THOMAS ORCHARD, associate producer of the March of Time, has returned from Pittsburgh where material for a new subject was filmed.

BUE HERBERT arrives today from the Coast.

JACK LYNCH, March of Time director, has returned to his desk after a two weeks' vacation abroad.

GEORGE DRISCOLL, March of Time designer of the United States, has returned from Canada where they were shooting material for a new subject.

G. L. CARRINGTON, vice-president and general manager of ABC, and HARRY B. MIZEY, secretary-treasurer, have returned to the home office from business trips.

HOWARD DIETZ, ART SCHMIDT and RAY BELL return today from Washington where they attended the "Flight Command" banquet.

Canadians Division Manager LEO DEVANEY, captain of the Ice Queen, will return to the RKO radio home office.


Midwestern District Manager WALTER BRANDSON of Chicago is at the RKO Radio home office.

Branch Manager A. N. SCHMIDT of Milwaukee is at the RKO Radio home office.

Eastern Division Sales Manager ROBERT MOCHRIE of RKO Radio in on a business trip to the Detroit exchange this week.

RKO PublicityDept. Will Occupy Entire 10th Floor

RKO's publicity department will take over the entire 10th floor of the RKO Bldg. next month. Floor is being remodeled into a number of modern offices to house the various units of the publicity, advertising and exploitation departments.

Ont. Provincial Council Board Meets Again Jan. 7

Toronto—Newly organized Ontario Provincial Council Board held its second meeting yesterday, but issued no statement except to indicate that a spirit of harmony prevailed. Next meeting Jan. 7.

Dry Returns Rio

Rio de Janeiro (By Air Mail)—John L. Day, Para.'s South American manager, has returned from a short visit to B. A. and Santiago de Chile, where he conferred with the company's local managers.

Sam Burger, at present in B. A., is expected here for the opening of the two new Metro theaters.
HOW'S YOUR PRE-CHRISTMAS BUSINESS?

The picture we said would do “Business before Xmas” is now playing at the Rialto Theatre, New York — DOING THE BIGGEST BUSINESS THAT THEATRE HAS DONE IN OVER A YEAR!

Don’t Wait for Santa! Date Your Universal Xmas Present NOW!

"TRAIL of the VIGILANTES"

starring FRANCHOT TONE • WARREN BROD • ANDY DEVINE
WARREN WILLIAM • CRAWFORD • MISCHA MORA
PEGGY AUER • HALL • Porter

Original Screenplay by Harold Shumate
DIRECTED BY ALLAN DWAN

A UNIVERSAL PICTURE
a menace, to sever relations with our shadow world. And it is these things which make the motion picture industry rise to the occasion, like a good soldier, to make short films like 'Eyes of the Navy' that can assist in recruiting, and feature films like Flight Command, which show that ours is no nation of military caste bound for dominance, but rather that we have a strong voice and ideals that were not thought up yesterday to be discarded tomorrow. The motion picture is a servant of the nation and the Hemisphere and, above all, a servant of the public, which gives one supreme command; when we, the people, say, 'no more.'

Dinner was under the auspices of the National Aeronautic Association which also sponsored the opening of Metro's "Flight Command" at Leaw's Capitol Theater before a notable audience which included diplomat's reps. from virtually every American republic. Local premiere held as a feature of Pan-American Aviation Day was one of the most enterprisingly, others taking place in Toronto, Havana and Mexico City. Picture was enthusiastically received.

Dinner speakers introduced by Dietz and heard over the radio via Mutual's network included Admiral Harold Stark, Chief of Naval Operations; Gen. George C. Marshall, Chief of Staff of the Army; Dr. Leo S. Rowe, director of the Pan-American Union; Thomas Burke, chief of the Division of International Communications of the Dept. of State, and Walter Pidgeon, who has a leading role in the film.

Para. Restricts Legit. Coin to "Good Plays" (Continued from Page 1) believes will be a success but there are no plans to go heavily into the legitimate side of the business, an executive said yesterday in commenting on a newspaper report to the effect that Paramount would back a "record number of plays" this Winter.

"Show us a good play and we'll be interested," the executive said, adding that the offer also went for story material for pictures. He said there was no move to back any more plays than usual. Paramount now has a one-third interest in "Lady in the Dark."

Martha Albert, secretary to Al Bondy, was married to Samuel Dornfeld here and they are now honeymooning in Washington, D. C.

Jean Muir, screen actress, and Harry J. Warner, obtained a marriage license at the New York Municipal Bldg. yesterday.
The Dionne Quintuplets
"Growing Up"
The Dionne Quintuplets going on seven... with Dr. Dafoe telling you all about it.

Walt Disney's
"Fire Chief"
Donald Duck's three nephews—a false alarm—and a real alarm, in a flaming riot.

"Pantry Pirate"
Pluto plundering the kitchen—and mixed up in a million-bubble bath that's a scream.

The March of Time
"Arms and the Men, U. S. A."
The full story of the first peacetime conscription in U. S. history.

"Labor and Defense, 1941"
Every man a vital cog in the wheels of industry as the U. S. girls for total defense.

Information Please
LOUIS BROMFIELD, famous novelist, guest expert, and the regulars, Fadiman, Kieran, Adams, Levant.

WENDELL L. WILLKIE, guest star in his second appearance with the famous foursome.

In the Sportsscopes Series
"Snow Eagles"
Skiing, skating and other snow sports at Sun Valley... Sportscope crammed with action and fun.

A New Picture People Release
with Carole Lombard, Robert Montgomery, Alfred Hitchcock, Edgar Bergen, Charlie McCarthy as your public wants to see them.

The finest in screen entertainment!
Argentine Deals On Cash Only Basis!

Albanian Pix Theaters Reopen Under Greek Management; 1938 U. S. Films on Screens

Korizia, Albania. (By Cable) — Although this city was occupied by the Greek forces only three weeks ago, film theaters have been re-opened under Greek management. Movie houses are open daily to 10 p.m. and on Sundays to 11 p.m. Pictures are being brought from Greece and England. Features made in the U. S. in 1938 are being shown with Greek sub-titles.

Kuykendall at M-KTA New Film Library Calls Decree 'Stupid' At N. Y. University

Cuba Wants Reforms Based on N. Y. Decree

(Continued from Page 1)

new theater being unable to open, and notices have been posted by film companies that wage reductions up to 50 per cent will have to be put into effect shortly if the existing measure is retained in its present form.

Proposals of a compromise by the exhibitors, the acuteness of the problem between exhibitors and distributors which may follow, and the fact that Cuban film business is virtually standing still are factors which should force some speedy settlement of the situation.

Terms of the exhibitors' suggested compromise are as follows: (1) That pictures be contracted for at not more than 11, with the obligation on the part of the distributors to preview at least four pictures before the contract is signed. (2) That contracts for pictures not yet produced or in the process of distribution be prohibited. (3) That there be established a Board of Coordination in conjunction with the Ministry of Commerce, composed of representatives of all parties concerned with the purpose of regulating the functioning of the motion picture business with the power to solve all that may arise, including the power to arbitrate or conciliate any controversy which may develop between exhibitors and distributors or among the exhibitors.

In the exhibitors' memorandum to the Ministry of Commerce, it is pointed out that block-book and blind-selling have been stopped in the U. S., that block-book has been prohibited in England for some years, and that in most European countries contracts call for small blocks of pictures which are reviewed.

The exhibitors state in their brief that they remain unalterably opposed to a suggested plan of booking for six-month periods in advance, and assert that under the present system of booking and buying the independent producer has his market too restricted because exhibitors have already been sold more pictures than they can use.

Cuban film business ceases to be a business with the new decree, they say, and it will have to be regulated.

Cooper, Jane Withers Teamed

“Swing Influence?”

Wednesday, December 18, 1940

“Man Bites Dog”

Rochester — When a man bites a dog—that’s news! And so it’s news when a newspaper business staff reverses the usual procedure and throws a dinner for theater managers.

That’s happened here when the Democrat and Chronicle business manager and his aides gave a game dinner at the swank Rochester Club for Lester Pollock and Louie; Jan Golden of the RKO Palace; Charley Freeman of the Century, and William Cadoret.

Metro Pep Club Honors

Donaldson and Goldstein

New Haven — The annual Warner-Xmas party and the Metro Pep Club Xmas party are both slated for tomorrow, the former at Waverly Inn, and the latter at Oakdale Tavern. Thomas Donaldson, who has been promoted to the Boston exchange from New Haven, and Morey Goldstein, who succeeds Donaldson in New Haven. George Weber, checker-supervisor, is in charge of arrangements, assisted by Milton Ryan, president and Charles Lazarus. A grab bag is planned.

“Bits from the Capitol”

“West of Broadway”

In Washington, Charles Cooper and Jane Withers will be teamed by Columbia in “Her First Beau” adapted from the Colin Clow—Florence Ryerson play “Jane Madd.” Cooper and the director, J. Theodore Reed, were borrowed from Para, Miss Withers from 20th-Fox.

Swell Influence?

"Love Thy Neighbor" with Jack Benny, Fred Allen, Mary Martin, Rochester, The Merry Macs, Verree Teasdale, Virginia Dale

"Chad Hanna" with Henry Fonda, Dorothy Lamour, Linda Darnell

"Raggedy Ann" with Ann Gafney, Natalie Kalmus, Associate, Morgan Pedofello; Art Director, Richard Day; Associate, George Dudley; Editor, Barbara McLean; Music by David Buttolph.

"Bagdad" Canadian Bow Aids Coventry Victims

Toronto — Canadian premiere of "The Thief of Bagdad" will be held in Ottawa’s Elgin Theater on Dec. 22, with the entire proceeds going to the victims of the Nazi raid on Coventry. Eng. Receipts are to be cabled to the mayor of Coventry. Seats will sell for $2.50 top.
10 Features Added To Shooting Total

Arbitration for Ascap, BMI? AAA in Offer; Ascap Decrease in 48 Hours

(Continued from Page 1)

its services to both Ascap and BMI. It is understood that the AAA has offered to arbitrate any controversy that may arise from a consent decree or a contract establishing trade agreements. It was reported that the panels of arbitrators and rules of procedure in all parts of the country would be at the disposal of both organizations.

Meanwhile, it was learned that a consent decree in the six-year-old anti-trust suit filed in New York against Ascap by the Department of Justice will be agreed upon within 48 hours.

Ontario Gov't to Train And License Operators

(Continued from Page 1)

mier Mitchell Hepburn has determined to go ahead with a plan to have motion picture projectionists trained under the auspices of the Ontario Government which will give students a 12-months' course of instruction at a cost of $100 each. The course will open shortly under the auspices of O. J. Silverthorne, chairman of the Ontario motion picture bureau and censor board.

Premier Hepburn brushed aside a protest from Brantford that many projectionists were out of positions and that the course was untimely. He said the Government was responsible for licensing theaters and inspecting them for fire protection and as the greatest fire hazard was in the projection room it followed that the Government which licensed the projectionists should pass upon their qualifications.

The projectionist student will receive certain instruction when he passes the Government tests.

Chicago—Charles Stone, formerly at the RKO Palace, is the new musical director at the J & S Oriental.


At Universal: Six shooting. None scheduled to go this week.

At Warners: Six shooting. None scheduled to go this week.


Ted Richmond's first Henry Armetta starring vehicle for Producers Releasing Corporation, as yet untilled, with producer Jean Yarbrough and Irish Meredith only other member cast. Story and script was written by Al Martin.

F & M Wins Action Against Ex-Counsel

(Continued from Page 1)

Marco, Inc., and two of its Missouri affiliates, have announced that they will file a motion for a new trial if this request is denied by Judge Ward, it is probable an appeal will be taken to a higher court in this decision.

The ruling in favor of Fanchon & Marco as handed down by Judge Ward orders that 214 notes for $200 each executed by F & M Dec. 3, 1936, and payable to Leahy, be canceled and annulled. These were the outstanding unpaid notes of a series of 325. The Court also ordered that a temporary injunction be made permanent which will probably be granted by the court.

Fanchon & Marco had brought suit for $42,200, as the return for legal fees already paid to Leahy, Walther and Hecker, but Judge Ward held that the amount recoverable was but $30,876, which, with interest added and a credit deducted, left the balance of $33,500 for which the judgment was given.

Expect to Raise $300,000 At Chicago Xmas Benefit

Chicago—City officials and others promoting Mayor Kelly's Christmas benefit tonight predict that more than $300,000 will be collected for the Christmas Fund. An attendance of 21,000 is expected.

More than 300 union operators will donate their services for the Movie Christmas Basket Party to be held in Chicago theaters on the morning of December 23rd. The tickets for the baskets will be collected for the needy.

Towers Theater Suit Shifted to U. S. Court

Philadelphia—Suit of Towers Theater Co. of Camden against Twentieth Century-Fox has been shifted from local Common Pleas Court to U. S. District Court on request of the defendant's attorneys. Date for trial is late this week and should come up after the middle of January. Harry A. Kalish is now attorney for the plaintiff, Richardson Dilworth, first counsel, being called out of town.

Baudoin New "Czar" Of French Industry

Vichy (By Cable)—With Pierre Laval out as Vice-Premier, Premier Petain has designated Paul Baudoin, Secretary of State, as the film industry's "czar," with Jean-Louis Tixier-Vignancourt as aide. Rene Plougonven continues as Government Film Commissioner.
SEES QUALITY, NOT COST, TO FIX TERMS

Wolfson Calls Miami Exhib. Conclave on Decree

Wometco Circuit President Sponsors Meet on Dec. 31; All Theater Men Invited

An unofficial national convention of exhibitors will be held in Miami on Dec. 31 for the purpose of discussing all phases of the consent decree in the Government's equity suit. The meeting is being called by Mitchell Wolfson of Wometco Theaters. While the sessions are expected to be attended largely by exhibitors of the Southeast, theater owners everywhere are invited.

Affair is said to have no exhibitor organization sponsorship, exhibitors of any or no affiliation being welcome.

Asap Consent Decree Not Related to Radio

If and when a consent decree is entered into between Ascap and the Government it would not be a settlement of the controversy between Ascap and the Radio networks, according to a statement made last night by Gene Buck, president of Ascap.

A series of conferences between (Continued on Page 4)

Empire, Syracuse, Going To Schines Under Lease

RKO-Schine pool in Syracuse, N. Y., will be further increased on Jan. 1 when the Empire, on the Main Stem, passes to Schine under (Continued on Page 4)

Briggs Quits Pathe For New Distrib. Co.

Having resigned from Pathe, O. Henry Briggs shortly will become associated with a new distributing company. Briggs said yesterday that he expected to make a formal announcement within a week.

Briggs became president of Pathe Film Corp. in 1936, having previously been with the du Pont company since 1918.

MPTOA Convention May Go to Frisco

A date for the annual MPTOA convention will be set shortly after Jan. 1, Ed Kukendall, president, said yesterday in New York. Directors will be polled as to the time and place. Kukendall said that while no city had been selected officially, all indications pointed to the West Coast, possibly San Francisco, as the scene of the sessions.

May Lease Theaters For Decree's Shows

Extent to which trade shows will be patronized by exhibitors when the consent decree becomes effective is expected to determine whether screening rooms or a co-operative theater will be used.

It is understood that several of the so-called "Big Five" will trade-show their pictures at the outset (Continued on Page 7)

Want Nation's Theaters To Play All Defense Fix

Plans for the nation's theaters to co-operate in the national defense program were formulated yesterday at a meeting of the theater committee headed by Joseph Bernhard. A move to enlist all theaters in the campaign was launched, the idea being to get exhibitors to play all (Continued on Page 4)

No Borrowing for 20th-Fox To Finance Decree Production Via Earnings

Cuban Dists. Joining To Produce 6 in Spanish

Havana (By Air Mail)—Zenith, Afa and Tropical Films, local distributing companies, are joining in a production venture. Six Spanish-language features are planned for 1941.

New Basis for Rentals Under Decree, Says Schaef er; RKO Planning 40 for 1941-42: Five to Eight Films Ready in July; Deals With Outside Producers Talked

Film rentals under the consent decree will be based on quality rather than on the production cost of the pictures in the opinion of George J. Schaef er, president of RKO. At a trade press conference yesterday, Schaef er predicted several other changes in the present system of distribution.

At present, he said, allocations often are determined by the cost and prospective importance of a picture, whereas under the new setup, when features are sold in small groups and on their (Continued on Page 10)

2,000 More Theaters Get Red Cross Film

More than 7,500 theaters played the special Red Cross film produced by Warner Bros., during the Red Cross membership drive period, the MPPDA board was informed yesterday at the quarterly directors' meeting. Agenda of the meeting was (Continued on Page 4)

Raw Stock Shortage Faces B. A. Studios

Buenos Aires (By Air Mail)—Shortage of raw stock, especially negative, is confronting Argentine producers with two exceptions, Lamiton and Argentine Sono Film. Latter two reportedly have Agfa reserves. Next shipments from the U. S. are said to be a month distant. Both EFA and Pampa Film may be forced to halt shooting unless stock is made available to them by other studios.
Pix and Press Officials Hear Andy Roy Praised

Albany—Seventy-five theater and exchange officials, managing editors of all papers, and broadcasters were present to hear Andy Roy, dean of Warner theater managers in this territory, acclaimed as an outstanding exploiter and a credit to the biz in the film-civic relationship he established by Moe Silver, Warner zone head.

The affair was held at Jack's restaurant here. Silver asserted Roy's promotion to the Stanley, Utica, largest Warner house in the territory, was richly deserved. Other speakers included Charlie Sminks, district manager; Max Friedman, zone booker; Jules Curley, Roy's successor at Strand Theater here, and Lou M. Golding, Fabian district manager.

Chi. Reel Fellows Club Names Weinsheinber Prexy

Chicago—The Reel Fellows Club, has been organized by salesmen of the various Chicago film agencies. W. E. Weinsheinber of Universal has been elected president, Lou Goldberg of Paramount vice-president. In charge of public relations: A. M. Van Dyke of 20th Century-Fox, secretary and Robert Funk of Universal, treasurer. Perry Barr of the National Screen Service is sergeant-at-arms.

The new organization will hold a dinner dance in the Gold Room of the Congress Hotel Jan. 31.

MP Associates Nominate Lee, Beier, Levy for Prexy

At a luncheon meeting yesterday at the Astor the Motion Picture Asso- ciated nominated officers to be voted on in January. Jack Ellis for president, William Craft as candidate for president, James T. Beier for first vice-president, Beier for second vice-president, Jules Levy, treasurer, and Robert Hattam, secretary. All were elected.

"Neighbor" Doing NWMP Biz at New York Para.

"Love Thy Neighbor" yesterday was reported running neck and neck with receipts accorded NWMP at the New York Paramount. Bob Weitman estimated the day's take at $3,500. "Neighbor" playing at regular scale, while prices were tilted for NWMP. Jack Benny made another p.a. last night.

Warner Theaters to Use Only Ascap Catalog Tunes

Only Ascap tunes are to be played in Warner theaters, the circuit head- quarters here has advised all managers.

Locow's Bonus Going To 5,700 Workers

Employees of Locow's, Inc., receiving less than $40 a week will be given a Christmas present of two weeks' salary, the bonus not to exceed $50. Those who have been with the company six months will receive one week's salary, not exceeding $25. A similar bonus was distributed last year. Bonus goes to 5,700 employees.

800 to Attend Luncheon For O'Shea, Bowen Today

Six hundred industry leaders and affiliates are expected to attend the testimonial luncheon for E. K. "Ted" O'Shea, Metro's new Central division manager, and John J. "Jack" Bowen, his successor at Strand Theater here, and Lou M. Golding, Fabian district manager.

COMING AND GOING

ED KUYKENDALL, MPTO proxy, returned yester- day to his home in Columbus, Miss. from New York.

H. M. RICHET, director of exhibitor rela- tions for M-G-M, returned yesterday to Kansas City.

J. CHEEVER COWDIN, Universal board chair- man, arrived at the Coast by plane yesterday.

J. CARLOS BAVETTA, Brazilian manager for 20th-Fox, arrives here from Rio by plane now.

JOHN EBERSON, architect, left last night for Washington.

BARRY FITZGERALD and MARCOT will arrive from the Coast next week to start rehearsals for Jack Kirkland's stage play, "Taynard Street."

JAMES K. McGUINNESS, M-C's scenar- iologist and producer, is stepping at the Sherry-Nether- land.

ANTONIO GARCIA, manager of Warner Bros. office is here on a vacation.

PAT McMANN, new operator of the Stater Theater, New Britain, Conn., plans to go Miami to see football match on New Year's of his alma Mater, Georgetown, and Michigan.

EMIL STERN, Essaness presby, and his fami- lies are here on a Winter vacation in Florida.

BOB RUSSELL of the Loew-Pool, New Haven, is planning a New Year's trip to Atlantic City.

ADOLPH JOHNSON, of the Strand, Hamden, Conn., is planning a Xmas trip to Miami Beach where his son Robert attends in physical at Macfarlane's Desvous Hotel.

JOCK LAWRENCE, publicity director for the Producers Ass'n, is here from the Coast working on the Greek war charities campaign.

SIDNEY SCHWARTZ, Metro rep. in Singapore, is here and stopping at the Warwick.

Theater Biz in Orient Said Best in History

Theater business in the Orient lists the best in history, according to Sidney Schwartz, traveling auditor for Warner Bros., who is in New York. Schwartz says that people in his territory, which includes most of Asia and the Philippines, are finding relief from the war tension by attending motion picture theaters. He will return to the Orient after the holidays.

Jules Chapman Resigns

Jules K. Chapman, assistant to Harry Thomas, Monogram district chief, has resigned and will announce a new affiliation shortly.

U. S. Pic into Ascot

Ascot Theater, the Bronx, will reopen Christmas week with a policy of American-made houses. House was closed over the week-end for alterations. It is formerly specialized in foreign.
Jay No Borrowing for 20th Cent.-Fox

(Continued from Page 1)

ner, he says, and he adds that the company does not feel that it will become necessary to turn to the banks for financing.

"We have been striving for and have attained financial independence," the Kent president said. "We want to continue to operate with funds we earn. We need not borrow—if you continue applying the formula that has proved so effective in our annual Drive."

The sales force's most important job, Kent declares, is in getting "every possible divorce" during the next three months.

"Every dollar you earn in the next three months is worth $1.50 to your company," he pointed out.

The consent decree, it is emphasized, means greater investment in productions—"that it is not a question of picture-for-picture schedule, but the maintenance of a schedule that will tie up more funds over a longer period than is the case now."

20th-Fox to Finish All Current Specials Apr. 15

West Coast Bureau of THE FILM DAILY

Hollywood—Production on all specials on the current 20th-Fox program is expected to be completed by April 15. Starting in January are "Blood and Sand," "Great American Broadcast" and "The Eagle Flies Again." "Man Hunt" starts February and possibly "Belle Starr" as well, although latter may not get under way until March.

Switow Acquires Third House in Seymour, Ind.

Indianapolis—the Switow Circuit, Louisville, Ky., has acquired the Vondue Theater, Seymour, from the Vonderschmitt Circuit, Bloomington. Harry Palmer, will be retained as resident manager. The Switow Circuit also operates the Majestic and Little Theaters in Seymour.

It Had to Be "Four Fathers"

West Coast Bureau of THE FILM DAILY

Hollywood—Next in Warners' series on the Lemp family will be titled "Four Fathers." Stephen Morehouse Avery will write the story and William Keighley will direct. Gale Page and the Lane sisters continue in the cast.

WEDDING BELLs

Indianapolis — Sarah Florence Newton, Universal Exchange staff, will be married Jan. 4 to B. L. Shaw, local theater manager. The nuptials will take place Saturday morning at the St. Stephen Methodist Church, Louisville, Ky.

Academy to Offer New Writer Award

West Coast Bureau of THE FILM DAILY

Hollywood—A new writer award for best original screenplay, the writing or screenwriting of which is the result of the writers of the original story, has been authorized by M. P. Academy award rules committee.

Another new award is one for art direction in connection with films done in color. Selection of acting, directing, writing and best production awards will be the same as last year with final balloting being cast by more than 10,000 members of the industry. Class A members of Screen Actors Guild will nominate for the four acting awards, with Class A and B Actor Guild members, writers, directors, producers, technicians and Academy members voting for final selection.

A sub-committee was named to make recommendations for special awards. It consists of Jack L. Warner, chairman; Edward Arnold and Charles Brackett. A request from junior directors that an award for an assistant which was given from 1935 through 1937, be restored was discussed. Mervyn LeRoy was delegated to confer with the Directors Guild board on possible procedures for such an award, with the aim that if given, it be to the assistant director showing most promising creative talent.

Albert J. Law Named General Counsel for PCC

West Coast Bureau of THE FILM DAILY

Hollywood—Albert J. Law has been made general counsel for the Pacific Coast Conference of Independent Theaters Owners. For the past 11 years he was special assistant to the United States Attorney General and during that time conducted numerous investigations into all phases of motion picture industry.

Rosarian Staff to Celebrate

Cincinatti—Universal's Pete Rosian and his national prize-winning salesmen will be hosts to the entire local personnel at a Christmas party in the Exchange, Saturday. A tree and gifts for all will be followed by a buffet luncheon.

Maruzetta on Rio Holiday

Rio de Janeiro (By Air Mail)—Columbia's Argentine manager, Alfredo Maruzetta, is here from B. A. for a short holiday.

Cushioning the Blow

A Bingo game operator in one Northeastern Pennsylvania town is seemingly trying to ease the blow his attractions are delivering to the movies by offering gift movie books as prizes for special games.
**PLANTATION SHOW PLAN**

Fla. Exhib. Takes Films to Sugar Workers

Clewiston, Fla.—Possible solution to the competitive problem presented when large employers undertake to provide film entertainment in their own establishments for workers is in the plan followed by the U. S. Sugar Corp. here.

Corporation employs thousands of Negro seasonal and permanent workers on its miles of sugar plantations, and, while Clewiston has a film theater, obviously it cannot accommodate the sugar company's large workforce.

To provide films, the corporation has contracted with an exhibit from an adjacent town to furnish equipment, operators and programs twice weekly. The shows being presented in each plantation's community hall. Admission charge is 15 cents.

Typical program includes a feature, preferably a Western, a serial and a cartoon comedy. Audience reaction is terrific.

**Empire, Syracuse, Going To Schines Under Lease**

(Continued from Page 1)

lease, it was learned yesterday. House, originally the home of K & E legit, in Syracuse, has been dark for several months.

Lease is understood to provide for a maximum annual dark period of about seven weeks, but what policy will go in is uncertain. Pool in the same block has Keith's and the Paramount.

There is a strong possibility that the Empire will accept legit. bookings.

**Want Nation's Theaters To Play All Defense Pix**

(Continued from Page 1)

pictures made by the Government in connection with defense.

Among those attending were Robert Wilby, E. V. Richards, Nate Yamin, Ed Kuykendall, Harry Brandt, Charles C. Moskowitz, Leonard Goldenson and others.

Nomikos, Skouras to N. O. For Greek Relief Meet

(Continued from Page 1)

midnight film shows for the drive's benefit are expected to get under way shortly on a national basis.

Sullivan on "Lucky Baldwin" West Coast Bureau of THE FILM DAILY

Hollywood—C. Gardner Sullivan, screen writer, has been assigned to do the screenplay of 20th Century-Fox "Lucky Baldwin."

Comerford Basketball League Names Gaughan

Scranton, Pa.—Jack Gaughan was elected president at the reorganization of the Comerford Theaters Basketball League here. At the same time plans were made for the reopening of the court league with the Capitol, West Side, Comerford, State, Strand and Riviera theaters competing. The Riviera won the straight season last year while the Capitol captured the championship. Three officers elected were Bob Kilculen, secretary-treasurer, and Joseph Phillips, chairman of publicity.

**Lessy Sells Diamond At Philly to Warner**

Philadelphia—Stanley-Warner has purchased Mike Lessy's Diamond Theater here. Lessy's son, Perry, who has been managing the house goes to the Lindley for S-W, with Harold E. Prutzman, to the Diamond from the Lindley.

Testimonial dinner for Lessy, who has been in film biz 35 years, is being planned.

**Henie Biz in Nose-dive In St. Louis Engagement**

St. Louis—Sonja Henie's Hollywood Ice Revue played to 33 1/3 per cent fewer cash customers at the Lou this year. Henie's attendance was $1,192 as against 80,749.

**Good Housekeeping Calls Off Single Feature Drive**

Single features drive and short subjects promotion has been dropped by Good Housekeeping's Movie Forum department, along with awards for distinctive subjects.

**Local 74 Re-elects O'Connell**

New Haven—Re-electing its entire slate, Local No. 74, stage employees, is Elaine headed by Joe S. Schilling, president, and Daniel Cummings, business agent. Charles McBridge is vice-president, Robert C. Watson, recording secretary, Charles Langley, financial secretary, and Edward O'Connell, Derby business agent. The Executive Board includes all officers and William O'Connell and Harry Feldman. The annual Christmas party will be omitted in favor of a celebration in January to honor the union's fortieth birthday here.

**"Gang Busters" as "U" Serial**

West Coast Bureau of THE FILM DAILY Hollywood—Screen rights to the radio program, "Gang Busters," have been acquired by "U" from Metro for serial purposes.

**Endert Sells to Spangler**

Friday, Harbor, Wash.—Clarence A. Spangler has acquired the Island Theater here from George Endert, Jr.

Universal's announced plan to retire part of its outstanding first preferred via tenders from stockholders, with $1,000,000 set aside for such purpose, stands despite a protesting memorandum presented to the board on Tuesday by two directors, Samuel J. Posen and J. Dab- Penick, it was learned yesterday.

In the memorandum, Posen and Penick said: "We believe that it is reckless to retire any of the preferred stock by reason of the following fact: During the Ziegfeld years through 1938 the company's losses were $5,511,595 while profits during the years 1939 and 1940 were $5,553,621 making a total for the years 1936 through 1940 $41,725. Of the total earnings of the company for the period $1,560,000 are blocked in Great Britain. "Apart from the foregoing we believe that the retirement is improper because it is the primary duty of the company to pay dividends to preferred stockholders and a secondary duty to provide the benefits of a sinking fund. Where funds are available in amount sufficient to pay all accretions of unpaid dividends it is a form of coercion to divert such funds to the accumulated payments on the sinking fund. The purchase of any preferred stock at a price in excess of $110, the call price, will result in the unlawful payment of dividends to some stockholders and not to others. "It is the opinion that it is good practice to set a fixed price at which tenders will be accepted to the extent of the fund available thereby giving each stockholder an equal opportunity to dispose of his stock. We further believe the approval of the common stockholders should be procured."

**Denis to Seek Major Release for S. A. Film**

Armand Denis leaves for South America on Jan. 15 to make arrangements to produce a combination documentary-entertainment film on that continent. Same unit that made "Dark Rapture," released by Universal in 1938, will accompany Denis. A major company outlet will be sought for the film.

**New Pact for Col. Joy**

West Coast Bureau of THE FILM DAILY

Hollywood—Col. Jason Joy, public relations head at 20th Century-Fox studios since 1935, has been signed to a new two-year contract.

**Hopalongs in Denver's Para.**

Denver—Fox Intermountain's Paramount's top man will play the Hopalong Cassidy series. Deal follows a test showing.
WHAT AMERICA NEEDS IS A RIOTOUS ROMANCE!

The scene above shows CLARK GABLE and HEDY LAMARR after a battle in which she bites, kicks and crowns him but it's just her way of demonstrating love. "COMRADE X" is much funnier than "Ninotchka" and easier to pronounce. It is a King Vidor Production with Oscar Homolka, Felix Bressart, Eve Arden. Screen play by Ben Hecht and Charles Lederer. Directed by King Vidor. Produced by Gottfried Reinhardt. M-G-M made it with both eyes on your box-office!
$588,819 in Sound Reproducer Exports

Washington Bureau of THE FILM DAILY

— Exports of sound reproducer equipment for the first 10 months of 1940 are valued at $588,819, the Department of Commerce reported yesterday. October exports totaled $56,455.

Sound recording exports for the 10-month period are valued at $127,752, 1,673, October shipments accounting for $30,053.

Exports of movie cameras, standard-gauge (35 mm.) are listed at 11 in number with a value of $2,662 for October, and 84, valued at $37,444, for the 10 months, less than 35 mm. were 556 in number, valued at $16,376, for October, and 7,013, valued at $191,217, for the 10 months.

Standard Gauge Exports

Standard gauge film projectors are reported at 129 with a value of $49,453 for October; 835, valued at $316,027 for the 10-month period. Sub-standard gauge (less than 35 mm.) silent, are reported at 746 with a value of $15,320 for October and $9,707 with a value of $522,746 for the 10 months; sound, 79, valued at $18,165 for October, and 1,354, valued at $209,266 for the 10 months.

Kupper’s Division Wins 20th-Fox Drive Honors

Annual Kent Sales Drive conducted by the 20th-Fox field force wound up last week with honors going to the Western division headed by William J. Kupper. Branch honors were won by the Washington and Salt Lake City exchanges in the national and international groups, respectively. District honors were captured by the Atlantic division.

Prizes will be awarded as follows:

For the 20th-Fox field executive; First prize: $5,000; Second prize: $2,500; Third prize: $750. For district manager; First prize: $750; Second prize: $380. For area manager; First prize: $500; Second prize: $250; Third prize: $125. For district salesmen and salesmen and bookers at the branching offices; First prize: $150; Second prize: $75. For sales department; First prize: $200; Second prize: $100; Third prize: $50.

For Movietone News Delivery: Cash prizes will be distributed among manager, salesmen and bookers at the office of each branch office, in proportion to salary: First prize: $150; Second prize: $75. For the district salesmen; First prize: $50; Second prize: $25; Third prize: $12. For the sales department; First prize: $25; Second prize: $12. For the office manager; First prize: $50; Second prize: $25; Third prize: $12.

