Illinois Allied Bidding for D of J Action in Trust Suit

GN ANNOUNCES 22 TITLES FOR NEW SEASON LINEUP

Peace Tonic... for U. S. films
By CHESTER B. BAIN

The assurance of European peace resulting from the historic Munich conference cannot but have a marked tonic effect upon the American film industry. For reasons that are all too apparent, the threat of a showdown in Central Europe, with the added knowledge that the conflict, once started, inevitably must spread, constituted a major headache for Hollywood, New York and points in between.

The headache, incidentally, has persisted for not two weeks, but months. The potentialities of the European scene since last Winter necessarily have been taken into consideration by executives of all companies, in studios, in home offices and in headquarters of foreign distributing subsidiaries.

There remain, of course, other problems abroad for the industry—the Italian monopolistic decree, Japanese restrictions, etc.—but these, comparatively, are minor. The prospect of a loss of upwards of 30 per cent of world revenues was something else again, and that is exactly what a general European conflict might have cost U. S. film companies.

Unless the fates elect to toss a monkey-wrench into the peace machinery evolved in the Bavarian city, there is no reason why this industry should not immediately forget its recent war jitters and settle down to its essential job.

Domestically, there is every encouragement for it to do so. The impetus derived from the "Motion Pictures Are Your Best Entertainment" campaign, now in progress, and from the better quality of product turned out of late by Hollywood is credited with improving the American and Canadian box office "take" 30 per cent.

That is the extremely good word from Howard Dietz, chairman of the campaign's executive publicity committee. This represents a percentage figure even more generous than those mentioned by George J. Schafer when the plans for the

Provincial Exhibs. Worried by Proposal to Raise Revenue for Cities

Toronto—Considerable anxiety is felt in film circles in Toronto and throughout the province because of Premier Mitchell Hepburn's statement that Ontario may permit each municipality to place a tax on theaters and amusement parlors in order to bolster elivc revenues. Toronto City Council already has fig

MPTOA BIDS 8 ALLIED HEADS TO CONVENTION

Invitations to attend the MPTOA convention in Oklahoma City will be mailed this week to national Allied leaders and to Harry Brandt, president of the ITOA. It was stated over

Contest Bureau for Drive Participants Established

A contest bureau to establish rules and receive exhibitors' campaigns in the $2,100 contest which is being sponsored for showmen participating in the Industry business drive has been appointed by Howard

BUERMELE REPLACES MOON AT DET. CO-OP

Detroit—Carl Buermle is the new general manager of Cooperative Theaters of Michigan, following a reported shakeup within the organization. Retirement of Ray Moon, former general manager, was announced by Fred Deodder, president.

Ill. Allied Files Squawk With D of J, Pledges Gov't Co-op in New York Suit

Allied Eastern Regional Plans Pix Buying Survey

A product buying survey of all theaters represented and an analysis of the new season's programs will be two highlights of the business agenda at the annual convention of Eastern Allied units, scheduled for Oct. 19-21 at the Ritz-Carlton Hotel, Atlantic City. Other sub

THE WEEK IN REVIEW

War Clouds Pass

DOMESTIC

Dispelling of Europe's war clouds, which has brought an ominous pall over home offices until the Munich settlement, brought assurance to the U. S. film industry that its huge economic stake in the foreign field and at home would remain intact, and, further, that adjustments of international disputes, which have caused upheavals, with their attending handicaps, in various parts of the world, hold out promise of great

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SIX DISTRICT MGRS. NAMED BY GR. NAT'L

Chicago—Appointment of six district sales managers, a circuit sales manager and a N. Y. branch head for Grand National Pictures was announced here yesterday by Edward L. Alpder, general sales manager, who conducted a two-day sales meeting of midwestern and western representatives. A similar meeting will be held next Saturday and Sunday in New York.

The delegation here was addressed,

Majors' Foreign Managers To Hold Meeting Tomorrow

A meeting of major company foreign managers has been scheduled for tomorrow at the Hays office to discuss European matters, and the Italian situation in particular, it was announced.

Republic Sales $1,000,000 Ahead of Last Year—Granger

West Coast Bureau of THE FILM DAILY

Hollywood—Republic sales exceed by $1,000,000 sales for the

The Daily Newspaper
Of Motion Pictures
Now Twenty Years Old

TEN CENTS
The Broadway Parade

Picture and Distributor
Theater
Room Service (RKO Radio Pictures)—2nd week, Music
Garden of the Moon (Warner Bros. Pictures)—2nd week, Palace
Two Too Hot to Handle (United Artists-Metro-Goldwyn-Mayer)—2nd week, Central
If I Were King (Paramount Pictures)—1st week, Palace
Swing Time (United Artists-Metro-Goldwyn-Mayer)—1st week, Central
Straight, Place and Show (20th Century-Fox)—1st week, Palace
Song of the Legion (Paramount Pictures)—1st week, Central
Mr. Doodle Kicks Off (RKO Radio Pictures)—1st week, Central
The Two to Tuna (Universal Pictures)—1st week, Astor
South of Arabia (Colombia Pictures)—1st week, Astor
Slander House (Times Pictures, Inc.)—1st week, Central
Boy Meets Girl (Warner Bros. Pictures)—1st week, Palace
Rocket Busters (Warner Bros. Pictures)—1st week, Palace

Two-A-DAY RUN

Marie Antoinette (Metro-Goldwyn-Mayer)—7th week, Astor

FOREIGN LANGUAGE FEATURES

Grand Illusion (World Pictures)—4th week, Palace
The Edge of the World (Fox Films)—4th week, Palace
50th St. Playhouse
Avocate d’Amour (RKO Distributors)—4th week, Palace
The Childhood of Maxim Gorky (Amblin)—2nd week, Central
Men of Ireland (J. H. Hoffberg)—1st week, Palace
Life Dances On (Empress Pictures)—2nd week, Capitol
Little Carnegie Moonlight Sonata (Malmer Pictures)—2nd week, Capitol
Pears of the Crown (Lefteris International)—1st week, Capitol
The Story of a Christ (Gallif Films)—1st week, Palace

FUTURE OPENINGS

Personal Secretary (Universal Pictures)—Oct. 4, Palace
My Lucky Star (20th Century-Fox)—Oct. 4, Palace
Time Out for Murder (20th Century-Fox)—Oct. 4, Palace
Secrets of an Actress (Warner Bros. Pictures)—Sept. 26, Palace
Dark Rapture (Universal Pictures)—Oct. 8, Astor
Men With Wings (Paramount Pictures)—Central
King of Alcatraz (Paramount Pictures)—Central
Youth Takes a Fling (Universal Pictures)—Central
Stalagmites (Metro-Goldwyn-Mayer)—Astor
Three Goes My Heart (United Artists)—1st week, Central
Rothchild (RKO Distributors)—Central

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

Peace Tonic
...for U. S. films

(Continued from Page 1)

drive were first presented to exhibitors. Schaefer, you will recall, foresaw a possible 10 per cent or 20 per cent gain weekly, which in dollars, would be approximately $1,600,000 or $3,200,000. It is logical to expect that this box-office pace will be maintained during the weeks immediately following. For one thing, there are some extremely promising pictures on release schedules. Then, too, there is the second barrage of summer newspaper advertising which starts nationally tomorrow. Yes, for more causes than one, 1938 should qualify as "Motion Pictures' Greatest Year." Sammy Shin, Veteran of Variety Staff, Resigns

Resignation from Variety's editorial staff of Sammy Shin was disclosed over the weekend. A Variety veteran and a protege and confidant of the late Sime Silverman, paper's founder, Shin has held a unique place in Variety tradition. Shin's plans are undisclosed.

Research for Hal Roach's Prehistoric Pix Finished

Research has been completed on background material for a picture planned by Hal Roach dealing with the beginning of man titled "When Man Began." Roach said yesterday that the picture will be one of the most unusual ever attempted inasmuch as the story will be told without dialogue and will utilize all the most modern developments in trick photography.

Picture will portray life as it was believed to have been lived shortly after the Ice Age, with a romantic story woven into it. Details for accuracy have been checked with the Smithsonian Institution.

Mia Mickey Novak, story-department render for the Roach Studios has been promoted to the scenario department and assigned to write the screenplay of "When Man Began."

"Dawn Patrol" on Nov. 11

Warner's is rushing editing of "Dawn Patrol" for Armistice Day release in as many keys as possible. Pix was originally due to go out in December or January.

The work of Directors for the past two years is one of the important features of the most highly regarded publication in the motion picture industry.

The Film Year Book
1501 Broadway
New York City

Vol. 74, No. 74
Mon., Oct. 3, 1938
10 Cents

John W. Alcocate

DONALD M. MERSEERAU: General Manager
CHESTER B. BIAN: Editor

Published daily except Sundays, Saturdays and Holidays at the Broadway Building, New York, N. Y., by Wilt's Films and Film, Inc., J. W. Alcocate, President and Publisher; and Donald M. Merseerau, Secretary-Treasurer; entered as second class matter Sept. 8, 1938, at the post-office at New York, N. Y., under the act of March 3, 1879, Terms (Postage Free) United States outside of Greater New York $10.00 one year; 6 months, $5.00; 3 months, $3.00. Foreign, $15.00. Subscribers should remit with order. Address all communications to THE FILM DAILY, 1501 Broadway, New York, N. Y. Phone: Bystan 7-1717, 7-1719, 7-1206, 7-1212. Cable Address: Filmday, New York, Hollywood, California—Ralph Will, 6425 Hollywood Blvd., Phone Granite 6690. Zephyr—Eugene, W. Fredman, The Film Renter, 127-133 Waverly St., New York; Raul Ruan, 4, Paris—P. H. Afte, La Cinegraphie Franchise, Rue de la Cour des-Noues, 19.
They're on their way to the New York Paramount where one of the biggest crowds in its history is breaking down doors and records in its efforts to see RONALD COLMAN in Frank Lloyd's "IF I WERE KING"

"IF I WERE KING" is outgrossing anything that has played the Paramount in the last 3 years including "THE PLAINSMAN" and "WELLS FARGO" both of which played New Year week
ILL. ALLIED WANTS D OF J AID IN CHI.

(Continued from Page 1)

ney General Paul Williams here Fri-
day.

Rosenberg's presence in Washing-
ton for that purpose was exclusively
published in The Film Daily for
that day. Prior to his conference
with Arnold and Williams, Rosen-
berg paid what he described as a
"courtesy visit" to Abram P. Myers,
general counsel and board chairman
of Allied States.

On emerging from the Department
of Justice, Rosenberg told The Film
Daily that, in addition to fil-
ling the complaint, he had pledged
to Arnold and Williams the "co-op-
eration to the fullest extent of indi-
vidual Chicago exhibs, in advancing
the Government's broad equity suit
in New York."

Speaking directly of the anti-trust
suit filed in Chicago, Rosenberg said
that the Justice Department ex-
pected to send out observers for
the next hearing.

Rosenberg added he had left with
Arnold & Williams a full copy of
alleged violations of the Chicago
1932 consent decree with all mem-
bers of the "Big Eight," except Col-
umbia. He said he had asked that
the government assert itself by fil-
ing a petition charging violation of
the decree or holding in contempt of
court.

On the current suit, Rosenberg
said a motion for injunction was
slated to come up next Thursday,
but would probably be postponed at
behest of the defense.

Department sources said Friday
they expected no further Govern-
ment-industry conference on the
suit until after replies have been filed.
Deadline for filing is Nov 1.

Solicitor General Robert H. Jack-
son denied that a representative of
The Film Daily that he had ex-
pressed "irritation" over "delays"
in the New York film anti-trust

He stated that he had no
knowledge of the Arnold-Donovan
conference and that he had noth-
ing to do with the motion picture
situation since leaving his post in
the anti-trust division.

Along the

WITH PHIL M. DALY

- - - A SURVEY made by United Artists shows that approxi-
mately 80 per cent of the publications in the nation have carried stories
on Sabu....... the little East Indian star of Alexander Korda's "Drums"
.....that sounded like an optimistic estimate.....we went over to
Lynn Farnol's office to check up.....and there we saw more half
sheets from big newspapers, and special supplements, than we have
ever seen on one campaign staged in such a short space of time.

- - - THE CAMPAIGN started when Sabu arrived about a
month ago in New York.......22 stories were planted in metropo-
lin-dailies alone.......four national broadcasts spread the news
of "Drums" across the nation.......then the weekly mags
found the little brown lad a colorful subject and gave him plenty
of editorial and pictorial space.......and King Features came through
with a page layout which helped a lot.

- - - BUT WHAT put this national campaign over in a unique
manner was the airplane trip of Sabu to Hollywood and back.......at
all the stops cross-country Sabu paid visits where they would do the
most good.......and the publicity machinery of the United Artists
organization was perfectly geared, and didn't miss a trick with the
newspaper lads.......one stunt that garnered publicity right across the
country was the visit Sabu paid to Mrs. Franklin D. Roosevelt at the
White House.......then to clinch all the publicity, the company went
to bat with a national ad campaign in seven leading magazines, and
in the fan mags.......Lynn Farnol remarked to us that in that quiet way of
his, that in all his fifteen years in the industry he has never witnessed
so much space garnered on one picture campaign.......after seeing
the evidence, we are inclined to agree.

- - - TO a nation that is wallowing in a Prize-Winning Era.....M-G-M steps forward with this lineup of prizes on its
Great Waltz Competition.....48 Cups.....8 Special Awards.....
24 Free Trips to New York.......6 Honor Medals.......and 86
other national awards.......and a Grand Prize of a three-months'
movie contract at the Metro studios to the winning team......
this is all set forth in a two-color broadside on the "Bring Back
the Waltz" campaign.......and an exhibitors service sheet explain-
ing the Plan.......the entire M-G-M exploitation staff under Billy
Ferguson is geared up to sell this Contest to the theaters and the
band leaders.......it started Sept. 26 and ends Dec. 8 with a
gala Dance Festival in New York.......local, state and zone elimina-
tion contests will bring the box-office benefits to every theater
that books the feature, "The Great Waltz."

- - - CELEBS are being lined up for the ceremonies attending
the placing of a tablet on the site of the old Koster & Bial Music Hall
at the 34th St. side of Mary's department store.......tomorrow morn
at 9:30.......sponsored by the industry's Greatest Year campaign
on the dais will be Hal Roach, Jules Brulatour, Mae Murray, Nino
Martina, Walter Slezak, and Mrs. Leon Lascelle, cousin of the late Al-
bert Bis....Howard Dietz will be master of ceremonies
addresses will be made by Will Hays and Jack L. Straus, vice-president
of Mary's.......Mrs. John E. Sloan, daughter of the late Thomas Edi-
on, will unveil the tablet. ......A course on the history of the mo-
tion picture will start tonite at the New School for Social Research.
THE WEEK IN REVIEW

DOMESTIC

(Continued from Page 1)

Representatives of the industry met with those of the government in Washington on Wednesday to formulate plans leading to solution of complex problems incident to the anti-trust suit against major companies. Counsels for latter may meet. GN said it would assist U. S. Attorney General Arnold within 10 days, but it was learned by The Film Daily authoritatively that the majors had telephoned the capital until film suit answers are filed.