“Western Union” Release Delayed for One Month

20th-Fox will release “Tail, Dark and Handsome” on Jan. 24 and “Western Union” originally set for that date. Shift is due to the fact that Technicolor’s plant is now completing the job of printing “Chad Hanna” prints and will not be able to have sufficient prints of “Western Union” ready for the Jan. 24 date, it is said. “Western Union” is now in the cutting room; “Handsome” will be finished next week. Mid-February release for “Western Union” is planned.

Leases Ambassador for Ecstasy

Ambassador for the film “Ecstasy” is being handled by Samuel Cummins for five years. Cummins a distributor and producer, plans to open the house Dec. 25 with “Ecstasy” when he is distributing. Picture has been passed by the N. Y. censors following the addition of several scenes relating to the marriage of the principals.

Polish Pic in Wilmington Bow

“Polish Pix” by William Delaunay “Nie Zginiela,” Polish pic, will have its first U. S. show at the nabe Ace Theater here Jan. 14.

Ritter on Witness Stand For Midwest Co-op Suit

Detroit—Testifying for the plaintiffs at the trial of Midwest’s suit against Co-operative Theaters of Michigan here yesterday, James C. Ritter, former President of Allied States, declared the situation run of his Rialto theater was changed for product of some companies, apparently by mutual agreement, when the Wispur & Wetsman circuit bought the Easttown Theater.

Both houses were members of Co-operative, and Ritter said suit sought to secure alliance under terms of basic Co-operative agreements, was unable to do so when arbitration was refused.

20th-Fox British Feature Set for Release on Jan. 31

“The Girl in the News,” 20th-Fox British production, will be released here on Jan. 31, it was learned yesterday. Film stars Margaret Lockwood.

The Shepherd’s Bush studios have just completed “Kips,” H. G. Wells’ story with Blanche Sweet, Michael Redgrave and Phyllis Calvert, and it, too, is designed for American release at Columbia for the month of February, 1941.

ATO’s Suit Contesting Indianapolis Tax Valid

Indianapolis—The ATO suit, filed in the name of the Hollywood Theater Corp., contesting the legality of the collection of a license tax of $100 a year by the city of Indianapolis, was held valid by Superior Court Judge Russell J. Ryan, who last week refused to vacate the injunction restraining ATO from operating until appealed to the Appellate Court, according to the attorney for the association.

Paramount Buys Story

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has bought a magazine short story by Anne Wormser titled “The Baby Had a Hard Day” as a vehicle for Sterling Hayden and Virginia Dale. Sol C. Siegel will produce. F. Hugh Herbert and Hans Kraley have been assigned to prepare the scenario.

May Lease Theaters For Decree’s Shows

(Continued from Page 1)

of the plan, in their projection rooms. If the hearings attract large crowds, it is likely that the five companies in each exchange city will lease a small theater where all trade shows will be prevented. Expense of the theaters will be shared by the distributing organizations.

George J. Schaefer, RKO president, yesterday said that he believed the co-operative theater ultimately would be the plan adopted.

Cowdin on Coast to Set 1941-42 Universal Lineup

West Coast Bureau of THE FILM DAILY

Hollywood—G. Cheever Cowdin, Universal board chairman, who arrived yesterday by plane for studio business, will remain here for a fortnight or three weeks.

He will huddle with Prexy Nate Blumberg, William A. Scully, sales chief; Cliff Work, Matthew Fox and Joseph Seidemann on the 1941-42 lineup. Latter is expected to be virtually completed by the time Cowdin returns East.

20 Indianapolis Theaters Holding Xmas Food Shows

Indianapolis—Christmas food shows given by 20 local film theaters and sponsored by the Indorers of Photoplays and PFA groups are expected to meet the needs of several thousand unfortunate families.

A special Christmas party is planned for the Flower Mission Hospital, Dec. 24 sponsored by the Indianapolis Variety Club.

Bingo at New York State Fair Coliseum Fades Out

Syracuse, N. Y. — Dollar Bingo game at the New York State Fair Coliseum here has folded. Fitlers have tilted the admission for their Bingo-film policy at the Rivoli theater and Elks Temple of 68 cents, with biz reported light.

Bingo at Al Gilbert’s Riviera and Brighton on the South Side is going great guns.

Mrs. Quatrano Recovering

Waterbury—Mrs. Fred Quatrano of the Lido is recuperating from an operation at St. Vincent’s Hospital, Bridgeport.

Porter Again Heads Union

Philadelphia—William Z. Porter, of Monogram, was re-elected as president of the local exchange employees union at a recent election of officers for 1941. Ford Fortune, of Universal, was elected vice-president.
"Dr. Kildare’s Crisis"  with Lew Ayres, Lionel Barrymore, Laraine Day, Robert Young
M-G-M  75 Mins.  LATEST DR. KILDARE PICTURE A WELCOME ADDITION TO THE POPULAR SERIES.

Untiling the familiar cast and hospital backgrounds of the Dr. Kildare pictures, plus a "guest" appearance by Robert Young, M-G-M has produced another enjoyable addition to the series. And the series' many fans will be well satisfied with the smoothly-directed and acted solution of the young doctor's latest problem.

While the story is somewhat placid, it serves as an adequate frame-work to present the well-established characters in another strenuous situation. Young plays the part of Mary lamont's brother from whom Dr. Kildare suspects of having epilepsy. Experiments prove he is right and his romance with the nurse is endangered due to the hereditary tendencies of the disease. The girl and her brother plan to run away but the information that the disease is hereditary and that marriage brings out the fact that the brother suffered a recent heart attack and examinations show that his condition is not hereditary but can be cured through operation.

Ayres, Barrymore and Miss Day do their usual good playing jobs and Robert Young adds strength to the marquee possibilities.


CREDITS: Director, Harold S. Bucquet; Original Story, Max Brand, Willis Goldbeck; Screenplay, Harry Ruskin, Willia Goldbeck; Cameraman, John Seitz; Musical Score, David Snell; Art Director, Cedric Gibbons; Associate, Daniel B. Catcart; Film Editor, Jesse Rugen.

DIRECTION, First-Rate. PHOTOGRAPHY, Good.

Shorts

Johnny Messner and His Orchestra
Paramount  11 mins.

Below Par. Johnny Messner and his orchestra play several numbers in this short that may interest swing fans to some extent, but the short as a whole is below par as musical comedy. An informal chat between an announcer, Messner, Jeanne D’Arey, vocalist with the band, and pianist Koleo, falls flat.

Maureen O’Sullivan Out of Cast
West Coast Bureau of THE FILM DAILY

Hollywood — Maureen O’Sullivan has withdrawn from the cast of Metro’s “Billy the Kid,” opposite Robert Taylor, to remain in Canada with her husband, John Farrow who is serving in the British Navy. Mary Howard replaces her in the feminine lead.

Reviews of the New Films

“Over The Moon”  with Merle Oberon, Rex Harrison, Ursula Jeans
United Artists  78 Mins.  BRITISH-MADE COMEDY HAS ABLE CAST AND SOME AMUSING NONSENSE, BUT STORY IS WEAK.

The comedy is amusing and a few good laughs keep this picture on its feet, but the story as a whole is on the weak side, with nothing novel or new about it. Technicolor enhances the picture, particularly some very fine shots of well-remembered European playgrounds. The cast is adequate, the production value lavish, and although the trim is essentially a conversation piece, at least there is a change of scenery often enough to keep it interesting to a degree for the average audience.

Miss Oberon looks very lovely, Technicolor serving to accentuate her beauty, and her personality is entirely that of Miss Harrison, an agreeable and able British player, is an asset to the picture although it is unfortunate that he does not have more to do. Ursula Jeans, Robert Douglas, Louis Borel and Mackenzie Ward are prominent in the cast. Original story by Conroy, directed by Robert Skerwood and Losi and with the screenplay written by Anthony Pelissier and Alec Copel. Thornton Freeland directed the Alexanderрова production.

Miss Oberon suddenly becomes an heiress to the tune of $90,000,000. Her fiancé, Harrison, breaks off the engagement after they flew about the way she is living. From there on Miss Oberon flies to one gay resort after another with a retinue of fortune hunters following her until she and Harrison patch up their differences and go to Italy for a honeymoon.

CAST: Merle Oberon, Rex Harrison, Ursula Jeans, Robert Douglas, Louis Borel, Anthony Pelissier, Louis Vertet, Mackenzie Ward, Zena Dare, Peter Haddon, Elizabeth Welch, Carl Jaffe, Herbert Berman, Wilfred Shinte, Bruce Winston, Gene Kelton. 

CREDITS: Producer, Alexander Korda; Director, Thornton Freeland; Original Story, Robert Sherwood and Losi Borel; Screenplay, Anthony Pelissier and Alec Copel; Photography, Arthur Winperis; Cameraman, H. Strading; Editor, Pat Woolley.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

Coast Changes Titles
West Coast Bureau of THE FILM DAILY

Hollywood—Title changes: Warners—“Four Families” becomes “Four Fathers.” Some studio’s “Five Women” becomes “Singapore.” Twentieth Century-Fox’s “School for Soldiers” has become “Ten Gentlemen from West Point.”

Jack Oakie With Sonja Henie
West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has signed Jack Oakie and Glenn Miller and his band to appear with Sonja Henie in “Sun Valley.”

“U” Pacific Franchot Tone
West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed Franchot Tone to a five-year contract which calls for two pictures a year.

“Michael Shayne: Private Detective”  with Lloyd Nolan, Marjorie Weaver, Walter Abel
20th-Fox  77 Mins.  SUSPENSIVE MURDER MYSTERY HAS PUNCH, IS WELL-ACTED AND FULL OF SURPRISES.

Here is an offering that is thoroughly entertaining screenfare for any type of audience. The picture is suspenseful, well-acted by a competent cast, ably directed and well-paced. It is of strong supporting attraction for some big picture on a double bill, and it is well able to stand on its own as a single offering or the main attraction in nabe houses.

The story is well-conceived and smartly executed, working in a considerable amount of instructive material that is amusing, but at the same time keeping the element of danger and suspense serious business. Lloyd Nolan ably fills the bill as the fast-thinking and wise-cracking private detective. Marjorie Weaver attractively fills a supporting role. James Young is helpful, and strong support is given by such finished performers as Walter Abel, Elizabeth Patterson, Clarence Kolb, Douglas Dumbrille, Donald McBridge, George Meeker and Robert Emmett Keane.

Eugene Forde handled the direction with a sure touch, keeping the action moving at a steady pace. The climax of the screenplay was whipped up by Stanley Rauh and Manning O’Connor from a novel by Brett Halliday.

Nolan gets in the good graces of Kolb when he stops his daughter, Miss Weaver, from making a bet at a race track. Kolb tells him to take care of his daughter while he is away and a murder frame is set by Nolan to scare her so that she will stay out of a house which backs a homicide. Slowly the victim is found to be really murdered. Action is fast and furious from there on until Nolan traps the real murderer after he gets hold of information that is the principal suspect through a chain of unusual circumstances.

CAST: Lloyd Nolan, Marjorie Weaver, Joan Valerie, Walter Abel, Elizabeth Patterson, Arthur Pelissier, Donald McBridge, Clarence Kolb, George Meeker, Charles Colman, Michael Morris, Robert Emmett Keane, Frank Orth, Irving Bacon.

CREDITs: Executive Producer, Sol M. Wurtzel; Director, Eugene Forde; Screenplay, Stanley Rauh and Manning O’Connor; Based on a novel by Brett Halliday; Cameraman, George Schneiderman; Editor, Al De Gortanio.

DIRECTION, Good. PHOTOGRAPHY, Good.

South of Suez” with George Brent, Brenda Marshall, George Tobias
Warner 86 Mins.  PLENTY OF ACTION, AN ABLE CAST AND MOVING STORY PUT THIS ADVENTURE YARN OVER.

General audiences should give this offering a good reception. The story is adventurous, it is laid against an African and London background, the cast is able, the plot good and it moves along with a lively pace.

Brent gives a good performance in the lead role. Tobias is excellent in his characterization of the ruthless diamond miner. Miss Marshall is attractive and capable as the romantic vis-a-vis for Brent, and Lee Patrick, Eric Blore, James Stephenson, Miles Mander and Cecil Kellaway are helpful in supporting roles. Direction of Lewis Seiler’s forceful and smooth, and Barry Trivers’ screenplay is well-worked out.

Brent, working for Tobias, is fired when Lee Patrick, Tobias’s wife accuses Brent of making passes at her when he did not pay any attention to her. Brent prevents Tobias from taking over a valuable claim owned by Miss Marshall and in partnership with him makes the claim pay big dividends. Tobias learns of a huge diamond they have found, and while Brent is out on business, Mander and places the blame on Brent.

Brent flees the country and five years later, using an assumed name and having been bought a number of investments, returns to England to find Miss Marshall, Mander’s daughter. He intends to tell her the whole story, but falls for her because of her attitude toward the murderer plants his real identification papers on a murdered man. However, the big diamond is recognized by Tobias, also in London, when Brent sends it to a jeweler’s to be cut and everything explodes in his face. A double on lookouts everywhere out and puts Tobias where he belongs.


CREDITS: Produced by Warners; Director, Lewis Seiler; Screenplay, Barry Trivers; Story, Sheridan Gibney; Cameraman, Arthur Todd; Editor, Clarence Kolster. DIRECTION, Good. PHOTOGRAPHY, Good.

“South of Suez” with George Brent, Brenda Marshall, George Tobias
"Feminine Fitness”  with Virginia O’Brien, Jean Porter, Donald Woods
Paramount  10 mins.  Fair Sport Reel

Women athletes in various fields of competition provide subject matter for this reel that is fairly interesting, but the reel is let down by the feminine wardrobe.aiming each other is not exactly edifying. Softball, golf, football, track, tennis, polo and volleyball are several sports are demonstrated by the girls. Ted Husing provides the narration.
COVERS EVERYTHING GOES EVERYWHERE READ BY EVERYBODY COMING SOON
Decree May Mean More Financing Schaefer

Radio to Appoint Committee to Act
With Industry’s Charities Committee
West Coast Bureau of THE FILM DAILY
Hollywood—At a luncheon attended by members of the motion picture industry’s permanent charities committee, President Harry M. Witt of Southern California Broadcasting Association, succeeded Edward T. Schaefer, who returned this week from Coast conferences, said he expected RKO’s 1941-42 program would include 40 pictures, a smaller number than was announced for the current season. He said the less important pictures would be eliminated and that there would be more concentration on bigger pictures. Five or six of the 40 will be made by one company. Salesmen probably would be added to the roster. So far only Herbert Wilcox is on the independent list but negotiations with others not disclosed, are in work, Schaefer said.

First Block in July
RKO will release between five and eight pictures ready for trade showing some time in July, Schaefer said, adding that the second block of five would be ready by Sept. 1 when the decree becomes effective.

A number of increased distribution costs under the decree rulings has not been determined but Schaefer said expenses would be higher as more salesmen probably would be added and that the territories would have to be covered at more frequent intervals.

Some production is anticipated in the selling of the first two blocks of five, Schaefer indicated, but he believed that by the time the third blocks are offered, the situation would adjust itself.

Additional Financing
Additional financing probably will be necessary by RKO and other companies as a great deal of money will be tied up in production and unless it is traded shown and moved. Actual placing of pictures in particular blocks can not be effected until the pictures are completed, according to Schaefer, who further confirmed that there will be no substitutions of pictures within the blocks after they have been designated.

Schaefer said that Max Gordon and Harry Glueck would not want to see any pictures for RKO unless they decide to make “The American Way.”

“Mannerheim Line” Opens Big Artkino’s Soviet pic, “Manner-heim Line,” Finnish war documentary, opened at the Miami Playhouse yesterday, with attendance of 4,000 claimed for the day. House seats 500. Film also opened in Chicago yesterday. In New York, police were summoned to handle the crowd.

Hawk Acquires the Draper
Draper, Utah—Claus Hawk has acquired the Draper here from J. A. Howell.

Charitable Productions To Film “Rafter Ring”
West Coast Bureau of THE FILM DAILY
Hollywood—Norman Corwin is acting as co-ordinating writer on “Let the Rafter Ring” which will be made by Charitable Productions, Inc. The board of directors is headed by William Schaefer, who expects the production will be handled by Hardwick as producer and an advisory committee including Edmund Goulding, Hitchcock, Lloyd, Saville and Herbert Wilcox among the members of the board.

Production will be handled by Hardwick as producer and an advisory committee including Edmund Goulding, Hitchcock, Lloyd, Saville and Robert Stevenson, who will also share in the direction. RKO has advanced costs of the production and will distribute the film at cost. Picture is expected to go to American and British charities.

Noel Coward has contributed a special composition “The Changing World,” which is to form a theme tune in a musical score written by Anthony Collins.

Katzman Heads Local 488 For 12th Consecutive Year

Harrisburg, Pa.—Lawrence J. Katzman was elected head of Local 488, IATSE, for his twelfth consecutive term. Other officers elected include: Horace A. Gladfeather, vice-president; M. C. Miller, secretary-treasurer; P. F. Patterson, treasurer; Lester Firling, sergeant-at-arms, and Samuel Rubin, business agent.

Charles Reed and Clarence Rudy were elected to the executive board, and Harry Michaelis, A. V. Morgan and James Leone were elected trustees.

Officers for 1941 will be installed on Jan. 19.

“Foyle” Serial in 200 Papers
Publication rights for the newspaper serialization of “Kitty Foyle” have been purchased by more than 200 daily newspapers, according to Barrett McCormick, director of advertising and publicity for RKO which will release the screen version on Dec. 27.

Marcus’ First for Col.
West Coast Bureau of THE FILM DAILY
Hollywood—Gene Markey’s first of three pictures for Columbia will be “The Country Club,” starring Jean Arthur and Melvyn Douglas. Film will be adapted from one of Markey’s own stories.

MLT Will Continue Payments on Arrears

Radio—Business conditions to date are approximately as good as last year. Leopold Friedman, a director, told shareholders of Marcus Loew’s Theaters, Ltd., at the annual meeting.

If earnings do not drop, the company will continue to pay with each regular preferred dividend something on arrears. The company is in arrears $7 as of Dec. 31, 1940. This assurance was made, subject to continued approval of the Federal Exchange Control Board. About 18 per cent of the preferred stock is held outside of Canada.

The Uptown Theater lease does not expire until August, 1941, and while officials have not yet negotiated for a renewal they do not anticipate any difficulty, it was stated.

Contempt Citation Growing Out of Fix Seizure Stands

Montgomery, Ala.—The State Supreme Court has declined to dismiss the contempt-of-court citation against Birmingham officials who confiscated the film, “French Girls’ Club,” in defiance of a Circuit Court action.

The film was shown at the Galax Theater in Birmingham when confiscated by the city officials. It was purported to reveal the secrets of 200 love-starved girls.

“Backward, Oh Backward”—West Coast Bureau of THE FILM DAILY
Hollywood—Republic plans a new version of “Ten Nights in a Barroom” and of “Black Beauty.” It also will make “The Great Train Robbery.”

First Madcap Models Short
First of the Madcap Models short subjects will be released by Paramount in mid-June. Titled “Western Hero,” the characters are performed by dolls. Paramount will release six in the series.

Metro Borrows George Sanders West Coast Bureau of THE FILM DAILY
Hollywood—George Sanders has been borrowed from 20th-Fox by war for the second time. He will play the role of “Rage in Heaven,” with Ingrid Bergman and Robert Montgomery. Production starts tomorrow.

Kuhn Succeeds Katz
Pittsburgh—Alfred Kuhn, shipper for the local Vitagraph exchange, is in Chicago in charge of the Film Exchange Employes Union here, succeeding Lawrence J. Katz, international rep. of the IATSE.
Kelly Realigns United Artists Sales Organization

Masters Made Western Div. Manager; Schlaifer To Have Special Post

A realignment of United Artists’ sales organization was announced yesterday by Arthur W. Kelly, vice-president in charge of domestic distribution. Among the changes is the shifting of Haskell Masters from Canadian division head to the post of Western division manager and the creation of one more district within the Eastern division. Jack Schlaifer, former Western division manager (Continued on Page 4)

Army Theaters Will Observe Clearance

Washington Bureau of THE FILM DAILY
Washington—Confirming the story published in THIS FILM DAILY on Dec. 2, the War Department yesterday officially declared “new men entering the Army quite likely will find that the shows being exhibited by the Camp theater are those they already have seen but this will prove only a temporary inconvenience.”

The statement was issued in connection with the move of the War Department’s clearance bureau to Army installations. (Continued on Page 6)

SAG Asks Pay Increase For Players of Bit Parts

West Coast Bureau of THE FILM DAILY
Hollywood—Screen Actors Guild will ask that bit players’ minimum pay be increased from $25 to $40 or $50 a day. Guild officials believe producers will recognize the advantage (Continued on Page 4)

Chi. Circuits, Indies Give $50,000 Bonuses

Chicago—It is estimated that Chicago circuit and indie exhibitors will distribute a total of $50,000 in holiday bonuses to their employees. The Indiana-Illinois circuit is giving its employees $3000. B & G, Great States and H. & E. Balaban circuits are giving out group insurance policies as holiday gifts for their employees.

ADMISH TAXES SOAR 5 MILLIONS
November Collections at $7,124,225 as Compared With $2,117,644.42 Receipts a Year Ago

Washington Bureau of THE FILM DAILY
Washington—Admission tax collections for November responding both to better box office and the wider defense levies continued to show gains in all comparisons, the Internal Revenue Bureau reported yesterday. The November collection was $7,124,225, 226.1% over $2,117,644.42 collected for the year before. It is also more than the $2,117,644.42 collection for October last. (Continued on Page 5)

Wis. Theaters Face Tax on Game Prizes

Madison, Wis.—Theaters of Wisconsin may have to pay income taxes to the State on the money they gave away to patrons in Bank Night or a similar prize contest before this practice was declared to be illegal by the State Supreme Court. The Court outlawed Bank Night in June 1939. Elmer Barlow, state tax commissioner (Continued on Page 5)

Shuttee Leaving Cooper Post in Oklahoma City

Oklahoma City—Walter B. Shuttee, for the past 20 months general manager of Standard Theaters Corp., which controls the first-run situation here, said yesterday he had decided to leave the city (Continued on Page 6)

Warn Service Men’s Subs. Jobs Are Temporary

Columbus—Members of the ITO of Ohio have been advised via service bulletin that new employes hired to replace men called for military service, should be informed (Continued on Page 8)

N. Y. Dissolves 125 Companies

Failure to Pay Taxes Forms Basis of Action

Phonovision Plans Mass Production in January

Phonovision is planning a mass production of the coin machine operators convention in Chicago Jan. 13-16, the company plans to go into mass production. Already, it was learned yesterday, orders are far in (Continued on Page 8)

PCA in First 11 Months of Year Clears 484 Features, Drop of 49 from ’39 Total

For a fourth successive year, fewer features have been available in 1940 for American screens, on the basis of figures compiled by the Production Code Administration of the MPPDA.

For the first 11 months, the PCA offices on both West and East Coasts cleared 484 features, a drop of 49 from 1939. Decline last year from 1938 was only 10.

Available shorts also slumped again, dropping to 669 as against 669 in 1939. Drop of 18, however, (Continued on Page 4)

$32,544,000 Sales

By Exchanges in ’39

Washington Bureau of THE FILM DAILY
Washington—Sales of motion picture films exchanges in 1939 amounted to $32,544,000, the Bureau of Census, Department of Commerce, reported today in a preliminary summary of wholesale trade. The report compared this figure with that of 1938 when exchange sales were reported at $27,901,000. The 1939 figures compared with those of 1935 (Continued on Page 6)

Pratcett, Del Villar Will Visit Para. Hom Office

Arthur Pratcett, Paramount’s general manager for Central America, arrives here Jan. 3 and will leave about Jan. 6 with John W. (Continued on Page 6)

warners to Co-star

Cagney, Bette Davis

West Coast Bureau of THE FILM DAILY
Hollywood—Warners will co-star James Cagney and Bette Davis in “The Bride Came C.O.D.,” described as a fast-moving comedy, it was announced yesterday by Jack L. Warner. William Keighley will direct from a script by Philip and Julius Epstein. Production will start Jan. 2.
Midwest Evidence Against Mich. Co-op. About All In

Detroit—James C. Ritter continued his testimony in Midwest Evidence suit against Mich. Co-op. yesterday and asked the court to clarify his earlier testimony.

Joseph Miikinis, owner of the Allen Theater, testified that he gave membership in the cooperative because he was unable to get the pictures that he wanted.

Frank Star person manager and booker of Midwest Theaters, supported the earlier testimony of Raymond Schreiber, general manager, to the effect that plaintiff was unable to close deals with the majors until they had signed with Co-operative.

William Schulte, independent owner of Radio City Theater at Ferndale, Mich., followed on the stand. This practically completes the case for the plaintiff except for cross-examination of Stuart and presentation of statistical evidence.

Policy Poll Puts Duels In New Loew American

Bowling to public favor, Loew’s will operate the new American Theater in the Parkchester development of the East Bronx on a double feature policy. Decision in favor of duels followed “a ménage à trois” format, with both sides remaining.

Single-feature advocates won a point, however. To the question, “What time would you prefer the main feature to go on at night?” the majority vote was for 9 o’clock which will be adhered to by both houses. Those who want to see both pictures can remain after the 9 o’clock feature ends.

Chi’s Round Table Will Analyze the Movies

West Coast Bureau of THE FILM DAILY—When the University of Chicago’s Round Table of Students is scheduled for NBC’s Hollywood studios on Sunday, “The Movies” will be the subject for discussion.

Walter Wanger, producer, and Leo C. Rosten, author and newspaperman who is the present director of the Motion Picture Research Project, will participate in the program which goes over the air at 2:30 p.m., EST, over the NBC-Red Network.

20th-FOX Pact for Clements

Hollywood—Universal, a division of THE FILM DAILY—20th Century-Fox has signed a contract with NBC’s Hollywood studios on Sunday, “The Movies” will be the subject for discussion.

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Let “ABBYE” Do It

★ Christmas Gifts
★ Calendars
★ Diaries
★ Catalogs
★ Magazines
★ and other Sales Promotion material delivered direct to your Prospects and Customers in a personalized, distinctive manner at a surprisingly small cost.

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Circle 6-5314
BUSINESS IS EASIER TO GET, HOLD AND SERVICE

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!"
Fewer Pix Available In U. S. in 1940

(Continued from Page 1)

was much smaller than last year’s decline of 92.
PCA statistics for the 11 months of 1940 follow:

Total number of pictures approved up to
and including Nov. 30. .............. 1135
Total number of pictures approved: 484
East Coast—38
West Coast—446
Total number of shorts approved. 651
Total number of pictures approved on
East Coast .......... .223
West Coast—428
Total number of pictures approved on
East Coast ........... 261
Features—38
Shorts—223
Total number of pictures approved on
West Coast .......... 874
Features—466
Shorts—428

SAG Asks Pay Increase For Players of Bit Parts

(Continued from Page 1)

ages of having a day player do the
bits. The organization will also pro-
gress that extra pay may not be worked,
as extras, to do definite bits or parts,
other than bona fide ad lib work.

353 “Neighbor” Dates Will Use All Available Prints

All available prints of “Love Thy Neighbor” will be in use for the 353
353-day-and-date Christmas bookings on the
24-Moro-Fred Allen Parma-
mount picture. Despite the pre-
Christmas slump, the Broadway Para-
mount opening on Tuesday came
within a few dollars of the five-
year record opening of “Northwest Mounted Police” which played at
advanced prices.

Frank Condon Dies on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Condon, author of many screen plays, died here yesterday. For several years he had been under contract to Collier’s, writing articles and fiction. Among his best known pictures was “The Miracle Man,” a silent feature which starred Lon Chaney.

Happy Birthday to You

From THE FILM DAILY

DECEMBER 21
Lucien Hubbard
Flavio F. George
Pat Hartigan
William J. Crow
Blanche Schneider

DECEMBER 22
Earl W. Wingert
Alfred T. Mann
L. J. Bamberger
Eleanor Apel

Kelly Realigns UA Sales Organization

(Continued from Page 1)

manager, becomes a special repre-
sentative. Several salesmen will be
promoted to managerial positions.
S. Glazer replaces Masters in Can-
da.

Split Div. into 4 Districts

The present division of territory
within United Artists will have
Harry Gold, vice-president and Eastern sales
manager, will split his division into
four districts instead of three, with
four district sales managers as fol-

District No. 1: Charles Stearn, supervising New York, New Haven and vicinity; District No. 2: Arthur Silverstone, Philadelphia and Wash-
ington; District No. 3: Bert Stearn, Philadelphia, Cleveland, Cincinnati, Indianapolis and Buffalo; District No. 4: Hugh Owen, Atlanta, New Orleans and Dallas.

Goldhar Special Field Rep

Masters has appointed Jack Gold-
har, formerly district manager for
Chicago, Detroit and St. Louis, as
his special field representative. Kelly
also announced that United Artists
will augment its playdate depart-
ment with additional personnel.
It was further announced that appoint-
ments will be made in the field pro-
moting salesmen to posts as branch
managers. These appointments will be
made by the respective divisional
sales managers. No outside sales
manpower is to come into the United
Artists organization as it is Kelly’s
explanation that UA has one of the
finest and strongest selling forces in the field. The majority of its selling personnel has been with
the corporation between 10 and 20
years and they are all trained to the
particular type of policy applicable
to its individual producer operation, Kelly said.

Kelly took the opportunity to ex-
press to the entire sales force his
desire for its efficiency and ef-
f ectiveness.

Warners Shift Keoghan

Milwaukee—Jack Keoghan, for the
past number of years district man-
ager for Warner Bros. here, has been
transferred to New York to serve as manager
of the circuit’s Venetian succeeding
Marce Breeze, who becomes district manager here.

Marbe to New Parkchester

Gilbert Marbe has been named
manager of Loew’s Parkchester The-
a
t, which opens Christmas Day.
Marbe now manages Loew’s Zieg-
f eld.
Wis. Theaters Face Tax on Game Prizes
(Continued from Page 1)

Phalaphetical order not the addressed, but as nearly 90 per cent of all new corporations formed are domestic, the Greater detectives, it is assumed the same ratio will hold true for dissolutions.

Any corporation listed as dissolved now must be dissolved at any time within three months from Dec. 15, through the payment of its back corporate taxes, penalties and interest charges, plus a fee of $50 for the filing of a certificate of reinstatement. Any corporation listed as dissolved if such listing is through error, can, on proper application, be reinstated without payment of any fee.

As corporate taxes due constitute a lien against any property owned by a corporation any going corporation with its name upon the list shall take immediate steps to secure reinstatement, it is pointed out.

List of dissolved corporations follows:

A—

Beach Amusement, Inc., Bell-Burton Thea

C—
C. V. G. Theater, Capitol Indoor &

D—
Devon Productions, Inc., De Luxe Amuse-
ment Corp., Deyo Theaters, Inc.

East Coast Theaters, Inc., Elaram Thea-
ter Corp., Inc., Esmeco Amusement Corpora-
tion, Foreign-Cinema Limited, Erlanger Buf-

F—
F. I. B. Amusement Corp., Fabio Amuse-
ment, Inc., Fayrou Amusement Corp., Farb's Fasch Theater Company, Inc., Fayette Pic-
tures Corp., Federal Amusement Corpora-
tion, Fortune Films Corp., Funland Amusement Corp.

G—

20th-Fox Buys Three Stories
West Coast Branch of THE FILM DAILY

Hollywood—Twentieth-Century-
Fox has bought “Sioux City,” novel by Hyatt Downhill; a story of the conquest of the Middle West; “Flight Surgeon” by Cameron Rogers and H. E. Halland, and “The Dead Take No Pleasure” by Richard Burke. The latter will be used as a basis for a new Michael Shayne detective film.

N. Y. Dissolves 125 Companies
Failure to Pay Taxes Forms Basis of Action
(Continued from Page 1)

New Zealand Imports Show Drop in 1940

Washington, D.C.—Unofficial statistics from New Zealand indicated that 310 quota films with an aggregate length of 2,153,103 feet were registered during the 59 weeks ended Sept. 28, last, the Commerce Department reports.

This compares with 367 films of 2,502,910 feet registered during the corresponding period of 1939. Of the films registered in the current year period, 273 totalling 1,879,883 feet were “foreign” and 77 totalling 273,220 feet were “British” whereas in the 1939 period 312 films totalling 2,101,100 feet were classified as “foreign” and 55 totalling 401,810 feet as “British.”

Skouras Closes Suffern House; Says Pix Withheld

Closing of the Lafayette theater at Suffern, New York, operated house on Tuesday, Wednesday and yesterday because of alleged failure of Warners to deliver “The Letter” required in the Picture Display copy in the local press asserting that the picture had been contracted for and was available for showing. At the same time, the village officially took cognizance of the situation, Mayor Temple of Suffern calling a special meeting of the village board of trustees. Issue involves clearance, it is understood. Warner execs, were not available yesterday for a statement.

Frayne, New Chairman Of West Coast’s SMPE

West Coast Bureau of THE FILM DAILY

Hollywood—J. G. Frayne assumes the chairmanship of the Pacific Coast Section of the SMPE Jan. 1, succeeding Loren Ryder, who becomes member of the Board of Governors of the national SMPE group for 1941-42. C. W. Handley assumes position of secretary-treasurer of the local section with F. J. Durst, B. Kreuzer and S. P. Solow being elected to board of managers.

Screen Readers Guild Elects

Bill Koenig and Lillian Berquist of RKO Radio's reading departments have been elected president and secretary, respectively, of the Screen Readers Guild.

Eastern Pa. Allied Drops Banquet Plan

Philadelphia—Annual meeting and elections of Eastern Pennsylvania Allied will be held without any festivities on Jan. 17. They have large banquet in the evening has been abandoned because several national leaders can not be present.
ARMY THEATERS WILL OBEY CLEARANCE

PLEASING ENTERTAINMENT FOR ALL TYPES OF AUDIENCES IS CONTAINED IN THIS GAY MUSICAL COMEDY.

This gay musical comedy makes pleasing entertainment for all types of audiences. It is written by an experienced team and cast, and directed by Herbert Wilcox. 

Miss Neagle is charming, attractive and excellent in the principal role, and she has never been photographed to better advantage. Richard Carlson and Victor Mature give fine performances as the suitors for Miss Neagle's hand. The cast is excellent, Rolan Young, Helen Broderick, Zsa Zsa Gabor, Eve Arden, Bill Gil- bert and Stuart Robertson give excellent support, Young and Miss Broderick make the utmost of their many opportunities for humor and handling the characters ably.

Story itself concerns the troubles Young gets into over different women, who has been "helpful" to them when they have broken with a girl assistance, because the "artists", etc. Miss Neagle works throughout the picture in his behalf to try to keep the watchman alert, but she has almost lost her own heart interest, Carl- son, in the proceedings. However, a fast and funny climax puts him back in smooth running order for all concerned.


CREDITS: Producer and Director, Herbert Wilcox; Associate Producer, Merril G. White; Screenplay, Ken Englund; From the musical comedy by Frank Mandel-Otto Harbach-Vincent Youmans-Emil Nityraya musical comedy has been incorporated into the picture. Wilcox has wisely stuck to the original score.

The ever popular "Tea For Two" is near- ly put over by Miss Neagle. Wilcox direct- ed it himself, working the music right deftly into the general scheme of things and handling the characters ably.

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THE CRITICS OF THE NATION ARE NOW CASTING THEIR VOTES FOR THE TEN BEST PICTURES OF 1940 IN THE FILM DAILY ANNUAL POLL
$32,544,000 in Exchange Sales in '39, Says U.S. Census Bureau Reports 214 Branches Operate; Equipment Sales at $10,197,000

(Continued from Page 1) show increases in every category, the report reveals. The number of exchanges went from 165 in 1935 to 214 in 1939. Active proprietors of unincorporated businesses increased from 43 to 64. Number of employees (average for year) went from 2,012 to 1,693. Total payroll increases from $1,691,000 in 1935 to $4,107,000 in 1939. Operating expenses (including payroll) were given for 1939 but not for 1935. Such expenses amounted to $6,925,000 in 1935, which was 21.3 per cent of the sales. The exchanges were listed in the report under Service and Limited-Function Wholesalers. Stocks on hand at year’s end, at cost, amounted to $3,241,000.

Figures for motion picture equipment and supplies (except film) were for 1939, shown as follows: existing sales of $10,197,000 and operating expenses of $1,596,000, which was 15.7 per cent of sales. Active proprietors of unincorporated businesses were 15 and average number of employees 430. Total payroll was $797,000 and stocks on hand at the end of the year, at cost amounted to $1,242,000.

Cameras and photographic supplies were reported for 1930 as 142 establishments with sales of $14,052,000. Operating expenses were $3,041,000 which was 21.6 per cent of sales. Active proprietors of incorporated businesses were 66 and average number of employees 491. Payroll was $1,542,000 and stocks on hand at year’s end at cost, $2,417,000.

Erpi Classroom Films Has Four S. A. Shorts

Erpi Classroom Films will release four subjects produced in South America and recently brought to this country by Julian Bryan, producer of "Sludge." Three of the subjects, to be released one each month, will be completed and the other will ready soon.

Revising the Manual

Omaha, Neb. (Un-censored) — When Columnist Louella Parsons told of Major W. S. Van Dyke using the command of "Cut" to stop any movement, when he couldn’t think of the more orthodox and regulation military command of "Halt," World Herald movie columnist Keith Wilson wasn’t to be outdone.

In his stunt, he announced that former Lincoln Journal movie editor, Capt. Barney Oldfield, was having the same problem and couldn’t think of "Present Arms," and was singing out "Hey, Lad."
D OF C REPORTS SHARP INDUSTRY GAINS

U. S. Air Conditioning's Biz Up 33% In '40

Personnel Is Expanded To Take Care Of Orders Of Filmland And Defense

Sweeping gains in volume business were recorded this calendar year by U. S. Air Conditioning Corp., of Minneapolis,—the upswing amounting to approximately 33 per cent,—it was stated last night by A. A. Feinberg, company's president, who is on a brief business visit to New York.

He declared that his organization's plant is currently at capacity, and that 75 more highly-skilled tech-

(Continued on Page 4)

Loew's Will Launch American On Dec. 26

Loew's, Inc., will open next Thursday its American Theater located in the heart of the remarkable housing development which the Metropolitan Life Insurance Co. has built in East Bronx, and known as the Parkchester Development.

The house, seating 2,000 of which 1,400 seats are on the main floor

(Continued on Page 8)

New Type Flashed Glass Is Announced by Wagner

Chicago—E. Wagner, president of Wagner Sign Service, Inc., announces that Wagner Special Flashed Glass has been developed for the use of that company exclusively. It is a new type of flashed glass, translucent opal glass flashed onto

(Continued on Page 7)

From the Staff of
Film Daily Equipment News

Nabes May Get Latest Sound
Small Houses Eyed For RCA Panoramic

G-E Receives Biggest Fluorescent Lamp Order

Cleveland—Executives of General Electric's Nela Park plant have announced here receipt of an order from the Packard Motor Car Co. for its 100-watt fluorescent lamps which Packard will use to relight an existing factory and to illuminate the

(Continued on Page 7)

RCA's Fantasound, developed especially for Walt Disney's Fantasia may soon be available to nabe stands as well as metropolitan film palaces through the medium of RCA Panoramic Sound, it is asserted by Edward C. Cahill, Photophone division manager.

Actually a simplified version of RCA Fantasound, RCA Panoramic Sound utilizes auxiliary amplifiers, and loudspeakers to the right and

(Continued on Page 5)

Products Rocket 15.5% While Establishments Register a Rise of 46.8%

Washington Bureau of THE FILM DAILY

Washington,—Value of industry products, comprising those of manufacturers of projection equipment exclusive of lenses but including photographic apparatus and materials, amounted in 1939 to $133,899,429, an increase of 15.5 per cent over $115,887 registered in 1937, it was disclosed this week by the prelim-

(Continued on Page 4)

Motivegraph's Biz Continues to Grow

Chicago—Motivegraph, Inc., headed by Fred Matthews, reports numerous new installations effected recently by the company.

Among orders filled for both Motivegraph Projection Equipment and Mirrophonie De Luxe Sound Systems

(Continued on Page 7)

Progress in Equipment Is Told at SMPE Meeting

Three of the most recent and outstanding developments in the technical field of equipment were outlined formally for the first time in the East, during the meeting of the Atlantic Coast section of SMPE in the Hotel Pennsylvania's Salle Moderne on Wednesday night.

Robert O. Walker, president of the Walker American Corp., described in his paper delivered at the con-

(Continued on Page 5)

Torch Is Held High

North Little Rock, Ark.—C. C. Mundo, owner of the Rex in Little Rock, and general manager of the new Liberty Theater here, has not only given latter house a patriotic name but has symbolized "Liberty" via a flaming red torch built on the center section of the marquee. The device is a constant reminder to the community of what Americans must defend in a topsy-turvy world.
COMING AND GOING

A. A. FEINBERG, U. S. Air Conditioning Corp., leaves New York today for company's headquarters in Minneapolis.

JOHN EBESON, film theater architect, arrived in Washington early yesterday morning from New York and is expected to return here on the weekend.

O. W. KALMER, president of the Walker American Corp., visited New York this week from St. Louis.

E. K. CARETT, of Eastman Kodak, arrived in New York from Rochester at mid-week to attend the Atlantic Coast meeting of SMPTE.

A. C. DOWNS and D. B. JOY, of National Carbon Co., were in New York for the SMPTE meeting returning from Cleveland.

WAYNE BRENNERT, of Benzank Light Projector Co., has returned to Detroit from a visit to New York.

PAUL ARNDT, of Agfa-Ansco, arrives in Binghamton this week-end following a visit to New York.

SAM ROTH, of Pitts-Roth Corp., Suffolk, Va., was in town this week.

PHIL EISENBERG, of Rhimebeck, N. Y., was in New York during the week for consultation with Joe Hornstein who is equipping one of the former's theaters.

HENRY CROSSMAN and HENRY FRIEDA came to New York this week from Hudson, N. Y., on theater equipment business.

Government and Malco Sign Pacts with Altec

Altec Service has been chosen to install and service new sound equipment in the Marine Barracks, Parris Island, S. C. Company also will service the Lyceum Theater there. L. S. Johnson negotiated for Altec.

Organization's home office also announced that Malco Theaters, Inc., North Little Rock, Ark., has renewed its contract with Altec for service covering Malco's 57 theaters in Arkansas, Mississippi, Kentucky, and Memphis, Tenn. A. Fiore negotiated for Altec.

Allen to Cost $75,000

Detroit—Max Allen is completing plans for a new 1,000-seat house in the suburb of Allen Park, which also will bear the same name of Allen. Allen is now operating the Lincoln Park Theater, a suburb of Lincoln Park. New house will include three stories and will cost about $75,000.

Bodiform Chairs Command Notice in Pix Theater

Marked interest is being manifested in equipment circles in the unusually desirable arrangement and comfort afforded through American Seating Co.'s Bodiform chairs installed in the recently-opened Pix Theater, Rock Hill, S. C., owned and operated by John W. Roberts, E. Gregory.

House, designed by Ben Schlanger, provides for 725 auditorium seats, with some 150 in the balcony, and seat factors in the fast-growing plastic field, the organization announce plans to build one of the largest plastic plants in the country.

The new facility costs to between $2,000,000 and $3,000,000, will be located in Bound Brook, N. J., and will triple Union Carbide's output of vinylite plastic which in sheets is very strong, flexible and elastic, and is not susceptible to oxidation or chemical action. It can be made transparent or in colors.

Donlevy Gets New Post

Harold B. Donlevy, manager of the appliance department, merchandising division of Westinghouse Electric & Mfg. Co., has been appointed merchandising sales manager of Westinghouse Supply Co., with headquarters in New York, it is announced by W. W. Clark, president of the latter company.

Corn Bugs Via NTS

Pineville, Ky.—Dr. J. S. Corn's Bell Theater here has just been equipped with Irwin chairs, Super-Simplex projector, Simplex H-lamps, Simplex reflectors, Walker screen and Crestwood carpet supplied by National Theater Supply Co., Cincinnati.

Marketing Fluorescent Mix

Chicago—The Willemite Products Corp. here is offering a new fluorescent mix, the new M20, green, that has, according to the company, stepped-up brilliance, absolute uniformity of purity and ultra-smooth coating qualities.

L. T. & E. Slash Prices

Chicago—The Luminous Tube & Electric Co. here have cut the list of their line of fluorescent tubing and electrodes. Seven colors are offered in the new price list.

Cumberland Amusement Launches Mecca Theater

Tullahoma, Tenn.—The Mecca, new house constructed here by the Cumberland Amusement Co., opened last week-end. Eugene Russell, formerly on the staff of the Princess at Nashville, is the manager.

The increase in population of this city due to construction of the huge army cantonment at Camp佩y and the coming of 23,000 army recruits early next year is the reason for its 400-seater, modern in every respect. Another theater, located near Camp Peay, is contemplated. Cowan Oldham, McMinnville, is manager of Cumberland Amusement Co.

Crocker and Andrews Assigned G-E Duties

Stuart M. Crocker has relinquished his responsibilities as manager of General Electric's air conditioning and commercial refrigeration department, upon being elected a vice-president of the latter, on concern with customer relations.

H. L. Andrews, a G-E vice-president in the electrical field and commercial refrigeration in addition to carrying on as head of the company's appliance and merchandising department.

Becker Signs Photophone

M. Becker, vice-president of the newly-organized company that is being built in Cohoes, N. Y., and which will operate as a Fabian affiliate, has signed with RCA Photophone for new High Fidelity sound for the house which is tentatively scheduled to open during April, 1941.

Sparks Announces Another

Ocala, Fla.—The E. J. Sparks interests will construct a theater here on Magnolia St., near Fort Ave. House, which will be the largest in the city and one of the largest in this part of the State, will seat 1,000. It will be air-conditioned, and will be equipped and furnished by the latest devices in screen and sound equipment.

New Sound for Strand

H. P. Vonderschmitt is bringing his 1,068-seat Strand, Crawfordville, Ind., one of the largest of his eight theaters, up to date with new sound.

La Manta Bros. Turn Exhibs.

Philip and Antonio La Manta, brothers, operators of an automobile agency at Nanty Glo, Pa., are building a theater there.

Shutters For New Sound

Indianapolis—The Indiana Theater has closed until December 28. While closed, a new RCA sound system will be installed.

Ads of the Week

PLAIN TALK

about equipment

GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

W I T H the subject of projection progress a prime one for every circuit and exhibitor, as well as a matter of deep consequence to the industry and public at large, we turn the spotlight editorially today to COL. M. Jacobson, secretary of District 1, IATSE and Motion Picture Machine Operators of the U. S. and Canada, headquartered in Tacoma, Wash.

The astoundingly fast way in which you will turn to the organization's Quarterly Bulletin published thist month, presents therein an important article: "Herbert Griffin vs. Obsolence,"—being a digest of what Griffin had to say on the subject of "Problems in Modern Projection," an address which he delivered before a class at the University of Oklahoma.

Griffin, an authority on the subject of projection, is one of the top authorities on the subject in the country. He has been the object of investigation and study by many organizations and other groups in the industry due to Griffin's clear, concise method of putting pictures on the screen and his ability to explain the reason why so little is generally known about putting the picture on the screen. But those who know him best, say that the modern projectionist is too little and there are too many projectionists. A new book on projectionists and projection will be on the market a few weeks. Griffin and his co-author will write it, and the publisher promises a book that can be read by projectionists and other members of the industry who have less experience in this branch of the industry and who are not familiar with the book will be less expensive than that of the industry's other branches.

The average screen receives a poor picture unless it is properly maintained. A film that is properly maintained can be read by projectionists and other members of the industry who have less experience in this branch of the industry and who are not familiar with the book will be less expensive than that of the industry's other branches.

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PATRONS PAY TO See THE PICTURE

- The surest way to keep your patronage in the profit range is to use the best projection light available.

That means High Intensity projection—the light of daylight quality—that insures clear, comfortable vision of the fast moving, colorful modern productions.

The new "One Kilowatt" arcs now bring High Intensity projection to the small theatre—50% more light than Low Intensity projection at no increase in operating cost.

Installation costs are so low that no theatre can afford to be without this modern projection light.

Let your patrons SEE your pictures with maximum enjoyment. Satisfied patrons come again and bring others.

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 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
Big Industry Gains
Revealed by D of C

(The continued from Page 1)

inary figures compiled from returns of the Census of Manufactures for 1939 and released by the Bureau of Census, Department of Commerce.

Sources in Washington, D.C., for
EQUIPMENT NEWS
that the informal study of indices for 1940 indicate that the rate of gain this year is expected to be at least the equal of that registered over the previous three-year period.

There were 160 establishments in 1939 against 109 in 1937 for an increase of 48.5 per cent; 4,419 salaried personnel in 1939 compared to 4,752 in 1937, a decrease of 7.2 per cent; salaries of such personnel was $11,068,605 in 1939 and $10,825,947 in 1937, an increase of 2.5 per cent; cost of materials, supplies, fuel, purchased electric energy and contract work was $28,550,269 in 1939 and $30,652,879 in 1937 for an increase of 16.2 per cent; and the value added by manufacture was $91,342,169 in 1938 and $79,273,710 in 1937 for a gain of 15.3 per cent.

The industry, as constituted for census purposes, embraces establishments primarily engaged in the manufacture of photographic and motion picture cameras and projection apparatus, and associated materials and supplies such as films, sensitized paper and plates, reels, tanks, tripods, etc.

The wage earners primarily engaged in manufacturing in this industry in 1939 were 17,271, a decrease of 6.4 per cent compared with 18,450 reported for 1937, and their wages, $25,286,669, were less than the 1937 figure, $26,819,712, by 12.4 per cent. These decreases may be partially accounted for by the fact that the 1939 Census questionnaire, for the first time, called for personnel employed in distribution, construction, etc., separately from the manufacturing employees of the plants. It is not known how many of the wage earners reported for 1937 were engaged in distribution and construction and how many were engaged in manufacturing. Employees of the plants reported as engaged in distribution and construction activities in 1939 are not included in this preliminary report but will be included in the final report.

Four Get General Chairs
Chicago—General Seating Co. reports installation of its chairs in the local Webster Theater. Also that the Lucian in Memphis has purchased seats of same manufacture through Monarch Theater Supply Co., and that the Loma in Low- reneIce, Ga., and the Queens St. Louis were other purchasers. Capito I Theater Supply of Atlanta furnished the Loma’s seats, and the L. T. Rockenstein Co. those for the Queens.

Revealed of the Census
$11,098,065 cent; varied 4,762 1939 in and manufacture 160
ments 1937, in $25,286,669, etc.

of Material Interest

Christmas wouldn’t be Christmas
... if we rolled out of bed with the first rays of the sun
... and made our eager way to fireplace mantle and Xmas tree
... to find that the stocking from Aunt Minnie could be worn with anything but a racetrack suit... or Uncle Jim’s sincerely-sealed but deliciously-scented cigars could be smoked... without the neighbors’ conviction that your overshoes had ignited... Yep. at old Santa has a tough job equipping our individual houses
... with exactly what we like and need... It may not be cricket to muscle-in on St. Nick’s racket... but we have a hunch that here’s what the following would like for Yale:

• • • E. A. WILLSFORD, continued high-intensity trade
... Walter E. Green, even more branches on the flourishing NTS tree
... L. W. Conrow, plenty recruits for the “service”... Bob Walker, for every house to operate on a p.m. (plastic molded) policy... Bill Gardis, that all situations will be ideal... M. E. Miller, for every theaterman to take the cue and play one cushion
... Karl Brenkert, ‘41 to be big “B” year... Paul Garst, more aisles to conquer... Charlie Canaan, huge demand for smart accessories... Bert Sanborn, Jr., contracts, yeah, but none for acting... C. G. Taylor, that we all live in glass houses... A. A. Feinberg, all pic houses to have the right “atmosphere”... Ray mond S. Reed, the customers to be properly seated... Morton L. Clark, such royal biz that every stand’ll yell for a marquee... Myron Kennedy, all “Little Three” championships... Carl Bausch, for his lens system to be as widespread as the Lens System... R. B. Lord, a Captaincy... Joe Horstein, Florida... George Horstein, some of the same... David Schmidt, American arms around all pic patrons...

• • • FRED MATTHEWS, a perennally rising graph for Motol ograph... John Eberson, a Christmas stocking in artistic proportion to his office fireplace... Drew Eberson, an interstate commuter’s ticket... George Friedl, for the industry to be always sound... Julius Hauer, just a battery of automatic typewriters)... George H. Bucher, orders could be filled as easily as an Xmas basket... Ray Sherman, a huge net... A. E. Meyer, his craft laden with sales... C. C. Koorts, an increase in international trade... P. C. Sowersby and C. M. Cutler, to solve all current problems... Jack Hertzer, more grid victories over Lafayette... Francis Fialge, that his cares will be always light...

Ben Schlanger, a peaceable Yule without having to make plans... Herb Griffin, a flogging at the Corin Knot... Ralph Austrian, more sound ad campaigns... J. E. McAuley, a whole army of clients to give him orders... R. F. Winegar, a bright and row-easy New Year... E. Bruce Johnson, those new facilities to supply demand... P. A. McGuire, lots of support for Back-to-the-Land movement...

• • • A. BROGGINI, an original Christmas and so carbon copy... Dr. Herbert T. Kalmus, the most colorful year in film history... H. Wendt, more ideal and strong accounts... Herman DeVry, as big gains in ’41 as in ’40... J. L. Lyle, for carriers to be exceedingly common... C. Forristall, continuing equipment boom... Charles H. Kenny, to be cited for lots more decorations

Eduardo Battistat, more swell photos of more swell jobs
B. B. Buchanan, more chairs in houses
J. Rockenstein, that Southern sunshine
Phil M. House (your correspondent), rubber type to get the names of all the boys into this here coloum.

U. S. Air’s Biz Up
33 Per Cent in ’40

(The continued from Page 1)

nicians and workers have been placed on the payroll to care for orders placed by both motion pic ture theater interests and the Gov ernment. Contracts with the latter are for national defense purposes.

Feinberg said that the company is directing its commercial activities so that filmland will be enabled to have its air conditioning demands met at all times.

It is noteworthy currently, he declared, how much new theater con struction is under way in all sections of the country, and the inclina tion of circuits and independent exhibitors to improve existing prop erties via the latest types of air conditioning units is likewise apparent.

In 1939, when Feinberg added, one of the most dynamic markets for air conditioning is in the southeastern sections of the U. S.

Crescent Circuit Names New Theater The Roxy

Decatur, Ala.—“Roxy” has been selected as the name for a new theater under construction here for the Crescent Amusement Co. of Nash ville. The house is expected to open Jan. 1.

E. R. Babine, installation superintendent for the Crescent Co., will arrive soon to install picture machines and sound equipment.

G. F. Benniza, manager of the Princess Theater, belonging to the Crescent chain, will also be manager of the Roxy.

Acquires Building Site
Brownsville, Tex.—Largest building in the Lower Rio Grande Valley is the Strand, a hillside theater, to be built by the Interstate Amusement Co. of Dallas, to house a new theater, offices and stores here.

The company is reported to have closed a deal for a $27,000 lot in the business district, site of the home of the late Judge James B. Wells, for erection of a $350,000 structure.

M-G Studios List Jobs
Detroit—M-Green Studios is installing stage equipment and house drapery in the Orwego at Owego, N. Y., and the Riverside and Granada at Buffalo, for the Schine Circuit; the Hill at Hillsdale, Mich., and the Strand at Flint for the Butterfield Circuit; the Ohio at Toledo for Jack O’Connell; and the Strand at Alliance, O., and the Marlow at Buffalo.

Get Ready for Xmas
New Haven—Warner Theater De partment closed both the State, Schuyler-Mader and the Planet, and the Strand at South Norwalk on Dec. 16 to complete renovation of the houses, which will reopen Christmas Day.
Progress In Equip. Told At SMPE Meet

(Continued from Page 1)

close a new chemical cleaner made available exclusively for the Walker Plastic Molders there and the method for its utilization.

According to Walker, this new model of cleaning PM screen film is the first successful one developed as yet in the screen industry. In the demonstration he showed, any theater employee able to read simple directions can clean a PM screen in one hour, leaving no streaks and no dirt. A chemical cleaner, Walker pointed out, will keep a PM screen at 98 per cent efficiency for at least three years, and that National Theater Supply Co. will distribute the new Walker PM chemical cleaner which will probably retail for about $8 a gallon, although final costs are not definite yet.

D. B. Clark and G. Laube of 20th-Fox Hollywood, described the new 20th-Fox Camera and accessories, and D. Y. Bradshaw, of The March of Time, gave a detailed account of "Production Quality Sound With Single System Portable Equipment," which was used in making "The Ramparts We Watch."

Warner's Will Put Up New Theater In Albany

Albany — Warner Bros. Theaters announce construction of plans to erect a new 700-seat theater in the Delaware Ave. area, long known without films. Announcements made by M. A. Silver, zone manager, seating capacity of 900, with a nine-story, three-story rear, building building several other theaters. Albany architectural firm of Blatner & Van Der Bogert has been selected to design the house.

Rockenstein Org. Lists Sales

St. Louis — The L. T. Rockenstein Co., announces that its recently installed new booth equipment includes those furnished to the Liberty, Sedalia, Mo.; Uptown, Mt. Pleasant, Ia.; the Theater, Cairo, III.; the Majestic, Havana, Ill.; Lawford, Havana, Ill.; Fair, St. Louis; Paramount, Exchange, St. Louis; and the Oriel, St. Genevieve, Mo.

Theater Being Remodeled

Albany—Hudson Theater, dark for years, is to be remodeled at a cost of $25,000, but architects and equipment have yet to be lined up. A former Schenectady exhib. is said to be the new lessee.

Carnahan to Rebuild

Sandy Gap, Ky.—W. F. Carnahan will erect a new theater on the site of his house recently damaged by fire. Carnahan also operates in Beatyville, McEee and Morehead, Ky.

WHO'S WHO IN EQUIPMENT

T. KENNEDY STEVENSON. President of Electrical Research Products, Inc.


Wide Theater Use Seen For New Lustron Plastic

Cincinnati — The first important use of plastic in building and interior decoration is announced by Monsanto Chemical Co. with a display of new plastic tile, molded of Monsanto's new material Lustron, a polystyrene material. The tile is being produced by Cooperative Display, Inc., for use in theaters.

Tiles are made in a wide range of colors and are translucent to light, and extremely resistant to chemicals, water and atmospheric conditions. They are expected to have an important use in decorating walls of film theaters.

The tiles are produced as shallow blocks which can be bolted together by the snaps or joined with a cement.

Work Progressing On Two Montreal Theaters

Montreal — Construction is progressing rapidly on two new film theaters here. One of the houses is located on Sherbrooke St. and will seat 1,000 persons. The other is on St. Denis St., and will seat 750.

F. E. Ellis and Greenspoon of this city are the architects, and Ben Schanger, theater architect of New York, is consulting architect.

Several new developments in sound treatment, lighting, seating, sight lines, and projection will be incorporated in these projects.

Latest RCA Sound May Go Into Nabe's

(Continued from Page 1)

left of the screen, or at other locations in the theater, and simplified control units installed in standard film soundtracks. The auxiliary equipment is controlled by a special "stereo" sound track on one side of the film. It was developed in the RCA Research Laboratories.

Speech is reproduced in the conventional way from a standard sound track over the regular system. For music, sound effects and other selected sequences the auxiliary loud-speakers are called upon to reproduce the same program material supplied to the regular channel. Thus, an orchestra portrayed on the screen sounds as though it were actually on the stage, since the sound comes from as wide a source on the stage as the orchestra itself would occupy.

RCA Panoramic Sound principles have been applied experimentally by Warners Bros. in "The Santa Fe Trail," now being released. Establishment of sound standards by the Academy of Motion Picture Arts and Sciences must precede its general release to the industry, Calhoun explained.

Majestic in Final Stages

Tulsa, Okla.—Ralph Talbot is completing his new Majestic Theater here.

"BITTER SWEET"

Noel Coward music, Eddy and MacDonald to sing it—what a combination! It's the same sort of an all-star combination you find in Alexander Smith Carpet ... which is why you find this famous carpet in most of the country's successful theaters.
Three Ont. Houses Currently In Work

Toronto—Harold S. Kaplan and A. Sprachman, local film theater architect, state that, plans having been completed, work is currently under way at the renovated Madison Theater here which, upon completion, will be rechristened the Midtown. House will be modern in every respect and have the finest type seating, air conditioning, projection and sound. Cost of the project is about $76,000.

Plans have been prepared and work just started for a new 300-seater in Pori known, among the others, will be a one-floor, completely fireproof structure, thoroughly up-to-date in equipment and appointments.

Kaplan and Sprachman say that work has begun also on a 700-seater in Chatham, Ont., which, as in the case of the two aforementioned theaters, is being constructed from their designs.

Jones and Boyd Launch Their Remodeled Vistas

Portland, Ore.—The Vista Theater, formerly known as the State, has been opened at 21st Ave. and Hoyt St.

The house has been completely renovated and equipped with new decorations, new light, new sound, new projection equipment and new seating.

Arthur G. Jones and Lewis D. Boyd are operators of the Vista. Jones is in Portland while Boyd comes from Montana, where he managed a chain of theaters.

Lighting Equipment

Rentals:
A full line of modern equipment together with a staff of trained men to handle any job large or small in time, anywhere. Generator trucks, searchlights and floodlights, for pictures and general lighting activities.

Sales:
Everything in the line of equipment for motion picture and photographic studio.

Service:
We are prepared to offer the finest service, equipment and technical advice obtainable. Look to the East. Your requirements taken care of to the last minute detail.

Sole Eastern Distributors of equipment manufactured by:
Mole-Richardson Co.
HOLLYWOOD, CALIFORNIA

Charles Ross Inc.
244-50 West 49th Street, New York City
Tel. Circle 6-5470-1-2

Alabama City Misses-Out On Movie House
By The Very Narrow Margin Of 12-ft. Strip

Dothan, Ala.—In neglecting to give the Martin-Davis Theater Co. option on a 12-ft. strip of land off the courthouse property, the Houston County Board of Commissioners lost to the city a $100,000 theater which the company proposed to build here. The Martin-Davis interests, planning such one theater in Dothan in 1941, had elected Dothan as a suitable location. An option of $7,200, twice the real value of the strip according to the theater company, was offered, and no subsidy asked.

Beck to Open Chicago’s New Loop House in Jan.

Chicago—This city’s newest and most modern theater, christened Today (that’s its name), will open about mid-January at Dearborn and Madison Sts., according to its owner, Richard Beck. It will seat 325 and run hour-long programs.

House was designed by David Chapman, industrial designer, in cooperation with Loewenberg & Loewenberg, architects.

Personal of Today, from doorgirls to usherettes, will be feminine. Each girl hired will be under a year’s contract at better than average wages.

Seats for the new theater are so arranged that patrons will have plenty of room. Rows will be wider than in other house country, and seats and chair-side arms will be of air foam rubber. Last five rows of seats will be terraced with ample space for passing. Seats will be the slide-back type.

Fluorescent lighting will be extensively employed on the exterior and so-called “black light” will be an auditorium feature.

U. S. Theater Nearly Ready

Brownwood, Tex.—Camp Bowie’s theater, which will seat 2,076 soldiers is rapidly nearing completion. The walls and projection booth are constructed of wood and the top of canopy is supported by granite poles and timbersed framework. Lieutenant C. L. Dickinson, Quartermaster Corps Reserve, has been assigned to duty as Camp Bowie theater officer.

Dallas Drive-Ins Started

Construction has started on two drive-in theaters in Dallas, with the opening planned for March 14. They are being built by W. G. Underwood and C. C. Ezell, Texas distributors for Republic Pictures. One will be located in the West part of the city and the other in the North part. Cost of the two drive-ins is estimated at around $100,000. Similar theaters will be erected in Waco, Ft. Worth and San Antonio.

Allow Crescent Improvements

Little Rock, Ark.—A permit for remodeling of the Crescent Theater at a cost of $6,000 has been issued at the city’s engineer’s office.

Bressler to Build

Dayton, Ky.—A. Bressler, operator of the Liberty, will construct a new 800-seat theater here.

Ruby Fills Navy Order; Notes Foreign Demand

Edward Ruby, Ruby Camera Exchange, Inc., of New York, discloses that recently his company furnished six 35 mm. sound-on-film projectors to the U. S. Navy, which machines were installed in Naval Training points in the U. S., and that Holmes Ball Bearing Educators were furnished each instance. He said that orders have been received and filled from Rio de Janeiro and other foreign countries, and that the company furnished to Japanese Newsreel a number of items including sound recording cameras, lenses and 32 types for ground and aerial work, recording amplifiers for underwater work, and various odd-type equipment essential to newsreel operation in combat areas. Two moviola was shipped to the Union of South Africa.

Ruby asserts that the influx of foreign orders demonstrates the rising interest of business and official channels overseas in utilizing American film equipment.

Tremont Unveils Lobby

Boston.—The handsome new lobby of the Tremont Theater has been formally opened to the public, marking a change which has brought a bit of nostalgia to old-timers of the theater world for, originally it is, the new lobby means the passing of the famous old lobby of the Tremont which had housed so many legitimate stars in the heyday of its popularity as a Klau & Erlanger house.

Rists Sell Capitol Bldg.

Ashland, Ky.—Purchase of the Capitol Theater Building, housing the city’s oldest operating show house, was announced by Dr. M. D. Garred. The building, which brought more than $30,000, will be remodeled and will continue under present management. It was purchased from John Breck, T. R. Irons, O., and Cattlebeck, Ky.

Majestic to Mrs. Buckwalter

Quinton, Miss.—Louise Buckwalter, wife of Altec service man H. C. Buckwalter, took over the Majestic Theater here from Max Comett, with the deal calling for immediate operation.

Fresh Hues For Fairfax

Fairfax, Ala.—Fairfax Theater, via a painting and decorating job, is all dressed up in rose and blue on the inside and white on the outside.

S.O.S. Names Agent For Central Amer.

W. R. Grace & Co., exporters, who have become increasingly active in the film equipment field recently, have been appointed exclusive distributors of State Building Supply Corp.’s line of projection apparatus in several Central American countries.

A number of equipments have already been shipped, including the new models of S.O.S. Superior Eagle 35 mm. theater projectors, which will be combined with W. R. Grace & Co. with RCA Photophone Sound Recording, also distributed by them.

“This new arrangement is of special significance,” states Arthur Acor, S.O.S. vice-president, “for it welds one of the pioneer projection machine with that of the pioneer sound equipment, sponsored by an export house of unquestionable standing.”

S.O.S. also announced completion of projection and sound jobs for the Northfield Schools, Northfield, Mass., and the Southwestern State Hospital, Marion, Va.

Quartette of Outlets Are Mid-West Equipped

Cincinnati—Mid-West Theater Supply Co.’s offices here report sales of RCA sound to S. Lees of Winchester Amusement Co. for circuit’s Grand in Franklin, Ky., and to the Walters-operated Palace, Huntington, W. Va. Latter house also ordered Brenchet projectors and Enar lamps.