Pix houses, affected by the recent hurricane, reported that they are quickly recovering from the calamity.

Exec sources in current ad drive credited the campaign with boosting grosses 10 per cent nationally. Other estimates placed widespread results as high as 30 per cent. A new set of newspaper ads, it was announced, will run Oct. 4, 5, 6.

Additional Headline Happenings: Dists. mapped strategy for fight on Chl. write move. Producers, actors reached new 8-year agreement. GN said it would sell features and shorts separately. Oct. 20 was set as date for majors and musicans to re-entering theater field in England. However, it was stated, John H. Hicks will look into such possibilities on his current European jaunt.

Delegates of major film interests converged on Rome at mid-week to attempt the ironing out of the present impasse existing twixt U. S. films and Italian Government, brought about by latter's recent monopolistic decree. Decision is looked for this week, it is reliably reported, with some modifications anticipated.

See U. S. Pix Gains After Czech Split Up

Three-way partition of Czechoslovakia territory by Germany, Poland and Hungary is seen as actualy reacting to the benefit of U. S. pix companies whose product finds distribution in the little democracy. While exhibition outlets in Sude- enland, Northern Moravia, and Northern and Southern Slovakia are expected to exclude U. S. product to some extent, the remainder of Czechoslovakia is viewed as sure to turn to American pictures almost exclusively, and away from German films, which, prior to the recent European crisis were Hollywood's close competitor.

Examination of Czechoslovakian pix imports last year reveal, it is pointed out, that of the 245 foreign full-length films consumed, 179 were of U. S. and German origin. Of the 76, 90 were U. S. and 80 German. Only 66 features were supplied by other nations of the world.

Germany is also expected to loose the shorts field.

M. H. Hoffman Joins Republic

West Coast Bureau of The Film Daily Hollywood — M. H. Hoffman has been signed as an associate producer for Republic.

N. J. Co-op Closes First Product Deal With Metro

Associated Theaters of New Jersey, a cooperative booking organization headed by Irving Dillingers, has closed its first contract with a major company with the signing of an agreement by the Gary agreements. M.G.M. and Metro with major companies are understood to be pending.

Associated has a membership of 14 theaters in New Jersey.

CHARACTER

Loyal to its original image... yielding to its user's needs... considerate of his budget—your obedient, industrious servant...
"They're Always Caught"
(Crime Does Not Pay)
- M-G-M
- Powerful Number
- About the best of this interesting series. Carries a punch bigger than most of the gangster features, for it is based on a true story and is fast-moving every minute. It concerns a district attorney who posed as a racketeer-buster working with an honest mayor, but all the time he is in league with the gangsters. He plants a bomb under the mayor's car and kills him when he thinks the mayor is getting wise to him. An innocent man is held for the crime with circumstantial evidence. Then the scientific work of the laboratory specialists starts to do some real detecting. The way this scientific work discloses the class and finally pins the crime on the real criminal is nothing short of breath-taking. Carries a powerful punch of realism.

Wings Over Czechoslovakia"
- Frank Kessel
- 9 mins.
- Poor Sound Number
- A presentation of the youth of Czechoslovakia engaging in some glider exercises under the instruction of an expert. The photograph is very well done, and the shots of the gliders in air graceful and beautiful.

"Football Giants"
(World of Sports)
- Columbia
- 10 mins.
- Poor Glider Number
- Views of the Football Giants in practice as they get ready for the season. Field running, putting, kicking, laterals and attacking strategy. The team shows the stars gathered from all parts of the country. The material is presented in routine fashion even as a newsreel would, and indicates no originality or special production values. Narrated by Ford Bond. The narration is a very routine effort, also.

"Buzzy Boop and the Concert"
(Betty Boop Cartoon)
- Paramount
- 7 mins.
- Routine Treatment
- A travesty on the highbrow concerts, with Little Buzzy attending one with Betty, and gumming things up as she starts to do the opera singer's song. This starts the audience into a lively jam session and all bands have a good time instead of sitting through the fashionable concert. Just routine treatment. Produced by Max Fleischer.

"Football Thrills"
(Pete Smith Specialty)
- M-G-M
- Good Grid Resume
- A rehash of the football games of last season, presenting the high lights in the big college games that made gridiron history. The clips include the games between Harvard, Yale, Yale-Princeton, Yale-Dartmouth, Army-Navy, Fordham-Texas Christian, Purdue-Northwestern, U. S. C. U. C. L. A. and Yale-Cornell. Pete Smith makes the explanatory comments of each sensational play. A good resume of the 1938 season to start the season.

"Styles and Smiles"
(Nu-Atlas Musical)
- RKO
- Weak Vaude Stuff
- Under the guise of a fashion parade, various vaude numbers are presented, with much sparkle or originality. Virginia Verrill sings. Charles King handles a big bulk of the work and is good. Harrison & Fischer do their dance specialty. Marion Daniels is the best, with some grand acrobatic dancing. The style parade goes forward as these numbers are introduced. Produced by Milton Schwarzwald.

Bustamente Plans 7-8 Productions in Mexico
- Before he left for Mexico City over the week-end, Alfonso Rivas Bustamente, Spanish producer who made "The Spanish Garden," winner of the gold medal in the Spanish division at the recent Venice Exposition, told THE DAILY that he would produce seven or eight pictures during the coming season that would be budgeted between $50,000 and $60,000 each. Bustamente arrived in New York last week on the Rex from Italy. He said that all his productions would be released through a subsidiary of Producciones A.B.P., his producing organization. No detail will be made for distribution with any other company, he said. He expects to produce in Mexico to make approximately 60 pictures during the coming year. He stated that no production is being undertaken for foreign markets by the producers in Mexico City. It is likely, though, that a number of actors and actresses in Hollywood will be offered roles in pictures to be produced there on next season's schedule, he said. He reported that modernization programs during the year have brought equipment installation up to date in most Mexican studios.

Paramount Pictorial
- Paramount
- 10 mins.
- Good Odds and Ends
- Starts with views of the Oregon coast, showing freakish things such as oysters imbedded in rocks, sea urchins and what looks like a bow on a seahorse. The second subject is pictorial, morning in the mountains, a beautiful Technicolor subject, by Robert Bruce, with narration by David Ross. The final is an elephant hunt in the Belgian Congo, narrated by Alois Harrvila.

"The Early Bird" (Scrappy Cartoon)
- Columbia
- 7 mins.
- In the Routine Class
- Scrappy is reading to find the story about the early bird catching the worm. When a worm appears, the bird tries to make good, with disastrous results to the bird as the worm has a lot of fun dodging him. The bird returns to Scrappy, reading his book, and gives the boy a direct look. Nothing to rave about. Produced by Charles Mints.

"Sue My Lawyer"
(Harry Langdon)
- Columbia
- Lively Fun
- The attempts of Harry Langdon, a young lawyer, to be made an assistant district attorney. Harry learns that the D. A. is trying to get the evidence against a murderer, Red Burton, so he starts out to get it. His misadventures, when he finds the killer's miss, are funny and good for the laughs. Langdon gets into the gangster's room, where he finds the evidence, also a lot of danger that almost scares him to death. With Ann Doran, Monte Collins, Bud Jamison. Produced by Jules White.

200 Sepia Tone Prints for Ripley "Suez" Plug
- The latest innovation in picture shows is a trailer short produced by 20th-Fox which features Robert (Believe it Or Not) Ripley ballyhooing the company's $2,000,000 spectacle "Suez," which is scheduled for Oct. release.

Two hundred sepia tone prints are being made to be distributed free to all exhibs., showing the film a short time before it plays in their theaters. Only stipulation is that the exhib. must advertise the Ripley short.

Running five minutes, the reel is a composite of Ripley sketches and clips from the picture. Short was screened Friday at the home office for the sales force. It was produced in conjunction with Ripley by a special unit sent from the coast.

SIX DISTRICT MGRS.
NAMED BY GR. NAT'L

(Continued from Page 1)

in addition to Alpersen, by Sam Berkowitz, representing Fine Arts Pictures, and Gordon S. White, N. adv. agency secretary, in the New York office. E. W. Hammons, president, did not attend but will be present at the eastern meeting. Jack Skirball, vice president, also was not here but will address the eastern meeting this week-end.

District sales managers who were named and the territories they will supervise are as follows: Morris Safier, West Coast, including the Los Angeles, San Francisco, Seattle, Portland, Salt Lake City, Denver and Butte branches; James Winn, mid-west district including Chicago, Minneapolis, Omaha, St. Louis, Kansas City, Des Moines and Milwaukee; Ralph Kinsler, middle eastern district, including Cincinnati, Cleveland, Detroit and Indianapolis; Jules Lapin, southern district, including Atlanta, Dallas, Shreveport, New Orleans, Birmingham, Charlotte, Memphis and Oklahoma City, and Harry Asher, eastern district, including Boston, Buffalo, New Haven and Albany.

Sol Edwards, formerly New York branch manager, has been named circuit sales manager, and Peter Rosain has been appointed New York branch manager.

Others attending the meeting here included William Benjamin, Edward Bricheito, Harry Denny, George Taif and Vic Bernstein of Chicago; Lou Pats, Milwaukee; Glen Gregory, Minneapolis; Lou Levy, Des Moines; Russell Borg, Kansas City; Tom Tobin, St. Louis; Al Mertz, Dallas; Cleve Adams, New Orleans; Ralph Peckham, Detroit, vocalist for the M-G-M; Bill Hull, Indianapolis; Hymie Novitsky, Bill Crystal, Omaha, and Bill Nyter, Los Angeles.

Mauro-Cottone Rites Held
- Funeral services were held on Saturday in the Church of the Holy Trinity, West 83rd St., for Dr. Melchiorre Mauro-Cottone, 66, organizer for New York Philharmonic Society, who died on Thursday, last, in Parkvray Hospital. For many years he was organist at New York University. Dr. Mauro-Cottone's surviving relatives are his wife, Mrs. Rosa Mauro-Cottone, and two daughters, Mrs. Frank Hahn, 1081 Auroa Avenue, and Miss Mauro-Cottone. Interment was in St. John's Cemetery, Long Island City.

Conway Tearle Dead
- West Coast Bureau of THE DAILY: Conway Tearle, 60, leading stage and screen actor, is dead here from a heart ailment. He had been ill two weeks. His widow survives.
ONTARIO ADMISH TAX RE-ENACTMENT LOOMS

(Continued from Page 1)

ured an income of $400,000 yearly by a theater admission tax.

If Hepburn instead elects to re-

enact the Admission Tax Act, with

proceeds turned over to the reper-

cutive cities for local use, it will mean

patrons of Ontario theaters will have

sage several million dollars addi-

tional each year in order to see

film shows.

Up to June, 1987, the Province

of Ontario collected a ticket impost

which averaged 10 per cent of the

theater admission revenue but the

cities did not participate in the tax

returns. It has now been suggested

that the municipalities be accorded

the benefit because relief grants by

the Federal Government have been

unsuitably.

Approximately $2,000,000 was

collected by Ontario in the last calen-

dar year in which the Provincial

levy was in effect, but the assess-

ment being abolished in 1937.

MPTOA Bids Eight Allied

Executives to Its Convention

(Continued from Page 1)

the week-end by Ed Kuykendall,

MPTOA Bids Eight Allied Executives to Its Convention

The convention is scheduled for

Oct. 30-Nov. 2 at the Hotel Bilt-

more.

Allied leaders who are to be asked

to the annual meeting include

Aram F. Myers, general counsel

and chairman of the executive com-

mittee; Nathan Yamin, president;

Al Steffe, head of Northwest Al-

lied; H. M. Bichler, a Detroit direc-
	or; Col. H. A. Cole of Texas; Pete

J. Wood, business manager of the

ITO of Ohio; Max Cohen, head of

New York Allied, and Sidney Sam-

elson, former Allied president and

a member of the board of directors.

Brandt will be asked to represent

the ITOA.

Whether these invitations are in-

dicative of an effort on the part of

MPTOA to solve industry problems

jointly with the independents could

not be learned.

Kuykendall will remain in New

York for the rest of the current

week.

MPTOA Leaders Will Turn

Cowboys at O. C. Meeting

Okayama City — Extensive plans

for decoration of Okayama City

during the national MPTOA con-

vention here Oct. 30-Nov. 2 are being

made by Frank Loewenstein, general

division chairman.

Arrangements are being made to
decorate hotels, the downtown busi-

ess streets and the fronts of all

theaters. Dirty Moore, Standard

theater general manager, has

pledged the cooperation of Standard

in the decoration of its houses.

Tentative plans call for a West-

ern theme, with seven cowboys from

the moment they leave the train

throughout the entire meet. The

Attention, Hollywood

Budapest (By Cable)—Duelist with

haben, Bela Pataz, pix won't

sztan Egedy, socialist and critic, were

wounded, the former seriously. Carrel

resulted from a critique by Egedy of a

Pataz pix.

Contest Bureau for Drive

Participants Established

(Continued from Page 1)

Dietz, chairman of the executive

promotion committee. A meeting

of the bureau is scheduled for this

afternoon.

Members of the bureau are

Monroe Greenthall, United Artists;

William Ferguson, M-G-M; Alex

Moss, Paramount; Lou Lifton, Mon-

ogram; Maurice Bergman, Columbia;

Arch Reeves, 20th-Fox; Mitch Raw-

son, Warner Bros.; Lou Pollock,

Universal, and Paul Gulick, campa-

ign co-ordinator, who will serve as

an ex-officio member.

Awards will be made for the best

campaigns in towns of three classi-

fications, based on population.

Meanwhile, reports from the field

indicate that newspaper co-operation

on the campaign appears to be in-

creasing with free space plus gen-

erous publicity.

Geo. Harvey Joins 20th-Fox

George Harvey has joined the

20th-Fox advertising and publicity

staff, it was learned last week. Har-

vey recently resigned from United

Artists.

Frances Weil Joins Small

Frances Weil, who has been asso-

ciated with Reliance Pictures for the

last six years, has joined Edward

Small Productions, which, on Thurs-

day, moves to the 5th floor of 729

Seventh Ave.

reception committee members (an-

other change in the top level of the

organization) will meet delegates at

trains and buses in cowboy regalia.

Plans are also being formed for use

of stage coaches, if possible, to car-

ry out the Western theme.

Arrangements for trade displays

at the convention here are being

made. Booths will front the pas-

sageway to the main hall. Booth

type has been set at eight feet

and the price reduced from $100 to

$50, reducing in cost of setting up

and maintaining the space obtained

this week by Loewenstein. They will

be equipped with 200 watt floodlights

and ample outfits and special ve-

nirum.

Seven booths have already been

ordered, those being Radio Corpora-

tion of America, 2; International

Seating Co., 2; The American Desk

Company, 1; Napeds, Inc., 1; Burch

Poreen Machine Company, 1.

Plans for entertainment of women

delegates and wives of delegates to

the national MPTOA are here and

being formulated by the Ladies'

committee composed of Mrs. Horace

R. Faus, Mrs. J. O. Marcus, Mrs.

H. L. Griffith, Mrs. Byron Moore and

Mrs. Ona Johnson.