International chairs were furnished by Mid-West to B. Fiaza’s Alhambra, Dayton, Ohio, and to W. Miles’ Garden in Columbus.

Former Carrier Plant Sold

The Carrier Corp., builders of air conditioning equipment used extensively by motion picture theaters and others, as well as laboratories, has sold its vacant plant at Allentown, Pa., to the American Armament Corp., makers of artillery, machine guns and aerial bomb and anti-aircraft gun parts. Selling price and terms of the deal were not disclosed.

Dunn House Under Way

Ashford, Ala.—Construction has begun on new theater building here for Ellison Dunn of Donelsonville, Ga., W. H. Harrington & Son. Building will be erected in Waco, will cost approximately $12,000, and will be completed Jan. 10.

Meyer-Schwarz Equip

Winchester, Ky.—George B. Meyer and Harry Smith of new Clark Theater here has been equipped with irw chairs, Alexander Smith carpet, Gone With The Wind lamps, Simplot projector, and a Walker screen purchased from National Theater Supply Co., Cincinnati.
New Type Flashed Glass Is Announced by Wagner

(Continued from Page 1)

a clear crystal glass, whereas other flashed glasses have been opaque glass flashed onto crystal and this opaque glass has been about 10/100th of an inch thick, but, with a translucent glass the Wagner organization is able to flash about 40/100th of an inch thick, which will effect a marked advance when used for attraction board purposes, Wagner states.

This new glass, he asserts, will revolutionize the marquee flashed glass industry as it is almost 40 per cent more efficient than the best flashed glass obtainable in this country.

This means, he adds, that, with the new glass, film houses can either reduce wattage this amount or have a much better looking sign.

Policy of sealing the new glass will be to deliver it only with Wagner letters or to users of Wagner projectors. A limited quantity is currently available at a very nominal price as compared to other flashed glasses, he declares.

M & N Reconstruct Oliver

Detroit—Oliver Theater, recently taken over by the Moore & Newman Circuit, has been completely rebuilt to the walls at a cost estimated at around $5,000, including all neighborhood house. Practically all theater equipment was furnished by National Theater Supply Co. Ernest Keeler, a newcomer to show business, has been named house manager.

To Remodel Rialto

Kingsport, Tenn.—Charles Burns, manager, announces plans for the immediate remodeling of the Rialto. An additional 30 feet in length will add 140 to the seating capacity. Improvements will include a new front, new stage, and complete interior redecoration. The theater's policy of second-runs on Monday and Tuesday and first-runs the rest of the week will be continued.

“MAYBE I’D BETTER THINK THAT OVER!”

There’s no percentage in being uncertain about any phase of your business. How can you be certain whether the lamp in your present installation is functioning at its highest possible efficiency? About that, you never need to be in doubt again. An Altec sound service agreement and an Altec booth parts agreement bring you the knowledge that your equipment is operating at its best, not part of the time, but all of the time. Change to Altec today!
**PROSCENIUM CHATTER**

**BUTTERFIELD CIRCUIT** will name its new 900-seater in Battle Creek, Mich., the Michigan. House is to be ready for opening early in May to service the needs of the Army's expanded cantonment at nearby Camp Custer.

Indianapolis reports that Rost Young, formerly with National Theatres, has accepted post as junior engineer with the Servelt Corp., Evansville, Ind.,--at the Indianapolis branch office.

Jack Moss of De Vry Projection distributors, Detroit, reports installation of new lenses in the Home and King Theaters for the J. B. Kuhl Circuit.

S. M. Melzer has taken over the Ambassador Theater in Chicago and will remodel the house. He also controls the Rivoli.

Horace Evans has been named Minneapolis representative for the Droll Theater Supply Co. of Chicago, and, speaking of that org., the demand for Droll processed carbons is heavy, with result that company is working overtime to supply the trade, according to Sales Manager Walter Nylan.

Lobby and interior of the Majestic, Boston, long a legit house, will be entirely remodeled and supplied with new equipment for its use as a roadhouse stand for pix, plus the expectation that it may be impressed into service as a first-run outlet later on. Theater is owned by the Taylor Estate and was for several years leased by the Shuberts,--later by M & K.

A sales drive will get under way shortly to secure film theater installations for the Hammond brothers of Hammond, Ind., who adds band instrument effects to pianos, it's stated by F. H. Redmond, general manager.

M. A. Kopstein, E. C. Larson and Barre Blumenfeld have organized the State Camera Co. out in Cbi. It'll deal in cameras and various types of film equipment.

The Brothers Allen,—Russ and Harry,—have taken over the burned Astor in Aztec, N. M., and are planning an early reopening.

Mayor John V. Robinson has just taken over the Old Fort Theater in Old Fort, N. C. The Skoarou boys ought to send Mayor John his four-year-old Albanian Any guy who can take the Old Fort single-handed!

R. B. Lord, lab superintendent of Erpl's Hollywood plant, has reported to San Luis Obispo cantonment for duty with the Signal Corps. A First Lieutenant in that branch of service Reserve, R. B. is one of the first of the Coast's soldiers to be called for national defense. A swell surprise luncheon was tendered him by his Erpl associates before his departure northward.

**MOTIOGRAPH FILLS CONTRACT WITH U. S. NAVY FOR DE LUKE SOUND SYSTEM**

**CHICAGO**—Completion of installation of Motioagraph's Miprophonic De Luxe Sound Systems in the Naval Base at Key West, Fla., signaled another step in the commercial relations of the Navy and the organization headed by Fred C. Matthews. With the last few months, Motioagraph equipment has gone into the U.S.S. Reina Mercedes at Annapolis, Md.; the Brooklyn Navy Yard and the Naval Hospital there; Skatter, T. H.; U. S. Naval Air Station, Norfolk, Va.; and in the U. S. Navy Yard, Mare Island, Calif.

**INTER-MOUNTAIN REPORTS DEMAND FOR BRENKERTS**

Salt Lake City—Brenkert projectors have been included in all the principal orders recently filled by Inter-Mountain Theater Supply Co. It is pointed out by organization's local headquarters.

The Brenkert equipment has gone into Andy Floor's Lake Theater here; C. Hawk's Towne in Ephraim, Utah, and his Rex in Caliente, Nev.; John Miller's Cameo, American Fork, Utah; and C. E. Huish's Hunter, Elko, Nev.

Additional chairs were also supplied to Andy Floor's Lake and C. Hawk's Rex, with the latter house also getting an RCA screen.

**CARSONI G COMMENCES PROJECT**

Starke, Fla.—Work has been started on the new 700-seat theater by W. N. Carsoni, of Frostproof. The new theater will be 60 by 156 feet, with latest type sound equipment, and will cost in the neighborhood of $35,000. This theater will take the place of the one originally planned by Carsoni and which was to be the remodeled old post office building.

**K & G REVAMP REDFORD**

Detroit—Komar & Goldberg Circuit here have just completed thorough rejuvenating of the Redford Theater at an estimated cost of $20,000. New features: lobby decoration was done by Ernest Artt, contractor. National Theater Supply in charge of installation and their E-Z projectors and Walker screen.

**BURKINSHAW RE-ENUPS IRIS**

Midvale, Utah—Spencer Burkini-shaw is installing new sound equipment and seats in his Iris Theater here, as well as enlarging the stage and effecting other improvements. House was formerly owned by Mel Stringham.

**PURCHASES WALKER SCREEN**

Franklin, Ind.—The Indiana Marion Home has installed a new Walker Metallic Molded screen.

**HART IMPROVES SCREEN IMAGE**

Auburn, Ind. — Hobart Hart has purchased a new Walker Molded Sil-VER screen for his Court Theater.

**REMBUSCH BUYS GOLD SEAL**

Elwood, Ind.—The Elwood Theater, one of the Rembusch circuit theaters, has a new three-unit Gold Seal ticket machine.

**LOEW'S, INC., WILL LAUNCH AMERICAN THEATER DEC. 26**

(Continued from Page 1)

and 600 in the balcony and loges, is characterized by observers competent to appraise its merits as the outstanding film theater of its type ever to be erected. It is the complete creation of the Metropolitan Life. It has, by Starrett Bros. and Eken; Board of Design; the construction department to Loew's, Inc., whose architect was Harry Moskowitz; and the consultant architects, John and Drew Eberson.

This film palace is the first to be opened in New York under the Loew banner since the Post Road was launched seven years ago.

**CAMEO MAKES BOW**

Orlando, Fla.—The Cameo, Orlando's first neighborhood theater, has opened nine weeks after construction started. The theater represents an investment of $60,000, and is a 412-seat house. The theater was designed by Roy A. Benjamin, Sr., Jacksonville architect, and is a unit of the Sparks chain. Ralph Saunders is the manager.

**DECKMAN BRANCHES OUT**

Willoughby, O.—Charles G. Deckman, co-owner of the Willby Theater here, has announced plans for the construction of a new theater to be built on the corporate limits of a new recreation building to cost approximately $100,000. The new theater will be a two-story business structure, will be built of brick and feature 12 bowling alleys. Contract for the project has been awarded.

**HOESEL TAKES OVER THEATER**

Culver, Ind.—E. B. Hoesel, widely known in theater circles in Indiana, is now operating the Palm Theater here. For a short period the house was running under the name of El Rancho. The new owner has adopted the original name Palms.

**ZOLL ANNOUNCES RE-OPENING**

Spokane, Wash.—After a four-month shutdown the New Rex Theater has reopened, according to W. R. Zell, manager. Since the theater closed June 1, there has been added a new front and new decorations inside and out.

**Majestic is Modernized**

Green Forest, Ark.—The Majestic has installed a new heating system. The old heating system and stage have also been installed.

**EQUIPMENT FIELD NOTES**

IT'S going to be a gay (as well as busy) New Year's Eve for A. Malanos, Pennsylvania exhib. On that festive night he will open his new 600-seater in East Pittsburgh—and it looks as though the house would be ready in time.

Charley and Reginald Morse are planning several improvements to their Kenmare in Boston. Among other items, the boys are installing bearing- aids, and negotiations are also under way to provide additional parking space for patrons.

Three of the Sparks houses in Florida,—the St. Petersburg, Fort Myers, and the Florida in Tallahassee,—are catering to the oral sensibilities of the onrushing tourists with spanking new RCA sound.

While on the subject of sound, there's one gent who shows proper appreciation of said equipment,—and that's Vince Hoven who runs the H & H Theater in Boudle, S. D. Vince, before having it installed, put it on display in the lobby of the house so folks could see what they were going to hear.

The G-E boys up in Schenectady have a 'lil job that's going to take them three years to build; the electrical equipment to operate the University of California's new 100,000, 000-volt cyclotron (atom smasher). The equipment would fit rather neatly in the space of a two-story house.

The Taylor Theater in Taylorville, Ky., is being remodeled and reequipped by Charley Boaler who'll open it in January. The old house was partly destroyed by fire last Spring.

Mrs. J. P. Griffith, who recently acquired the Drive-in in Fowler, Ind., has installed a new Da-Lite screen, two rectifiers and a pair of projection lamps.

C. A. MacDonald, Columbus, O., circuit owner, is confined to his home by illness, and to the opening of his new Boulevard in that city has been postponed.

Out of Chicago comes word that the Federal Fluorescent Corp. has been organized by Maurice A. Ginsburg, Mayer A. Wolfson and Edward A. Ginsburg to distribute fluorescent signs to the theater trade.

Latest echo from the Echo in Baltimore is that Frank Wolters, Mo. has adopted his patrons a Christmas gift by installing new RCA Photophone sound.

Remembere the reports (of news sort, we mean) of the Aquaflash bomb ton technique developed by Dr. Walter (Eastman Kodak) Clark for night aerial photography; demonstrated in Rochester, and brought to you in a previous issue of your favorite equipment publication? Well, it has been adopted by the Canadian and British air forces.
THE WEEK IN REVIEW
Decree Attacks Continue

By L. H. MITCHELL

DOMESTIC

Consent Decree: Attacks on the consent decree in the Gov't's equity suit continue . . . Ed Kuykendall, MPTO proxy, told Ohio Theater Owners there would be only trouble for exhibitors, under the decree. Later he characterized it as "stupid, mrsmised, unfair" before the Kansas-Missouri TD . . . Wolfson preferred to be clearing house for squawks aroused by the decree . . . Mitchell Wolfson of Wometco Theaters called a meeting of exhibs, to discuss the decree for Dec. 31 in Miami . . . Abram F. Myers, Allied's general counsel, in a bulletin, advised exhibs. to avoid dissipation of product . . . Dists. may lease theaters in which to tradeshow blocks of five . . . Industry reps. will be on the AAA directorate.

Ascap: Following Gov't's hint early in the week that an Ascap-BMI consent decree was near, Gene Buck, Ascap proxy, issued a statement that negotiations with the Gov't were under way growing out of a monopolistic filing against it in 1935, but that any consent decree that might be worked out and accepted would have no bearing whatever upon its dispute with the radio networks . . . Warner music firms are testing on the strength of BMI. Later Warnar Theater circuit hqrs. here advised that only Ascap music would be played at Warnar theaters . . .

This and That: Second Aid report indicated that one-third of needed product remains unsold. It also found that flat rentals were the same as last year . . . Geo. J. Schaefer, RKO proxy, said quality of pix, not their cost, would regulate rental terms. Company plans 40 features for next season . . . Survey shows 16 feature pix dealing with various branches of the U. S. service are planned . . . TNEC urged new anti-trust laws . . . Despite kinks at its plan to purchase . . .

Survey Shows Houses Now Operating in 12 States
And District of Columbia

Theaters catering to Negro patronage total 401 and are located in 26 states and the District of Columbia, it is revealed in a survey recently completed for THE FILM DAILY. Checkup shows an increase of 12 houses since a Department of Commerce list showed 899 houses in June, 1939.

States and the number of Negro (Continued on Page 4)

Mass. Industry Will Escape "Anti" Bills

Boston — Unless the unforeseen happens, the forthcoming session of the Massachusetts General Court—legislature to you—will be the freest from attempted anti-amusement legislation in many years. Men and women who represent the film industry, the outdoor amusements and the legitimate theaters are all breathing

Equity-Dramatists Guild Co-op for Tryout Theater

Joint plan of Actors Equity and the Dramatists Guild for establishment in New York of the National Experimental Theater provides that

Frown on Raised Admissions
W. Pa. Indies Stick to Established Prices

New Jersey Allied Units Meet in Trenton Jan. 21

A general meeting of the northern and southern units of New Jersey Allied has been set for Jan. 21 at the Stacy-Trent Hotel, Trenton. Individual unit meetings will be held by the South Jersey group at the Broadwood Hotel, Philadelphia, on Jan. 6 and by the North Jersey members at their New York headquarters on Jan. 9.

Western Pennsylvania indies exhibit, affiliated with the Allied MPTO have served notice on all producers that there will be no future increasing of admission prices on individual pictures from time to time.

Action follows unanimous passage of a resolution at the MPTO's last meeting which put the indies on record as retaining their "democratic right" to maintain present established prices on all productions „until such time as we, ourselves, be . . .

Arthur Loew Gives Bonus to Employees

All members of Loew's foreign department receiving less than $100 a week were presented with a gift of one week's salary by Arthur Loew, vice-president and head of the foreign department. This gift, as in past years, is a personal one—is given in addition to the company bonus of two weeks' salary to those receiving less than $40 a week.

Suspect Cuban Law For Three Months

Havana (By Cable)—Anti-blockbooking decree will be suspended for three months as of Jan. 1, date it becomes effective, with the distributors and exhibitors to use the period for negotiation in an effort to arrive at some basis of modification or amendment. Decree in its present form has been rejected by

Industry Luncheon Will Climax Jewish Campaign

Leaders in the amusement industry met for luncheon Friday at the Hotel Astor, and reported on the progress of their effort to raise

Defines Adult Admission, Application of Tax to Ticket Books, Students

Further clarification of the admission tax issues by the Treasury Dept. has been sent to Allied of New Jersey upon the request of the unit. Definition of an adult admission, application of the tax to ticket books and so-called student tickets are provided in the Treasury Dept.'s explanation. Questions submitted to the Government and the answers received are presented herefor with the enlightenment of all exhibitors:

QUESTION: Is anyone under the age of 12 considered a child admission as

Single U. S. Distrib. Operating in Norway

Washington Bureau of THE FILM DAILY

Washington—Indications are that Norway's film industry is planning to expand appreciably its production and thereby take advantage of the abnormal situation existing in the home market. Nathan Golden, chief of the Commerce Department's Motion Picture Division, reports. Norwegian studios have completed five pictures during the current year and it is anticipated that this number

Nat'l Screen Studying Commercial Pix Field

National Screen Service has been exploring the industrial motion picture field with the view of becoming distributors of commercial product. No decision or plan has been adopted, but it is known in advertising agency circles that NSS has

Oh, Mister Ripley—!!

A Long Island theater marquee advertised "Honeymoon Deferred" "One Crowded Night"
FINANCIAL

(QUOTATIONS OF FRIDAY, DEC. 30)

NEW YORK STOCK MARKET

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Burtas Bishop Jr., Will Be Feted at Testimonial

Pittsburgh — The local Variety Club, in conjunction with his host of exhibitor friends throughout the territory, will sponsor a testimonial dinner in honor of Burtas Bishop Jr., M-G-M branch manager, who was recently promoted to district manager in the Pacific Northwest, to West. Affair will take place in the Urban Room of the Williams Hotel Penn on Jan. 6.

M. N. Shapiro is general chairman of the banquet committee, and C. J. Laita, retiring chief Barker of the local club, has been appointed toastmaster. Bishop was elected first assistant chief Barker of the club for 1940 but due to leaving the territory a substitute will be selected at the next board meeting.

A number of home office executives are expected to attend this banquet.

450 Christmas Openings For "Santa Fe Trail"

WARNERS’ “SANTA FE TRAIL” WILL START IN OVER 450 HOUSES DURING CHRISTMAS WEEK, IT WAS LEARNE OVER THE WEEK ON THE NEW YORK CURB MARKET

St. John, N. B. — Eastern exhibitors in the provinces, have been contending not only with the usual pre-Christmas slump, but with epidemics that keep potential customers completely out of circulation. The cutting a wide swath in Eastern Canada, keeping its victims on the shelf for from three to four days to a week or 10 days. Most of the theaters are working short handed due to flu intrusions in the staffs.

Diphtheria has been epidemic also and while not up to the flu volume, dangerous and long lasting. Hospitals have been crowded with visitors and some schools shut down before the normal date for the Yule holidays.

“Quiz Kids” Radio Show Set for Para. Shows

Radio’s "Quiz Kids" program will be transferred to the screen via a Paramount deal closed Friday with Louis Cowan, producer of the broadcast. One-readers will be made at the Asteria studios and the first release is scheduled for early in 1941. "Quiz Kids" are heard Wednesday evening over the NBC network.

Head Chi Greek Drive

Chicago — Harry Reckas and John Manta, Chicago theater owners, head the Chicago organization for Greek war relief activities.

COMING and GOING

SINDY R. KENT returns today from the Coast.

CARL E. MILLIKEN, secretary of the MPPDA, and W. MILLIKEN, sailed Saturday on the America for a two-week cruise in the Caribbean.

JOSEPH I. BREEN and MRS. BREEN are here from the Coast.

ROGER MARCHESET was here from the Coast over the week-end.

ABE LASTOFGEL and his wife arrived Saturday from Hollywood.

GREG CARBO is expected to come here from the Coast to spend the holidays.

ERIC von STROHEIM, who is paying New York a visit, is looking for a producer for his play, "Air Raid Shells."

MAURICE BAILEY, operator of the Whalley, Westville and the Whitney, New Haven, will go to New Orleans for the holidays.

Full Amsa Membership For Gals, Trade Newsman

Amsa, meeting Friday, ratified amendments to the constitution which confer active membership on trade paper reps, and extend full voting privileges to women members. Latter’s dues are raised from $5 to $10.

The annual meeting of the association is now set as the last Thursday in April, at which time elections are held. Not later than March 1 the members must elect a nominating committee.

Discussion was held regarding a 25th Anniversary Dinner Dance which is to be held in the grand ballroom of the Hotel Edison on Friday evening, April 1. Affair will be a benefit for the new Amsa Welfare and Relief Fund. Further discussion will be held on this at the next board of directors’ meeting on Monday, Jan. 6.

Next Amsa open meeting will be on Jan. 9, with Barney Babian, Paramount president, as guest speaker.

Equity Holds Quarterly Meet

Quarterly membership meeting of Equity was held Friday at the Astor with councilman Robert T. Haines presiding in the person of Bert Lytell, pres, who is rehearsing with a show.

"Happy Birthday to you"

From THE FILM DAILY to DEC. 23

John Connell
James J. Tynan
Frank Himes
P. D. Cochran

LEON LEE L. STRAMFURP

MONDAY, DECEMBER 23, 1940
That's the number of happy exhibitors who have day-and-dated Paramount's "LOVE THY NEIGHBOR" and are treating their customers to the biggest laugh hit ever filmed!

"Sure-fire grosser packed with laughs. A natural for all stands!"
—Film Daily

"A real treat. Fans should provide an enormous ready-made audience!"
—M. P. Daily
Single U. S. Distrib.
Operating in Norway

(Continued from Page 1)

ber will be materially increased during
1941.
Because of the lack of foreign ex-
change, severe restrictions have been
placed on film imports, which cannot
be made without the approval of the
State bank. With the exception of a
product of a single distrib., practi-
cally no American pictures are now
permitted to be shown in the coun-
try. During the first nine months
of this year a total of 105 pictures
were exhibited in Oslo, of which 78
were American and 32 German. In
the similar period of 1939, out of a
total of 235 pictures shown, 146 were
American films and only 17 German.
During 1941 it is probable that Ger-
man screens will replace the films
exhibited in Norway, with some
pictures coming from Sweden and
Denmark, Golden's report states.

Swedish Feature Production
Up, But Shorts Total Slumps

Stockholm (By Air Mail)—For
the 1941 fiscal year, the Swedish
Motion Picture Co. produced eight
features, an increase of two over
1939. Out
put of shorts, however, declined
from 20,000 to 19,000.
Operating earnings declined by
210,000 to 990,000 crowns, while in-
come from other sources, such as
profits, interest, and rentals dropped
slightly to 290,000 crowns. Fewer
smaller profits are understood to be
the result of higher costs of produc-
tion and some loss in revenue from
film rentals in foreign countries.
After deducting charges, depreda-
tion and taxes totaling 800,000
crowns, net profits stood at 580,000
crowns, compared with 550,000
crowns the year before. Including
undivided profits from previous
years, an amount of 800,000 crowns
was available for distribution, of
which 500,000 crowns will be de-
clared as dividends, the dividend on
A shares being lowered from 7 to 5
per cent and on B shares from 9 to
8 per cent. The balance, 300,000
crowns, has been carried forward.

Rosenblatt With NSS, AA

Oshkosh—Max Rosenblatt, formerly
with Capitol Pictures here, is now
the Nebraska representative for Na-
tional Screen Service and Advertis-
ing Accessories, replacing Mike
Roth. Joe Foley, former exhib, at
Waterloo, Ia., moves into Capitol
Pictures as Iowa representative
with headquarters at Des Moines.

740 Christmas Dates
For Two Para. Films

Christmas bookings for NWWPP and
"Gumdrop" total 740, it was disclosed
Friday by Neil F. Agnew, Para. sales chief.
Former has 387. la., 353. are both
nationally released Dec. 27.

W. Pa. Indies Frown
On Increased Prices

(Continued from Page 1)

believe that our own local economic
conditions warrant a permanent in-
crease."

MPTO resolution says that the
decision stems from the belief that
"pictures not so increased are con-
sidered of lesser merit by the par-
rons; grosses prior to and following
the run of such increased pictures
are adversely affected, and because
we believe that it is detrimental to
the basic structure of the exhibition
business, which by its very nature
must be conducted on some set
policies."

Negro Theaters Increase
To 401 During 1940

(Continued from Page 1)

theaters in each arc: Alabama, 14;
Arkansas, 4; California, 8; Colorado,
1; District of Columbia, 13; Florida,
41; Georgia, 21; Illinois, 21; Indiana,
6; Kansas, 3; Kentucky, 4; Louisiana,
23; Maryland, 17; Michigan, 18; Mis-
souri, 13; Nebraska, 1; New Jersey,
11; New York, 83; North Carolina, 20;
Ohio, 19; Oklahoma, 7; Pennsyl-
vania, 10; South Carolina, 9; Ten-
nessee, 14; Texas, 29; Virginia, 22;
West Virginia, 4.

Film Alliance Closes
Three New Franchises

Three new franchise holders have
been set by Film Alliance of the U.
S. Atlantic Pictures will handle
Film Alliance product for the New
Orleans territory. Jack Adams of
Adams' Film Exchanges in Dallas,
Oklahoma and Arkansas has been
awarded franchises for those terri-
itories. Marel Meekburg of North-
eastern Film Co. will release F. A.
product for the Boston territory.

Deals were set by Sales Manager,
Norman Elson, of Film Alliance who
returned at the week-end from a
three weeks' trip during which he
also closed a deal with Tri-States
Circuit of Iowa and Nebraska for
the company's entire '41 product, as
well as numerous small deals in
Kansas City territory. Esquire The-
ater, Toledo, has contracted to
show Film Alliance product first-
run.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood—Engagement is an
ounced of Ovidia Brindas and
Douglas Wood Willihot.

Leonard Beier, of Warner Bros.
home office publicity department,
was married over the week-end to
Lillian Kirschen of Highland Park,
New Jersey.
Clarity Admission Tax Issues
Treasury Dept. Answers Exhibitor Queries

(Continued from Page 1) Federal Admission Tax applies? Is anyone over the age of 12 considered an adult admission as Federal Admission Tax applies?

ANSWER: Section 1700 of the Code provides that in the case of persons (except bona fide employees of the industry, or official business and children under 12 years of age) admitted freely or at reduced rates is subject to tax 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. Section 1015 of Regulation 43 provides that a bona fide employee, a municipal officer on official business or a child under 12 years of age is not liable for any tax, if admitted free, and at reduced rate is liable for tax on the reduced price, provided such price is 21 cents or more.

QUESTION: Where tickets are sold in books of 19 tickets at 20c and are used individually, does the tax apply if such admission ticket is used where the adult admission price exceeds 20c?

ANSWER: It is held that where a book of 19 tickets is sold at a price of 20 cents for each ticket while the regular established price of a single admission is in excess of 20 cents, the tickets are sold at reduced rates and a tax must be collected on each ticket as an admission ticket as of the tax on single tickets of admission at the regular established price.

QUESTIONS: In the case where a theater reserves a certain section for student admission, ages ranging 12 to 16 and the admission price is 20c or less, is the tax applicable provided other sections of the same floor charge on adult price in excess of 20? Would the Admission Tax apply provided the reserved student section were not available to any admissions in the taxable class?

ANSWER: Any person 12 years of age or over admitted free or at a reduced rate is liable for tax equivalent to the tax on the regular established price of admission to other persons, that is, to adults for the same or similar accommodations. For example, if students (or other persons) from 12 to 16 years of age are admitted at a price less than the admission charge to persons over 16 years of age, the persons between the ages of 12 and 16 years are admitted at reduced rates and must pay a tax equivalent to the tax on the admission charge to persons over 16 years of age for the same or similar accommodations. The setting aside of a certain section for student admissions does not relieve the students from payment of the tax on reduced rate admissions unless the price for which the students are admitted represents the established price to all persons alike for admission to that section.

QUESTION: Where service passes are issued permitting a patron to enter for which a reduced admission from a price of 21c or over, does the tax apply?

ANSWER: Persons admitted on passes for a service charge of 10 cents at a time when the established price of admission to other persons is 21 cents or more are subject to the same tax as the admission charge of such persons for the same or similar accommodations.

SUSPEND CUBAN LAW FOR THREE MONTHS

(Continued from Page 1) the U.S. distributors who have suspended servicing of accounts. It is expected that distributors will service the accounts on a three-month basis, making no commitments beyond that period unless some settlement of the matter is arrived at in the meantime. It has been also indicated that the distributors will reject the recent proposal that Cuban actors be employed in theaters at least three times a week. It is pointed out that there are not enough actors to meet the theaters' needs.

Rites Held In Capitol For William P. Herbst

Washington—Funeral services were held Saturday for William Parker Herbst, 72, dean of Washington showmen. Herbst entered the entertainment business in 1909 by organizing the Circle Amusement Co., of which he was president until the time of his death. The company operates the Circle Theater. Last July, the Variety Club gave him a testimonial luncheon. His wife and two children survive.

SPECTATOR AT HIS OWN FUNERAL

Cesar Romero, the Romeo of the rackets, views with disgust the decorations on casket the boys bought for him.

TALL, DARK and HANDSOME

20th's natural…loved with laughs! thrills! tunes!
**REVIEW OF THE NEW FILMS**

**“Kitty Foyle”**

with Ginger Rogers, Dennis Morgan, James Craig

KKO Radio 107 Mins.

HOLLYWOOD PREVIEW

EXCELLENT PACKET OF ENTERTAINMENT
STRIKES FINE HUMAN NOTE AND SHOULD SCORCE DESICIIIVELY AT THE BOX OFFICE.

Here is one of the most human pictures that has been produced in Hollywood in many, many moons. And, in addition to its human, heart-warming quality, it has tender romance in it. Lots of it! And more legitimate laughs than are to be found in several pictures. Guiding this very excellent package is the delightful James Craig, who also profits by his very pleasing work as a young intern, who also is in love with Ginger. Ernest Costart is effective as Ginger's father, while Eduardo Ciannelli garners many laughs as an operator of a New York "spook-cas." Others who do good work are Mary Treen, Verona Lewis, and the ever-delightful Sam Wood's daughter, as Ginger's room-mates; Odette Myrtill, Gladys Cooper, Kay Linaker and Richard Nichol$. Dalton Trumbo concocted an excellent screenplay, based on the novel by Christopher Morley. Donald Ogden Stewart furnished additional dialogues. Robert De Grasse's photography is high-grade.

Following their elopement, Ginger and Dennis go to Philadelphia to get the blessings of Dennis's stogy relatives. Ginger learns that the said relatives want to send her to a finishing school to "polish off the rough edges of your manner." But point out that Dennis must remain in Philadelphia in the family business or lose it, Ginger will never be happy with Dennis in Philadelphia, she walks out on him and his relatives and returns to New York.

**“Flight Command”**

with Robert Taylor, Ruth Hussey, Walter Pidgeon

Metro 110 Mins.

AMERICAN ENTERTAINMENT WITH NAVAL AVIATION BACKGROUND SPON-"ER HARVEST AT THE BOX OFFICE.

Produced by M-G-M with J. Walter Ruben at the helm, and directed by the peerless Frank Borzage, "Flight Command" is one of the best of the "Service" yarns turned out of the Hollywood mill to-date. The full support of the U. S. Navy was given the studio on this picture and it shows in some of the finest technical sequences ever filmed. Solid values in entertainment and in all departments of the film's manufacture, should result in a banner harvest at the box-office. Suspense, excitement, romance, love, and all the other elements used in the formula are beautifully handled. Borzage's touch is apparent to those who know his work.

The cast, headed by Robert Taylor, Walter Pidgeon and Ruth Hussey, was well selected, each giving a true performance of the character they expound. Other members of the cast, Paul W. Naschy,高新区, Sherrill Strudwick, red Skelton, Dick Purcell and William Stfelling, all play their parts fine and magnificently. The picture is played by Wells Root and Commander Harvey Harris, taken from an original by Harry Van and John Sutherland, leaves nothing to be desired.

A story is a story is a story, and Miss Hussey is given the opportunity to play a part that is quite different from those that she has played before. She has, with Harry Cohn, been given a chance to show more than the usual talent of an artist on the screen. Her work in "Flight Command" is a joy to watch.

**“Behind the News”**

with Lloyd Nolan, Doris Davenport, Frank Albertson

Republic 75 Mins.

NEWSPAPER YARN WITH AGREEABLE CAST HAS PACE, PUNCH AND EXCITE-MENT.

Avid audiences should give this offering a good reception. The story moves along at a rapid pace, the cast is agreeable and competent, and there is plenty of action. Exhibitors will find that the capable and personable Nolan is building from strength to strength and "Behind the News" will show that the content of the story itself, created politics and journalism, lends itself readily to exploitation.

A direction of Joseph Santley is capable, he maintains a considerable amount of suspense, makes the action fast and furious and keeps the players in line. Screenplay is written by Isabel Darrow and Boyce De Gav.

Nolan, as usual, is in the role of a flea-bitten top-notch reporter who has lost all illusion of the beholder. He is the taskmaster to the picture and Nolan dominates to force him out of the journalism game to save him from being disillusioned. However, Albertson sticks, and Nolan finally is won over to helping him clean up the crooked district attorney and a few other matters that produce action and excitement aplenty before the report of the crash in the end.

**“Champion Pilot”**

with Lloyd Nolan, Lynn Barry, Arlene Whelan, George Montgomery, Hobart Cavanaugh, Henry Victor, Eric Mclan$), Amiiume, Charles Wilson, Vic Childdr

CREDITS: Executive Producer, Sol L. Wurzel; Director, Eugene Forde; Screenplay, S. B. Sein and Jerry Zinner. Based on a story by J. Robert, Bron and Norman Houston; Cinematographer, Lucien Andriat; Editor: Edward Cahn; Photographic Artists: Hugo Goss, Alfred Trenchard; Sound: Albert Pastol.

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

**“Flight Command” Starts At Frisco Fox Tomorrow**

San Francisco — Metro's "Flight Command" starts at the Fox here tomorrow. It's the first regular showing of the picture.

Metro has set "Flight Command" for Christmas openings at the Omaha, Omaha; Des Moines and Roosevelt, day-and-date, Des Moines; Utah, Salt Lake City; Fox, Oakland, and Poli, Waterbury. Set to start Dec. 31 are the Fifth Avenue, Seattle, and the regular engagements at Capitol, Washington, D. C., scene of the premiere.

There will be special New Year's Eve Preview of "Flight Command" at Poli houses in Hartford, Springfield, Bridgeport, New Haven and Rochester, and at the United in Detroit and the Sars- consin, Milwaukee.
THE MOTION PICTURE INDUSTRY IS ON THE UP-BEAT SEE THE COMING 1941 FILM DAILY YEAR BOOK
**REVIEWS OF SHORT SUBJECTS**

**Skinnay Ennis and His Orchestra** (Melody Master)

*Good Band Tune*

Several well-known pieces played by Skinnay Ennis and his team, plus a few improvisations made by the vocalist add up to a diverting 10 minutes. The Bob Hope radio program orchestra plays "Lamplight," "Three Little Words," "Let's Do It," and "The Birth of the Blues." Jean Negulesco does a good directing job.

*Shop, Look and Listen* (Merrie Melody)

*So-So Cartoon*

The further adventures of Little Blabbermouse on a package conveyorbelt. The picture was produced and directed by a W. C. Fields-type mouse. Idea was used in an earlier Leon Schlesinger cartoon and this one is not as funny as its original. Blabbermouse heckles the Barker and threatens to spoil the tour until the irate mouse ties him up in the bundle weighing department. Technicolor is first-rate.

**California Thoroughbreds**

(Sports Parade)

*Interesting Training Shots*

Thoroughbred breeding in the California climate gets a boost in this subject which will be welcomed by the many lovers of horses. The training of the animals from birth through their first races is shown in natural color and will maintain interest even where Del Frazier wrote and directed the film.

**Equity- Dramatists Guild Co-op for Tryout Theater**

(Continued from Page 1)

the theater's Joint Board will receive 5 per cent of the purchase price when experimental plays are sold for film production or radio presentation. The Board will split the 5 per cent with the sponsoring group, which, in turn, will pay off actors, directors, scenic artists, etc.

Under the Experimental Theater Plan, plays will be given in the central theaters which will be contributed rent free. The authors will waive all royalties, the actors, directors and producers will work free. No one play can give more than three performances a month, however. Only the stagehands and labor unions have insisted upon being paid full scale.

When any one of the experimental productions is bought for commercial production, the Joint Board will receive 2 per cent of the Broadway grosses. This 2 per cent will be divided between the Board and the group which produced the play, the latter also paying off players, directors, scenic artists, etc.

It is reported that approximately 30 play groups will actively function under the Experimental Theater setup.

**George Raft in Boston P. A.**

Boston—George Raft will make a P.A. at the RKO Boston theater Christmas Day and for the week to follow, starring in a musical revue.

Engagement is at the urging of Manhattan Pol. Police Chief M. J. Cullen, a personal friend of Raft.

**Council Bluffs House Burns**

Omaha—Fire caused by a short in electric switch room damaged the Broadway Theater in Council Bluffs, Ia., last night. The extent of damage is $25,000. Everett Kerr, manager, said the house would reopen in January.

**Everett Takes Beaufort**

Beaufort, N. C.—Beaufort Theater here, has been taken over by H. H. Cowan, J. K. Doherty, R. G. Lang, formerly operated.

**Industry Holiday Parties Rule the New Haven Scene**

New Haven—Though the show went on, the party spirit gave filmgoers some surcease from labors. Columbia exchange had an annual Xmas night at the Seven Gables Inn, with Mr. and Mrs. Ted O'Toole, Mr. and Mrs. Ben Lourie, and Mr. and Mrs. Sidney Swirsky and George M. Hoffman, New England Warner zone manager, was host to all theater managers, representatives of the theater department and exchange, at an annual party at Waverly Inn, Cheshire. The party was preceded by an important managers' meeting. The Metro Pco Club and the Paramount exchange held dinner parties at the Oakdale Tavern, Wallingford. Metro had its annual party. Wolf, distribution manager at Boston, Thomas G. Donaldson, manager, recently promoted to Boston, and Merey Goldstein who will succeed Donaldson at New Haven as of Jan. 1, were honored guests. George Weber was in charge of arrangements. Edward Callahan, Edward Fitzgerald, and William Nutile were in charge of the Paramount party. The Loew-Poli division, headed by Harry Shaw, manager, and Lou Brown, publicity chief, will gather for a Christmas feast and dancing at a party to be held at the Hotel Taft. Assistants and their wives will join the party at midnight for buffet supper and dancing.

**Baltimore Police, Exhibs, Join to Aid the Needy**

Baltimore—Continuing an annual Yuletide practice, the Baltimore film community set out to provide Christmas baskets for the city's needy families. Virtually every movie house in the city cooperated. Tickets were sold by the members of the city's various theater chosen by the purchaser.

**Musicians Elect Hayden 34th Time**

Washington, D.C., THE FILM DAILY—Local 161, the Musicians Protective Union, has elected President Albert Hayden for the 34th time. Edward S. McGrath is vice-president; Charles R. Britton, secretary, and Harry C. Maxwell, treasurer.

**MILLIONS**

Hollywood—JAMES CAGNEY will play the leading role in "Dive Bomber," an original story by Commander Frank Wead, which Warner Bros. has purchased for spring production. George Brent and Ronald Reagan are the other topliners. "Dive Bombers" will follow "The Bride Came C.O.D." on Cagney's schedule. Lloyd Bacon will direct the West story.

CAST of Paramount's forthcoming "Skyway" is now on the drawing board. The project is being developed as a romantic novel called "Those Torn From Earth." Liveright will publish.

RKO Studio Club of which Errol Sanders is president, has put out a beautiful two-color publication as the Christmas number of its monthly News. Sixty-four pages are devoted to the various activities of the studio, along with contributions from all the different departments and which carries a message from President George J. Schaefer, reveals that 236 employees of the Studio have been the proud owners of their own cars and that all workers at the Home Office are in that classification.

LAST of this season's schedule of two-reel preparedness short subjects which Warner Bros. is producing in Technicolor will deal with the Cavalry at Fort Riley, Kansas. "Wings of Steel," dealing with the Air Corps, is now being completed at the Burbank studio.

LOU LEVY, manager of the Andrews Sisters, who are appearing in "Buck Privates," at Universal, their second stint for that company, has won featured spots for Don Raye and Hughie Prince, song-smiths, in the film. Raye and Prince, former vaudevilleans, were demonstrating their new tunes for the producer on the set, and their work was so convinving that they are to appear in the picture.

DAVID BUTLER will direct the Bob Hope—Dorothy Lamour comedy, "Caught in the Draft" for Producer B. G. DeSylva at Paramount.

COLUMBIA has bought Harry Secall's unproduced play, "Heaven Can Wait." Cary Grant has first choice for the leading role. Everett Riklin will produce.
TO TRY TO MAKE DECREES WORK—BALABAN
U. S. Supreme Court to Hear Florida Ascap Case

Expect Arguments Will Be Heard in February; Both Ascap, State Appealing

Washington Bureau of THE FILM DAILY
Washington—U. S. Supreme Court yesterday agreed to hear the Florida Ascap case and moved it up for argument immediately following the Nebraska Ascap case. Both cases are expected to be argued in February. In agreeing to review the Florida case, the High Court noted probable jurisdiction as in the Nebraska case, reserving the right to
(Continued on Page 4)

$2,000,000 in Federal Amusement Taxes Recovered Thru N. Y. Area Prosecutions

The Government in 90 to 95 prosecutions of theaters and night clubs in the New York area, during the past 18 months has recovered an excess of $2,000,000 in Federal amusement taxes, Special Assistant Attorney General Jesse Moss, head of the N. Y. area, stated yesterday. Moss made the statement after handing up indictments against nine night clubs in the Metropolitan section.

He did not specify the number of theaters prosecuted but indicated that they were the lesser violators. It is understood that Moss is conducting an investigation in the Metropolitan district to make certain that theaters are complying with the admission tax law.

Cuban Commission Seeks Decree Peace

Havana (By Air Mail)—President Fulgencio Batista has named a commission comprised of the Minister of Commerce, Minister of Government, Minister of Education and others to immediately study the anti-block-booking dispute with instructions to formulate a proposal for modification of the decree, indicating
(Continued on Page 4)

Disney Loss Laid to Disruption of Markets

West Coast Bureau of THE FILM DAILY
Hollywood—A net loss of $1,259,798 for the year ended Sept. 28 was reported by Walt Disney Productions in its first annual report. In
(Continued on Page 5)

Labor Dispute Halts Production in Mexico

Mexico City (By Air Mail)—All Mexican motion picture producers are virtually on strike this week in a reversal of the usual situation, as
(Continued on Page 7)

Both Distrib. and Exhib. Must Avoid Dissipation Of Pix, Says Para. Prexy

 Paramount intends to try to make the consent decree work for the good of all and give it a fair trial, President Barney Balaban said yesterday in a letter to Fred Strom, executive secretary of Northwestern Allied. The letter was written in answer to references made by Strom to a statement attributed to Balaban in a trade press story. Declaring that problems must be
(Continued on Page 8)

Chi. Theaters Face Live Talent Battle

Chicago—Loop night spots plan to increase their budgets for talent in 1941, with the probable result that film theaters will have to bid
(Continued on Page 7)

Camera-Projector-Film Biz Up

1939 Valuation at $133,899,429, U. S. Finds

Mobile Exhib. Loses Fight To Escape Lottery Charge

Mobile, Ala.—Ricardo Montiel, manager of the Saenger Theater, arrested and charged with violation of the anti-lottery section of the Criminal Code, has lost his appeal to the State Supreme Court, made on the grounds that “religious and other organizations at Mobile sponsor simi-
(Continued on Page 8)

Yule Find Out

If you're in a last-minute lather (and who isn't?) trying to figure out what some of our film solons want for Xmas, just shod your panic and turn to Page 4 of this lil' ol' trade paper. In "Along the Rialto" you'll find exactly what the boys individually covet for Yule, according to a special survey conducted by Phil M. Daly's cinematic shopping service. It was a difficult canvass because so many execs, insi
Funeral Services for Frank Underwood

Funeral services will be held at 10:30 this morning at the Little Church Around The Corner for Frank Underwood, 20th-Fox story editor, who died yesterday from the midst of a struggle in connection with the setting up of the film industry's arbitration system. This indicates the difficulties that the arbitration method of settling disputes in the motion picture business, Braden asserted.

Having covered 21 cities where he obtained names of prospective personnel for the boards and tribunals, Braden now has 10 cities yet to visit between Jan. 1 and Jan. 7. These cities are in the South and East, including New York.

Names of candidates are being checked carefully by the AAA committees so that appointments can be made as shortly after Jan. 7 as possible. Arbitration system starts functioning tomorrow.

Para. Suspends Holden for Refusing "Texas" Role

West Coast Bureau of THE FILM DAILY

Hollywood—Para. at Paramount has suspended William Holden whose contract is held jointly by Columbia and Paramount, for his refusal to perform in "Texas," a picture to be made by Columbia.

Paramount officials declared they offered him a substantial bonus at completion of each picture which would have been equivalent to approximately three times the salary he receives under his present contract. They said he was placed under suspension when he rejected this, demanding a salary adjustment considerably in excess of Paramount's voluntary offer.

Bryan D. Stoner Stag Dinner Set for Jan. 13

Chicago—Industry members of all branches will honor Bryan D. Stoner, recently promoted from the local M-G-M sales force to be manager of the M-G-M exchange in Pittsburgh, with a star dinner to be held at the Hollenden Hotel on January 13. Jack Sogg, M-G-M city salesman is chairman of arrangements.

ET Calls In Preferred

Montreal—Outstanding 7 per cent $100 par preference shares of Eastern Theaters, Ltd., are being called for redemption Dec. 31, at $110 plus accrued dividends. Shares will be removed from trading on the Toronto Stock Exchange on Dec. 28 at the close of business.

$65,000 "Neighbor" Gross

"Love Thy Neighbor" ended its first week at the Broadway Paramount last night with a gross of $65,000, having taken in $5,000 on Saturday and Sunday. Business was considered outstanding in view of holiday shopping competition.

Stefes, Hay in Miami

Miami—Al Stefes, Northwest Allied leader, and Theodore Hay of the Miami and Amusement Co., are recuperating here.

Braden to Visit 10 More Cities on Arbitration

The nation appears to be "arbitration minded," according to J. Noble Braden, executive secretary of the American Arbitration Association, who has been spending the past few months on the west coast. He is expected to be back in town on Jan. 4 or 5.

SIDNEY R. KENT is expected to return to the coast this week-end.

STANLEY JACOBS, RKO branch manager in Cincinnati, Ohio, is spending a month on the Coast.

MADELEINE S. WHITE, executive secretary of the N.Y. Film Board, is in Dallas for the Christmas holidays.

BURECES MEREDITH flies back to the coast Thursday.

HENRI ELMAN has returned to Chicago from a trip to New York.

HERBERT WILCOX is here from the coast.

ANNA NEAGLE arrived here yesterday from Hollywood.

JAN HERSHOLT has arrived for a month's stay.

TAMARA has returned from the coast.

JACK BENNY, MARY LIVINGSTON, PHIL HARRIS, DON WILSON and other members of the Benny radio show are on route to the Coast.

Funeral Rites in Chelsea For DeRochemont's Father

Chelsea, Mass.—Funeral services were held here yesterday afternoon for Louis deDeRochemont, 68, prominent Boston attorney and father of Louis DeRochemont, publisher-producer of The March of Science, and Richard DeRochemont, its managing editor. Deceased had been ill for some three years. In addition to his sons, he is survived by his widow, the former Sarah Wilson Miller of Cambridge, Mass., and by three sisters, the Misses Henriette, Marie and Sarah DeRochemont of Portsmouth, N. H.

Interment was in Woodlawn Cemetery, Everett, Mass.

B & K Will Build New House in Rockford, Ill.

Rockford, Ill.—The B & K Management Corp. has organized the town's first new theater here. The new company has $40,000 capital. Offices are in the Coronado Theater building.

To Honor Barney Balaban in Chicago on Jan. 23

Chicago—A banquet in honor of Paramount's president, Barney Balaban, will be held at the Drake Hotel on the night of Jan. 25. Affair will be held in connection with the meeting of Paramount managers and sales staff to be held here Jan. 21-25.

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Season's Greetings

from ABBYE ERRAND SERVICE

Circle 6-5314

Tuesday, December 24, 1940
PAVING THE WAY FOR WARNERS’ TOP YEAR OF ACTION!

Santa Fe Trail is paved with GOLD!

ERROL FLYNN
OLIVIA DeHAVILLAND

SANTA FE TRAIL with
RASDORF  RONALD  ALAN
MASSEY  REAGAN  HALE

Directed by "Big Boy" Williams • Score by MICHAEL CURTIZ

Original Screen Play by Robert Benchley • Music by Van Doren
Would Revamp Game Registration Yearly

(Continued from Page 1)

any jurisdiction in the matter. The petition asked that if the city cannot take action to recommend to the Governor and Legislature that laws be enacted controlling the registration.

The group of petitioners suggested a city ordinance which would require all Bank Night theaters to destroy their present registration lists and re-register all customers wishing to participate and that new lists be made up every 12 months.

The petition stated that Bank Nights have been sponsored in Des Moines for four years and said the operators have refused to remove names from the lists, and added that many who have registered have since moved away or died.

Answering the criticisms, G. Ralph Branton, general manager of Tri-States Theater Corp., claimed the present setup is working satisfactorily and any change would be unnecessary.

Bank Night is an advertising plan whereby we hope to maintain greater interest in motion pictures. The cost of registrations is so tremendous that it would be utterly impossible to add the cost of registrations each year. To give away the most money, the cost of operating Bank Night must be kept to a minimum. For example, in 1940 Tri-States gave away $12,000 to date, in 1939 we gave away $17,000 and in 1938 we gave $15,750," Branton said.

*A Merry Christmas*

Auto Giveaways Offset Holiday Period Slump

Chicago—The Illinois-Indiana Theater circuit gave away 12 Chevrolets and Dodges in eight key cities, according to Prexy Jack Rose. Business during the holiday weeks was boosted materially by the giveaways. Circuit plans other tieups after Jan. 1.

"Happy Birthday to You"

From the Film Daily to December 24

Joseph M. Schenck
Charles Curran
A. P. Waxman
Helen Twelvetrees
Charles Curran
Joe Rock

December 25

Edie Jensen
Carl Brinser

What They Want for Christmas

- - - NICHOLAS M. Schenck, no logs in the river...H. M. Warner, home, home on the range...Samuel Goldwyn, "nother visit to Shady Oaks...Will H. Hays, to have Sullivan across the street...Y. Frank Freeman, 7-Up...Darryl Zanuck, Sun Valley...Harry Cohn, a gridiron...

Syd de Kent, a thousand fish and one island instead of a thousand islands and one fish...J. Cheever Cowdin, time to get back to the chuckers...Herbert J. Yates, a rocket for commuting to West Islip...Matty Fox, pop corn...Albert Warner, those sheltering palms...Bob Gillham, a portable athletic field...Abe Myers, Allied victories...Dave Salznick, 35 m.m.'s (Margaret Mitchell)...Edward P. "Ted" Curtis, for the price be new, so uniform...Louis Nizer, a sequel...Charlotte C. Pettitcha, a perpetual President's Birthday Ball...Bill German, to break 150...Dr. Herbert T. Kalmus, every frame in color...Gene Buck, more feathers in his Ascot...Stanley Shuford, bridge without sighs...Max Cohen, an office in the Hunting Room...Chit Work, reasonable players...W. Ray Johnston, have the N.Y. gang with him on New Year's Eve...James E. Granger, a private plane...

- - - JACK Cohn, a course of instruction in how to operate a Minox camera...Nate Spingold, seven No Trump...Cecil B. DeMille, more Neil Agnew...Neil Agnew, more Cecil DeMilles...Haskell Masters, Canadian Club...A. Montague, purring engines of Moneta II, and sales for the Gem of the Ocean...Herman Woberg, in Pan Alleys in every block...Charles McCarthy, a Hudson Tunnel to 444 West 56th...Barney Balaban, a new peak for his Paramount...Bill Scully, no tonsils...Lou Lifton, for Columbia to sub for Nebraska in the Rose Bowl...John Joseph, more deadline time...Sammy Shain, another place to eat lunch...Harry Brandt, a few more jobs...A. Schneider, a hole-in-one...Ed Kuykendall, a tree full of decrees...Herbert Wilcox, even finer exploits for his R.A.F. ...Grad Sears, a private hunting preserve...Si Sodder, an air conditioned office with a tennis court...

- - - STANTON Griffin, 'nother Big Red powerhouse...Jules Brulatour, to travel, see a prizefight and go to the theater all at once...Charles Chaplin, more aid to Britain...Joseph M. Schenck, for Xmas and his birthday to arrive separately...Dave Lipton, his first Christmas tree (with the Cohans)...Howard Dietz, another Pymalion...Nate Blumberg, to spread universal happiness...Cari Leesman, for Sante to find his new house in New Rochelle...J. I. Nolan, way to step-up production which is already going full blast...Andy Smith, some nice blocks of five to play with...Mort Blumonstock, a Shinnecock head dress...George J. Schaefer, RKO Radio on top...Barret McCormick, bigger campaigns from his new 10th Floor headquarters...Harry Gold, that kind of 40...Jack Warner, huge deposits in the Burbank... Ned Deplan, a couple more Kitty Foylees...Rube Jucker, a "links" jacket...William LeBaron, another Brown Joke...Dave Whalen, to chant louder than over the Bataan of the Hymn of the Republic...William F. Rodgers, all stars in the lineup...Alex Korda, for the thrill to steal the show...Louis B. Mayer, the remembrances of Haverhill, Mass....Murray Silverstone, to play Santa to the British youngsters...Sol Wurtzel, a fine year for Commerce...Ed Small, more fields to conquer...Bob Dubin, a year of good counsel...Walter Wanger, the U. S. A. and U. S. A.

Cuban Commission Seeks Decree Peace

(Continued from Page 1)

that the Government wants the controversy settled as quickly as possible, it was learned yesterday.

President Batista is said to be favorably disposed towards the sale of pictures in blocks of 10, a board of co-ordination to arbitrate disputes, and specification of titles and the names of stars before pictures are sold.

However, in President Batista's recommendation to the Commission it was also suggested that Cuban variety artists be employed at least twice a week in theaters. This matter is strongly opposed by the district lords, latter point out that unless the variety artists are good they will be a detriment to the film attractions. In protest a strike threatened to be held at the theaters, but it was maintained that at the present time it does not seem that enough top flight artists are available.

*A Merry Christmas*

Expect "Fantasia" to Play Majestic Theater, Boston

Boston—Unless plans are again changed over night, Walt Disney's "Fantasia" will go into the large dark Majestic Theater, 2,300 seat theater here after Jan. 1. Originally it had been planned to show the pix in the Civic Repertory but "Life With Father" will stay there. The Majestic formerly a Shubert theater, later leased by M & P, is now independently owned.

Wedding Bells

Beatrice Levenstein of the Warner exchange staff, New Haven, will marry Harry Quint of Mt. Vernon Jan. 23.

West Coast Bureau of THE FILM DAILY

Hollywood—Wedding of Deanna Durbin and Vaughn Paul has been announced for June 7.

Miami—Marriage of Ralph Ramsay, assistant manager of the Wometco State Theater here, to Bonnie Ed Yelverton, of Coconut Grove, has been announced.

Miami—Box-office romance of two Warner employees will culminate New Year's Day when Owen Wills, in charge of the accessory department, weds Louise Bowman, cashier.

Jean Muir and Henry Jaffe, AFRA attorney, were married over the week-end, at the home of Mr. and Mrs. Lawrence Tibbett.

Announcement of the engagement of Sam Mentlik, brother of Lou Mentlik, of the Exhibitors, to Lee Rothman will be made tomorrow. Mentlik is associated with his father in the manufacturing business.
HOLLYWOOD SPEAKING—

By RALPH WILE

—HOLLYWOOD

FELIX YOUNG and Charles Morrison, well-known members of the film colony, will open the M-G-M tour at the Cine-أكثر spot on Sunset Strip Dec. 27. The room is Pan-American in theme, Phil Ohman and his orchestra and Humberto and his musicians will furnish the music.

HAVING brought M-G-M’s “The Bad Man,” starring Wally Beery, in three days under scheme, Director Richard Thorpe fished a party on the set for the cast and crew who made it possible. Although six days of shooting time were lost because of snow and fog on locations, Thorpe received such co-operation from his crew that he made up all the lost time and then some.

GRACIE FIELDS, who has entertained more British troops than any other comedienne, is now planning to include March Field in her itinerary of personal appearances for the poor and needy. She will use the same brand of humor and comic songs on the American flyers in training as she did on British fighters.

BRADBURY FOOTE will plane out for New York Thursday to study the very latest in men’s fashions for 1941. The material he gathers will be brought into M-G-M’s “A Tailor-Made Man,” for which he is writing the screenplay. This will be one of the first pictures ever to put the accent on men’s fashions.

EXTRA precautions on the part of Norman Taurog, M-G-M’s director, prevented any of the 400 boys working in “Men of Boys Town” from catching the flu during production. But immediately upon completion of the picture, Taurog went to Arrowhead Springs to recover from a case of flu he had contracted himself.

KETTI FRINGS, author of the current best-seller, “Hold Back the Dawn,” has been signed by Alexander Korda to work on the screenplay of “Manon Lescaut,” which will star Merle Oberon under the direction of Julien Duvivier.

TWENTIETH-CENTURY-FOX has purchased “Miami,” by Stephen Poyws. George Seaton is doing the screenplay for Harry Joe Brown, who will be associate producer on the picture. Betty Grable will head the cast and Leo Robin and Ralph Rainger will do the music. Picture is supposed to start in January.

DARRYL F. ZANUCK has gone up to Sun Valley, Idaho, with his family for the holidays. He will return to the studio around Jan. 4.

LOU OSTROW has bought three stories. The first is “I Won’t Dance,” an original for Harry Sauber who is also doing the screenplay. Picture will star Cesar Romero, “We Go Fast,” a Saturday Evening Post story by Doug Welch, and “Green Entry,” by S. Ruth Howlett. All three will be produced by Ostrow for 20th Century-Fox.

9 Features Start; No Holiday Slump (Continued From Page 1)

Disney Loss Due to Market Disruption

(Continued from Page 1) included are an operating loss of $259,798 and a writedown of $1,-

600,000 in the inventory value of “Pinocchio.” Report for the year ended Sept. 30, 1939 showed a net profit of $1,250,130 after all charges and Federal income taxes provision.

Disruption of foreign markets was the chief cause of the loss, according to Walt Disney, president, who said:

“It has been impossible to effect an orderly release of the company’s pictures in any of the countries at war, and in many countries it has been impossible to effect any release whatsoever. In fact, in most of the territories dominated by the Axis powers the release of American pictures has been forbidden.”

Income from film rentals for 1940 totaled $1,354,335, of which $976,211 came from “Pinocchio,” $474,707 from shorts and $103,526 from “Snow White.” In 1939 film rentals totaled $2,257,217, of which $2,098,192 came from “Snow White.” Other income totaled $571,387, of which $259,629 represented fees for licensing the use of Disney characters.

Pipitone Again Elected By New Orleans Musicians

New Orleans—A close election, with most of the interest centering on the election of Directors and Delegates to the AFM convention, unanimously returned G. Pipitone to office as president of the Musicians’ Mutual Protective Union here recently. Charles Hartmann defeated Albert Kirst, Jr., for vice-president, while Robert Aguilera, Sr., was re-elected recording secretary and R. L. Chabao, financial secretary. Convention delegates are: Pipitone, Chabao and Charles Hartmann. Directors are: Anthony Almerico, G. G. Gerbrecht, Marion Suter, Johnny DeDroit, Russ Papalia, Ettoire (CQ) Fontana, Joe Broekhoven, Jean Pasquay and the officers.

A Merry Christmas ★ ★

“Road Show” Out Jan. 24

UA will release Hal Roach’s “Road Show” Jan. 24.

Threatens to Sell If Gross Is Taxed

Ware, Mass.—Bernard Satz, manager of the Casino Theater, said the theater will be put up for sale if the selectmen persist in taxing movie houses 10 per cent of the gross instead of the usual $25 a year.

Ontario Starts Operators Training Course Jan. 6

Toronto—Initial course in the Ontario Government’s program for training projectionists and sound and radio amplification operators will open at Queen’s Park, Toronto, on Jan. 6, O. J. Silverthorne, chairman of the Motion Picture and Census Board, announced.

Silverthorne said each course required 12 months and that new applicants would be enrolled every month. The cost of the course is set at $100. The chairman said that under the apprentice system, which required three years for graduation, many would-be projectionists were unable to pass the board’s tests.

SOSIAL SERVICE

Cesar Romero, as the Romeo of the rackets, thoughtfully gives nice things to chorus girls to save them from... of all things... temptation.

TALL, DARK and HANDSOME

 zooh’s natural!... loaded with laughs!... thrills!... tunes!...
A

Merry Christmas
to All

From
THE GANG
ON
FILM DAILY
Labor Dispute Halls Production in Mexico

(Continued from Page 1) a result of the resolution adopted by the Mexican Association of Motion Picture Producers and Distributors to postpone starting new films until a satisfactory settlement is reached in the latest conflict with the Union of Motion Picture Studio Workers of Mexico. Both parties have appealed to President Manuel Avila Camacho and to the Ministry of National Economy.

Deadlock allegedly arose from the fact that Enrique Solis, secretary general of the Union threatened to force producer Alfonso Sanchez Tel- lo to employ the services of a sound operator who is not agreeable to the latter, as well as a sound equipment which producers allege is the property of the secretary general himself. Tello took his grievances to the President, which demand Solis resign his union office.

Meanwhile, three new pictures, which were slated to start shooting before the end of the year, have sus- pended for the time being. Produc- ers and workers alike, however, agreed to finish three other produc- tions already in work. There are Producciones Fernando de Fuentes "Labios Sellados" (Sealed Lips), Producciones Miguel Zacarias "Pa- pa se Enreda Otra Vez" (Papa's At It Again), and Raphael J. Se- villa's production of "La Torre de los Suplicios" (Torture Tower). The first two are being filmed at the studio of Cinematografos Azteca, the last mentioned, at the plant of Estudios and Laboratorios Cinematografico Azteca.

Landers Stevens Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Landers Stevens, 63, veteran actor, is dead. His last screen appearance was in Orson Welles' "Citizen Kane." Survivors are his mother and two sons, George Stevens, director, and Jack Stevens, cinematographer. His brother, Ash- ton Stevens, is a Chicago drama critic.

Mary Cecil Dies

Mary Cecil, stage and screen ac- tress, died Saturday at St. Luke's Hospital after a three-day illness. A stock company and Broadway player, Miss Cecil's last appearances were in the stage and screen ver- sions of "The Woman." G. W. Cook Dead

Milwaukee—G. W. Cook, 57, pro- jectorist at the Avalon Theater, died Saturday at his home. G. W. Cook was one of Milwaukee's pioneer projec- tionists and is survived by his wife, three sons, his father, four sisters and a brother.

"Grapes of Wrath" Named National Board's Best

Tweniltwenty-Century-Fox's "The Grapes of Wrath" was selected the best film of 1940 by the Committee on Exceptional Photoplays of the National Board of Review. "The Baker's Wife" was named the best foreign-language film and "The Fight for Life" the best documenta- ry of the year. "Power and the Land" was given honorable mention in the documentary classification.


Wolfe, Chief John Big Tree, Jody Gilbert, Denis Green.

CREDITS: Associate Producer, Kenneth Macgowan; Director, Irving Pichel; Based on "Tales of the Life of Pierre Esprit Radisson"; Original Screenplay, Lamont Johnson; Technical Advisor, Clifford Wilson; Histor- ian, Hudson's Bay Co.; Cameramen, Pe- verley Marley and George Barnes; Art Direc- tors, Richard Day and Ward B. Ihnes; Editor, Robert Simpson.

DIRECTOR, Brilliant. PHOTOGRAPHY, High-grade.

Chi. Theaters Face Live Talent Battle

Jeffrey Pictures Corp., with offices in the RKO Building, 1270 Sixth Ave., has organized by George S. Jeffrey to produce and market "Cavalcade of Faith," with versions in English, Spanish, Polish and Italian ready. Feature deals with the evolution of Christianity.

Associated with Jeffrey are: Rob- ert E. McIntyre, vice-president and sales manager; Allyn Butterfield, vice-president and production man- ager; M. E. Jeffrey, treasurer; Lee Kugel, advertising and publicity di- rector.

Levere Montgomery Joins Houck's Joy Theaters

New Orleans—Levere Montgomery, booker for United Theaters, a chain of 100 houses here and buyer for Theater Service Corp., a buy- ing outfit close to E. V. Richards, has tendered his resignation as of Jan. 1 to join Joy Houck's Joy The- eaters. Houck, who built a circuit from a series of tents and who is regarded as an ad man, has recently moved his offices from the building housing the United chain and Theater Service and has moved back to film row, taking space in the old Fox exchange. John Richards is reported slated to succeed Montgomery with United and Theater Service.

A Merry Christmas!

"Our Town" Director, Cast On the Air Sun. Evening

Cast of Sol Lesser's "Our Town," (UA release which has been named the outstanding film of 1940 by Red- book Magazine), including Martha Scott, William Holden, Fay Bainter, Beulah Bondi, Thomas Mitchell, Guy Kibbee, Stu- art Erwin, Frank Craven and Sam Wood, the director, will be heard on CBS network Sun- day night at 7.30. Bette Davis and Douglas Churchill of Redbook will present the award to Lesser from Giro's in Hollywood.

"Cavalcade of Faith"

First for Jeffrey Co.

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Will Try to Make Decree Work—Balaban

(Continued from Page 1)

met under the new system of selling and that both the distributors and exhibitors must pool their profits against dissipation of product, Balaban explained that "this is precisely what I mean by saying that there would be no exhibitors' 'field day,' an observation in answer to the suggestion that some exhibitors had something of the kind in mind. There cannot be a 'field day' for either buyer or seller at the expense of the other."

Balaban informed Strom that there must be an orderly method for distributing pictures so that the studio can be supplied regularly with funds.

Must Avoid Confusion

"Considering the fact that second-runs must follow first-runs and subsequent-runs follow earlier runs," Balaban wrote, "it must be apparent that the sale and booking of pictures must be so arranged as to avoid confusion. To attempt to accumulate product for indiscriminate offering without recognizing the fact that some order is necessary would not simplify or aid in the solution."

Balaban insisted that he was not endeavoring to announce any definite plan or formula for distribution when he made the statement regarding the selling and booking of product in their order.

"However," he continued, "assuming for the purpose of discussion that Paramount had decided on a uniform plan or policy of putting into the market only one block of five pictures at a time and of refraining from offering any other block until the first block had been sold and bought and booked by its customers, I cannot see how that would violate the consent decree in either letter or in spirit. On the contrary, it would seem to be the one sure, safe course to follow to avoid future violations of the decree or a claim of violation.

Exhib. Free to Buy or Not

"If Paramount should offer a block of five pictures and no others at the time, each exhibitor to whom it is offered is perfectly free to buy or not to buy, strictly upon his judgment as to its merit; and neither the distributor nor the exhibitor could under any circumstances bring any other picture or block of pictures into the equation. Under such a plan Paramount could not say to an exhibitor, 'Here are several block of trade—shown pictures but you cannot have

High Court to Hear Florida Ascap Case

(Continued from Page 1)

A high court case raises the question of the constitutionality of the state law and its effect on the motion-picture industry in Florida.