I see by—

THE SYRACUSE HERALD

that

THE FILM DAILY

Sea--

New York, Aug. 27.—A preview

glimpse of the new pictures, Syra-

cuse-bound this season, as seen by

Film Daily's reviewing staff:

"Sing, You Sinners" (Para-

mond)—This should be a winner in

every type of theater. It has a het-

teresting, heart-warming story and

has been expertly produced and di-

rected by Wesley Ruggles. Bing Crosby does

splendid work as a small-town boy,

with many "ideas," none of them
taken seriously by members of his

family, because he is so shiftless.

Fred MacMurray gives an ex-

cellent performance as the venal

and working member of the family,

while 11-year-old Donald O'Connor,

making his screen debut, seems cer-

tain star material. He shows much

appeal and ability as the younger

brother of Bing and Fred. Another

newcomer is winsome Ellen Drew, as

Fred's sweetheart. Elizabeth Patterson is

the mother of Bing, Fred and Don-

ald. Claude Binyon rates many bows

for his original story, screenplay and
dialogue. "Small Fry," by Hoagy

Carmichael and Frank Loesser, and

"Pocketful of Dreams," by James V.

Monaco and John Burke, are the

hottest hits of the picture.

When a gas station owner in his

hometown of Los Angeles, Bing

selects to use his idea of swapping

gasoline for farm supplies or any-

ting a customer will offer. Bing leaves for Los

Angeles. Bing also feels he is stand-

ing in the way of the plans to

marry Ellen. In Los Angeles, Bing

wins a few lucky bets at a racetrack

and sends for his mother and Don-

ald, who believe he is in business.

On their arrival they find Bing has

bought a racehorse, but is badly

in need of funds. To add to the com-

plications, Fred and Ellen arrive with

plans to marry. Donald is to ride

Bing's horse, but John Gallaudet,

owner of an opposing horse, tries to

trouble the boy. Donald rides the

horses to victory, and Gallaudet at-

tempts to beat up the boy and Bing,

but Fred and Elizabeth Patterson

arrive in time to aid Bing in routing

Gallaudet and William Haade, his

strong-arm man.

The Voice of

is far reaching! 
"Stablemates"

with Wallace Beery, Mickey Rooney
M-G-M
89 mins.

WALLACE BEERY AND ROONEY COMBO.

Chalk it up as a swell emotional track yarns lead up to a worthy old look. All the old ingredients are there that made the daddy of all the track race yarns, "Checkers," score with ma and pa when we were still unborn. But they have been disguised and camouflage with new twists and modern slants. Also there is the angle of Wallace Beery and Mickey Rooney doing their pal act with heart-tugging embellishments that will knock the customers into emotional moments. Beery as an old drunken tramp meets up with Mickey as a stable boy for an owner with one horse that loses a race, and the owners is washed up so far as he is concerned. Mickey and the boy learns that his stablemate in the form of the human donkey is really a once famous veteran. After tremendous and passionate roasting and handling, Mickey finally gets the human wreck to sober up sufficiently to examine the horse and discover a tumor in its forest which he successfully operates on. This is the same operation that he has done many years ago on a famous race horse. This business is done true to life, but the way the suspense and emotional values are built up through one sequence after another makes it interesting. The conclusion of the tramp as he throws in his lot with the boy and the horse, till after many adventures they are ready to enter the horse in a race. A chance meeting by Mickey with a woman who owns a famous stable gives him the break he had been praying for. She enters the horse under her colors, with Mickey as the jockey. Grand suspense injected with the fact that Beery has a horse that has killed a jockey years ago in a race after Beery had doped the horse for a gambling ring. Retribution catches up with Beery as the detective spots him at the race starts, and this combined with the thrilling ride gives a new angle to the old race track theme. Beery and Rooney are tops with grand performances. The direction gets every ounce of entertainment value out of a very exciting and human story.

CAST:
Wallace Beery, Mickey Rooney,
Arthur Hohl, Margaret Hamilton, Minor Watson, Marjorie Gateson, Oscar O'Shea.

CREDITS: Producer, Harry Rapf; Director, Sam Wood; Authors, William Thiele, Reginald Owen; Screenplay, Leonard Frank, Richard Maibaum; Editor, W. D. Hayes; Camera, John Seitz.

DIRECTION, Fine. PHOTOGRAPHY, The Best.

Further Fleischer-Union Pact Talks Due This Week

Meeting between Max Fleischer, in charge of the newly formed United Artists and Professional Workers union on Friday to work out terms of a new contract was adjourned until this week. It is expected that negotiations will be completed this week.

"A Man to Remember"

with Anne Shirley, Edward Ellis, Lee Bowman
RKO Radio
80 mins.

(HOLLYWOOD PREVIEW)

SPLENDID STORY OF SACRIFICE AND HUMANITY PACKS PLENTY OF AUDIENCE APPEAL.

A beautiful story of sacrifice and humanity is this tale of the country doctor who lived a life of service for others and whose death was mourned by everyone who knew him. A tone of reality pervades the piece in such a manner that an intense interest is built up in the doing of this man to whom money meant little while he worked for the welfare of mankind. The picture is one which should be seen as a document of unselfishness, and many a public spirited group could do well to follow in the footsteps of this fine doctor, turns in a truly grand performance. It is a gem of honesty and sincerity. Anne Shirley's portrayal of his ward, who is ever ready to help her fellow man, is convincing. His body and tenderness. Playing the doctor's son is Lee Bowman. His work is worthy of commendation as is that of Holman. George Hamilton, John Wray, Granville Bates, Harlan Briggs, Frank Thomas and Dickie Jones, all of whom carry lesser roles. This excellent production is directed by Ham Ka

CAST:

CREDITS: Producer, Edward L. Cahn; Director, William A. Seiter; Camera, Victor Milner; Art Director, Albert S. D'Agostino; Editor, Jack Flaherty; Music, John Leffingwell; Music Director, John Leffingwell; Musical Director, Roy Webb.

DIRECTION, Fine. PHOTOGRAPHY, Good.

"Mr. Wong, Detective"

with Boris Karloff, Grant Withers, Maxine Jennings
Monogram
68 mins.

(HOLLYWOOD PREVIEW)

FAST-MOVING MYSTERY STORY WITH PLENTY OF SUSPENSE LURES NEW AUDIENCE.

The picture gets the new Boris Karloff series off to a good start. Karloff does his usual splendid work as an Oriental detective, who solves a trio of murders that puzzle San Francisco police. William Nigh's direction is skillful and holds suspense to the end. William T. Lackey rates credit as associate producer. Hooper Atchley and Hamilton Gould, partners of John Hamilton, induce Hamilton to sign papers agreeing to turn over business to the partner who survives the others in event of death. The partners are trying to ship mysterious chemical to a foreign country. John St. John and Edward Ellis, the boys who found dead under the same circumstances surrounding Hamilton's death. Karloff makes the deduction that gas is in the glass bulb, which shatters at the sound of a police siren, and that the murderer, who is always outwitted by Karloff. William Frew, Maxine Jennings, Evelyn Brent and George George are among the principals.

CAST:
Boris Karloff, Grant Withers, Maxine Jennings, Evelyn Brent, George George, William Frew, Maxine Jennings, Evelyn Brent, George George.

CREDITS: Producer, Scott R. Dunlap; Director, William T. Lackey; Editor, William Nigh; Based on series of short stories by William G. Bailey; Camera, Howard Peterson; Art Director, Russell Gold; Music Director, Arthur Rose; Music, John Leffingwell; Musical Director, Roy Webb.

DIRECTION, Suspenseful. PHOTOGRAPHY, Good.

O'Loghlin Starts Final Kent Drive Oct. 21

Third and final trip of James P. O'Loghlin, 20th-Fox Kent Drive, begins Oct. 21. John Wray, general manager, as leader of this year's Kent Drive, will start in Los Angeles around Oct. 21. He will be joined by William Clark, short subjects sales manager. He will also be accompanied by W. F. Kutz, assistant to Clark, and William Sussman, division managers, in their respective divisions. Kupper will start with the west coast sales. The two salons managers will meet him when they reach their respective territories.

BUERMELE REPLACES MOON AT DET. CO-OP

(Continued from Page 1)

after a board of directors meeting Saturday morning.

It is reported here that Moon may head a new booking operation.

Despite persistent rumors that H. E. Richey, head of public relations for Cooperative, would also leave, Delodor stated that no further changes were contemplated. However, more reorganization steps are expected early next week.

Allied Eastern Regional Plans Pix Buying Survey

(Continued from Page 1)

jects slated for discussion include the government's anti-trust suit, the Neely bills, the North Dakota theater divomence measure and "Hollywood Pictures Greatest Year" campaign.

In addition to Allied units of New England, New York, New Jersey, Connecticut, Maryland and Washington, D. C., a number of indie exhibitors of Delaware and eastern Pennsylvania are expected to be present.

A supper dance and floor show at the Nomad Club are slated for the opening night of Oct. 19, with other activities on tap Thursday afternoon and night, including a cocktail party and banquet. Suitable diversion has been arranged for the wives of delegates.

Majors' Foreign Managers To Hold Meeting Tomorrow

(Continued from Page 1)

learned the film week-end. At the same time it was learned that the Italian government has granted a stay of time on filing licenses until Dec. 1. It originally set a 10-day deadline which expired last Friday.

Rome (By Cable)—Details and details of participation attending the newly formed film decree, carrying possible modifications, are expected to be announced here today, it is reported in well-informed circles. Representatives of American film interests in Italy have already presented their views to local officials under whose jurisdiction film imports are regulated.

Minn. Supreme Court Rules Ten-O-Win Lottery, 4 to 3

Minneapolis—By a split decision, 4-3, the Minnesota Supreme Court on Friday handed down a decision ruling Ten-O-Win a lottery. Decision was in the case against the Schubert Players Co., operating the Plymouth Players Co., operating the Plymouth Lyceum theater, St. Paul. Trial in Ramsey County District Court had resulted in a conviction.
New Employment Pacts, Stock Options for Col. Execs.

CLAIM RKO PHYSICAL VALUATION OF $58,000,000


Terminates 21-Year Association: Balaban Expresses Regrets

London (By Cable)—John Cecil Graham, Paramount's managing director in Great Britain, yesterday announced his resignation, effective immediately. No successor has been named.

Barney Balaban, president of Paramount, yesterday expressed his regret over the announcement from London that John Cecil Graham had resigned as the company's man.

SELZNICK TO MAKE 7; RELEASE PACT WAITS

West Coast Bureau of THE FILM DAILY

Hollywood—While seven titles for 1938-39 are announced by Selznick International, releasing arrangements for four are still to be made, it was said yesterday.

Pix covered by distribution con-

Supreme Court Will Select Cases to be Heard Monday

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—With 399 cases on the docket, the U. S. Supreme Court yesterday opened its new term. Next Monday, the court will decide the cases to be heard.

Already set for re-hearing on Oct. 19 is the General Talking Pictures vs. Western Electric and Erpi case. Samuel E. Darby, Jr., and Epprais.

Tri-National Films, New Name for Otterson Firm

Tri-National Films, Inc., is the new name of the company formerly known as Inter-Allied Films Corp.

Columbia Stockholders Re-elect All Directors and Okay Board's Actions

Levee Denies There is War Between Agents and Actors

West Coast Bureau of THE FILM DAILY

Hollywood — Commenting on a published report that there is a war on between the agents and actors over the Screen Actors Guild proposal to license agents, M. C. Levee declared that the committee he has appointed and the committee named

Dual "A's" Before CEA General Council

London (By Cable)—General Council of the CEA, meeting here Oct. 12, is expected to further consider the doubling of "A" pix, following fresh squawks from branches.

Complaint is aimed at the major circuits, which are accused of cornering the market and playing twin "A" in the face of a product shortage seriously felt by indie exhibitors.

HAMMONS OFF OCT. 12 TO SET U.K. PACT DEAL

E. W. Hammons, president of Grand National Pictures, is scheduled to sail on the Normandie on Oct. 12 for England where he will negotiate a distribution deal for the United Kingdom. It is possible that a contract will be closed with Associated British Cinemas, which has controlled Grand National product under the old setup but whose pact had expired.

Jack Barnstyn, foreign sales manager for the old GN organization, is

D o f J Regional Offices Urged by Thurman Arnold

Washington Bureau of THE FILM DAILY

Washington—Impending move by the Department of Justice to establish "regional offices strategically located and properly staffed" was envisioned here yesterday, following the weekend address of Thurman Arnold

LA Tax Commission Action on Majors' Appeal Waits

New Orleans—No action has as yet been taken by the Louisiana Tax Commission on the appeal filed by


Douglas Fairbanks has organized a company for the production of "dual language" pictures, he announced yesterday upon his arrival with Mrs. Fairbanks from England on the Queen Mary. Production units will be set up in Switzerland, France, England and possibly in

Avoid Foreign Political Themes for Pix—Ruggles

The political situation abroad should not be the basis for film stories, in the opinion of Wesley Ruggles, Paramount producer-director, who returned yesterday on the Queen Mary from a three-months' trip.

Drive's "Musical Week" Will Start on Oct. 31

"Musical Week of Motion Pictures' Greatest Year" will be observed starting Oct. 31, it was announced yesterday by Harold B. Franklin, biz manager of the industry drive. M-

$41,000,000 Figure Attacked as Too Low by Indie Stockholders Group

Two sessions, separated by a 90-minute recess at mid-day, brought more definite crystallization to the current RKO reorganization hearings yesterday in Federal Court, with minority interests leveling further barrages of criticism against fairness and feasibility, and seeking what in their opinions would constitute more equitable adjustments, while majority of the industry held firm for the plan's confirmation.

Joseph M. Cohen of the George L. Schein group, representing the independent stockholders' protective

(Continued on Page 9)

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(Continued on Page 4)

(Continued on Page 4)

(Continued on Page 10)

(Continued on Page 10)
COMING AND GOING

Dr. A. H. GIANNINI is spending a few days in New York City.

SIDNEY R. KENT and Mrs. KENT returned to New York yesterday from the Orient where the 20th-Fox president visited the studios.


CHARLES E. McCARTHY, director of advertising and publicity for 20th-Fox, returned from New York to the Coast on Saturday.

EDWARD L. ALPERSON, Grand National general sales manager, arrived today from Chicago.

MARC LACHMAN, national exploitation manager for 20th-Fox, arrived from the Coast yesterday.

DOUGLAS FAIRBANKS, MRS. FAIRBANKS, RAGNOLD KEERBURN, JULIAN SCHLESINGER, JUNE LANC and W. B. LEY arrived on the Queen Mary yesterday.

BEY GORZ, M-G-M production head in England, has cancelled his departure on the Queen Mary Thursday for a later date.

JACK WARNER and E. L. WARNER are scheduled to sail for England Thursday on the Queen Mary.

ARTHUR S. FREEMAN, president of Technicolor Para., returned from Japan Monday.


JACK BURTON, director of advertising and publicity for Hal Roach, arrived from the Coast yesterday morning on the Century Queen.

J. CHEEVER COWIDON, "U" board chairman, is scheduled to sail this week on the Queen Mary.

TED CURTIS, Eastman Kodak exec., returns to Rochester from New York City today.