Sources conversant with Ascap's position in the Florida case asserted last night that it did not dispute jurisdiction in the action brought by that State, but did dispute jurisdiction in the Nebraska action, and moved to dismiss the appeal.

Commenting channels held that there is a better than possible possibility that the U. S. Supreme Court may dismiss in the Nebraska--Ascap case.

200 Attend Chicago's Testimonial for Gillian

Chicago—Two hundred leading exhibitors and film men attended the farewell dinner at the Congress Hotel tendered Tom Gillian, Warner Exchange manager, who has been transferred to head the Atlanta Exchange. A RCA radio combination was presented to Gillian. Jack Os-\n
Reform Week:

Wolfsberg, N. H.—Mayo it was Reform Week at Ansel Samson's Mem-\n
orial Hall in Wolfeboro and Pine-\n
land in Center Ossipee.

Anyway, twin billing at both houses read: "You'll Find Out!"—"Crime Doesn't Pay."
U.K. REMITTANCE PACT REPORTED SIGNED

O. Henry Briggs Heads Producers Releasing Corp.

EXHIB. CO-OP TALK "NONSENSE"
Kuykendall Says Decree Makes No Provision for Participation of Theater Operators

Talk of exhibitor co-operation to make the consent decree work and "to give it a fair trial" is "more or less nonsense" in the opinion of Ed Kuykendall, MPTOA president. In a general bulletin, Kuykendall declares that there is "no provision anywhere in the decree for exhibitor participation or co-operation in the administration or operations under the decree. It actually makes no particular difference whether the exhibitor is willing to co-operate or whether he isn't," he adds.

Kuykendall points out that the new methods and restrictions on selling are to be undertaken entirely by the distributors. The arbitration system is placed entirely in the

Greater Attendance Held Local Problem

The problem of attracting the 32 million persons who the Gallup Poll asserted seldom go to the picture theaters is a local one and the answer lies in the exhibitors' own neighborhood or community, contends Ed Kuykendall in a general bulletin issued over the holiday.

"State and local exhibitor organi-

Shirley Temple to Make Fix for Metro in Spring

West Coast Bureau of THE FILM DAILY

Hollywood — Shirley Temple will return to the screen in the Spring via Metro. Contract, according to her family, is for one feature. Deal was set after prolonged negotiations both in the East and here.

New Quarters for Arbitration Setup

Entire eighth floor of the U.S. Rubber Bldg., 1230 Sixth Ave., in Radio City, has been leased by the American Arbitration Association. The new quarters will house the New York tribunals for the motion picture arbitration setup and will serve as the administrative center for the system. The AAA also will

Receiver for Colonnade Asked in Florida Court

Miami, Fla. — Suit for appointment of a receiver for Colonnade Pictures Corp., Coral Gables, and the Coral Gables 16 Millimeter Corp., was filed in Circuit Court by Don Jordan, Inc., which asks an accounting.

Court Rules Against Ascap Declared Illegal; Washington State Upheld

Committee Will Govern Halifax Sunday Shows

Halifax — A committee to govern the recently approved plan to operate Sunday shows for service men and their companions has been named. Personnel includes: Lieut. V. H. Tillson, for the Navy; Flying

American Distrs. Unable To Agree on Allocation: Issue to be Arbitrated

The British currency agreement covering withdrawals of money from England during the quota year, Nov. 1, 1940 to Oct. 31, 1941, was reported signed Tuesday by the eight American major companies.

Finalization followed receipt of the British terms, with revised wording, in which the only change made, it is understood.

Allocation of the money remitted, however, will be arbitrated. Alloca-

Ohio Decision Fails To Solve Game Issue

Columbus, O. — Legality of Bank Night in Ohio still remains in doubt, although the State Supreme Court Tuesday upheld a Court of Appeals decision refusing an injunction to

Indiana Exhibs. Sue To Recover on Double Tax

Indianapolis — A suit intended to settle the question of whether the state gross income tax department may collect on receipts from so-

Good-Will Conclave Proposed by MPTOA

MPTOA plans to develop a national "good-will" convention shortly. Writing in a general bulletin, President Ed Kuykendall said "maybe it would help to generate some real good-will in the business, take our minds off our grief and give the whole industry a little shot of enthusiasm and better feeling." This type of convention is in the making, he indicated. Recently, in New York, Kuykendall said a date and place for the conclave would be set next month.

Former Pathe Lab. Presy Succeeds Rathner; Refinancing Program is Set

O. Henry Briggs, former president of Pathe Laboratories and long associated in an executive capacity with the Pathe organization, was formally elected president of Producers Releasing Corp. at a meeting of the board of directors on Monday, it was learned over the holiday. Election of Briggs to the presidency followed a re-financing program for

"Patient" Arbitrators Sought for Industry

Men who will fill the arbitrators' ranks in the industry's arbitration system must have the quality of being "patient and good listeners," it was pointed out Tuesday. In most cases, the personnel will include

NBC Will Broadcast Pix Awards of N. Y. Critics

Booley Crowther's presentation of the Annual Awards of the New York Film Critics to the winning motion picture producer, actresses and ac-

Skouras Employes Aid Greek Relief

Sum of $1,200 was turned over to George Skouras Tuesday by employees of Skouras Theatres as contribution to the Greek War Relief organization. Contribution was voluntarily raised by the Skouras employees.

VOL. 78, NO. 124 NEW YORK, THURSDAY, DECEMBER 26, 1940 TEN CENTS
O. Henry Briggs
Named PRC Head

(Continued From Page 1)

PRC. More than sufficient capital has been obtained to complete the 21 pictures yet to be made on the company's schedule of 38 features. PRC's present producers include Sig Neufeld, Jed Buell, Ted Richardson and E. B. Derr. Negotiations are under way to add other units to the company's roster.

Franchise holders and owners of the company who attended the board meeting included Harry Asher, Boston; Lee Goldberg, Cleveland; Lou Routenstein, Los Angeles; George Gili, Washington, and Bert Kalick, New York.

Briggs' position on the Monogram board remains unaffected. Harry, former PRC president, resigned about two weeks ago.

Adjourned Until Tuesday

Detroit—Trial of the suit of Mid- west Theatres against Co-operative Theatres of Michigan and the Michigan Co-op. at Tuesday's hearing will continue Tuesday.

Most of the day's session was given over to presentations of statistical evidence prepared by auditors from examination of both plaintiff's and defendant's books. Evidence was intended to show that both the Colonial and Majestic Theaters, operated by Mid- west, had more for the same films than did the Roxy and Mayfair, operated by Cohen Bros., who are members of Co-operative. Figures were also introduced to show the comparative operating costs and profits of the theaters named above.

Week's Salary as Bonus To Wometco Employees

Miami Beach, Fla.—Wometco Theaters here Tuesday gave employees who had been with the company for one year a week's salary as a Christmas present. Sidney Meyer and Mitchell Wolfson owners and opera- tors said more than 200 employees would benefit in excess of $6,000.

Cut Bingo Price, Drop Auto Prize, Jackpots

Syracuse, N. Y.—Fitters at least temporarily have dropped the auto giveaway and jackpots from the Bingo game at the Kivoli Theater, at the same time reducing the price from 65 to 50 cents, plus tax.

Arrow Opens With Pix

Arrow Theater at 14th St. and 2nd Avenue was renamed and turned house with "The Merry Wives," Chechoslovak film. House was for- merly a legit theater.

New Quarters for Arbitration Setup

New Atlantic City Theaters Go Dark; Raids Rampant

Atlantic City—Three more local theaters have closed for the winter. The upper end of Boardwalk in Vir- ginia Avenue section is now no man's land. Steel Pier has long since closed up, and now Virginia Theater in Virginia Ave. and Strand for the consent decree has joined it. The Margate down-beach is also closed. Another house is expected to soon follow suit.

Avenue picture houses are standing boldly for business with the "double-feature" firmly entrenched for the first time in the resort's film history. The Embassy, the Colonial, the Astor, Hollywood, and Cinema are all playing duals mid-week.

Lumiton Will Produce 12 Features Next Year

Buena Vises (By Air Mail) Lumiton has accepted an offer by the company's president, to produce a program of 12 features for next year, shooting on two has been completed and another is in production. The Bra- zilian Government will support one- picture, a historical film, "Embru- jo," to be directed by Enrique T. Colini in Spanish and Portuguese versions.

Radio Lux to Distribute Mono. Pix In Argentine

Buena Vises (By Air Mail) — Radio Lux, former Argentine distributor for RKO Radio, will handle Monogram product in the 13 Latin American countries. Company has been distributing French films during the past few years.

"Justice for All" to Metro

West Coast Bureau of THE FILM DAILY in Hollywood. "With Justice For All," an original story by James Asten- sen, has been added the Metro's list of story properties now being as- sembled for 1941 production.

Free Press

BEN COEITZ has returned to the Coast after a one-day stay here.

ROBSON MAGNUSSON is in Mexico City to film background scenes on 20th-Fox "Blood and Sand."

VICTOR MATURE is in Boston.

LAURENCE OLIVIER and his wife, VIVEN LEIGH, are here from the Coast.

NORMAN CORWYN is here from the Coast for the holiday.

GLENN IRVON, of Warner exploitation department, is in Toronto.

J. CARLOS BAVETTA, managing director in Brazil for 20th-Fox, leaves Rio in the next few days by plane for New York.

ED RUCOFF, of Rugoff and Becker, is vacat- ing here from New York.

TAY GARNETT is here from the Coast for a vacation.

BURGESS MEREDITH fills in on the Coast today.

PITE DI A ZIO, Warner exchange salesman, New Haven, is vacationing in his hometown, Pittsburgh.

ERNEST LYNEN arrived in New York Tues- day by plane from the Coast.

JOCK LAWRENCE, public relations director of "The picture" collection, arrived back in Hollywood from New York on Tuesday.

BILL BOYD, with a company of 30, starts a six-week tour in West and Mid-West towns after the first of the year.

GLORIA JEAN is back in Hollywood after a p. o. tour embracing 17 cities.

Nazi Newsreels Reach So. America via Japan

Boston — German newsreels are now being shipped to South American countries by way of Japan, it was stated at the week-end by Manue- l P. Rodriguez, upon his arrival from Europe. Rodriguez is film editor of Buenos Aires newspaper.

Conn. Allied Will Meet Jan. 7 on Legislation

New Haven—Allied Theater Own- ers will meet on Tuesday, Jan. 7, at the Hofbrau Haus. As the meeting is on the eve of the opening of the state legislature, it is expected dis- cussion of legislation will be the major portion of the agenda.

200 at Schine Party

Rochester—Annual Schine Christmas party for employees was held at midnight Wednesday at the Terrace Gardens. Two hundred attended.

Happy Birthday to You!
FULL OF GOOD THINGS!

CLARK GABLE, HEDY LAMARR in "COMRADE X" • ROBERT TAYLOR in "FLIGHT COMMAND" • CARY GRANT, KATHARINE HEPBURN, JAMES STEWART in "PHILADELPHIA STORY" JAMES STEWART, HEDY LAMARR in "COME LIVE WITH ME" "ANDY HARDY'S PRIVATE SECRETARY", LEWIS STONE, MICKEY ROONEY • GREER GARSON, WALTER PIDGEON in "BLOSSOMS IN THE DUST" (Technicolor) • WALLACE BEERY in "THE BAD MAN" • WILLIAM POWELL, MYRNA LOY in "MR. CO-ED" • SPENCER TRACY, MICKEY ROONEY in "MEN OF BOYS TOWN" • JAMES STEWART, JUDY GARLAND, HEDY LAMARR, LANA TURNER, TONY MARTIN in "THE ZIEGFELD GIRL".

"May your Christmas stocking overflow with bounties all of 1941"

The Friendly Company
SHE'S NOTHING

THE DOOR OPENS TO
THE MOST EXCITING
POSSIBILITIES IN
THE HISTORY OF
MOVIE EXPLOITATION

.....HEADED FOR
MASS ATTENDANCE
IN 10,000 THEATRES
RUN BY WIDE-AWAKE
SHOWMEN THROUGHOUT
THE COUNTRY!

DON'T WAIT!
DATE !!
DEC. 27th National Release
THE INVISIBLE WOMAN

starring VIRGINIA BRUCE • JOHN BARRYMORE
JOHN HOWARD • CHARLIE RUGGLES • OSCAR HOMOLKA
with Edward Brophy • Donald McBride • Margaret Hamilton

Screen Play by
Robert Lees • Fred Rinaldo • Gertrude Purcell
Original Story by Kurt Siodmak and Joe May

Directed by
A. EDWARD SUTHERLAND
Associate Producer, Burt Kelly

A UNIVERSAL PICTURE
Exhib. Decree Co-op. Talk "Nonsense"

(Continued from Page 1)

hands of the American Arbitration Association with any exhibitor cooperation or participation other than submitting complaints strictly forbidden, he writes.

Despite various protests, the important parts of the decree do not become operative for six or eight months, Kuykendall says, and in the meantime, the three other defendants can stand trial and continue to fight the case. "What will happen on that nobody knows," he concludes.

As to arbitration, Kuykendall continues to favor conciliation as a means of settling disputes. In this regard, he states that "it is quite possible that the decree can open the door to a much more effective use of organized conciliation than has been possible in recent years. Its possibilities are certainly worth exploring and should receive serious and careful consideration by every recent R. Comerford. daughter owners who want to work out their problems at home in their own way, rather than having them decided for them in New York.

Ohio Court's Decision Fails to Solve Game Issue

(Continued from Page 1)

the Troy Amusement Co., preventing Troy officials from enforcing statutes applying to a lottery.

Specifically, the Court pointed out that a criminal statute could not be tested in injunction proceedings, making its decision upon the grounds that an injunction would not be the proper remedy.

To test the legality of Bank Night under the Ohio lottery law will require an arrest and appeals through lower courts up to the highest tribunal, it was stated.

Judge Arthur H. Day, retiring member of the court, dissented from the six-Judge majority opinion.

WEDDING BELLS

Marriages of Peter J. LaBarbera and Lewis Hilton to Emma Prisco and Edith Lachle, respectively were announced Tuesday. LaBarbera and Hilton have been members of the Copyright Protection Bureau for many years.

Scranton, Pa.—Engagement of Helen Comerford, daughter of Mrs. Michael B. Comerford and the late head of the Comerford Theaters, to Francis F. Egan of Pittston, Pa., is announced.

Towanda, Pa.—Marriage last February of James Tuffy, manager of the Keystone Theater, to Ann Flynn, is now announced.

Minneapolis, Minneapolis, Reopening New Year’s Eve

Minneapolis, Minn.—Definite announcement the Minneapolis, largest pix house in the northwest, would reopen on New Year's Eve with a picture-stage show policy has been made here by Middle States Corp. of Milwaukee.

Deal for the house, made with the Minneapolis Theater Co., is said to involve a lease to April 30, 1945, with minimum rental of $1,000 a week. A creditors’ meeting is set for Dec. 28 to give final approval.

Opening bill will have Ken Murray heading the stage show, with "Hi, Parade of 1941" on the screen. Livingston Laming, formerly with Loew's and Warner’s, will be house manager.

"Bagdad" in Charity Bow

London (By Cable)—British Ambulance Corps gets the first day's receipts when Korda's "Thief of Bagdad" opened here Christmas Day.

No Movies In Worcester Places Serving Liquor.

Worcester, Mass.—The License Commission here has banned movies in establishments serving liquor.

The Commission based its decision on a Law Department ruling that such showings were illegal, although Chairman Roland S. G. Frodigh said the board had been of the opinion that movies violated the law prior to the ruling.

Mr. Frodigh pointed out that rules governing operation of liquor places acquired that they be well lighted, which, he said, would not be possible during the showing of motion pictures.

Neilsen, Dance Educator

Rutgers Neilsen, publicity manager for RKO Radio, has been elected an associate member of the Dance Educators of America. Election came as a result of Neilsen’s activities in dance promotion tie-ups on pictures over a period of years.

"Patient" Arbitrators Sought for Industry

(Continued from Page 1)

those who have been drafted by the American Arbitration Association rather than those who come seeking a job.

The mere fact that a prospect is a good business man will not be sufficient, it was learned. An arbitrator must have the patience to go through long sessions and absorb every detail of an argument. These qualities, it was said, are sometimes difficult to find and in most cases the men selected will be those who have been recommended by Chambers of Commerce and similar organizations.

Committee Will Govern Halifax Sunday Shows

(Continued from Page 1)

Officer Gavin Creed, for the Air Force; Capt. Alistair McKinnen, for the Army; G. S. Kinley, of the City Council and J. W. Godfrey, of the general committee which pushed through the measure. The Catholic Archdiocese of Hali- fax has been co-operating on the plan, which allows service men and one adult companion to attend the shows, but opposition has been shown by the Ministerial Association which has kept aloof from negotiations since the City Council passed the plan, 14-2.

The Provincial Government has the power to quash the measure but is not expected to act inasmuch as the provincial attorney general participated in the conferences.

NBC Will Broadcast Pix Awards of N. Y. Critics

(Continued from Page 1)

itors will be heard from the Rainbow Room at 11 p.m. to 1:30 a.m., from 2 a.m. to 6:30 p.m., EST, over the NBC-Blue Network. Crowther, film critic of the New York Times, is president of the organization which meets tomorrow to make its annual selections.

STORKS!

Chicago.—Mort Singer, III, has been added to one of Chicago's oldest theatrical families. A son was born to Mort Singer, 2nd, who is an associate producer at United Artists. Mort Singer heads the RKO-Mort Singer circuit with headquarters here.

Miami.—Harvey Fleischman, manager of the Strand Theater, is the dad of a new son, Robert, Jr.

Wilkes-Barre, Pa. — A son was born to Mr. and Mrs. Kenneth Thomas. Father is operator of the Strand.
Preview Audience to Select Lloyd Ending

Harold Lloyd has shot two endings to his production, "A Girl, a Gay and a Gab." Whichever ending gets preference from preview audiences will stay in the released version. One ending has the fadeout with Lucille Ball and George Murphy finding happiness together. The second ending gives Lucille to the "rich guy," Edmond O'Brien.

Greater Attendance Held Local Problem

(Continued from Page 1)

ations should encourage studies of this problem and arrange for the exchange of information between exchange and exhibitors, together with the constant of experiments in trying to develop business in this uncharted market, which is right at home in every community," Kuykendall writes.

The MPTOA bulletin points out that about 25 per cent of the population cannot go to theaters for various reasons, and that about 25 per cent of the people in every community who are physically and financially able to go to the movies if they want to do not go because "we have not been able to interest them in motion picture entertainment.

In regard to the ruling of the Bureau of Internal Revenue which requires an adult tax must be charged on special priced tickets, Kuykendall declares that "MPTOA believes it is unfair as it now stands and should be changed, and we will try to get such an amendment considered by Congress."

Kuykendall also urges the strengthening of exhibitor organizations to protect their interests in the face of possible discriminatory increased taxes as the legislatures of 41 states prepare to convene in 1941. Other legislation, he says, includes all sorts of proposed requirements, restrictions and regulations which are designed for theaters, two-men-in-a-booth laws, censorship bills and licensing requirements.

Van Dyke Given Leave to Direct Metro Fix

(Continued from Page 1)

Film is also going to receive special notice en five new-time Coast-to-Coast programs sponsored by Proctor & Gamble beginning Jan. 5.

Rites for Mrs. Ruttenberg

Funeral services were held on Tuesday for Mrs. Celia Ruttenberg, mother-in-law of Rubie Jaekker, Columbia's assistant sales manager. She is survived by four children, Mrs. Angusta Jaekker, Morris Ruttenberg, and Louis and Irving Ruttenberg.

Rolleston Convalescing

E. H. Rolleston, operator of the Strand, Seymour, Conn., is convalescing at home after two months in the Ansonia Hospital.

Mrs. Samuel Rosen Recovering

Mrs. Samuel Rosen, of Rosen Film Distributors, has been released from an operation at New Haven Hospital.

Hawks to Direct "Dinner"

Hollywood—Because Broadway activities will keep George S. Kaufman and Moss Hart in the East, film version of "The Man Who Came to Dinner" will be directed by Howard Hawks.

"Swing Parade" Stays 3 Weeks In Mexico City

Mexico City (By Air Mail)—Universal's "Swing Parade" shattered all records at Luis Castro's Palacio Chino. The Deanna Durbin starrer is the second Universal picture to be scored at the year-old house.
• No matter which way you look at it you win if you properly advertise your pictures and your theatres.

• The moth is attracted to the flame... people are attracted by color... beauty and display... that's why business paints its store fronts... buildings have their faces lifted.

• **Dress up... look well... change your act!** That's the watchword of this streamlined age... the watchword of modern merchandising... one of the most important avenues to increased business... Show Business too...

• And right here at hand... in one centralized spot you've got the class of the dress-up... seat-selling theatre advertising... TRAILERS... LOBBY DISPLAYS... STANDARD ACCESSORIES... a co-ordinated whole ready and waiting to do its stuff for you.

• Use it... take advantage of our experienced, expert organization to sell seats for your theatre and your show.
Holiday Period Brings Top Business to New York's Motion Picture Theaters

Broadway theaters had one of the biggest Christmas day crowds in history and the momentum of the rush carried over to yesterday.

The Music Hall, with RKO's "No, No, Nanette," accommodated crowds that were 10 per cent bigger than last Christmas when patronage also was very heavy.

Opening yesterday with Metro's "The Philadelphia Story," the Music Hall was heading for a record opening day.

(Continued on Page 6)

Court Orders Briefs In Ore. Game Battle

Portland, Ore.—Counsel for the Rainier Theaters Corp. and Multnomah County have until Jan. 18 to file briefs with Circuit Judge Alfred P. Dobson following arguments on a demurrer to the corporation's complaint which seeks to permanently

(Continued on Page 3)

Daniel Frohman Rites Will Be Held Monday

Funeral services for Daniel Frohman, 89, president of the Actors Fund of America and its sole survivor.

(Continued on Page 6)

Argentine Slaps Ban On WB's "Nazi Spy"

Buenos Aires (By Cable)—"Confessions Of A Nazi Spy," a Warners film, was banned here yesterday by the Government one day before it was scheduled to open. The picture had been previously banned by the municipal censor but lengthy negotiations had finally succeeded in getting approval for release under another title. Official reason given for the sudden about face was that the pic was harmful to a country with which Argentina maintained friendly rela-

(Continued on Page 6)

Gains Offset Foreign Losses

1941 Attendance to Surpass 1940's, Says Poor's

Tru-Color Corp. Formed With $500,000 Capital

San Francisco—Articles of incorporation have been filed by Tru-Color Corp., a $500,000 San Francisco concern organized to make motion and still pictures in color. The new company has been authorized to issue 500,000 shares of stock

(Continued on Page 3)

May Legalize Beano, Bingo

New Mass. Solon Hoppers Bill; 37½% Taxes

Boston—If Rep.-elect Edward McCarthy of Chelsea has his way, Beano and Bingo will become legalized in film theaters in Massachusetts, and the Commonwealth will profit thereby just as it now does from pari-mutual betting at horse and dog racing tracks. State supervision of such games of chance under a system that would contribute 25 per cent of the "handle" to municipalities and 12½ per cent to the Commonwealth is proposed in a bill filed. Under the provisions of the new legislator's bill, the regulation of such games would come under the supervision of the State Racing Commission.

(Continued on Page 3)

Community "Sings." B & K Answer to Ascap Impasse

Chicago—To cope with the situation presented by the Ascap-radio impasse, B & K circuit is starting community "sings" in the Loop State Lake theater. Other B & K houses are expected to follow, while the plan also may be adopted by the Great States circuit for down state spots.

B & K idea is to utilize Ascap

(Continued on Page 3)

Sherman Act Suit to be Filed in Milwaukee After Jan. 1 Will Also Name BMI and NBC and CBS as Defendants, Department of Justice Statement Reveals

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

Washington—Criminal proceedings under the Sherman Anti-Trust Act against Ascap, BMI, NBC, and CBS will be brought by the Department of Justice after the first of the year in Milwaukee, the Justice Department announced today.

A statement by General Robert H. Jackson announced that he has authorized Thurman W. Arnold to bring the action. The criminal charges will be based on the following grounds the D of J statement said:

Grounds of the Action

1. The illegal pooling of most of the desirable copyright music

(Continued on Page 3)

"Little 3" Will Ask Griffith Elimination

United Artists, Universal and Columbia are preparing papers which will seek their elimination as defendants in the Government equity action against the majors and the Griffith circuit as a test for similar appli-

(Continued on Page 3)

Broadway Show Window For Documentary Films

A non-theatrical film theater to operate as a Broadway show window for documentary and education-

(Continued on Page 3)

Station WHN Pact With Ascap Undecided

Whether Station WHN will sign a new contract with Ascap is still undecided, although negotiations are under way. There is a possibility that WHN will break away from Ascap, even though the station is controlled by Loew's, Inc., which has signed a new Ascap pact. It was said yesterday that the decision rested with Ascap's willingness to grant certain demands.
Loew's Opens American East Bronx 2,000-Seater

Loew's newest theater in the metropolitan area, the American, opened yesterday in Hollywood style, with a parade and a flag-raising ceremony attended by a score of notables. The 2,000-seat house is in the Parkchester development in the East Bronx.

Among those present at the opening were Postmaster Albert Gold- man, Monisgnor Arthur J. Scanlan, Frank Lowe of the Parkchester development, and from Loew's home office, C. C. Moskowitz, Marvin Schenck, Oscar Doob and ErnestEmerling.

Keith Morgan to Coast For Schenck's Luncheon

Keith Morgan, national chairman of the Committee for the Celebration of the President's Birthday, arrives in Chicago from New York today en route to Los Angeles where he will attend the organization meeting for the movie of California to be held at the Biltmore Hotel on Jan. 3. This luncheon is being given by Joseph M. Schenck, chairman of the board of 20-Fox, who is vice-chairman of the campaign and also State chairman for California.

Georges Rony Eludes Nazis, Arrives Here

Georges Rony, who owned the largest library of historical films in France, has arrived in this country after fleeing Europe. As the producer of several propaganda pictures, Rony was wanted by German authorities but managed to make his escape with his wife and 10-month-old daughter. Rony headed to Mexico and filmed in France and produced the first pictures for television. His library, containing more than a million feet of film, is hidden in France.

Nathan Furst is Named Mono. Manager in Boston

Boston—Nathan Furst has been named Mono gram manager here, succeeding Steve Brody who has been appointed general sales manager. Furst has been a Monogram salesman in New Haven and Boston since 1937. He formerly was a branch manager for Fox, Pathé and Warner Bros. in New Haven.

St. Louis Variety Club Gives British Ambushes

St. Louis—Local Variety Club has raised funds to provide two ambulances for the British-American Ambulance Corps. Solicitations continue to add a third. Harry C. Archer, Jr., is chief Barker.


Date for the World Premiere of Richard A. Rowland's new United Artists release, "Cheers For Miss Bishop," is Jan. 14, and the place Lincoln, Neb. The first showings will take place on that evening simultaneously at three theaters—the Stuart, the Nebraska, and the Lincoln. Made the Scott, William Gargan, Mary Anderson and Marsha Hunt, leading members of the cast, and Tay Garnett, director of the production, will lead a large contingent of Hollywood personalites to Lincoln for the event. The premiere at the Nebraska capital will have the active support and co-operation of the University of Nebraska, State officials and the local community organizations.

Raft Set to Make Feature Each for WB, RKO and "U"

Boston—George Raft, here for a p.a., at the RKO Boston, insists that he’s not at odds with Warners, despite Coast reports. "George will appear in a picture of Sturges'" Raft says he was merely exercising contract privileges. Pointing out that he picked "They Drive at Night," "Each Dawn I Die" and "House Across the Bay" as vehicles, Raft stated he felt he had demonstrated his capability of determining suitable material.

Raft, who returns to Hollywood after his engagement here, says he is slated to make "The Dealer's Name Was George" for Warners, "Wrapped in Cellophane" for RKO Radio and "Tango" for Universal.

Shut Eating Studios Month To Dodge Flu Epidemic

London (By Air Mail) — Feature production at the Ealing Studios will shut down in January in an effort to dodge the annual January film epidemic, it was announced by Mr. Reginald Barker. Production will resume, however, on Feb. 1.

Before closing the studios, work will be completed on the new George Formby comedy, based upon the stage hit, "As You Were," film title for which has not yet been selected. On Feb. 1 production is expected to resume on a navy airplane feature, Sea exteriors of which have already been shot.

Agnes Ayres, Silent Film Star, Dies on the Coast

Hollywood — Agnes Ayres, 42, silent screen star, died on Christmas Day of a cerebral hemorrhage. A daughter, Maril, survives.

Miss Ayres was a native of Carbondale, Ill., and was educated in Chicago where she began her career as an extra at Essanay. Later, she played for Vitagraph and then was placed under contract by Paramount.

WILL HAYS returns this morning from Indiana. WILLIAM F. RODGERS leaves today for the Coast.

LOU POLLOCK Eastern publicity and advertising director for Universal, leaves tonight for Hollywood to spend two weeks at the studio.

H. M. RICH EYES leaves for the Coast shortly after the first of the year.

JEROME CHORDO, writer, is here from the Coast for a vacation.

E. W. HAMMONDS returns today from upstairs New York where he spent Christmas.

ALFRED E. GREEN, Columbia director, is in Washington.

HARTEZZ SPENCE, author of "One Foot in Heaven," will go to the Coast next month for confab with Warner execs. on production of the film based on the book.

RED SKELTON has left for the Coast.

CLARK GABLE and CAROL LOMBARD are en route to Dallas from the Coast.

45% of Mono. Program Of 42 Features Ready

Forty-five per cent of Monogram's announced program of 42 pictures has been completed. President W. Ray Johnston announced from the Coast yesterday. All releases up to the end of January, 1941, have been delivered, marking a new high in production achievement for the company. The list includes 12 regular features, five in the "Range Busters" series and two Tex Ritter outdoor dramas.

SAN FRANCISCO'S
Most Outstanding Downtown Hotel

Visit the world famous Persian Room and enjoy dinner dating to the nation's leading orchestras.

Rates From $4 up, Daily

POWELL AT SUTTER
Court Orders Briefs in Ore. Game Battle

(Continued from Page 1)

enjoin the county authorities from interfering with Silver Quiz contests in three local theaters. Meanwhile, a temporary restraining order, will remain in effect until the issue is decided by the court.

John C. Kendall, attorney for KGW and KEX radio stations, and Harvey Benson, attorney for KOIN and KALE stations, appeared as friends of the court and their requests to file briefs were granted. They pointed out that the determination of this case might have some effect on some radio quiz programs on the national networks.

It was contended by Multnomah County that the question-and-answer contests conducted by the theaters are lotteries in violation of the state anti-lottery laws. Further, that opportunities to win a prize depends not on the question asked, but upon the number drawn.

Community “Sings” B & K Answer to Ascap Impasse

(Continued from Page 1)

controlled music which either is already off the air on sustaining programs or will go off on Jan. 1 when the Ascap contracts with radio expire. Plan obviously permits the plugging of films via songs or music from their scores, as in the old illustrated song days of the screen.

B & K execs., however, are said to feel that the plan’s objectives go beyond that. They envisioned the community “sings” to organ accompaniment filling the gap left by the exit of Ascap tunes from the air.

D. W. Reilly Dies In Crash
Loralin, O.—Donald W. Reilly, 27, manager of the Aqualine Station, Lima, was killed when his automobile crashed into a utility pole near here.

“Little 3” Will Ask Griffith Elimination

(Continued from Page 1)

ations in the Schine and Crescent suits, it was learned yesterday. The application will be argued by Edward C. Raftery, attorney for UA and Universal, in the near future.

The “Little Three” will contend that the order dropping the “Big Five” and the Government in the Ascap suit, which was recently entered in Court, makes it mandatory that the “Little Three” be dropped as defendants. The Court will be told the “Little Three” are incapable of violating the anti-trust laws on their own, and that for purposes the suit against the majors should be terminated. It is understood that the applications filed in the Government suit against the Griffith circuit itself, as an exhibitor, is in a different position.

The result of the “Little Three” application is expected to have a direct effect upon Court decisions in the Crescent and Schine cases since the situation is identical in all three. Attorneys have stated that the “Little Three” will undoubtedly press for the same relief in both the Crescent and Schine suits.

Tru-Color Corp. Formed With $500,000 Capital

(Continued from Page 1)
at a total par value of $500,000. Directors are listed as George H. Hoteling and Harry P. Peart of San Francisco, and Joan C. Cleverie, Warren Millais and George Bouchard of Los Angeles.

TO THE COLORS!

Boston — Maj. Richard “Dick” Sears, veteran and dean of all the newsreel men in New England, has been called to active service in Washington.

Chicago — Warner circuit reports more employees joining the colors, Deane Malme of the Rialto, Racine, and Engineer Edward Suggs of the State Theater, Racine, are now located at Fort Bragg. Earl McGee, Lexington, Chicago, is now at Maxwell Field, Montgomery, Ala. The Seaman Merrill, Odgen Theater, Chicago, is with the Army Signal Corps in South Carolina. Chris Borden of the Avalon Theater is at Fort Snelling, Minn.

Chicago—Sam Todd, in charge of film inspection division of the Chicago Electrical Bureau, has been commissioned a lieutenant-colonel in the U. S. Engineer Corps.

Rochester — John Culligan, Dixie Theater employe, was among the first group here to be inducted into the New York Home Guard.

Wilkes-Barre, Pa. — Joseph T. Ales, local projectionist, has enlisted in the U. S. Marine Corps.
YOU CAN’T KNOW WHAT WE’VE GOT
...UNTIL YOU CALL!