MADAM PIERCE arrived in New York yesterday to be met by her husband, Buddy Rogers, who was injured in a car crash.

HARRY PASSEY, general sales manager of International Pictures, has left New York to visit National Theater Supply branches in the States.

JOHNNY BARBIROLLI, New York Philharmonic conductor, is due back in New York from three months in England and France, and boards the Aquitania Oct. 11.

HAL ROACH and his wife are staying at the Ambassadors.

ALBERTINA RASCH, who has been in New York on vacation, has returned to Hollywood for the screen acting routine in M-G-M's "Dramatic School."

MRS. FLORENCE MASTRODON, eastern head of the Screen Actors Guild, left last night by plane for Houston to attend the AFL convention.

STANLEY MARLOWE, of the Broadway stage, is in Hollywood to appear in pictures for Irwin Zeltzer.

B & K, Warner Theaters File Trust Suit Answers

Chicago — Attorneys for B & K and Warner Theaters filed their answers to the Gary anti-trust suit, yesterday in Federal Judge William Holly's court.

Warners May Sail

Jack Warner, vice-president in charge of production for Warner Bros. and Mrs. Warner are scheduled to sail for London Thursday on the Queen Mary in order to attend the opening of the new Warner theatre in New York City next week. They planned to leave last week, but cancelled their passage in view of the European situation.

WILFRED LAWSON arrived here yesterday from England to appear in Gilbert Miller's production of J. B. Priestley's play, "I Have Been Here Before."

LILLY PONS left town yesterday to begin her eighth concert tour throughout the country.

DOUGLAS COOKRIGAN is in New York writing a play for the stage to be produced by Samuel Goldwyn. He expects to complete it in 10 days and leave for Hollywood to star in RKO Radio's "Born to Fly."

SABI, East Indian star of "Drums," sails today on the S. S. Paris for London to prepare for his role in "The Thief of Bagdad."

FERNAND GRAETZ sails today for Europe on the S. S. Paris.

BIL LANGFORD and CHARLES MOOSHION arrive in Baltimore today from Washington with Kenneth's men drawn over wagons ballyhooing Bob Burns' "Arkansas Traveler."

J. OHN PAYNE, Warner player in "Garden of the Moon," arrives here from the Coast tomorrow, accompanied by his wife, ANNE SHIRLEY, for a 10-day vacation.

MAXWELL EVERETT ROSENBERG, boxer turned actor, arrived in New York yesterday for a visit with relatives following his trip on the Queen Mary in the role of "Women in the Wind," for Warners.

MRS. W. RAY JOHNSTON is in Cincinnati studying the company office of Universal, as part of her vacation, Johnston will join her there in a few weeks and they will return to New York together.

WILLIAM WELLMAN, wife and two children left the Coast yesterday for a three-months' vacation in Bermuda and New York.

JAMES WHALE is on a trip of study in Europe on his way back from London via New York Thursday in order to shoot background scenes for "The Man in the Iron Mask."

MIRIAM HOPKINS plans to go to New York Thursday where her husband, ANATOLE LITVAK, will join her for her vacation.

LAWRENCE TIBETTY, opera star, arrived in Los Angeles yesterday from a concert tour in Australia.

CLAUD BINTON plans to go to New York from the Coast to meet WESLEY RUGGLES, who arrived in New York from London to discuss the scripting of "Invitation to Happiness."

OTTI KRUGER sails for London Oct. 18 to make a picture for BIP.

J. OHN BROWN, president of Malcolm Brown Pictures, arrives in Hollywood today from Europe.

SCOTT R. DUNLAP, production chief for Monogram and MRS. DUNLAP have motored in from Hollywood, left last night by plane for Houston to attend the AFL convention.

RAY JOHNSTON, president. The exec. will appear with Mel Howard of the Frisco exchange on the new product.

BEN SHYEN, trade paper publisher, is here from Kansas City.

Dr. Niannini Returning to Hollywood This Week

Dr. A. H. Niannini, who arrived here over the weekend to attend the Columbia stockholders' meeting, will return to the Coast tomorrow or Thursday, he said. Niannini was optimistic about business with a solution of the European situation apparently well in hand.

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Walt Disney has 6 for '39-40

Six Walt Disney subjects for the 1939-40 program have been completed, according to Hal Horne, Disney's eastern representative, who has just returned from the Coast, said yesterday.

Flinn Resting Comfortably

It was reported last night at Mt. Sinai Hospital that John C. Flinn's condition was good and that he was resting comfortably. He was stricken Saturday with a gallstone attack.

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Tuesday, October 4, 1938

Oregon Theaters Fight to Validate Gift Night

Portland, Ore.—Arguments were heard today by Circuit Judge B. R. Tucker on a defense demurrer to the complaint in the action brought by Carl R. McFadden, owner of the Laurelhurst Theatre, seeking a declaratory judgment that the giving of coupons with stubs thereof and the holding of drawings of prizes do not violate the state lottery statute.

District Attorney James R. Bain and Sheriff Martin Pratt defendants in the case contend that the plan known as gift night, constitutes a lottery. The suit was instituted on behalf of about a dozen community theaters which distribute free coupons for prize drawings.

20th-Fox Foreign Sales Ahead, Says Irving Maas

Returning from Europe yesterday on the Queen Mary after a tour of the 20th-Fox European exchanges, Irving Maas, foreign sales manager for the company told the Daily that the company's foreign business is good, with selling well ahead of last year. Maas stated that with the European situation quietened, the company's branches are confident of another banner year.

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THEM TO THE YEAR

1950 Broadway

New York City

The 1939 edition now in preparation.
ALL THE WARNER WIRES ARE BUSY WITH REQUESTS FOR RUSH PRINTS ON

Garden of the Moon

A WOW OF A SHOW!

GARDEN OF THE MOON

PAT O'BRIEN
JOHN PAYNE
MARGARET LINDSAY
JOE VENUTI AND HIS SWING CATS

Directed by BUSBY BERKELEY
Screen Play by Jerry Wald and Richard Macaulay
Story by H. Bedford-Jones and Barton Browne
Music and Lyrics by Harry Warren, Al Dubin and Johnny Mercer
A First National Picture
FAIRBANKS PLANNING
"DUAL LANGUAGE" PIX

(Continued from Page 1)

Germany and Italy. Two versions of each picture will be made, one in the native language of the country in which it is made and another in English. Company is to be known as Douglas Fairbanks Pictures, Inc.

Fairbanks said he had plans to make two pictures in California, although he will not appear in them. Tentative title of one is "The Tenth Woman" and the other is "The Story of Lola Montez."

A meeting of United Artists board of directors has been scheduled for Friday, Fairbanks said, at which time a new president may be elected to succeed Dr. A. H. Giannini. Mau- rice Silverstone he asserted, would probably be elected.

(Silverstone later told THE FILM DAILY that an election was not scheduled for Friday, adding that this matter would rest with the stockholders who will hold their annual meeting in November. Board's principal attention will be devoted to the foreign situation, Silverstone stated.)

Ties Duals Explanation

With Plug for Opposition

Harrisburg, Pa.—Initial dual bill at the Senate theater here caused Robert Sidman to take display space for an open letter of explanation giving "the inside facts."

Reason, said Sidman frankly, was the fact that the two pix booked were not equal to "such fine films" as were playing opposition houses... and Sidman named titles as well as theaters. "To give you your money's worth (which is our policy) and for no other reason, we are placing both these pictures on the same bill. What's wrong with this policy?"

W. H. Marshall Dead

Washington Bureau of THE FILM DAILY

Washington—William Henry Marshall, 60, pioneer projectionist, is dead. He was last at the Savoy Theater.

STOCK OPTIONS, NEW PACTS FOR COL. EXECS

(Continued from Page 1)

and all acts and proceedings of the board during the previous year were approved. Re-elected directors include Harry Cohn, Jack Clark, A Schneider, Charles Schwartz, Leo M. Blanche, Sol Bornstein, and Jack Kerner.

Officers are expected to be elected by the board at a meeting later this week.

D of J Regional Offices

Urged by Thurman Arnold

(Continued from Page 1)

Arnold, Assistant U. S. Attorney General, before the Missouri Bar Association in St. Louis. Arnold, key man in the Govern- ment's equity suit against the majors, declared that with such forces "we can make respect for the anti-trust laws the normal conduct of business men," adding, "it is equally certain that we cannot police America with the present corporal's guard."

Without referring to the film action, Arnold said, however: "I believe that if we take up our problems, industry by industry, case by case, in a spirit which is based or the competitive ideal, but which is willing to take such limited measures of control as hard facts (not principles) indicate we can avoid imposing an alien tradition on our competitive economy."

IATSE Will Charter New

Toronto Exchange Union

Toronto—IATSE will charter the newly organized exchange workers union here, it is announced by W. P. Covert, IATSE international vice-pres- ory.

Asked if this move of Toronto workers marks beginning of general organization of exchange workers of Dominion, by the IATSE, Covert stated the meeting here was only local in character. He pointed out exchange workers in various cities already had a union. Names of offi- cers of Toronto union will be announced later.

Lincoln's "Corrigan"

Lincoln, Neb. —When T. B. Noble, Jr., remodeled the Varsity, he changed sides of the mezzanine for the ladies and gentlemen. He's told the movie critic, Barney Oldfield, Sunday Journal and Star, who dashed up to the accu- mored place. First thing something was wrong came when he spotted a woman standing there with a scythe flung in her hair. Before he could step out, she turned on him and snapped: "Who do you think you are? Corrigan?"
The Age of Plenty is
Deanna Durbin

in

THAT CERTAIN AGE

with

MELVYN DOUGLAS

JACKIE COOPER

IRENE RICH

NANCY CARROLL

JOHN HALLIDAY

Screenplay by Bruce Manning
Original story by F. Hugh Herbert
Music by Jimmy McHugh and Harold Adamson

Directed by EDWARD LUDWIG
A JOE PASTERNAK Production

A NEW UNIVERSAL PICTURE

Songs: "MY OWN", "THAT CERTAIN AGE", "BE A GOOD SCOUT"
"YOU'RE AS PRETTY AS A PICTURE"
WALTZ ARIA from "ROMEO & JULIET"
& "LES FILLES DE CADIX" by DELIBES
A "Little" from Hollywood "Lots"

By RALPH WILK

HOLLYWOOD

To Pen Americanized Lyrics

AL RONELL, noted composer

and lyricist, who wrote

the lyrics for "Who's Afraid of

the Big Red Wolf? (Big Red

Birthday Party), "Willo Weep

For Me" and many other

compositions, has been

engaged by Universal Studios
to write the Americanized
lyrics for the two
classical numbers which Deanna
Durbin sings in "That Certain
Age." The numbers are "Artietta No. 3" from Gounod's opera, "Roméo and
Juliet," and "Le Delibes," "Les Filsos de Cadix," which will be published
with the Americanized lyrics by G.
Sehrimer & Sons, Inc., New York City.

Peggy Moran With Autry

Peggy Moran is playing the
female lead in "Irene," the new
Rodeo Busters" which is being di-
rected by George Sherman, for
Republic.

Peggy Ryan To Entertain

Peggy Ryan, 14-year-old dancing
star, who appeared in "Top of
The Town," will be the chief attraction
at the entertainment to be given
by the San Diego Tail-Waggers club
Nov. 12.

From Weber to Webb

Dave Weber, the comedian, has
had his name changed to Danny
Webb, and is playing the comedy
lead in a series of 12 comedy shorts
at Columbia.

Rogell to Crime Club

Al Rogell has been signed by
Irving Starr of Crime Club Produc-
dions of Universal to direct "The
Dead Don't Care," Jonathan La-
timer's original story with screen-
play by Edmund L. Hartmann. It
goes into production about Oct. 10.

Metro Adds to Casts

Cast additions at the Metro stu-
dios are Regina Owen for "Sweet-
hearts"; Granville Bates for "Young
Dr. Kildare"; Melville Cooper for
"Dramatic School"; and Gene and
Kathleen Lockhart to play Mr. and
Mrs. Bob Cratchit in "A Christmas
Carol."

Monkeys Plays with Ruggles

"Schlemiel," Charlie Ruggles' pet
monkeys will be seen with the star
for the first time on the screen in
"Adam's Evening," which is now
being filmed at the Universal stu-
dios. Ruggles has the monkey in-
sured for $2000.

Hornblow Signs Mexican

Arthur Hornblow, Jr., now vaca-
tioning in the interior of Mexico, has
reviewed his office that he had signed
Sorora Alvarez, the native singing
favorite, for "Drums Over Havana,"
one of his forthcoming Paramount
productions.

Republic Closes Pix Deal

With W.-B.'s Coast Houses

Republic has closed a deal with
Warner Bros. West Coast houses for
the company's complete program of
features, westerns and serials. Deal
calls for the playing of the product
in the circuit's houses in the nego-
tiations, and Lou Halper and Port Ma-
jor represented Warner Bros.

It was also announced that Repub-
lic had closed a deal with the
Frisona Circuit of 20 houses in the
St. Louis territory.

F. D. Richey Rites Held

Detroit — Floyd D. Richey, 49,
manager of the Ambassador The-
ater for the Sam Brown Circuit, died
suddenly in Detroit Osteopathic Hos-
pital. He is survived by two sisters
and a brother, Burson Autry, who
yesterday in Bay City, following
services in Detroit.

Tele's Big Problem

Montreal—Television's biggest prob-
lem, from the technical standpoint,
is the task of bringing teletext images up
to suitable size, according to Dr. Frank
Baldwin Jewett, director of research in
charge of Bell Telephone labs.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 197

HERMAN SCHLOM. Republic producer. Is a native of Cleveland, O.,
and attended schools in that city. Made his first appearance in Holly-
wood when he joined the Universal leasing de-
partment. Became assistant director to Tod
Browning, Monta Bell, John Stahl and others.
Rejoined leasing department and took charge of
it. In 1934, joined Monogram as production
manager and worked on 27 pictures for that
company. Later he joined Republic as pro-
duction manager, and in 1936 became associate
producer at Republic. Has made seven pictures for
Republic.

John Browne Setting Dates

For First M-B Productions

Release dates for the first two pictures made by Equity Pictures, Inc., for Malcolm
Browne distribution will be set this week in Holly-
wood conferences between Benny
Zeidman, production chief, and John
E. Browne, president of Malcolm
Browne. "Prison Train" and "The
Masked Phantom" have been com-
pleted and a third picture, "The
Great Diamond Scandal!" is now in
production. Browne left for the Coast last
week-end. In addition to production conferences he is expected to com-
plete negotiations for distribution franchises on the West Coast. A system of 13 exchanges already
has been established, with other deals pending.

Cagney Pact Runs 2 Years

West Coast Bureau of THE FILM DAILY

Burbank—James Cagney's current contract will keep him with War-
ners for two more years, despite re-
ports that his present deal only cov-
ers his next production, "Oklaho-
a Kid," which starts shooting on
Thursday. After "Oklahoma Kid,"
Cagney will star in "Each Dawn 1
Die," based upon the Jerome Oudum
best-seller.

Herb. Ochs Under Knife

Cleveland — Herbert Ochs, Vita-
graph branch manager, was rushed
to St. Vincent's Hospital and oper-
ated on for removal of a stone in
the kidney.

Berlin Hears Germany

to Ask U. S. Trade Pact

Berlin (By Cable)—Germany will
press for a trade treaty with the
U. S. at an early date, it is authori-
tatively reported here. Films, it is
understood, will be included in the
scope of the Nazi proposals, if and
when made.

Garyn Gets T-M Rights

Pat Garyn, formerly general man-
ger of National Screen Service
Corp., has purchased a 10-year fran-
chise for Trailer-Made product for
Texas, Oklahoma and Arkansas.
Garyn is opening offices in Dallas
at 502½ S. Harwood St. and is
starting local service in operation
within the next two weeks.

Scott In 6 for Spectrum

Fred Scott will make six musical
westerns for Spectrum Pictures. It
is announced by Fred Bell, super-
visor of distribution for Spectrum.
First will be "Code of the Fear-
less."

Joe Hennegan Dead

Cincinnati—Joe Hennegan, form-
er motion picture operator in Cin-
cinnati, and a character actor, died
at his home here.

Pioneer Exhib. Passes

Manchester, N. H. — Ned W.
Flanagan, 71, who opened the first
motion picture theater in this city,
is dead.

National Screen Issuing

New Movie Quiz Trailers

National Screen Service is releas-
ing a new special trailer which can
be attached to all pre-views of Mo-

vie Quiz pictures. The combination
announces on the same frame the
day or days the picture is to be
shown, a replica of the Movie Quiz
seal, the fact that the picture is of
the Quiz group and the industry slo-
gan, "Motion Pictures Are Your
Best Entertainment." The trailer
has been designed to save time on
the average program.

Rosenbaum Heads GB's

Branch In Cleveland

Cleveland — George Rosenbaum
has been named local GB branch
manager replacing Meg Wilson of
the duties he took over temporarily.
Rosenbaum was formerly GB branch
manager in Buffalo, where he was
succeeded by Leo Murphy, recent
Warner Brothers salesman.

The Misssus' Threat

Lincoln, Neb.—Because Bob Living-
ston, owner and manager of the Capi-
tol here, spends so much time at the
theater, his wife has threatened to have the
lobby floorer keep that when he died
and have him "buried" there so he
could watch the business go by. Liv-
livingston balked because he was afraid
business might be bad and he'd turn
over in his grave.
**REVIEWS OF THE NEW FILMS**

"That Certain Age"  
with Deanna Durbin, Melyn Douglas, Jackie Cooper  
Universal  
95 mins.  
(HOBBYWOOD REVIEW)  
SHOULD FILL UP HEAVY GROSSES AND WIN NEW FOLLOWERS FOR THE STAR.  
This is a highly pleasing offering that should draw up new patrons to Miss Durbin's showplace. The combination of boxes and a new, younger public for the star is an excellent one for the production. The cast is adequate, the acting is good, and the story is full of promising incident. Miss Durbin is delightful and makes a fine letter of the star to a child as a skilled actress. Her warmth, her sympathy, her directness, her skill, and her charm make her a most appealing star for the young public. The film has a splendid opening and should attract many of the young people who have come to Hollywood for the first time. A good choice for the young public, and one that will be welcomed by the older members of the audience.  
CAST: Deanna Durbin.  
CRITICS: A. C. P.  
DIRECTION, Swell.  
PHOTOGRAPHY, Fine.  

"The Arkansas Traveler"  
with Bob Burns, Fay Bainter, John Beal, Irvin S. Cobb  
Paramount  
63 mins.  
(HOBBYWOOD REVIEW)  
VERY GOOD DOWN-TO-EARTH ENTERTAINMENT ON SMALL TOWN LIFE. COMES CLICK BIG AT 8:00.  
When Bob Burns hops off the freight train to become the printer on the small town newspaper that Fay Bainter is operating, a picture opens that develops into some very good down-to-earth entertainment on small town life. Its humor, drama, and interesting characters make it the sort of fare that is well liked, and the box-office returns should be gratifying. The film is a true test of the Burns fans for his homely philosophies fit into this sort of thing in fine style and Bob Burns himself is first rate dramatic actor in a role that requires plenty of heart and ability. This picture should do a lot in building up his following. John Beal carries a very important assignement and turns in a splendid performance in another part that demanded a very good actor. Fay Bainter, who has achieved a high standing as one of the best of character actresses, maintains that position with her fine work, and Jean Parker makes the most of a few emotional scenes to prove how well cast is not a large one but every player has a worthwhile role, all of them very well handled. Irvin S. Cobb makes the sheriff a most likeable person, the heavies, and well played, are Lyle Talbot and Porter Hall, and the kid, a grand little actor, is Dickie Moore. Jack Cunningham authored this very enjoyable story. His development is highly interesting. Viola Brothers Shore and George Sessions Perry wrote the screenplay which has some well worked situations and good dialogue. Alfred Santell, the director, conveyed the material to the screen for the excellent results obtained. His pacing is pleasing, his direction and the presentation of the story are all important, his handling of the players is noteworthy. George Arthur produced. When Bob Burns hops off the freight train to assist as printer on Fay Bainter's paper, because he knew of the high standards for which his values stood, he quickly manages to lose a lot of business for the paper. He also gets John Beal to help him on the paper and also in the civic trouble which he stirs up. Lyle Talbot seems to be mixed up in every business in the town and he wants the paper to further its interests, especially a dam proposition which Beal knows will cost the people a lot of money with no benefits. Miss Bainter loses the paper but in the meantime, Bob has been able to build a radio station which de- feats Talbot's interests. The John Beal, Jean Parker romance blossoms into a wedding, and Miss Bainter with the help of the sheriff persuades Bob that a man is not to be afraid around the house and the radio station.  
CAST: Bob Burns, Fay Bainter, John Beal, Irvin S. Cobb.  
CRITICS: Review, good.  
DIRECTION, Excellent.  
PHOTOGRAPHY, Very good.  

"South of Arizona"  
with Charles Starrett  
Columbia  
55 mins.  
ORIGINAL STORY AND SURPRISE CLIMAX PUTS THIS OVER NICELY AS EXCITING WESTERN.  
The cards are stacked against the hero, Charles Starrett, right from the start, as he is through the footloose gang acting under cover with a fake Ranger and a crooked banker in the town seem to have the best of it. This forces the hero to fight every inch of the way, and keeps the audience properly keyed up rooting for the time when Starrett can come out on top. Because of this story construction favoring the bandit crowd, the film gets consider- ably away from the routine of the action westerns. Starrett is a ranch owner highly respected, until the gang begins to run down a rustling crowd is made to appear his work. Meanwhile the under- cover gang chief posing as a respectable banker has had the Ranger bumped off so that his killer can pose as the law man and keep the rustling racket still operating profitably. There is some good romance worked in with the arrival of the murdered Ranger's sister who plays an active part in the proceedings as both sides try to keep her in custody. The climax is unusually good with some very original stunt work in as the hero gets the rustlers to meet in the town hall to take action against the rustlers, and then Starrett and his boys make an outside, and tell all hands who are innocent of wrongdoing to come on out, and promising to plug any guilty man who steps over the doorway. This leaves the gang self-exposed, as they dare not move outside the door. Good harmony by quintette in western songs.  
CRITICS: Director, Sam Nelson; Author, Bennet R. Cohen; Screenplay, same.  
DIRECTION, Very Good.  
PHOTOGRAPHY, Good.  

Ulster Resigns ITO Posts  
Taylor, Walker Fill Gaps  

Toronto—At the first meeting of the newly-elected directorate of the Independent Theatres' Association of Ontario, S. Ulster, vice-president, and B. Ulster, treasurer, tendered their resignations due to press of business. N. A. Taylor, vice-presi- dent, who stood in for them, was given the post, while Thomas Walton was elected treasurer.  

Real, Irvin S. Cobb, Jean Parker, Lyle Talbot, Dickie Moore, Porter Hall.  
CRITICS: Producer, George M. Arthur; Director, Alfred Santell; Author, John Cunningham; Screenplay, Viola Brothers Shore and George Sessions Perry; Cameraman, Leon Lovers; Editor, Paul Weatherwax; Art Di- rectors, Hans Dreier and Earl Hendrick; Musical Director, Boris Morros.  
DIRECTION, Excellent.  
PHOTOGRAPHY, Very good.  

"Slander House"  
with Adrienne Ames, Craig Reynolds  
Progressive  
65 mins.  
GOOD OLD HOOK FOR THE FAMILY TRADE WILL GO GOOD IN THE NATES.  
This offering is right down the line for the nate houses, and a pushover for the humble family trade. It is not a Class B film; it is the kind of picture that makes its money out of the family audience. The story is all its amusements in style and acting, it rates a good Class "B" because it treats of the things that the rank and file of moviegoers in the popular ranks go for—sucking the upper classes and showing that the boy and gal from Tenth Avenue are as good as any on Park Avenue. That is its main appeal. The sets are unusually good, with most of the action taking place in a beauty conditioning plant for the idle rich, a little rich, class, run by Adrienne Ames. She is the girl who plays over on Tenth Avenue, and she meets a young gambler (Craig Reynolds) who came from home, too. While she has got herself engaged to a doctor (Buck Jones), who comes from the society crowd. The story and the action are pretty crudely thrown together, and Craig Reynolds has evidently followed this script closely, for the material jumps around episodically from slapstick to near-tragedy without much coherence. But the human interest stuff is there with the society dames in the beauty factory tending the reputation of other dames to threads and almost caus- ing the suicide of one elderly lady as she sits in a compartment and hears the cats talk about her husband's infidelity. There is some good comedy business thrown in with much reference to the plot. Adrienne Ames lifts the rather cheap play by dignified acting. Craig Reynolds is an oxymoron slate, but that's the way they write the part for him. He wins the girl, of course, he being from Tenth Ave- nue. The Tenth Avenue type of folk will go for it. Intelligent audiences will no doubt walk out on it.  
CRITICS: Director, Charles Lamont; Author, Gertrude Orr, John W. Kraft; Screenplay, same; Cameraman, M. A. An- dersen.  
DIRECTION, Weak.  
PHOTOGRAPHY, Okay.  

Providence Film Theaters  
Recover from Storm, Flood  

Providence—Houses here that were hit by the recent hurricane reopened over the week-end after being closed for a few days following the recent flood waters. Theaters were cleaned up, but no power was available until Saturday.  

Boston — The Orpheum Theater in Somerville, operated by W. M. Peterson, will reopen within six weeks. Extensive repairs have been made necessary by the hurricane.
**GRAHAM, PARAMOUNT BRITISH HEAD QUiTS**

(Continued from Page 1) acting director in England. “Since joining the early Paramount organization in 1917, it has been a dominant factor in our foreign department.”

Graham joined the staff of the late E. E. Shauer in 1917 as a special representative and made a number of important South American surveys before being appointed to his post in London in 1919.

Kent Trade Practice Group Waiting for Counsel Report

(Continued from Page 1) himself, Mr. Kent, 20th-Fox proxy and committee chairman, told THE FILM DAILY yesterday.

Attorneys representing the majors were reported to have held another session yesterday, but there was no statement forthcoming.

Kent, accompanied by his wife, left for York early morning on the Century after a visit to the Coast studios of the company.

He reported that with the European situation eased, 20th-Fox execs were looking forward to a fine year. The English production schedule has been maintained despite the recent war scare, he said. It is possible that he will go to Europe next month to meet Walter J. Hutchinson, director of foreign distribution for 20th-Fox, who will have completed his South African survey tour by that time.

No additional pictures are scheduled to be added to the present program, and about half of next season’s lineup has been completed, Kent said. He reported that “Suez” would probably have the most intensive newspaper campaign the company has ever given one picture.

Charles E. McCarthy, director of advertising and publicity, who accompanied Kent to the Coast, returned to New York Saturday after looking over the new product lineup.

**STORKS!**

Pittsburgh—Paul Reith, booker for the local RKO exchange, is the father of an 8 1/2-pound boy.

—

Pittsburgh—Mr. and Mrs. Joseph Spreng are the parents of a 6-pound boy. Mr. Spreng formerly worked on Film Row, and is a sister of Francis Guehl, booker for the Universal exchange, was born. Guehl of 20th Century-Fox and Cecilia Guehl of Gaumont British.

**REVIEWS OF NEW FILMS**

**SHORTS**

“The Men on the Rock” (Historical Mystery)

M-G-M 11 mins.

Highly Interesting

A highly interesting subject, posing the question as to whether Napoleon really died on St. Helena, or entertained and that stories with any hint of propaganda are bound to offend one side or the other of a political issue. There is no need, he said, in aggravating any portion of the public.

Ruggles will leave for the Coast in a week to start work on a picture co-starring Irene Dunne and Fred MacMurray. The picture also will feature his brother, Charles Ruggles and will be the first time that he has directed his brother.

While in Europe, Ruggles visited most of the larger studios in the major countries. He expressed the belief that France has made the greatest progress in production among all the European countries. Italy, he said, has excellent facilities for turning out top-notch pictures but so far has not utilized them.

Levee Denies There is War Between Agents and Actors

(Continued from Page 1) by the Guild to confer on plans will be continued.

He says there are no real difficulties between the agents and the Guild and that the actors are not interested in destroying the agents.

Peter Tender Dead

Elyria, O. — Peter Tender, 50, partner of John Polkra in the operation of theaters here and in Lorain, died Saturday of a heart attack.

**“Fishermen’s Paradise”**

(Rotheoscope)

KO Radio 9 mins.

Fine Sport Reel

Some great fishing sport off the Bahamas, with a boat going out after blue marlin. The excitement attendant upon the landing of several of these monster fish that fight and leap high out of the water as the big pole bends double will give any lover of sport a great thrill. One big marlin succeeds in getting away after putting up a terrific fight. One of the best fishing reels ever filmed. Supervised by Fred Ullman, Jr., Produced by Frank Donovan for Fathe.

“Mildewed Melodramas”

(Paragraphic)

Paramount 11 mins.

Old Time Thrills

Presentation of scenes from three old serials. “Nellie the Beautiful Typist,” “The Eagle’s Prey,” “The Power of the Empire.” These are re-edited in order to get the laughs, and serve to show how the screen technique has changed from the early days. Good effort.

Hammons Off Oct. 12 to Set United Kingdom Pact Deal

(Continued from Page 1) expected to continue in the same capacity.

Edward L. Alperson, general sales manager, arrives in New York today from Chicago where he conducted a meeting of Western branch managers over the week-end. A similar meeting for the Eastern managers will be held in New York Saturday and Sunday.

It was learned yesterday that four of the announced pictures for the 1938-39 season will be produced in the East. This means that the remaining 40 will be made in Hollywood. All the shorts are scheduled for Eastern production.

**SELZNICK TO MAKE 7; RELEASE PACT WAITS**

(Continued from Page 1)ments are “The Young in Heart” and “Made for Each Other,” both for UA, and “Gone With the Wind,” for Metro. Other four planned are “Titian,” “Rebecca,” “The Married Life of Helen and Warren” and “Second Meeting.”

While it is anticipated that S-I eventually will renew with UA, it was reported yesterday that Selznick may make no deal until “Gone With the Wind” is finished or at least well under way. At least, there will be nothing in the S-I direction for consideration of the UA directorate at its New York meeting this week.