Call Warner Bros.

FLIGHT FROM

Brother we’ve got another! The makers of ‘Santa Fe Trail’ are ready to blaze another boxoffice trail. It’s the biggest “something different” that’s come out of Hollywood this year. They’re still talking about the preview but don’t take their word...

SEE FOR YOURSELF!

(You may as well get used to the idea of seeing ’em before you play ’em!)
Thanks to Them!

Warner Bros. take this public opportunity to extend a hearty handshake to these fine artists. They knew they had a great story—and they poured all their great talents into making it the outstanding production it is!

Following their four big successes—one big triumph for all!

GERALDINE FITZGERALD • MITCHELL MITCHELL
Of 'Wuthering Heights'
Of 'GWTW'

JEFFREY LYNN • STEPHENSON
Of 'ATAHT'
Of 'The Letter'

Also Mona Maris • Jonathan Hale • Directed by VINCENT SHERMAN
Screen Play by Barry Trivers • From a Story by Anthony Berkeley
Post-Xmas Rush At B’way’s B. O. ’s
(Continued from Page 1)
with prospects for a house record on the way.

The Roxy sold 17,958 tickets for a gross of $9,500 on Christmas and an attendance almost equal to the holiday previous. The feature was 20th-Fox’s “Chad Hanna.”

The Paramount having Para.’s “Lassie” and “Penny Marshall” in its second week took in $25,000 on Christmas and yesterday. First week garnered $65,000 and Bob Weltman, manager, estimates a second week gross of $85,000, due to the two holidays, “Comrade X” took off at the Capitol to one of the biggest Christmas day openings in the history of the house, while the Metro pic’s business yesterday was even greater than that of the premiere.

Warner’s “Santa Fe Trail” at the Strand gave the theater one of its biggest days and a holiday gross of $25,000 in excess of last year. Business yesterday was much bigger than the post-holidays of 1939.

Loew’s State, with Para.’s “Christmas in July,” also did exceptional holiday business, as did the Rivoli, with Para.’s “Victory,” the Palace, 20th-Fox’s “Tin Pan Alley” and “Romance of the Rio Grande, the Cinerama, “The Three Worlds of Nellie Kelly,” and the Globe, with Warners’ re-issue, “Here Comes the Navy.”

“Diego Thy Neighbor” at the Broadway and Chaplin’s “The Great Dictator” at the Astor were sellouts.

Chicago — Theater managers in Chicago report the holiday business here ahead of that of last year.

No Duals With ‘Scandals’ And Kyser’s Ork in Hub

Boston—RKO Boston theater here will show only single features with both “George White’s Scandals” and Kay Kyser’s “This Is Jazz” on the same lot and reports that duals would play with the two stage attractions was erroneous.

Bert Osterman Dead

Oakland, Calif.—Bert Osterman, 49, northern division manager of the real estate section of Fox West Coast Theaters, died here of a heart attack. He is survived by two sons, William and Bert, Jr., both of San Francisco.

German Exhibitors Feeling War Pinch

Zurich (By Air Mail)—During the first nine months of the season of 1939-40, the German Censor Board approved 59 German pictures, eight from Italy, and 13 American pictures. A total of 70 as against the 101 for the same nine months of the previous season when 30,000 pictures were passed. Only 10 new pictures—seven German, three Italian—were passed in September. Nazi exhibitors are feeling the war pinch as product drops off.

Reviews of New Films

“Her First Romance” “Sensation”

with Edith Fellows and Wilbur Evans

(HOLLYWOOD PREVIEW)

GENE STRATTON PORTER STORY

SHOULD CLICK NICELY WITH FAMILY AUDIENCES.

I. E. Chadwick, inactive for some time, made a strong comeback with this Gene Stratton Porter story. He introduces Edith Fellows in a new role, that of a young girl, and the younger reveals a trained voice. A newcomer, Wilbur Evans concert baritone, plays and sings the leading male lead—and he should prove very popular. He has a very pleasing personality and gives an ingratiating performance. Edward Dmytryk has done an excellent job of directing. Adele Comandini contributed an interesting screenplay.

Jacqueline Wells does good work as Edith’s scheming half-sister and guardian, Ange Ladd, Judith Linden, Roger Daniel and Marion Kirby are among the principals who give splendid performances.

Edith is a college freshman, who has never had a job. She wants to earn money, is not buckling, hiding her beauty under heavy rimmed eye glasses and being poorly dressed. However, when she is invited to a fraternity dance, Marion Kirby, along with her family, gets appropriate clothes and she is transformed into a beautiful girl.

Edith learns that her “bid” to the dance was a fluster, and she sends the college boys scurrying. Evans who has been on a vacation, goes to Edith and takes her to the dance, which arranges for Evans to meet Judith Linden, who has been jilted by Alan Ladd in favor of Jacqueline. Jacqueline makes a play for Evans and Ladd finally realizes it is Judith whom he really loves. Evans does not show any interest in Jacqueline, and Edith sets her cap for him. Edith pretends to return and indicates much interest in Edith.


CREDITS: Producer, I. E. Chadwick; Associate producer, Susan Feldman; Director, Edward Dmytryk; Author, Gene Stratton Porter; Screenplay, Adele Comandini; Cameraman, John Mescall; Editor, William Ziegler; Musical Director, Gregory Stone.

DIRECTION, Excellent. PHOTOGRAPHY, Good.

First French Pix Made Since Armistice Shown

Vichy (By Air Mail) — First French picture to be completed in unoccupied France since the armistice is in the Marvelous Night, directed by Pierre Chenal. It’s a modern version of the Christmas legend, with the characters refugees.

Azirae Naud Dead

Montreal — Azirae Naud, told picture of the reopening at the Park, Academy of Music, his Majesty’s and Loew’s Theaters at various times, is dead.

Edward Smith Captures First in WMT Campaign

Springfield, Mass.—Fifth Anniversary Drive of Western Massachu- setts Theatres, Inc., was won by Edward Smith, manager of the local Paramount. Other winners:


Circuit managers received a week’s salary as a holiday bonus.

(Continued from Page 1)

ing founder, who died yesterday from bronchial pneumonia following a hip operation on Nov. 3, will be held at 11 a.m. Monday at the Little Church Around the Corner, 1 E. 29th St. The Rev. Dr. Randolph Ray, rector, will officiate.

At Frohman’s side when he died were his sister, Elta Frohman; two nephews, Henry and Daniel Davison, and Mrs. Henry Davison.

Frohman’s death ended a career of more than 60 years as a producer in the legitimate theater and a life of such vitality that his possessor was internationally famous. A native of Hungary, he was married in 1903 to one of his stars, Margaret Hlling- ton. They were married in 1909. Mrs. Frohman was an actress, and her El- bow Bones. Her death occurred in 1934.

Thompson Acqy. Finishes Fourth Shell Oil Co. Film

West Coast Bureau of THE FILM DAILY

Hollywood—J. Walter Thompson Co.’s film department has completed the fourth film of the year for Shell Oil Co. It’s a three-reeler, “Oil For Aladdin’s Lamp.” The production was made under supervision of Norman Blackburn of the Thompson Company’s Hollywood office, deals with scientific developments in the oil company’s research plant at Emeryville.

The company now has in production pictures for the Lamon Corlis Co., Safeway Stores and the Washington State Apple Commission.

Cubby’s President Will View “Flight Command”

Chicago—(By Air Mail) — President Batista and other Government dignitaries will see Metro’s “Flight Command” at a private screening at the Rex Sunday.

Clator Succeeds Jones

Richmond, Va.—At the annual election of officers for the stage hands local, Earl Clator was named president, succeeding the veteran Tom Jones. Other officers are E. T. Ratcliff, vice-president; Stuart At- kisson, recording secretary; John Kern, financial secretary; Claude Wilson, treasurer; Frank Mathews, sergeant at arms, and Harry Jarvis, business agent.

Spain to Introduce National Newsreel

Barcelona (By Air Mail)—Spain is planning to introduce a national newsreel in order to con- serve foreign exchange, it is proposed to exchange footage with Germany and Italy.
**Rules Des Moines Can Regulate Game**

(Continued from Page 1)

registration list which has been used for nearly three years and that a new list be made every 12 months. The petition also asked that if the City Council could take no action it request the Governor and Legislature to pass a bill setting up regulations for Bank Night.

Van Liew in his opinion stated the Iowa code gives the cities the power to limit the number, regulate, license or prohibit theaters and pointed out a case in which the Supreme Court held cities have the right to require Sunday closing of theaters.

He also pointed out another case in which the court ruled Bank Night is not a lottery when a customer does not pay or hazard anything of value for a chance to obtain a prize. This decision was affirmed by the Supreme Court last April.

**David Lowe Staging Play**


"Hellzapoppin" in Grand Rapids

Grand Rapids, Mich.—"Hellzapoppin" will move into Keith's here Jan. 20-21.

**Expect Delaware Will Modernize Sunday Laws**

Wilmington, Del.—The nine-member legislative commission headed by the Rev. Ralph L. Minker, which has been studying the blue laws, will report to the General Assembly soon after it convenes on Jan. 7.

While the contents will not be divulged until after it is submitted to the legislature, it is understood the report represents an attempt to bring the laws regulating activities on Sunday in line with modern thought and accepted procedure. Commission, meeting this week, approved a general outline.

"Melody Ranch" on Radio

"Melody Ranch," new Republic special with Gene Autry, will be done on the radio Sunday night by the original cast on the Wrigley program, it was announced yesterday.

Philly House to Serum

Philadelphia — Oscar Serlin has leased the Walnut St. Theater, now dark, here.

**Uruguayan May Require Equal Screen Playing Time for Native Newsreel Footage**

Montevideo (By Air Mail)—A decree calling for equal screen time for Uruguayan newsreels with foreign-made material is expected to be passed by the Uruguayan Congress. Local film circles question the practicability of the measure as there are not sufficient Uruguayan-made newsreels.

**Now Ready for Release — Feature Production**

**CAVALCADE OF FAITH**

IN FOUR LANGUAGES

**English — Spanish — Polish — Italian**

The World's Most Powerful Drama

Stressing the Importance of Faith

Man's Most Valuable Heritage

 WRITE — WIRE — PHONE

JEFFREY FILM CORPORATION

1270 SIXTH AVE. Telephone: Circle 7-3473

Greater New York Distributors---Fortune Film Exchange, 630 Ninth Ave.

**Says Domestic Gains Offset Loss Abroad**

(Continued from Page 1)

ied. Presumably theater attendance has risen at about the same rate," says Poor's.

"For 1941 one may be reasonably assured that domestic theater attendance and receipts will far surpass those of 1940. Moreover, the improvement in prospect for 1941 is expected to be sufficient to offset any losses suffered from the foreign markets. For, even should so much as a 50 per cent decline in foreign film rentals be suffered, a rise of less than 7 per cent in total U. S. box-office receipts in rentals would prove compensatory.

"A trend worth noticing is the inclination of the motion picture public to favor single, rather than double-feature programs," Poor's also points out. "Should the industry decide that the time is ripe to discontinue the practice of servicing the double-feature market and to concentrate on the production of fewer, but better quality, single features, closer control over operating costs might easily result.

"The benefit to net earnings, assuming that box-office tariffs are held at present levels, should go far in improving the industry's internal status," the analysis concludes.
Ascap to Face U. S. Criminal Action

(Continued from Page 1)
available for radio broadcasting in order to eliminate competition and to monopolize the supply.

2—Illegal discrimination against users of copyrighted music.

3—Illegal discrimination against composers who are not members of Ascap, BMI.

4—Withholding music from publication in order to exact fees not permitted by the copyright laws.

5—Illegal price fixing.

6—Restraining composers in their right to bargain for the sale of their own music.

7—Requiring users of music to pay for tunes on programs in which music is not used.

8—Mutual boycotts by Ascap and by the broadcasting chains (through BMI) in an attempt by each of these conflicting groups to obtain for themselves control over the supply of music by depriving the others of control, which boycotts threaten to restrain and obstruct the rendition over the radio of about 90 per cent of the desirable modern copyright music.

Arnold's Statement

The action came as a distinct surprise as it had been known that the Department of Justice and Ascap were on the verge of signing a consent decree. Commenting on the suit, Assistant Attorney General Arnold said: "This department cannot sit by and watch corporations and the broadcasters engage in a private war at the expense of the public, using violations of law as their weapons in order to fight fires with fire. We have tried to obtain voluntary agreement to form the basis of a working peace which would eliminate the illegal activities and allow the associations of composers to continue their legitimate function of protecting their members from piracy. These efforts, which a few days ago appeared to be on the verge of success, have failed. Now we have no choice but to proceed with a criminal prosecution to protect the interests of the public in orderly competition in the distribution of music."

Arnold also revealed that complaints have been received against the Society of European Authors and Composers and such complaints are being investigated.

Original Purpose Legitimate

"For a number of years the anti-trust division has received constant complaints against the activities of Ascap. The original purpose of Ascap was one which the Department recognizes to be legitimate, i.e., collective action to protect its members against piracy of their copyrights. Activities which further this purpose have not been questioned by the Department, and are not affected by these proceedings. But, however, the Department for many years past has frequently called to the attention of Ascap practices which went far beyond the necessity of protecting its members in their copyright privileges—practices which were designed solely for the purpose of eliminating competition in the furnishing of music, and securing a monopoly control over the supply," Arnold said.

Both BMI, Ascap Called Illegal

"Recently through Broadcast Music, Inc., (an association controlled by the major broadcasting chains), the National Broadcasting Company and the Columbia Broadcasting System have encroached, in an attempt to continue a larger and larger scale, restrictive practices similar to those which the Department charges were illegally instituted by Ascap. It is claimed that these activities were necessary to protect the broadcasting chains from the illegal activities of Ascap. The Department is not concerned with the question as to which organization was the aggressor. Each of these groups today is charged with using illegal methods to thwart the control of copyright music from the other. The threatened conflict is already in its first stage. The situation, if not ready begun will hamper and obstruct the rendition of all copyrighted music over the radio and deprive the public of the privilege of hearing that music except on terms dictated by the victor in the contest. In such a struggle the public is in the position of a neutral caught between two aggressive belligerents."

Gov't's Announcement Comes As No "Shock," Says Buck

Gene Buck, Ascap prexy, last night stated that "Assistant Attorney General Arnold's announcement to proceed to indict Ascap is regrettable but does not come as a shock to me or my associates. The only new feature of the Government's announcement is that it holds the Department to the legal position."

B'way Show Window For Documentaries

(Continued from Page 1) al subject is planned by Harold McCracken, president of Courier Productions, Inc. McCracken is negotiating a long term lease on a Broadway house and the American Film Center will direct programs and book the house. Object is to secure newspaper reviews and public notices for non-theatrical films. A 60-minute program at a 25-cent admission is the tentative plan.

Colom Passes Chaplin Film

Colom, Panama (By Cable)—The Mayor of Colom and the censorship board have passed Charles Chaplin's "Great Dictator" for showing here despite request for its banning by the German Minister.

The statement concludes, "to negotiate and settle our differences, but all the efforts of those who have tried for over eight months, including ourselves, have been unsuccessful. The broadcasters have evidently decided to go through with their plans to boycott our music and no one, it seems, including the Government, can induce them to change their set course."

STORKS!

West Coast Bureau of THE FILM-DAILY

Hollywood—Bernie Williams, Warner publicity art department head, is the father of a 7 lb. 14 oz. daughter, to be called Tetchen. Her mother is Kay Mulvey of Woman's Home Companion.

Chicago—A baby girl born at the Passavant Hospital to Mrs. Griff Williams, wife of the film band leader.

Ascap Announces That Four More Music Firms Re-sign for 10 Years, Making a Total of 139

Ascap announced last night that four more music companies had signed up again for a period of 10 years, making a total of 139 out of 140 music companies to re-sign. The four are: the Robbins and the Miller Music Companies, and Leo Feist, all three Metro companies, and Movietone Music Co., 20th Century-Fox affiliate.

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Cesar Romero, as the Romeo of the rattles, insists that all guests attending his exclusive functions turn over to the butler their brass knucks, iron pipes, gats, and miscellaneous artillery.

TALL, DARK and HANDSOME

20th's natural! ... loaded with laughs! thrills! tunes!
HOLLYWOOD READY FOR 1941's PROBLEMS

Taxes Loom as Biggest Wis. Legislative Problem

Sales Levy Is Discussed: Exhibitor Interests Will Offer Stiff Opposition

Milwaukee—Many Wisconsin exhibitors regard the problem of finances one of the most pressing to be presented before the 1941 legislature. They point out that present appropriations exceed present income by about $12,000,000 and that in an effort to balance the budget, it will be a question of deciding whether the existing taxes be increased or new taxes be enacted.

The likelihood of a sales tax is still discussed in some quarters and if it is introduced, it will meet with (Continued on Page 3)

$597,000 "Bagdad" Gross in 3 Days

"The Thief of Bagdad" has grossed more than $597,000 in the first three days of its general release in the U. S. and Canada, according to Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists. While "The Thief of Bagdad" opened in most of the 262 theaters on Tuesday, it started its engagement in many spots on Christmas Day. Therefore, the gross figure, Kelly pointed out, represents a two-day instead of a three-day "take" in many engagements.

Industry Notables Will Attend Frohman Rites

Last rites for Daniel Frohman in the Little Church Around the Corner this morning will be widely attended by film and stage leaders. Adolph Zukor, Paramount's board chairman, with whom Frohman was (Continued on Page 2)

THE WEEK IN REVIEW
U. S. to File vs. Ascap

DOMESTIC


Remittance: U. K. remittance pact was signed on Tuesday (as published exclusively in THE FILM DAILY on Thursday) Will H. Hays announced to the MPPDA Board. Amount is $12,000,000.

Theater Games: Oregon court ord. (Continued on Page 2)

N. Y. Critics Vote Their Annual Awards

The film critics of New York City dotted Friday night on the best pictures, direction and performances of 1940, with the following results:

Best picture of the year, "The Grapes of Wrath." Best foreign language picture, (Continued on Page 3)

9½ Daily Gross Tax in Mexico

Exhibs. Win Change, Effective on Jan. 1

Twelve Elected to Board Of the M. P. Academy


By MARCO-AURELIO GALINDO

FILM DAILY Staff Correspondent

Mexico City—A fixed tax of 9 per cent for all houses on the total gross made daily, regardless of the admission price, will go into effect Jan. 1, substituting for the 16.45 per cent tax which picture houses have been paying the Mexican government for the past few years, THE FILM DAILY

(MEXICO) (Continued on Page 3)

Studios Will Be Increasingly Sensitive to Public Entertainment Wants in 1941: Producers’ Whims to Do Fadeout; Box-Office Will Hold the Whip Hand

By JACK ALICOATE

Publisher of THE FILM DAILY

As the American film industry pauses to take stock and to consider its immediate future in 1941, its first concern, more than ever before, is production.

That is inevitable, for not alone is there the continuing problem presented by World War II and its serious effect on foreign revenue, plus domestic reactions incident to the national defense program, but there exist the uncertainties arising from the consent decree recently signed by five leading companies in the so-called New York equity suit brought by the Government.

During 1940, the industry has seen (Continued on Page 7)

Minimum for GWTW Regardless of Runs

M-G-M will demand admission prices of at least 40 cents for matt- nees and 50 cents at night, exclusive of tax, for "Gone With the Wind" regardless of run. While (Continued on Page 3)

Arbitration to be Myers’ Subject at Philly Meet

Philadelphia—Abram F. Myers Allied general counsel, will discuss arbitration here Jan. 14 when the Eastern Pennsylvania unit holds its annual meeting and election of officers.

“Virginia” Opening To Aid War Relief

Maple Leaf Fund, Canadian-sponsored organization in the U. S. for British war relief, will sponsor the premiere of Para’s “Virginia” at the New York Paramount Jan. 18. Fund has taken the entire orchestra floor and will sell 1,600 seats at advanced prices. Notable list of p.a.’s is being set.
Wednesday, December 30, 1940

**COMING and GOING**

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**Good Showmen**

**HAVE THIS TO SAY:**

★ "Reaction terrific...the patrons howled for more..." F.B. Schlax, Kenosha Theatre, Kenosha, Wis.

★ "Audience reaction very enthusiastic...should play every theatre..." Lou B. Metzger, Spreckles Theatre, San Diego, Cal.


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Sawd J. Adams Dead

Concord, N.H.—David J. Adams, one-time exhibitor, is dead here.

**THE BROADWAY PARADE**

**Picture and Distributor**

Theater

Love Thy Neighbor (Paramount Pictures) — 3rd week...Fontana (Walt Disney Productions) — 7th week.

**FOREIGN LANGUAGE FEATURES**

The Baker's Wife (20th-Fox Pictures) — 4th week.

**FUTURE OPENINGS**

Flight Command (Paramount Pictures) — Capitol

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9% Daily Gross 
Tax in Mexico 

(Continued from Page 1) 
learned exclusively over the weekend. 
The tax results from negotiations which the Association of Mexican Exhibitors, recently organized, conducted with the Secretaria de Hacienda y Credito Publico (equivalent to the American Treasury Department) during the last two months under the aggressive leadership of its president, Mauricio de la Serna, general manager of the Teatro Alameda, Mexico's chief de luxe house. 

This new system of taxation is believed to prove as beneficial in the long run to the Mexican treasury as it may be to the theaters themselves, since the tax charged formerly was computed to apply arbitrarily to the grosses made over the entire year, on the basis of those made during the last three months of the year.

The system now in effect has given rise to the extended practice on the part of exhibitors of deliberately playing the weakest pictures during the last quarter of the year in order to lower their grosses, thus securing a low tax for the whole year. On the other hand, it occasionally has happened that some pictures were played at such a time which made big grosses, thus providing the basis for a high tax for the entire 12 months. The system has also tended to encourage graft among government inspectors.

Industry Notables Will Attend Frohman Rites 
(Continued from Page 1) 
associated in Famous Players, Friday sent a message of condolence to Miss Etta Frohman, sister of the deceased. In part, it read: "His friendly co-operation and advice were of inestimable value both to Paramount and to the entire motion picture industry and continued to be so down the years. As a company we shall always remember him with respect and gratitude. Personally I grieve at losing a tried and true friend and business associate whose kindness and unstinting efforts I shall never forget."

Happy Birthday to You 
From THE FILM DAILY to John L. Litel to Robert McKelvy to Lawrence Weingarten 

New York Critics Vote Their Annual Film Awards 
(Continued from Page 1) 

United Artists said farewell to Lynn Farnol—retiring advertising and publicity director—with a cocktail party on the 12th floor offices—Friday afternoon. Not only was the entire UA gang, including Murray Bonds and Arthur Kelly downtown present to honor Lynn—but the party attracted inaccessible friends of long standing in the industry...to wish him the best of luck—in his future activities...On behalf of his associates...Monroe Greenhill...who steps up from exploitation chief...to succeed Farnol on Jan. 1. ...presented Lynn with a beautiful gold watch...The simplicity of the inscription... "To Lynn from UA"...spoke eloquently of the friendship that have been the fruit...of Farnol's service in the post he now leaves...Farnol showers of Thursday for an extended vacation...Plans to visit Charleston, Miami and New Orleans.

John Balaban Midwest Director for Great Drive 

Chicage—John Balaban has been appointed Midwest director for theater participation in the Greek relief drive. Jack Kirsch heads Allied organization relief activities. Mid-night shows and direct contributions from the trade are sought. Van Nomikos went to Dayton, Ohio meeting yesterday at which Spyros Skouras presided.

WNEW Signs 5-Year Pact Covering Ascap Renewal 

WNEW on Friday formally signed a five year renewal with Ascap. Negotiations for Ascap were conducted by John G. Paine, general manager of the Society and for WNEW by Bernice Judis, managing director.

20th-Fox Buys Stories Hollywood—Twentieth Century-Fox has bought screen rights to "I Won't Dance," by Harry Sauber; "We Go There," by Doug Welch, Satevetop serial; and "Green Entry," a novel by S. Ruth Howard.

Ernest Lawford, Actor, Dies Ernest E. Lawford, 70, actor, well-known on both the English American stages, died Friday at the Presbyterian Medical Center after a long illness.

Minimum for GWTW Regardless of Runs 

(Continued from Page 1) 
M-G-M has announced this price policy previously, it was thought: some exhibitor circles that the minimum price would not be asked unless the running charge at Ascap's studios be lowered to about 25 cents. A clarification of the issue was asked by several readers of THE FILM DAILY.

According to M-G-M executive the second release of the picture expected to play in 8,000 or 9,000 theaters, whereas the first release was made available to only approximately 4,800 theaters. Whether GWTW will be withdrawn at a later date and, after a prescribed period again be released has not even been discussed by M-G-M officials, indicating that dates in every run probable will be sought at the announced admission price levels.

Meanwhile, the general release of GWTW has been announced for Jan. 17 when a series of 57 engagements will get under way. On that day the picture will open in Washington, Pittsburgh, Chicago and Baltimore. On Jan. 24, openings have been set for Nashville, Boston, Providence, Springfield, Worcester, Roch ester, Syracuse, Columbus, Dayton, Akron, Canton, Toledo, Houston Evansville, Indianapolis, Louisville, Kansas City, Memphis, Bridge port, Hartford, New Haven, Water bury, New Orleans, Harrisburg Reading, St. Louis, Baltimore, Norfolk, Richmond, Wilmington, London, Ont., and Toronto, Ont.

Lottery and Dog Racing 
Measures Loom in N. H. 
(Continued from Page 1) 
writer, is leading the opposition slot machine licensing. Greyhound racing is opposed by the "most element" and horsemen, the latter resenting any cutting into their full pot. Rockingham Park in New Hampshire was New England's first pari-mutuel track.

Indications are that the state lottery plan will not be so bitter fought, but it is considered doubtful that a lottery law will be passed.

Norton Has Greek Feature "Greek Today," Greek feature, being distributed by Frank Norton

WEDDING BELLS 
West Coast Bureau of THE FILM DAILY 
West Coast Bureau of THE FILM DAILY 
West Coast Bureau of THE FILM DAILY
"HIGHEST RATING!" — N. Y. Daily News.

Kate Cameron, ace critic gives this

First it was "ARISE, MY LOVE"; Then it was

AND

VICTORY

She says about

"ONE OF THE BEST PICTURES
HEREBY RECOMMENDED

"Absorbing screen melodrama...full of cinematic magic. The production is first-rate. Terrific climax. Well worth seeing. Striking and satisfying!"

— Herald Tribune
For the third time in six weeks his praise to a Paramount picture! It was "NORTH WEST MOUNTED POLICE"!

NOW IT'S

"Deserves a high place on any movie-goer's list!" —Daily Mirror
"One of the finest dramas of the year. It's excellent melodrama!" —Journal-American
"Fine and penetrating motion picture melodrama. Don't miss this one!" —World-Telegram
"Starts off on a high note of melodrama and keeps there till the final fadeout. It is exciting stuff!" —Sun

"WORTH THE PICTURE... THE PICTURE... THE PICTURE... OF THE YEAR AND IS WITHOUT RESERVATION!"
MEET AND BEAT EMERGENCIES

BY USING
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!"
Box Office Will Hold Whip Hand in New Year

Studied Attempts to Give Public Exactly What It Wants in Films Forecast

(Carried from Page 1)

its revenue from overseas still fur-
ther diminished as the totalitarian
wave machine over-run much of Eu-
rope, France was bucking savagely at the British
Isles. And with the advent of 1941, there is the fresh problem—or indeed a full series of problems—stemming
from the decree which materially al-
ters long-established industry prac-
tices.

With pictures to be sold in maxi-
mum blocks of five, and then only
regionally after trade showings upon
completion, it should be obvious that
the key to the situation is held by
Hollywood. The immediate question
is can Hollywood turn the "tricks".
Careful analysis brings assurance that it can and will.

1940 Forecast Was Fulfilled

Hollywood thus far has an admir-
able record. For the year ago has been substantially fulfilled.
There have been no dramatic curtail-
ment in production, no shortage of pictures, no mass retraining. But there has been a general emphasis
upon Grade A entertainment, witness
the larger number of top quality pic-
tures, and elimination of production
extravagances.

The result is reflected in the
improved financial position of
many of the leading companies, disclosed by their earnings re-
ports, and accomplished in the
very face of the loss of foreign
revenue. And as defense ex-
penditures influence the domestic
scene during 1941, there is the
temporary guarantee that increased theater attendance—estimates of 5 to 10 per cent are made—will
further strengthen the industry.

As to general effect of the
pleasure decree upon production
in 1941, it is readily apparent
that Hollywood will be increasing-
sively sensitive to public enter-
tainment wants. There will be
studied attempts to give the
movie-going public exactly what it wants; producer whims will do a
faucet. In other words, the
box-office will hold the whip
hand.

In this, then, to be interpreted as
meaning a blow to film artistry?
Emphatically, No! For it is a mat-
er of industry record that the box-
office successes of the year, by
and large, have been the better pictures. The trend is too pronounced to doubt its
permanence.

The consent decree, of course, is
putting the producers on their toes. They are seeking to bolster their
player lists and casts. It is under-
stood that M-G-M, which heretofore
has been chary in the matter of ex-
changing players with other studios,
as lifted the bars in a desire to line
up the best possible casts for its
projects. Twentieth Century-Fox is
adding to its player roster, while vir-
tually all other studios are also on
the prowl for future star material.

The decree further will also re-
sult in the studios lifting the pad-
lock on the stages when pic-
tures warrant added sequences. Long-
er shooting schedules need not sur-
prise.

1941 Production Outlook

But what of the completion of 1941 production? This
year will see the release of
earlier estimates believe
that light comedies and musical
comedies, minus too costly sets
and production of the studio
melodramas, will constitute a
heavy share of the new year's
films.

They further feel that there
will be a drop in the number of
screen biographies and that only
historical subjects and backdrops for much action
will be used.

Problem and propaganda pic-
tures do not loom large in the
offing. However, there will be a
sizeable group of "service" pic-
tures, including a half dozen
comedies inspired by the draft.
Virtually all studios will make
a contribution to this phase.

Due to the success of current
"glorified westerns," big action
films are certain to be continued.
In the musical comedy field, Para-
mount is banking heavily on "Love
Thy Neighbor," with Jack Benny,
Fred Allen and Mary Martin; "The
Road to Zanzibar," with Bing Crosby
and Bob Hope; "Second Chorus," pro-
bduced by Bois Morres, and hav-
ing a cast including Fred Astaire,
Paulette Goddard and Artie Shaw.
"Ziegfeld Girl" will be one of
M-G-M's important releases, while
RKO is expecting much from "No,
No, Nanette," produced by Herbert
Wilcox and starring Anna Neagle.

Twentieth Century-Fox, already
taking bows for "Tin Pan Alley," now has "The Road to Rio" in
production. The Deanna Durbins
lead the parade of Universal musi-
cals. United Artists' musical com-
position includes "Road Show," made
There is also a release, "Modern
Ranch," which carries an extra bud-
get and has a cast headed by Gene
Autry, with Jimmy Durante and Ann
Miller in support.

More Overseas Talent

The war having brought European
production to an all-time low, lead-
ing producers, directors, actors and
technicians have hurried here from
Europe and the Continent.

Albert Basserman, considered Ger-
many's leading stage actor for sev-
eral years, conquered a strange lan-
guage and American audiences with
his work in many American-made
pictures. Ernest Lubitsch gave Felix
Bressart his "break" in "Ninotchka," and
Bressart has been really busy
since. Alexander Granach, another
import, also made quite an impres-
sion in the picture.

Curt Bois, known as "the Eddie
Cantor of Berlin," keeps busy, at
tracting much attention in Colum-
bia's "Lady in Question." S. Z. Sakal,
a character comedian, has appeared
in several Universal pictures, as well
as in "My Love Came Back," for
Warner Bros. Lionel Royce, Ernest
Deutsch and Ludwig Stoessel are
character actors who are kept busy.
RKO has imported Michele Mor-
gan, the French actress, and has also

Light Comedies, Musicals
Are Expected to Head List
Of 1941's Big Productions

brought Signe Hasso from Sweden.
The studio is also expecting much
from Alberto Vila, a South Ameri-
can actor, who makes his bow in
"They Met in Argentina." Carmen
Miranda, who registered strongly
in "Down Argentine Way," for 20th
Century-Fox, is now working in "The
Road to Rio," at the same studio.
RKO will groom Desi Arnaz, the
Cuban, who appeared in "Too Many
Girls."

Charles Laughton returned from
England and is busy at RKO. Con-
rad Veidt also came back from Eng-
land and has been working at M-G-M.

Korda, Pomer Both Active

Alexander Korda and Erich Pomer,
who have produced here before,
are again active in Hollywood. Kor-
da directed and produced "Lady
Hampton" for United Artists while
Pomer is producing for RKO. Dr.
Willy Skoely will produce "New
Wine," in association with Korda, for
United Artists.

The Hakim Brothers, four in num-
ber, who produced in France, are
here and are making production
(Continued on Page 8)
More Indie Producers in '41

NICE GESTURE

Cesar Romero, as the Romeo of the rackets, introduces pretty touch in gangland by entertaining boys he is supposed to have rubbed out.

TALL, DARK and HANDSOME

20th's natural ... loaded with laughs! Thrills! Tunes!

(Continued from Page 1)

that each company would have to arrange individually for the transfer of the allotted sums from Great Britain to the U.S., now that the remittance plan had been completed. The one-year agreement covering withdrawals of money calls for $12,900,000. Hays told the Board that the remittance agreement was signed on Tuesday as published exclusively in THE FILM DAILY on Thursday.

Breen, Production Code Administrator, was given a vote of confidence by the directors who told him that he had been "doing a great job," and informed them that they were back of him 100 per cent in his activities.