Small Ontario Theaters May Escape Admish Levy

Toronto—Smaller theaters charging 25 cents or less admission will receive special consideration from the provincial government when legislation for the re-enactment of an amusement tax is introduced, according to Premier Mitchell Hepburn.

In some quarters, it is felt that such theaters will be granted tax exemption. Hepburn declares that a survey establishes its operators generally kept faith by passing along the benefits of the 1937 tax elimination to their patrons while owners of larger houses broke faith.

When the provincial levy was lifted in June, 1937, Hepburn specifically requested the public be given the benefits.

Cobb Funeral Held

Harrisburg, Pa. — Funeral services for Arthur Lyman Cobb, 62, former stage manager at the old Majestic Theater and at the State Theater, were held yesterday. Cobb had been associated with amusement enterprises in New York, Boston and San Francisco.

**WEDDING BELLs**

West Coast Bureau of THE FILM DAILY Hollywood — Ronald Colman, English actor, and Benita Hume, English actress, were married at Santa Barbara.

Quebec — Marriage of Margaret Graham, English actress, and Alen McMartin, Canadian miner operator, was disclosed here.

Lincoln, Neb.—Klara Hanneman, booker for the Lincoln theaters Corp. here, was married to Bert Cook, manager of Huber Mfg. Co. plant here.
Believe It Or Not

Scowling counsel in the RKO reorg. hearing got into an argument over the heated allegations which were hurled yesterday. As the g.p.m. session wound up, Judge Bondy set Oct. 25 as the next hearing date. The RKO spokesmen: "We have no comment." The audience: "Who cares?"

Supreme Court Will Select Cases to Be Heard Monday

Berliners are attorneys for General Talking Valuation.

The Hiram Steelman-William Fox case is still on the docket but has been passed over by the court until pending negotiations are settled.

Texas Consolidated Theatres, Inc., vs. S. H. Pitman has been set for hearing on Oct. 18. This case involves theaeater chain's rights under the Sherman Act with respect to duals; the Dallas anti-trust case, which was sent back last term for a lower court finding of fact; and the William S. Hart Co. vs. United Artists case, involving a contract between the parties on division of receipts on certain films produced under the contract.

The appeal of Ascap from the law of the State of Washington out-lining the organization from that state be held filed with statements as to jurisdiction by both parties.

The North Dakota divestment case has not as yet been filed with the high court.

Bondy refused to listen to Griswold’s representations on the grounds that he was not qualified to act as counsel.

In the afternoon session Stover attacked the relationship between Atlantic and RKO. He cited the case of H. Aylesworth, but Hamilton C. Rickaby militantly retorted to Stover’s assertions by reading from the record.

When asked by Judge Bondy whether or not the reported negoti-ations for the acquisition of certain RCA stock in RKO by Atlantic had been consummated, Rickaby said that to the best of his knowl-edge the arrangement has expired with some of the option not satisfied.

Just before adjournment, Rickaby launched a general refutation of opposing counsel’s allegations, which was followed by several requests coming to his support by declaring that the plan should be confirmed.

Rickaby met opposition conten-tions that the Delaware incorpora-tion of the proposed new company was intended to circumvent con-venience, by reading restrictive clauses in the new certificate.

Bondy adjourned the hearing until Tuesday, Oct. 25, in Room 110, Federal Court, at 2:30 o’clock.

La. Tax Commission Action on Majors’ Appeal Waits

The major film companies in this territory over a tremendous increase in merchandise taxes ordered by the parish (county) assessor. The Film Daily learns from a reliable source.

The assessor boosted taxes ar-bitrarily from around $4,500 a year on the $2,500 (the amount was $50,000 and managed to give Film Row a rather wry laugh at his lack of partiality—he soaked the small in-between companies to do $50,000 gross busi-ness in a year, the same amounts as the majors.

Just Show Biz

The old bewhiskered gag in theater-dom re those being more actors than folks ever wanted to see. A recent came to the RKO hearings yesterday. "I’m a good showman," the spectator told the attorney to one on the opposite side. "After all, I’ve got pretty poor house today." Replying, "You’re on your feet, you’re laughing, you’re talking to the mass of briefs and other legal documents, and what’s more the house is heavily papered."

$7,415,461 REDUCTION IN RKO INDEBTEDNESS

Fixed indebtedness of RKO and its subsidiaries has been reduced $7,415,461 during the four-year period the corporation has been in trusteeship and undergoing reorgani-zation, it is revealed in the last report of the Irving Trust Co., submitted last week to the U. S. District Court.

Discussing the earnings of theater operating companies for the first half of the year, report points out that although there was a slight gain in average admission price, aggregate admissions declined. Report then continues: "On the other hand, total operat-ing expenses increased, although dating back to earlier operating conditions. The principal increases were in film rentals and salaries, which latter increase was due mainly to the revisions of union con-tracts and additional compensation for service employees effected in 1937. Decreases in expenses resulted principally in the cost of vaude-ville, advertising and maintenance. The drop in vaudeville cost resulted from the elimination of which discontinuance of vaudeville for the Summer at an earlier date than was done last year."
Hear Mark Ostrer May Come for Schenck Conferences

MPDOA MAPS 14 QUESTIONS FOR CONVENTION STUDY

Denial of Films' "True Art" Draws Fire of Will Hays

MPPDA Proxy Answers Critics, Sees 'Slander on Democracy'

Will H. Hays, MPPDA proxy, speaking yesterday at the dedication of a tablet marking the site of the first theatrical showing of motion pictures at Koster & Bial's Music Hall, 34th and Broadway, in 1896, took occasion to answer "those critics who refuse to find true art elements in this newest and greatest of all arts because of the very fact that it is universal in its appeal and truly democratic in its service."

"There are still those few who (Continued on Page 3)

FRIEDGEN AND GERING
TO MAKE PIX IN EAST

A new Eastern production company is being launched by Raymond Friedgen, producer, and Marion Gering, director, who have two features in preparation. Pictures will be made either at Eastern Service Studios or at the Biograph plant. (Continued on Page 4)

SAG's New By-Laws Will Eliminate Junior Guild

West Coast Bureau of THE FILM DAILY

Hollywood — New by-laws of the Screen Actors Guild would eliminate the Junior Guild, it was learned yesterday when drafts were mailed to members. By-laws would substitute a class B. (Continued on Page 3)

Mystery! Business Slumps Monday for No Good Reason

Circuit operators yesterday were puzzled over a one-day slump in business on Monday. Grosses were below normal all over the country. (Continued on Page 5)

Early Resumption of CEA-KRS Talks Seen

London (By Cable) — W. R. Fuller of the CEA indicates that there will likely be an early resumption of joint talks between the CEA and the Krasnofilm trade problems. Among the most important subjects to be considered are: Overranging, barring of pictures (clearance), rentals for small theatre and television. Exhibitors and distributors are much concerned over BBC's recent television broadcasts of films.

Brighter U. S. Prospects in Japan; Solution of Impasse Seen as Near

Tokyo (By Cable) — As the result of recent progress made in the negotiations between U. S. film interests and the Japanese Government, a definitely more favorable status is expected to be attained by American product in this market within the not distant future, it is declared here by sources close to representatives of major companies.

Government officials here are described as giving ever-increasing co-operation toward the solution of the impasse which has existed for many months and which has to date prevented the importation of U. S. pictures except on a widely curtailed scale. The problem of both importation (Continued on Page 3)

Schenck, Zanuck, Goetz Pare 20th-Fox Holdings

Washington Bureau of THE FILM DAILY

Washington — Joseph M. Schenck, 20th-Fox board chairman, disposed of 10,400 shares of the company's common in August, while Darryl F. Zanuck, production chief, and William Goetz, vice-proxy, each reduced their holdings by 10,000 shares the same month, according to the latest SEC report made public yesterday.

Schenck, the SEC records disclosed, on Aug. 30 held 119,443 shares of common; he has disposed of 49,200 shares in the June, July, August quarter. Schenck held 25,284 shares of preferred on Aug. 30. Goetz at the end of August held 194,643 shares of common, 55,284 of preferred. Zanuck's holdings on (Continued on Page 3)

London Reports Mark Ostrer Planning Early Visit to U. S. for Schenck Talks

Gary Suit Charges Outside Trust Law Scope, Says Para.

In a separate answer to anti-trust charges brought by the Gary Theatre Co., Gary, Ind., against B & K, Warner Bros., theaters and major distributors, Paramount denies that the "subject matter of this action is in any way within or affected by the provisions of any" of the so-called Gary suit. (Continued on Page 4)

All Problems Facing Exhibs to Be Considered at O. C. Meeting This Month

A tentative list of 14 important questions for discussion and study at the annual MPDOA convention in Oklahoma City late this month has been prepared by the organization's headquarters in New York, according to a general bulletin issued yesterday. These questions concern all problems now facing the independent exhibitors and touch upon self-regulation, taxes, trade practices and legislation.

However, the bulletin points out that important difficulties and problems are never solved and disposed of at any exhibitor convention, but it adds that constructive progress is (Continued on Page 5)

RODGERS TO ATTEND MICH. ALLIED MEET

Grand Rapids — William F. Rodgers, Metro's sales chief, has accepted an invitation to attend the annual convention of Allied Theaters of Michigan, opening at the Morton Hotel here on Oct. 10, the (Continued on Page 4)

GB's Publicity-Ad Plan to Be Launched Shortly

Plans for the Gaumont British nation-wide advertising and publicity campaign on six feature pictures will be ready in about three weeks. The scheme was learned yesterday. Selection of the four cities the campaign contest will be held in will (Continued on Page 3)

Nakken Patents Corp. Sues Eripi; Claims Infringement

Nakken Patents Corp. yesterday filed suit, based on a patent infringement claim, against Eripi and WE in U. S. District Court here. Plaintiff contends that Theodorus H. (Continued on Page 3)
New GN Home Office Set for Rockefeller Center

E. W. Hammons, president of Grand National Pictures, yesterday signed a long-term lease for an entire floor in the new Associated Press Bldg in Rockefeller Center, where the company will maintain its home office. The new quarters will be occupied starting Nov. 15.

The Grand National, New York exchange will continue to operate at 730 Ninth Ave, Educational will remain in the Paramount Bldg until mid-November.

Meanwhile, Grand National is preparing to hold its second sales meeting in New York this week-end for its Eastern managers. Edward L. Alperson, due yesterday from Chicago, is scheduled to arrive to day.

West Coast Bureau of THE FILM DAILY
San Francisco, Ca. — Grand National has received a permit from the state corporation commissioner for 454,554 shares of common stock at $1 each and 30,000 shares of preferred at $10 each.

Para. to Spend $100,000 on “Wings” Ad Campaign

Para. will back its exploitation and publicity campaign for “Wing With Wings” with a $100,000 appropriation in key city dailies and magazines. It was said yesterday by Robert M. Gillham, company’s ad-publicity chief. Pix starts Oct. 28 in 21 keys: Atlanta, Atlanta, Baltimore, Boston, Cleveland, Detroit, Houston, Los Angeles, Milwaukee, Minneapolis, Nashville, New York, Pittsburgh, Portland, Ore, San Antonio, San Francisco, Seattle, Syracuse and Washington.

From the company’s studios Cliff Lewis and Jack Dale will be in charge of the Coast and Western exchanges while from New York, Robert M. Gillham, assisted by Alex Moss, Hal Danson and Karl Krueger will handle many of the important Eastern engagements.

U. A. Board Meeting Friday To Be Attended by Proxies

Friday’s meeting of United Artists’ board of directors is expected to be attended largely by proxies from Goldwyn, who was reported to be coming East for the meeting, will not leave the Coast, it was said yesterday. Foreign affiliation probably will be the principal topic for discussion, although there have been rumors that more important business of a domestic nature was on the docket.

Expected at the meeting are Samuel Goldwyn, representing Alexander Korda; Dennis O’Brien, for Mary Pickford; James Mulvey, for Samuel Goldwyn; Charles Schwartz, for Charles Chaplin; Douglas Fairbanks, or his attorney, Edward C. Raftery, and Maurice Silverstone, general manager.

Drive’s Exhib. Contest Will Be Open to Groups

The $2,100 contest for exhibs, in the Motion Pictures’ Greatest Year industry drive will be open alike to individuals and groups of exhibitors to a particular exhibitor companies established in various cities in connec tion with the drive, members of the recently established Contest Bureau agreed at their meeting yesterday.

Judges will take into consideration the limited facilities of an exhibitor manager as well as with each theater manager, and publicity man who enters the contest will have a fair chance of winning, it was stated.

The Bureau has in preparation an entry blank which will be distributed through the various exchanges. Campaigns will be judged on the basis of originality as well as on the result of the branch in which he or she is transferring.

Failure to do so will result in discipline, Gillmore warned. Approximately 20,000 players are affected.

Balaban, Griffis Go West Next Week For Studio Look

Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, leave for the Coast next week for their annual studio checkup. Trip was to have been made last week but was deferred because of the European situation.

Griffis said yesterday he could not say who would fill the post of managing director in England as a successor to John Cecil Graham, whose resignation was announced yesterday. Appointment is expected within the next few weeks.

Mich. Co-op Board Meets Again Friday on Reorg

Detro — Directors of Co-operative Theaters of Michigan will meet Friday to take further reorganization action.

Dorothea Barrett, former booker, becomes a new assistant to Carl Buer mele, general manager.

“Room Service” Sets Third RKO “Room Service” has been held for a third week at the Rivoli.

The continuation activity and increased interest and appreciation of English Production prompts this paper to incorporate in the 1939 Film Year Book a complete English Section which will be of unusual and vital interest to the industry here and abroad.

THE FILM YEAR BOOK
1501 Broadway
New York City
The 1939 edition now in preparation

Wednesday, October 5, 1938

COMING AND GOING

E. L. ALPERSON, general sales manager for Grand National Pictures, arrives in New York from Chicago today.

MACK LITTMAN, American representative of Herbert Wilcox, is scheduled to leave New York tomorrow for a two-week trip to England.

J. H. HOFFBERG plans to leave for a nationwide tour this week-end.

JOHN B. NATHAN, Paramount’s general manager in Argentina, Paraguay and Uruguay, arrives in Hollywood today from New York.

MORRIS STOLFO, head of Columbia’s music department, leaves Hollywood shortly for a Honolulu vacation.

Mr. and Mrs. DOUGLAS FAIRBANKS are staying at the Waldorf.

JUNE LANG is also staying at the Waldorf.

RAY WHITNEY, cowboy actor, has arrived in New York from the Coast to take part in the annual rodeo.

JACQUES DEVAL is staying at the Savoy Plaza.

RALPH WHITEHEAD of the A.F. of A is in Houston for the A.F. of L convention.

BENJAMINO GIGLI, opera star, is due at the Coast late this month to make a role in Goldwyn’s picture starring Josca Hefetz.

DOANE HARRISON, Paramount film editor, is in Montana for a month’s vacation.

MRS. MARK OSTBOX has arrived in New York, and Mark Ostbox may join her shortly.

ALICIA ADAMS, 6-year-old Boston girl, signed by Grand National for the six Hedley Family pictures, reported to the studio this week.

ERNST SCHWARTZ, president of Astra, is due back in Hollywood shortly from New York.

Chi. Allied Trust Case Oct. 13

Chicago — Suit for a temporary injunction filed by Illinois Allied Attorneys, Rosenberr, Stein & Rosenberg before Judge Wilkerson has been postponed until Oct. 13.

FINANCIAL

NEW YORK STOCK MARKET

Net High Low Close Chg.

Am. Soc. 20 17 16 18 1 3

Company Picts. etc. 15% 14% 15% 15 1

Columbia Pic. 15 12% 15 15% 1

Con. Fea. Ind. 1% 1% 1% 1% 1

Coup. Picts. n.d. 10% 10% 10% 10%

East. Kodak 17% 17% 17% 17% 1

do. d.p.d. 16% 16% 16% 16%

Gen. Exh. 15% 15% 15% 15%

Locke’s, Inc. 52 51% 51% 1

do. d.p.d. 51 51% 51% 1

Paramount 11 11 11 11

Paramount 2nd d.p.d. 11% 11% 11% 11%

Para. Film 7% 7% 7% 7%

RKO 25% 25% 25% 25%

20th Century-Fox 26% 26% 26% 26%

20th Century Pic. 26% 26% 26% 26%

Univ. Picts. 40% 40 40 40

Warner Bros. 8% 8% 8% 8%

NEW YORK BOND MARKET

Keith A-O 61/84

Loew 60/814

Para. B’way 34/5

Para. Picts. 62/5

Para. Picts. v. 3/4a/7 78 78 78

RKO 66% 66% 66% 66%

Warner’s 63/9 79% 80 1

NEW YORK CURB MARKET

Grand National 7-16 7-16 7-16 +1/16

Monogram Pic. 32/32a 32/32a 32/32a 32/32a

Sonorite Corp. 21% 21% 21% 21%

Trans-Lux 61/16 61/16 61/16 61/16

Universal Pic. 1/8 1/8 1/8 1/8

N. Y. OVER-THE-COUNTER STOCK MARKET

Pathé Film 7 d.p.d. 7 d.p.d. 7 d.p.d. 7 d.p.d.

Pathé Theda, Bldg. 612 1st 16

Loew’s Theda. Bldg. 61 1st 16

Maj. Playhouse, Inc. 51 41

Roxy Theda, Bldg. 61 1st 14 43

HE \n
FRIDAY, OCTOBER 13

FOR SAFETY AND SECURITY

Specialists for 25 years in the storage of valuable film.

LLOYDS FILM STORAGE CORP.
725 SEVENTH AVE. N.Y. BRant 9-5600

English Production
FILMS "ART" DENIAL DRAWS HAY'S FIRE

(Continued from Page 1)

speak loftily of "the lowest common denominator" as a contemptuous reference to movie audience intelligence," declared Hays. "Such criticism is a libel of the public; a slander on democracy.

"Those who thus indulge themselves indict not the movies but the public, forgetting that in this country alone the average weekly attendance is 85,000,000. I hold no such despised opinion of the American people, whose servant the industry is.

"Pointing out that "a grateful industry will celebrate its Golden Jubilee Anniversary" next year, Hays expressed the conviction that its development "could have occurred only in the atmosphere of free America." The screen," he later commented, "must reflect the times in which it exists... The continued evolution of the screen to higher forms of entertainment may be one of the strongest fortifications of our own civilization. In these things lie the chief significance and greatest social service of motion pictures."

Nakken Patents Corp. Sues Erpi; Claims Infringement
(Continued from Page 1)

Nakken was owner prior to Nov. 1920 of improvements in a means of transforming light impulses into electric-current impulses, and that infringement of this has been committed by Erpi via latter making and marketing photo-cell amplifier equipment.

An injunction is sought from the court by Nakken Patents Corp., together with damages and an accounting of profits.

Ivan Simpson Near Death
West Coast Bureau OF THE FILM DAILY

Hollywood—Ivan Simpson, character actor, was reported to be in a serious condition last night after he was found near death from carbon monoxide poisoning.

Happy Birthday

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

OCTOBER 5

David L. Loew
Anne M. Loew
Kathryn Crawford
George Irving
Louise Dresser
James Bradbury, Jr.

BRIGHTER OUTLOOK FOR U. S. PIX IN JAPAN

(Continued from Page 1)

and the availability of funds derived from distribution is said to be nearing a more satisfactory understanding, and that current opposition constitutes the viewpoint of the Japanese public rather than that of the Government.

While it is held unlikely that barriers will be more than minutely lifted on the question of revenue availability, since the necessity continues with respect to retaining the highest possible balance in foreign exchange and preventing the latter from fluctuation during the current crisis, discussions are under way to afford to Hollywood product greater opportunity in the exhibition field via tempering import restrictions.

Schenck, Zanuck, Goetz Pare 20th-Fox Holdings
(Continued from Page 1)

Aug. 30 embraced 142,130 shares of common, 21,946 shares of preferred. Loew's, Inc. reported acquisition of 643 shares more of Loew's Bond Theaters common stock and now holds 90,670 shares.

Sam Katz filed a July, 1938, report stating he has acquired two more shares of Loew's, Inc. common and now holds 752 shares.

John D. Herts reported he holds no shares of Paramount Pictures 6 per cent convertible 2nd preferred for a summing of 4,630 which is that issue through Lehman Brothers.

SAG's New By-Laws Will Eliminate Junior Guild
(Continued from Page 1)

bracket for bit players and extras. However, they would be allowed to vote for a strike or withdrawal from the Guild. The new provisions provide for an advisory council for the B bracket.

Proposals will be ratified at a mass meeting of SAG members on Friday night.

GB's Publicity-Ad Plan to be Launched Shortly
(Continued from Page 1)

be completed next week, with two already picked, it was disclosed.

Campaign will expend about $200,000, appropriation which has already been okayed by the company's home office in England.

So That's That

Sources high in A cop say yesterday characterized as "scrappy" recent reports that the Society is about to send out new contracts to film interests. Existing contracts, it is pointed out, have no date of termination and are consequently of a perpetual nature.

They can be abrogated, it is declared, only by mutual consent and there is no disposition on either side to effectuate such a step.
ARRANGEMENTS for the 4th annual Film Festival were announced yesterday by Allen Johnson, president of the MPTOA. The festival is expected to be held this summer in New York City, and will include screenings of films from around the world. The film festival is open to the public, and admission is free. The festival will feature a variety of films, including classics, independent films, and documentaries. The festival will also feature special events, such as panel discussions and Q&A sessions with film industry professionals. The festival is expected to draw thousands of attendees, making it one of the largest film festivals in the world.
A "Little" from "Lots"

By RALPH WILE

HOLLYWOOD

Binnie Barnes Joins Cast

Binnie Barnes, screen comedien-

an, has joined the cast support-

ing George Brent in "Thanks for

Everything," 20th Century-Fox mu-

sical now in production at that stu-

do. William A. Seiter is directing.

"U" Signs Wallace Sullivan

Wallace Sullivan has been signed by

Universal to do an untitled origi-
nal story. R. M. Stahl, presi-

dent, U.

Warner Set "Queen Elizabeth"

Warner's have decided to again

team Bette Davis and Errol Flynn

in "Queen Elizabeth." Following suc-

cess of this combination in "The

Sisters.

Miss Davis will play the queen

while Flynn will portray Sir Edi-

son. "Queen Elizabeth" will be made dur-

ing the winter. Miss Davis next stars in "Dark Victory," with

George Brent, which starts shooting

Thursday.

Rejoins the Jones Family

Resuming her role as the featured

romantic lead in the widely known

screen household, Shirley Deane has

rejoined the Jones Family in "Bundie of Joy." The new con-

tract, however, is only on a picture basis, inasmuch as the star-

let has a long-term deal pending at

one of the other major lots.

"Sonata" In All Houses

Herbert Rosener Co. distributing

"Moonlight Sonata" in the Far

Eastern station, has sold the Pade-

owski feature to Fox West Coast

Theaters for their entire circuit

with first runs in all houses. "Moon-

light Sonata" is now in its fifteenth week at the Esquire The-

ater in Hollywood. This is said to

be the first time an independent pro-

duction has been able to cinch full

coverage of the Fox West Coast

circuit.

"If I Were King's" Biz

NARLY N. Y. PARA, RECORD

Paramount's "If I Were King" closed its first week at the New

York Paramount Theater last night

with a near record-breaking "take"

since the inauguration of the band

policy in 1930. Only pix to run

ahead was "Wells Fargo" opening

which played the Christmas and

New Year period in 1937. Both "If

I Were King" and "Wells Fargo"

are Frank Lloyd productions.

Pix, held over in New York, has

been given 10 additional pre-release

engagements. Of the advance open-

ings, six are in theaters of the M. &

P. circuit in New England and will

be backed by a comprehensive ex-

ploitation campaign now under way

in preparation for the picture's open-

ing on Oct. 12. "If I Were King"

also goes into Chicago Theater, Chi-

cago, and Paramount Theater, San

Francisco, on Oct. 21.

Basil Rathbone, left yesterday for a

p.m. tour of New England cities,

including New Haven and Boston.

Mystery! Business Slumps Monday for No Good Reason

(Continued From Page 1)

and nobody appears to know the

reason why. A checkup on a pro-

grams failed to reveal anything un-

usual in the way of special programs

which might have commanded the

attention of picture fans. Other

possible causes also were checked

without the mystery being solved.

The war crisis in Europe last

Thursday had a definite effect on

theater grosses, it was learned. The

public apparently was "glued" to

admiral's sinkers on account be-

cause of it. The next day, when

peace appeared certain, patronage

returned to normal, it was said.

The only cause thought to be un-

usual was a trend in business today

because of the Jewish holiday, but

are looking for heavy attendance

after sundown when the religious

obsession formerly ended.

U. S. Pix Holding 75% of Market In Uruguay

Washington Bureau of THE FILM DAILY

Washington—Seventy-five per

cent of the feature pix exhibited in

Uruguay are of U. S. origin, accord-

ing to a report from the office of

the American Consulate at Montevideo

made public by the Department of

Commerce. Of late, however, a

marked improvement in the recep-

tion of French pix has been noticed, the

report stated.

There are 78 film theaters in

Montevideo, with 45,000 seats. All

the theaters are wired for sound.

Number of averages, 1000, two-

run theaters is about 40 cents

American money, and 15 cents for

second run theaters, according to

the report.

known that the two execs, had dis-

covered a gold mine and to be ex-

pected to be of great profit and
talent and other properties for pro-

duction purposes. Later reports that

Schenez, with his brother, Nicholas,

would carry on the operation of the

stock of the company owned in GB by

20th-Fox and M-G-M were subse-

quently denied by the American exec.

While there was no confirmation of

the reported Oster American travel plans yesterday, it was

announced that with Mrs. Oster

already in New York it was "quite

possible" the sailing would

eventuate.

HEAR MARK OSTER

MAY COME FOR CONFAB

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., OF "THE FILM DAILY" (ISSN 12-1501)

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1. That one copy of the newspaper was sold, given or otherwise disposed of to the public for circulation as a newspaper for the week ending on the 5th day of October, 1938.

2. That the owners are: "Film and Film Facts, Inc.", 1350 Broadway, New York, N. Y.; Publisher, Chester B. Bunn, 3100 Broadway, New York, N. Y.; Managing Editor, John W. Allesco, 1501 Broadway, New York, N. Y.; Business Manager, Donald M. Mersereau, 1501 Broadway, New York, N. Y.

3. That the editors are: E. L. Whalen, 1350 Broadway, New York, N. Y.; H. L. Mersereau, 1501 Broadway, New York, N. Y.; J. A. Sussman, 3100 Broadway, New York, N. Y.

4. That the known bondholders, mortgagees and other security holders owning 1% or more of the total amount of bonds, mortgages, or other securities are:

5. 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 stockholder or security holder appears upon the books of any other fiduciary relation, the name of the person or corpora-

tion for whom such trustee is acting, is also, that the said two paragraphs contain knowledge and belief as to the circumstances and con-
ditions under which stockholders and security holders who do not appear upon the books of the company as stockholders and security holders in a capacity other than that of a bona fide owner and this affiant has no rea-

son to believe that any other person, association or corporation, is in any direct or indirect way a stockholder, mortgagee, or other security holder in the company.

6. That the average number of copies of each issue of this publication sold through dealers and other sellers, to paid subscribers during the 12 months preceding the date shown above was 3,000.

D. M. MERSEREAU, President.

Sworn to and subscribed before me this 1st day of October, 1938.

(Seal) Louis Fishman.
**Reviews of the New Films**

*The Lady Vanishes*  
with Margaret Lockwood, Paul Lukas, Michael Redgrave  
G-B  
SUPERN SPY DRAMA IN BEST HITCHCOCK TRACK SETS A NEW STANDARD FOR ITS TYPE.

Again Alfred Hitchcock proves himself master of the technique which makes suspense-building a fine art. In a story filled with all the creepy elements that another Redgrave throws in his form, he polishes it up and serves it with such deft skill that it becomes something amazingly new in screen entertainment and enormously exciting. The story starts somewhere in the Balkans with a mixed crowd aboard an express bound westward and to the best; as the叙述 is introduced to several characters, including Margaret Lockwood as a rich English girl returning to England; Paul Lukas, drama; Michael Redgrave, a young writer gathering data for a book on folk music; Dame May Whitty, as a middle-aged English governess. On board are also a couple of homosexuals, a notable lot in on the fact that there is a menacing danger hovering over the passengers, or least certain members. The English governess who has befriended the young girl mysteriously disappears. All other passengers deny ever having seen her, and the audience is allowed to know why, for private reasons, they profess ignorance, although having nothing to do with the spy ring which is in back of the disappearance. Then events pile up thick and fast, one incident more baffling than another. Redgrave throws in his form, with the girl, convinced that she is not suffering hallucinations as a celebrated foreign brain specialist on board states. Paul Lukas is the specialist, and gradually the audience catches glimpses behind the scene, with the bringing aboard of a patient for the specialist, and largely written in the叙 to the discovery of Redgrave and the girl that the patient has been substituted, and that the missing governess was never on board, but instead of the fake operation. The last reel is a hummer, with thrilling toppling thrill till the audience is sitting breathless. Of course the governess is a British agent, and Redgrave and Miss Lockwood are in at the finish in London of as exciting a spy drama as the screen has ever witnessed. Hitchcock's direction is superb. Margaret Lockwood is charming and competent. Michael Redgrave, a London stage actor, scores impressively, he being a charming personality and splendid performer with a light deft touch. Paul Lukas is his usual competent, always a stylish character. Dame May Whitty fools you to the last.

CAST: Margaret Lockwood, Michael Redgrave, Paul Lukas, Dame May Whitty, Claude Rains, Naughton Wayne, Basil Radford, Mary Clare, Emile Bezem, Googie, William, Sally, Stewart, Philip Leaver, Zelma Van Dus, Catherine Lacey, Josephine Wilson, Charles Oliver, Kathleen Tremaine.

CReditS: Director, Alfred Hitchcock; Associate, Ethel Lena White; Screening, Sidney Gilliat, Frank Launder; Continuity, Alma Rese; Editor, R. E. Dearing; Camera Operator, Henry Wiltsie; Sound Camera Operator, Joseph L. Dowling; Assistant Editors, Robert Downey, Howard Hopper; Lustre, Harry Strickland; Projectionist, John S. Smith; Lightning, Hugo Gassman; Score, Wilfred Joseph; Sound, Walter蜂蜜; Titles, W. C. Richardson.

DIRECTION, Excellent, PHOTOGRAPHY, Fine.

*Men of Ireland*  
J. H. Hoffberg 60 mins.  
SIMPLE, WHOLSEOME DRAMA OF FISHER FOLK ON IRISH COAST HAS REAL CHARM.

The unusual setting of this drama, placed on the Blasket Islands off the coast of Ireland, depicting the simple life of the hardy fisher folk on their bleak island home has an unusual charm and wholesome simplicity. For the Irish neighborhoods it can't miss, but it also should prove a very good attraction for the neighborhood houses catering to the family trade.

The story is idyllic and uninvolved to fit well with the simplicity of the island people. A young medical student visits the island on his holidays, and becomes charmed with the place, and more particularly with a native girl. The latter is practically betrothed to a young fisher lad, and as the two become fast friends, the medical student realizes how hopeless is his love for the girl of his pal. But the medical student is lured back to the island the next year after he graduates from Trinity College, and decides to cast in his lot with these simple fishing people. The two men go out on a fishing trip and the native lad is swept overboard and although the medical student rescues him, he later succumbs. The story is simple but it gets over because of its very simplicity and charm, and the sea action and bleakness of the island and its poor inhabitants and their lives get away from the routine Hollywood production. The islands in a native entertainment with their songs and clog dancing make a pleasant interlude. This film has the same type of charm as "Man of Aran."

CAST: Cecil Ford, Eileen Conlan, Brian O'Sullivan, Gabriel Fallon, Daisy Murphy, Gerald Duffy.

CREDITS: Producers, Irish National Film Corp. Director, John Duffy. Author, same.

DIRECTION, Fair, PHOTOGRAPHY, Good.

*Foreign*  
“Childhood Of Maxim Gorky”  
with Alyoysa Lyazrsk, V. O. Massalitlnova, M. G. Trosyansk, Amkin  
99 Mins.  
DRAMATIC STORY OF GORKY’S LIFE WILL ENGROSS RUSSIAN AUDIENCES.

Powerful account of the subjective influences which were brought to bear on Maxim Gorky in his youth will engross the audiences who are interested in Russian pictures, and particularly people who are interested in the life of the greatest Russian writer. Although the film is somewhat episodic, it achieves a great deal of forceful drama. Alyoysa Lyazrsk as the youthful Gorky is good in the part, V. O. Massalitlnova portrays his grandmother expertly, and the role of the stern and uncompromising grandfather is neatly projected on the screen by M. G. Trosyansk. The minor roles are portrayed expertly by an able cast. The film is a striking picture of Russia in the latter part of the last century, and, an absorbing account of the forces of British financing that time. Lack of fluency in the continuity can be blamed on the script.


CREDITS: Sovietfilm Production; Director, Mark Donskii; Screening, I. Grudzev. Presented by RKO Pictures as part of the Russian film season.

DIRECTION, Good, PHOTOGRAPHY, Good.

*The March of Time*  
(1ssue 2—Vol. 1)  
RKO Radio 19 mins.  
Timeiy and Punchy

The main subject is titled "The British Dilemna," showing the position of England in the German conquest involving Czecho-Slovakia. The events are highlighted with dramatic presentation, showing how England's power has gradually weakened down through the years since the World War. The events lead up to the point where Britain is confronted at war, or acceding to the German demands. The drama centering around Downing Street is finely presented. Altogether a very timely subject handled with dramatic skill and showmanship. The lesser subject does not belong with this reel, for its weakness detracts from the bigness of the main subject. It treats of the fire departments in different American cities, particularly that of the city of Memphis, and shows how the propaganda campaign of Franklin D. Roosevelt, a fire prevention expert, has helped this city out of the list of principal fire hazard cities.

"Youth Marches On"  
Sherman Krellberg 20 mins.  
Refreshing Note

This is the first film presentation of the famous Oxford Group, the spiritual movement that has spread throughout the world among groups of young men and women. The film does not push over propaganda, it sets forth an exposion of the main idea of brotherhood and unselfishness and lending a hand to the other fellow so that all our lives can be made a little brighter and easier. The thin story that follows Slim, a pleasant cowboy from Canada and his pony. He comes to London with a group of young men who visit the Oxford Groups in England and fraternize with them, then spreading the gospel of good fellow ship through the Empire. There is a little action for Slim is a very pleasant and stimulating film, filled with the joy of youth and the sincerity evidenced by all to hold on to another. The film has been produced by members of the group, and is surprisingly good considering it lacks professional photography is of a high order. This film can be shown in any theater and will prove a refreshing interlude. Produced by Eric Parfitt and George Fraser. Directed and photographed by Dick Bird.

"How to Read"  
(Robert Benchley)  
M-G-M 9 mins.  
Real Laugh Special

One of Benchley's best, for he builds it with funny incidents that show his highly specialized style, and you are still laughing at one gag when another is before you for a laugh. Benchley follows his usual technique of addressing the audience in close-up as a lecturer, showing how to read comfortably and to hold your strain. Then he personally demonstrates his different points, and as usual, gets all balled up. He tries reading in bed, in his car, in a crowded subway, and in a dentist's office. Proves again that Benchley is one of the screen's real comedians, with a style all his own.

Ted Fio Rito and his Orchestra  
(Headliner Comedies)  
RKO Radio 19 mins.  
Pretty Silly Reel

Another of those wild nightmares concerning the adventures of an orchestra. Ted Fio Rito and his band get themselves aboard a sea-going boat as they say good-bye to their sponsor, and for some reason they fall asleep and later the captain calls them stowaways, although an entire band with their instruments is seen disembarking aboard a large boat is not explained. From this absurdity the piece goes into others, with some plot concerning a Russian Count in love with a girl and the girl loving the band's guitar player. The climax has the band staging a show and stealing the audience from the regular ship's concert as the Count tries to sing his opera stuff, but the boys have put in his singing water so it can't wrangle. Pretty silly. Produced by Bert Gilroy.
REVIEWS OF NEW FILMS

"Party Fever" (Our Gang Comedy)
M-G-M 10 mins.
Good Topical Stuff
Topical stuff, with the kids campaigning for the mayor for Boys' Week. Alfalfa, Butch and Willy are the candidates, and the winner will have the honor of taking that beauty, little Darlin', to the strawberry festival. Butch goes in for the gangster stuff and bribery, with such lures as marshmallow roasts. Alfalfa is the champion of clean government, and takes an awful licking, for the dark horse, Waldo, noses out both the others.

"Racing Pigeons" (Granfield Rice Sportlight)
Paramount 10 mins.
Novel Race Reel
Very interesting coverage of a race meet with pigeon fanciers. The various steps in the registering, marking and shipping of the pigeons to the start of the race, and the release of hundreds of pigeons at once from separate baskets. On their arrival, the owner must check them with an automatic clock that becomes the official timing. The winning pigeon is shown, and its owner receiving the prized cup. Narrated by Ted Husing.

Community Sing (College Songs)
Columbia 10 mins.
Timely Rah-Rah-Rah
A timely presentation of the songs of the various colleges, with the quartet consisting of Gene Morgan and his Colombians. The songfest covers "Red and Blue" (Pennsylvania); "Come Join the Band" (Stanford); "Far Above Cayuga's Waters" (Cornell); "Washington and Lee Swing," Notre Dame "Victory Song." The finale has a number with the space left blank for the audience to fill in their own favorite college as the words are flashed on the screen.

(Popeye Cartoon)
Paramount 7 mins.
Essentially Routine
Trouble aboard ship as Olive stows herself away on the ocean voyage, and the superstitious sailors start to mutiny. Popeye has his hands full till finally he succeeds in getting rid of the female and all is again calm and peace aboard the crew. Essentially routine cartoon. Produced by Max Fleischer.

"Mexico" (Color Cruise)
Paramount 10 mins.
Old Stuff
Mostly a resume of familiar Mexican scenes. The highlights include the capital, Mexico City; the famous floating gardens; then to the hill country and the Mayan ruins of centuries ago. The film is in Cinicolor, with an explanatory narration.

ST. PETERSBURG INDEPENDENT
(FLORIDA)
that
THE FILM DAILY
Sen-

Another of these "tremendous spectacles" has come to the screen. This one is "The Texans" of which Film Daily says:

—Director James Hagan has come through with one of the most dramatic thrill spectacles to be seen since "The Covered Wagon." It belongs in the same category. His action scenes are powerful, painted on broad canvases with tremendous sweep. He has caught the spirit of the reconstruction days after the Civil war in the South, and his characters are rough hewn and steeped in the spirit of the times. Randolph Scott is the Confederate soldier who returns to Texas at the close of the war, to find the people impoverished and tyrannized by the carpet-baggers and unscrupulous politicians in complete control, who levy ruinous taxes, confiscate lands and cattle, and grow rich on the South's misery. The production is crammed with colorful action, fine characterization by a dozen competent players, thrill and suspense to satisfy the most fid. And there is romance, too, with Joan Bennett, and Randy Scott. Although it seems a pity that Miss Bennett minces through her scenes like a mannequin, and wears her dainty crinoline costumes beautifully starched each day, and never gets her beautiful hair arrangement even mussed. She and her part are the one discordant note in an otherwise highly entertaining and satisfying production. Grand performances are turned in by May Robson as the girl's fire-spitting granny, and Walter Brennan as the old ranch foreman and Indian fighter. In addition there are a dozen bit parts that are beautifully performed and add smashing atmospheric color to a grand historic spectacle.

The Voice of
KING OF FILMS

EASTMAN Super X Panchromatic Negative reigns supreme. . . . Not by virtue of fine grain alone. . . . Not by virtue of speed alone.


EASTMAN SUPER X
PANCHROMATIC NEGATIVE
Mexican Producers Move for Unified Distrib. System

EARLY START FOR TRADE PRACTICE PARLIES

1938 U. S. Admissions Tax Collections at $20,800,779

broadway Area Contributed More Than Quarter of the Total

Washington—Admissions tax receipts for the fiscal year of 1938 totaled $20,800,779, according to preliminary statement issued by the Treasury Department's Bureau of Internal Revenue yesterday. Comparable 1937 figure was $20,594,420.

Of the $20,800,779,40, $6,576,736.96 was collected from the third New York District or Broadway area. In turn, the $6,576,736.96 included $36,648.01 derived from so-called straight admissions levy, imposed at the rate of one cent per each dime.

PINANSKI RE-NAMED BY ALLIED OF MASS.

Boston—For a third year, Samuel Pinanski of M & P Theaters will serve as proxy of Allied Theaters of Massachusetts, Inc. Other officers named include: John H. Devlin, Loew’s Theaters, vice-president; Stanley Sumner, University Theater, Cambridge, secretary; Allen Papen, treasurer.

Canada Sees U. S.-British Trade Pact Signing Near

Ottawa—Following a report from Canadian negotiators in Washington, Prime Minister Mackenzie King has declared here his belief that

World-Wide Unified Distri. System for Mexican Pix Talked by Producers

NEC Public Hearings May Not Start Till December

Washington Bureau of THE FILM DAILY

Washington—National Economic Committee is not expected to start public hearings until early December, it is authoritatively reported here. Previously, Oct. 15 has been mentioned as a possible inaugural date.

Meanwhile, it is understood on

“Go Ahead” Signal Given by Majors’ Counsels for Exh. Meetings This Month—Kuykendall Sees “Decisive Adjustments”

Conferences, out of which will come “decisive adjustments in trade practices,” will be held definitely this month with affiliated and unaffiliated units invited to participate.

This was announced yesterday by Ed Kuykendall, MPTOA president, who stated that the organization’s executive committee had been meeting with various major distributors during the past few weeks.

“...We have the assurance of Sidney R. Kent and William F. Rodgers, who represent the distributors’ committee, that meetings will take place at the earliest possible date,” Kuykendall said.

WB SETS “FLEXIBLE” SALES PLAN IN S. A.

Warners’ sales policy in Argentina, Chili, Uruguay and Paraguay will be “flexible” for the new season’s product, it was stated yesterday by Harry Novak, WB manager for these countries, who is scheduled to sail on Saturday night for

GN BOARD PARALLELS THAT OF EDUCATIONAL

Grand National’s board of directors under the new setup is substantially the same as that of Educational, with the addition of Edward L. Alperson.

The board, aside from Alperson, consists of E. W. Hammons, John Munn, Norman C. Nicholson, Bruno

“Responsibilities Program” Sought of AAAA by Equity

Following announcement by the AAAA this week that any member of any affiliated branch must immediately make application for membership in whatever sister

MPTOA War Dance

Oklahoma City—It may be significant and then again, it may not. At any rate, the MPTOA convention committee has scheduled a Cherokee war dance for the exhibit. conclaves. It’ll be stagved by Chief Da-Da-Da-Ha (Standing Star).
Lew Lehr Featured in 8th Trailer For Quiz Contest

Lew Lehr is featured in Trailer No. 8 for the Movie Quiz contest which will be released during the grestrion season with Lehr portraying a football referee. Trailer is now in...
Our editorial this week is reprinted in its entirety from the INDEPENDENT EXHIBITORS FILM BULLETIN.

Only the quotation marks are ours. Here's the editorial:

"TO METRO'S CREDIT...

"In an industry wracked with seeming endless inter-branch antagonism and battling, it is pleasant to hear the virtual unanimity of exhibitor good will enjoyed by at least one distributor.

"One might suppose that its very position at the pinnacle of the industry would make Metro-Goldwyn-Mayer the most ruthless and arrogant of all film companies. Yet, this company displays greater consideration for its customers than any other.

"During the film selling season hardly a week passes but what at least one irate exhibitor writes or calls us asking how he might go about suing some distributor for selling away a product he has long played. Of course, we point out the right of any company to sell to whom it desires, providing no conspiracy can be proven. But what strikes us is the absence of complaints on this score against Metro.

"This company, it seems, places some value on good will. Many cases are known in which Metro persistently has remained faithful to old customers, regardless of opportunities to get greater revenue from new competitors. The fact that a theatre which has played M-G-M pictures in the past, has exploited its stars and its trade mark apparently enters quite prominently into the considerations of this company's sales executives.

"It is to the everlasting credit of M-G-M that it sets a fine example for other distributors in this respect. What a pity some of them refuse to follow!"

EXTRA! “BOYS TOWN” TERRIFIC!
EXTRA! “TOO HOT TO HANDLE” WOW!
EXTRA! “SWEETHEARTS” PREVIEW HIT!
EXTRA! “STABLEMATES” SURE-FIRE!
EXTRA! “GREAT WALTZ” TRIUMPH!
EXTRA! “THE CITADEL” SENSATIONAL!

We could go on and on, but you get the idea! In fact a few exhibitors who were out to lunch when our salesman called are now frantically signing