Maurice Akst. Musician. Dies

Freeport, L. I.—Maurice Akst, 68, first viola player in the Roxy Theater Orchestra from 1929 to 1935 and later, on the Rudy Vallee radio program, died at his home here Friday.

More Indie Producers in '41

Many Foreign Directors, Stars Active Here

plans. Seymour Nebenzahl produced for M-G-M, but is expected to organize his own unit. Paul L. Stein is returning to Hollywood after an absence of several years in England. Andre Daven, who was a French producer, is with 20th-Century-Fox.

Browne, who directed in England and France, has joined Universal, while Julien Duvivier, who directed "The Great Waltz," for M-G-M, has returned from abroad. Kurt Bernhardt has attracted much attention by his direction of "My Love Came Back" and "The Lady With Red Hair," for Warner Bros.

"Package" deals, whereby a studio is supplied with a star, a story, a scenario director and a director in one agreement, are an innovation in Hollywood and seem destined to become popular. The Music Corporation of America is a leader in this movement.

Leading Men Scarc

Charles Feldman closed one of the important "package" deals with 20th-Century-Fox, giving that studio the services of Ronald Colman, Irene Dunn and Charles Boyer, with directors Lewis Milestone and Anatole Litvak.

There is still a shortage of leading men, with William Holden seeming to show the best possibilities of the new breed. He is presently signed for starring roles. He made his debut in "Golden Boy," for Columbia and his contract is to pay him $20,000 per week. His work in "Arizona" is very noteworthy.

Twentieth-Century-Fox has high hopes for Dean Jagger, who returned to the screen in "Brigham Young." M-G-M is setting store by John Shelton whose first assignment was "We Who Are Young." John Sutton, who had been free-lancing, is being given important roles at 20th-Century-Fox and will be seen in "Husbands." Fred MacMurray, who left 20th-Fox, will be groomed for leading parts at M-G-M.

(Continued from Page 7)

Taxes Loom as Wis. Legislative Problem

stiff opposition from theater owners. In Wisconsin, the tax law is certain, and it is almost certain that amendments will be sought to unemployment compensation and social security as a means of raising additional funds to strengthen the labor code and the minimum wage and maximum hour law for workers.

Forrester Parant Attaches Miss Dietrich's Radio Fee

Forrester Parant Productions Friday, in an attempt at RAID, $2,000 fee for Greta Garbo's broadcast for a radio broadcast made Dec. 12 and sponsored by Sealtest, Inc. of Chicago. Allied, with the "Dancing Stars" series, 450 claiming that the defendant breached an agreement to make a French picture for the plaintiff.

Metro, Series Leader

Metro continues to lead in the number of series, having "The Andy Hardy," "Dr. Kil- dari," "The Thin Man" and "Ninotchka" on its schedule. Columbia is continuing the "Blondie's," while William Shirahs and Howard Lang are continuing to furnish RKO with the "Dr. Christians." The exceedingly successful Hop Along Cassiday series, produced by Harry Sherman, will continue for Paramount release. A new series is announced in the field of the "Elery Boys," which has been produced by Larry Darmour for Columbia release.

Universal has the "Rustic Sands," a series which Monogram has added the "Rango Cus," "Rangers," produced by George W. Weeks. Monogram is also releasing a group featuring the "East Side Kids," which is being made by Sam Katzman at its new studio on New York's "The Masqueaters.

Band leaders are making their presence felt in Hollywood-made products with Kay Kyser having already appeared in two pictures this year. They were produced and directed by David Butler, for RKO. The same company has also just finished "Malvino Swings It," which has a cast headed by Bob Crosby and his band. Another project is "The Noise Makers.

More Negro pictures than usual were produced during the year. Harry Warner starred Kenny Washington, the U.C.L.A. gridiron star, in one, while Red Budd and Goldberg and Port were among the directors who made offerings with all-Negro casts.

Production of Spanish pictures is also in evidence, although Hollywood is not overlooking South America as a locale for stories. Twen-th Century-Fox has bought "Black Road to Rio" before the cameras, while RKO has set "They Met at Andy's," a Spanish product. Producer-Director Wesley Ruggles is making the "Matador" series.

Thus concludes the annual report and it is hoped that the outlook for the American film industry, conscious of its importance and responsibility, will become more hopeful and that the industry is prepared to see that the show indeed goes on with advances rather than impairment in quality and in perfection of entertainment.

Monday, December 30, 1940

TALL, DARK and HANDSOME

20th's natural . . . loaded with laughs! Thrills! Tunes!
MEEHAN K-A-O STOCK, OPTIONS TO ATLAS
Para. to Draft Simplified Decree Selling System

THE NEW YORK EQUITY SUIT, insofar as the "Big Five" are concerned, ends with a consent decree, plus rules of arbitration, despite intense exhibitor opposition. The "Little Three" decline to sign, elect to fight on.

INDUSTRY ARBITRATION MACHINERY takes shape, with former Federal Judge Van Vechten Vreder designated as chairman of the Appeals Board. The American Arbitration Association appoints necessary committees, etc.

ON THE LEGISLATIVE FRONT, the House of Representatives, by Commerce Committee action, doom the Neely anti-block booking measure which had passed the Senate. Federal divorcement legislation is introduced in the Senate, makes no progress.

THE WAR continues to further shrink industry overseas revenues as spreading hostilities see a total of 11 countries closed to American films. The domestic market, improving, and operating economies largely offset losses abroad.

(Continued on Page 4)

THEATRE DIGEST

Close Havana Houses As Result of Decree

Havana (By Air Mail)—Continuing their fight for repeal or amendment of the anti-block-booking decree, a delegation of exhibitors and distributors have submitted a further petition to Dr. Jose T. Onate, Minister of Commerce, revealing that first-run houses in Havana are start-

(Continued on Page 6)

Hayman Asks MPTOA Rochester Conclave

Charley Hayman, MPTOA leader in Buffalo, is trying to get the organization's convention to Rochester, even though all indications point to a West Coast conclave. It is reported that Hayman is exerting

(Continued on Page 6)

Rudy Vallee Enters Automatic Projector Field

West Coast Bureau of THE FILM DAILY

Hollywood—Rudy Vallee has entered the automatic projector field as president of Vis-o-graph Corp, of America. The new company plans

(Continued on Page 6)

Broadway Biz Boom Continues

"Philadelphia Story", "Neighbor" Scoring

Brandt Drops Hepburn From "B. O. Poison" List

Harry Brandt, who once branded Katharine Hepburn as being "box-office poison," yesterday scratched her name off the list as reports came in on the record-breaking business of her new picture, "The Philadel-

(Continued on Page 6)

Holiday business continued to boom along Broadway yesterday. Long lines at the Music Hall for the fifth consecutive day pointed to the possibility of an all-time record for the week, while a four-day record already has been established by "The Philadelphia Story." In four days the picture brought in 110,168 pat-

(Continued on Page 6)

Tele In New Yorker Early In New Year

Installation by RCA of its television theater screen and equipment in the New Yorker Theater is expected to be completed within the next few weeks. No definite date has been set yet for the first demon-

(Continued on Page 6)
**New York Stock Market**

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<td>77</td>
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<td>East Coast Eq.</td>
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<td>Loew's</td>
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<td>do pfd.</td>
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**NEW YORK BOND MARKET**

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<td>do pfd.</td>
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**CUBA MARKET**

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<td>Trans-Lux</td>
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<td>Universal Corp.</td>
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<td>5 1/4</td>
<td>5 1/4</td>
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**Sam Dembow Convalescing**

Sam Dembow, Jr., Paramount theater executive who was recently hurt in an auto accident, is making good progress and now resting comfortably at home. He will probably remain there for another month.

**Farnol Will Open Public Relations Office Feb. 1**

Lynn Farnol, former director of advertising and publicity for United Artists, plans to open his own public relations bureau about Feb. 1. Initial accounts are expected to be outside of the motion picture business, although he may handle amusement clients later.

Farnol leaves today for the South with New Orleans his destination. Trip is in connection with a book he is writing on the coffee industry. He plans to return to New York about Jan. 20.

**C. S. Chaplin to Manage UA's Montreal Exchange**

St. John, N. B.—C. S. Chaplin, United Artists manager here, has been appointed manager of the Montreal branch. Succeeding him here is George Feiber, promoted from office manager.

Chaplin has been at the St. John office for seven years. Both Chaplin and Feiber were transferred to St. John from Toronto.

**$489,810 in Panoramic Contracts in Michigan**

Grand Rapids, Mich.—Panoramas contracts already set in Michigan total $489,810. It was reported here that the Mills-Roosevelt slot machine movies had their first trade showing in the state last week. Six installations are located in the Wayne Hotel; eight other situations here are expected to have Panoramas and Sounds within the next two weeks.

Speciality Machines Corp., headed by George Barnes, has signed with Mills-Roosevelt for a five-county franchise.

**Briggs to Name Production Supervisor for PRC Setup**

A supervisor of production for Producers Releasing Corp. will be named late this week, according to O. Henry Briggs, president. New man, as yet not revealed, will coordinate the various production units. The competition for the job of supervising shooting under way shortly after the new year.

**423 "Four Mothers" Dates**

"Four Mothers" opens in 423 situations during this week.

**Coming and Going**

A. M. GOODMAN, United Artists branch manager in Cleveland, returns to that city after the first of this year following recuperation from Florida for a serious illness.

LAURENCE OLIVIER and his wife, VIVIEN LEIGH, are on route to Europe on the Excelsior.

MERIAM C. COOPER is here from the Coast.

WILLIAM REISNINGER, manager of the Bijou, New Haven, made a flying visit to Dayton, O., to visit his mother during the holiday week.

TIM O'TOOLE, manager of the Columbia exchange, New Haven, is visiting in Hamburg, Pa., for a week.

DAVE LIPITON, newly appointed ad. and pub. manager for Columbia, arrives here Thursday from the Coast.

BERNIE KREISLER, short subject sales manager for Universal, returned yesterday from a Midwestern tour.

FRANCES LEVIN, secretary to William A. Scully, "U" sales chief, is vacationing in Florida.

WELDON WATERS, Paramount Albany sales manager and MRS. WATERS are passing the holiday vacation in Cleveland, O.

JOE MILLER, Columbia branch manager at Albany, N. Y., and his family are in New York until after New Year's.

AL LICHTMAN returns to the Coast late this week.

DAVID HEMPSTEAD, RKO producer, is here for a short vacation.

**Para. Execs. on Dais As Ampa Hears Balaban**

John C. Flinn will introduce Barney Balaban, Para, proxy, and other speakers at Ampa's luncheon meet at the Edison Jan. 9. In addition to Balaban, Para, execs, on the dais will include Stanton Giffins, Adolph Zukor, Austin Keough, Neil Agerne and John Hicks.

**To Ask Bowling Alley Regulation by State**

Albany—According to the Rev. O. R. Miller, editor of the Civic Bulletin, the New York Civic League will sponsor legislation to regulate bowling alleys at the coming legislative session. Fixed hours for operation, etc., will be sought.

**Happy Birthday to You**

From THE FILM DAILY

To JANUARY 1

William Haines
Joyce Haines
J. Don Alexander
Al Martin

William Fox
Dorothy Davenport
William Keighley
Charles Bickford
HIGH SIERRA is an excitement-loaded yarn if ever I knew one! On film it's a world-beater!
Newspaperdom's acknowledged No. 1 Story-Teller
MARK HELLINGER

HIGH SIERRA is the most thrilling and unusual picture I have directed since 'What Price Glory!'
Director of a hundred Hits, RAOUL WALSH

"My story to top 'Little Caesar' is HIGH SIERRA!"
Famed Author W. R. BURNETT

HIGH SIERRA
starrring
IDA LUPINO
HUMPHREY BOGART

with
Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers

Directed by RAOUL WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

Soon from Warners!
Headlines Trace Year's History in Industry Sharp Relief

CONSENT DECREES, INDUSTRY ARBITRATION SYSTEM AND THE WAR IN SHARP RELIEF

JANUARY

2—RCA to introduce theatrical television in 1940, David Sarnoff announces. Nebraska to take anti-Ascap fight to Supreme Court.
3—U. S. Supreme Court rules against RKO reorganization. Pandre S. Berman to join Metro as producer.
4—Rubine & Roos close distributor deal with United Artists. Defense must ask for Consent Decree, says Therman W. Arnold.
6—Robert Jackson succeeds Frank Murphy as RKO vice-prexy.
7—Moral to Mayor to financing. IATSE board. U. S. Supreme Court decides the Sherman Act. Criminal contempt actions against B & K, FWC and the majors are terminated.
8—GOLDEN-WINTER 'Whistler's' deal does up on advice of Warner Bros. attorneys. Reform order liquidation of Grand National.
9—Mitch Leisen wins 52 per cent of picture produced in East. G. K. DuMont to station permit in Chicago.
10—Fiction studio strike avoiced at Producer IATSE confab.
11—U. S. Consent Decree stands fixes majors cool.
12—George W. Weeks resigns as Monogram general sales manager to produce. Some lax taxes after 12 years with Warners. Film industry assails provisions of Copyright Bill.
13—U. S. critics vote "Goodbye Mr. Chips" as 1939's best picture in 18th FILM DAILY poll.
14—Finalization of RKO reorganization speeded by court's order. New company's capitalization is $13,100,000.
15—Do-All fights proposed television regulations as "stark-jacket." National Allied Association of Motion Pictures names Dr. A. A. Brill, chairman.
16—U. S. to examine 26 top execs. in Equity Bill.
17—Percentage pictures, strike menace and trade relations before Allied directors at Washington.
18—Federal Judge Henry W. Goddard designated to hear Government equity suit. Murray Streets signs Gabriel Pascali to produce for UA. Universal stockholders reject motion to increase board.
19—Government refused writ to halt Schine Cinemas attempted charge theater for non-payment. National Allied proposes derivative arbitration system.
20—SEC report releases now $5,000,000 Warner financing. Walter Wanger elected president of Motion Picture Corp.
21—Court orders trustees to transfer RKO assets to company creditors. National Allied to campaign for immediate ratification of pact and May 23 renewal.
22—J. Malcolm Kingberg named K-A, B. F. Keith, vice-president; W. J. Merrill to be treasurer.
23—Edwin Carewe dead at 57, after heart attack.
24—Sam Dein, Jr., to be named Paramount vice-president in charge of producers.
25—New Italian pix setup unsatisfactory to U. S. market.
26—Three possible approaches to film legislation weighed by House block.
27—AF of M and IATSE upheld in legal fight against "censorship." RKO assets transferred, leaving single step to complete reorganization. Linden (Baltimore) anti-trust action set.
28—Henry Paynter names sales head of Empire Universal Films of Canada. Pathé, Labs., Inc., completes contract purchase of Cincoma Labs. assets on Coast.
29—British Films Council approves retention of quota. Neely proponents warn unfair advantage assured. British Government reversed. D. of J moves to strike defense interroga-
tories in Equity suit.

FEBRUARY

2—U. S. film exports slump sharply; Brazil best export market. Warner Commercials reports.
3—D. of J moves to strike defense interrogatories in Equity suit.

NEWS HIGHLIGHTS OF 1940

(Continued from Page 1)

V

ANTI-TRUST litigation continues to hold the spotlight. In late December, the Department of Justice announces impending criminal prosecution of Ascap, BMI, NBC and CBS under the Sherman Act. Criminal contempt actions against B & K, FWC and the majors are terminated.

VI

DEATH takes further toll of industry pioneers—Daniel Frohman, Tom Mix, Marguerite Clark, Edwin Carewe.

VII

LIMITED COMMERCIAL TELEVISION is authorized by the FCC, which later rescinds the authorization. CBS introduces color television. NBC starts installing theatrical television equipment in the New Yorkier Theater.

VIII

EXTENDED BRITISH REMITTANCE negotiations conclude with an agreement upon the withdrawal of $12,900,000 during the war's second year.

IX

"GONE WITH THE WIND" in its first release period rolls up the unprecedented domestic gross of $23,500,000 (estimated).

WALT DISNEY'S "FANTASIA" astounds and delights as it introduces Fantasound and utilizes the cartoon to interpret musical classics.

—BAHN.

Co-operative Theaters of Michigan lashed at Neely measure as fourthfold threat to in-

dustry. All majors define policies on cancellations at Ohio ITTO's request.

9—If I ask court to ban intimidation attempts by majors in Equity suit. National Bourse now anti-trust suit in J. N. asks $330,000 bail.

—MARCH

1—M. P. Academy votes GWTW year's best pic-
tures; award Irving Thalberg Memorial Troph
ey to David O. Selznick.

FCC okays limited commercial television to start Sept. 1.

4—Theater operators sue television's "Green Light" as film's "Red Signal."

5—Court cites possibility of settlement of Equity suit. Cosmopolitan Productions' deal with 20th-Fox expires.

6—Ed Kuykendall urges trade reforms by con-
tinued concentration.

7—Government plans for order banning intimi-
dation are denied in Equity suits. 20-thFox negotiating for out-of-court settlement.

8—U. S. bars 500 Equity suit witnesses. 789 out of 899 Texas theaters oppose Neely Bill passage.

9—Alternatives for Neely bill sought by MPTOA.

10—See $6,000,000 as Equity suit's minimum cost. $7,960,000 Republic gross in 1938 is gain of 71½ per cent.

—MARCH

12—Government to try, not settle Equity suit, says Therman W. Arnold.

5—Flea acts as producer and National States to make 26 kicks in 1940-41.

13—Earl J. Huddon named president of United Detroit Theaters Corp.


15—Samuel Bronston forms new company. 16—Frederic Ullman, Jr., named RKO producer.

20—Move to end triplets in Chicago in prospect. Columbia to open new equity suit court decree.

21—Dale Michelboats reports Hays-GUT merger doubtful. Hays to consider "authorized" status.

22—Film trust suits attack Warner clearance schedule as "obstructive." UA, Universal reported cold to Consent.

Columbia's voting trust agreement expires April

7—Famous Players Canadian reports $904,324 net.

21—World screen time of American films holds at 52 per cent. Department of Commerce reports.

22—Producers-theater tie essential, says Y. Freeman in equity suit pre-trial ex-

23—World theater advances 4,313 to 67,129 in 1939, Department of Commerce reports.

24—FCC revokes order permitting commercial-

25—Film industry too complex for split, says N. A. Schaefer. Bell Telephone Labs. demonstrates Stereo-

26—Neely plan is adopted by_pose. New York City equity suit pre-trial examination.

Kaufman urges 15 cent tax levy on all prizes offered with amusements, under new Equity Bill.

—Arbitration with "teeth." consent decree plan of Department of Commerce. IATSE decides against walkout call in Philadelphia.

APRIL

1—D of J integration stand seen bar to consent plan.

U. S. proposes discrimination cure for con-
trolling to newly acquired circuit through Equity suit. U. S. pix gain in foreign screen time in 1939.

2—Government discloses 103 more exhibs. as suit witnesses; expects to show coercion in theater paying.

3—Independent Exhibitors, Inc., nominates W. C. Smith for one-year term, renews current decree plan. Congress may get revised Department of Commerce consent decree.

4—Allied weighs Department of Commerce's current decree plan; first units emphatically approved.

5—Border Ultraphoto prints 1,063,777 profit for Eastman Kodak in 1939.

Henry Ginsberg named head of Paramount. RKO MPPDA re-elects Will Hays president for second consecutive year; Walter Wanger named to the Board.

British exhibitors in drive for lower film rentals.

6—D of C plan's no substitute for Neely Bill, says sponsor.

Matthew V. Carroll, treasurer of National Theater Supply Co., files U. S. suit against current decree plan.

9—American companies asking quadruple British quota credits.

10—Lack of unity by majors said bar to consent decree.

11—New Italian plan proposed for better of films.

Western independent circuits form Theatres Security Corp. with C. E. Huish as president.

14—Block booking control closed from Chicago. "Fantasia" contracts conveyed to the American consent decree proposals.


$4,000,000 Scandinavian market monitored by British Balfour Telefilm Labs. demonstrates Stereo-

ing collaborative deal at Wall, New York. Boris Morros forms National Picture Corp.

11—Phonofilm Corp. of America organized to enter coin picture field.

12—Hecht-Schleifer advocates boycott to re-

(Continued on Page 7)
It's every day ... with 20th!

Happiness begins with

“CHAD HANNA”
IN TECHNICOLOR

You do your bell-ringing with

PAUL MUNI in
“HUDSON’S BAY”

Champagne flows for showmen with

“TALL, DARK AND HANDSOME”

You really celebrate the day you play

“WESTERN UNION”
IN TECHNICOLOR

And the entire industry will be dating things from

“TOBACCO ROAD”
... on the screen at last!
Meehan K-A-O Stock, Options to Atlas

(Continued from Page 1)

erize voting rights for an extended period of time if the option is not exercised.

Meehan’s shares are said to represent more than 10,000 of the 44,000 outstanding K-A-O preferred. Should Atlas acquire all Meehan holdings, it probably would represent an investment in excess of $4,000,000.

Their purchase was considered by RKO in November but action was deferred by the board because of “current world conditions affecting the industry,” according to a statement by President George J. Schaefer.

It generally was believed in the trade that the purchase of the Meehan holdings would be made pending the results of the November elections. However, the K-A-O average annual earnings are said to approximate $1,000,000. Company has a large cash reserve.

Atlas’ move increases its holdings in the RKO “family.” As of June 30, last, Atlas held 29,881 shares of RKO 6 per cent cumulative convertible stock valued at $1,075,725.40; also 52,418 shares of RKO common, valued at $2,497,265.25; and 32,751 RKO warrants valid at $122.92.41.

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Only Col., Rep. and WB Start New Pix This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Three pictures are scheduled to start this week.

At Columbia: Two shooting, plus one start on Friday. Latter is “They Dare Not Love,” drama, adapted from James Edward Grant’s short story by Ernest Vajda. Marah Scott is among the lead. James Whale directing the Sam Bischoff production.

At M-G-M: Six shooting.

At Paramount: Four shooting.

At RKO: Three shooting.

At Republic: Two shooting, plus “Citadel of Crime,” mystery story, starring Thursday; John Auer directing for producer Armand Sacher.

One screenplay by Isabel Dawn. At 20th Century-Fox: Five shooting.

At Universal: Two shooting.

At Warners: Four shooting, plus one to go Friday. Latter is “Thirty Days Hath September” with Eddie Albert, Joan Leslie and Alan Hale. Ray Enright directing.


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“Hudson’s Bay” in Roxy Jan. 9

“Hudson’s Bay” has been very popular at the Roxy this month. Following “Chad Hanna,” currently there.

Royal Air Force Attacks on Berlin Reduce Nazi Theater Grosses Approximately 50 P. C.

Zurich (By Air Mail)—Royal Air Force raids have reduced theater grosses in Berlin approximately 50 per cent, while production in studios in the vicinity of the Nazi capital has been cut 40 per cent, according to information received here.

Berlin theaters, however, have suffered little material damage from the British raids; all but three are understood to be operating. In Charlottenburg, Berlin suburb, all but four have been forced to close. Seventy-five per cent of theaters in the Rhineland are dark. Hamburg and Bremen, repeatedly targeted for English raids, have put into effect a 7 p.m. curfew.

Close Havana Houses As Result of Decree

(Continued from Page 1)

ing to close as of this week. First house to shutter is the El Encanto.

The Fausto, Auditorium, Trianon, Riviera and Radio Cine will close this week or next. The only first-run houses in Havana at present are open are the National and Payret, serviced by Spanish, Mexican and Argentine films.

The petition reiterates the ruinous aspects of the decree insofar as the entire industry is concerned, and stresses the fact that the National Union of Exhibitors, whose membership comprises 85 per cent of all the houses in Cuba, is opposed to the decree. It also pointed out that Government revenues are going to be adversely affected due to a drop in theater taxes and custom revenues.

Regarding the suggestion that Cuban actors be billed so many times a week by every theater, the petition points out that the acts that are good get continuous work and that a house taken over by the Government for this specific purpose, was a conspicuous failure.

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Expect Argentina’s Ban On “Dictator” to Stand

(Continued from Page 1)

will stand, it is indicated. Triple premiere was to have benefited the semi-official Board of Aviation, the Argentine Commission for Aid to the Allies, headed by the Mayor of Buenos Aires, and the Ladies’ Benevolence Fund, whose president is the wife of Argentina’s vice-president.

“Dictator” was screened for the press yesterday, with Argentine Congressmen also in the audience. The British ambassador, following the showing, expressed regret that the ban prevented South Americans from seeing Chaplin’s masterly defense of democracy.

***

May C. Kelley Promoted

William M. Cotton, president of the Ideal Publishing Co., has been formally announced the appointment of May C. Kelley as vice-president and editorial director of the Ideal Women’s Group. (Movie Life, Movies, Personal Romances, Movie Stars Parade).

Newsreels to Offset Radiocasters’ Lure

(Continued from Page 1)

evening hours, thus keeping at home many people who might otherwise go to the movies and thus divert the usual news coverage as an incentive to attend the theater.

In addition, Caldwell will offer single tickets in both masks whereas other Teledy spots are playing duals. He also will feature.orgamers.

Caldwell resigned as manager of Loew’s St. Clair, Cleveland, to take over the Esquire, erected by the Libby Owens Glass Co.

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Brandt Drops Hepburn From “B. O. Poison” List

Saturday; Widow of the Week.

(Continued from Page 1)

said: “Miss Hepburn’s award from the New York critics for having given the best performance of the year, coupled with the all-time high attendance record being set by ‘The Philadelphia Story’ in New York, reminds me that I did give Miss Hepburn top billing in my box office Poison list two years ago. When I published my list I sincerely felt that Hepburn and box-office were allergic. But perhaps some astute producer like M-G-M’s and I will present her in the type of vehicle in which her full talents flowered as they do in ‘The Philadelphia Story,’ All right, that’s that. And I’ll keep Hepburn and ‘The Philadelphia Story’ gladly.”

Rudy Vallee Enters Automatic Projector Field

(Continued from Page 1)

to place at least 20,000 machines throughout the United States during 1941. Vallee said 32 distribution offices are being opened in the United States to place film in the hands of exhibitors.

Vis-o-graph machines are using 20 by 26-inch screens which are made of dielectric sheet. Machines are already in use in Guam, Wake and Midway Islands and arrangements are being made to send new films regularly via C-40 planes.

The company has already made films featuring Vallee, Gertrude Niesen and the Shadrack Boys, a team of Negro entertainers.

Broadway’s Biz Boom Continues

(Continued from Page 1)

tonight with an estimated gross of $10,000,000, including the New Year’s Eve show at a scale ranging from $1.10 from 7 to 8. M. and $1.50 from 8 P. M. “Shadows” was not then able to produce for a bigger second week at the Strand than its first, with biz at capacity. The Roxy was doing big business with “Chad Hanna,” and “Victory” bettered its first week at the Rivoli. The Capitol continued to play capacity business all day with “Comrade X” after a tremendous weekend.

Standout business was reported in every other house on the street since the day before Christmas. Only drop-off was Sunday night when President Roosevelt’s radio broadcast. Both the first-runs and the neighborhoods experienced a letdown in the pace started the week before.

Paramount Defines Its Relations to Employes

(Continued from Page 1)

quality and quantity of output, and efficient and economical operation.

Paramount places itself squarely on this in this statement as recognizing the right of collective bargaining, and undertakes to maintain complete impartiality in disputes over jurisdiction.

Discussing stabilization of employment, the statement declares that regardless of difficulties, “every effort is made to stabilize employment and earnings to as large a number of employees as possible. The company endeavors to arrange its production schedule in such a manner that peaks and valleys of employment are minimized.”

Hayman Asks that MPTOA Hold Conclave in Rochester

(Continued from Page 1)

every effort to bring the session to the Lake Ontario city.

Meanwhile, it is understood that the convention, when the city is decided upon, will be held in late April. MPTOA has not held an annual convention for two years, although a board meet was held in White Sulphur Springs, W. Va., in October.

Court Spurns Posen Plea To Block “U” Tender Plan

Justice Morris Eden in N. Y. Supreme Court yesterday denied the petition of Louis Posen, director and stockholder of Universal Pictures Corp., to restrain the company from proceeding with its plan to buy the entire part of its preferred stock via a tender plan. Court held that insufficient evidence had been presented to warrant an injunction.
**Major News Events of Film Industry Year**

**Executive Changes, Federal Divorcement Bill, Monetary Quota to Fore**

(Continued from Page 4)

- George J. Schaefer, re-elected president by KAO-S, F. Keith Corp.
- Admissions increase build answer to war problem by Spye's Skorups.
- Goldwyn Productions sign Samuel Bronston Productions.
- Gabriel L. Hemp, MPDA executive and attorney, dies of heart attack.
- Exhibitors must "pay the freight," warns Joseph M. Schenck.
- 20th-Fox stockholders approve Darryl F. Zanuck and Joseph M. Schenck employment contracts.
- B & K 1939 net at $1,329,964.
- D of J authorized to subpoena major producers as Government witnesses in Equity suit.
- Government only permanent monopoly remedy, asserts Col. H. A. Cole, Allied proxy.
- Contract "reforms" not mandatory for Indies; dual standard of operations for industries seen possible.
- Texas suspends industry anti-trust probe.
- Tendency to increase prints rapped by Sidney K. Kent.
- Equity trial set for June 3.
- Technicolor plans deep into stage 900 to facilitate color tech.
- George F. Dembow and William B. Brenner named National Screen Service vice-presidents.
- Coast independent producers plan association.
- Thurman W. Arnold, Assistant Attorney General, asks for dissolution of Capital television to be controlled, T. F. Joyce, RCA vice-president, wins film industry.
- Allied wants Justice, not Commerce Department, in any film arbitration plan.
- Technicolor named $614,000 for 1939.
- Edward A. Sargey named Copyright Protection Bureau counsel.
- Thurman W. Arnold appointed in House of Representatives for Divorce Bill support.
- Advertising films must be curbed, MPDA decides at meeting.
- U. S. distributors accept British monetary quota.
-Paramount 1939 net up $1,019,268.
- Special Master rules B & K and Paramount guilty of consent decree violations in Chicago; six majors acquitted.
- George J. Schaefer assails long-term exhibitor franchises in Equity suit pre-trial examination.

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900 Attend the Funeral Rites for Daniel Frohman

Funeral services for Daniel Frohman at the Little Church Around the Corner yesterday attended by 900 from stage, screen and other walks of life. The Rev. Randolph Ray, a vice-president of the Epis- 

copal Actors Guild officiated. Four friends of the late dean of American stage producers eulogized his life and character. The speakers were Walter Vincent of the Actors Fund, Rev. Benjamin A. Tintner, chaplain of the Jewish Actors Guild, Gene Buck representing the Catholic Actors Guild, and Channing Pollock, the dramatist.

**Part Two of Headline Review and Industry Necrolgy for Year to Appear on Thursday**

Part Two of THE FILM DAILY’s comprehensive review and industry necrology of 1940 and the motion picture’s Necrology for the 12-month period will appear as special features on Thursday. Watch for them.

- Samuel Goldwyn hits block-busting; will trade shows. New Italian proposal requires native distributors.
- David O. Selznick voices opposition to equity suit.
- Creation of nation-wide television network works seen by David Sarnoff, RCA presid.
- Nazi attack on Dutch and Belgians hits $2,600,000 “take” of U. S. firms.
- Civic groups press for Neely Bill enactment as House Committee opens hearings.
- Pacific Coast Conference plans national drive against final.
- House Committee rips Neely Bill to pieces, Gallup to launch full poll, draw.
- Neely synthesis provision under renewed attack.
- Expect Divorcement measure in Congress.
- House hearing tackles block-busting fairness.
- Joseph M. Schenck contract with 20th-Fox renewed for five years. Sidney Samuelson admits Needy passage may hit films, at House hearing.
- Canadian referrals finalized; national clearances before Pacific Coast.
- C. P. A. review “A” House Needy Bill hearing, sets picture 50 at pc. per cent due to war loss.
- William F. Rodgers tells House Committee Needy Bill is trade advantage.
- Herman Wobber warns House Committee Needy Bill means 15 per cent increase in admission prices.
- Pacific Coast Conference executives call conciliation plan a success.
- Andy W. Smith named RKO sales manager. Paramount will renegotiate if Needy Bill passes, T. Frank Freeman tells House Committee.
- SEC asks in RKO reorganization allow.
- Ed Kuklykolden warns Needy Bill spells confusion in House Committee testimony.

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**Fantasia** In Boston's Majestic Theater Jan. 20

Boston—Walt Disney’s “Fantasia” has at last been definitely set for the 2,000-seat Majestic Theater to open Jan. 20. Jack Goldstein, formerly with RKO, is handling the local press.

**Vic Shapiro With Selznick**

Hollywood—Victor M. Shapiro has been engaged to handle special publicity for David O. Selznick Productions. His engagement with Selznick will be limited, because of plans he has made, starting late in the Winter or early in the Spring.

Mr. Catherine Blatt, pioneer circuit found-

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17—Equity suit settlement talks cover eight points. Sweeping revisions of admission tax advan-

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18—Senate Committee wants sliding scale ad-

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19—Atlas was blocked on divorcement for RKO.

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20—Allied for “mollusc wall” on film ren-

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21—Alarmed war on booking of “A” features on multiple programs. “Still a long way to go” in equity settle-

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22—Outside influence denied in equity suit settle-

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23—Fair Trade Code re-examined in equity suit talks.

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24—Nebraska takes Ascap case to U. S. Su-

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TALL, DARK and HANDSOME

Cesar Romero, as the Romeo of the rackets, sets the vogue for what the well-dressed man will wear for the well-known ride.
PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today’s screen productions. Unvarying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

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

PLUS-X
for general studio use
SUPER-XX
when little light is available
BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS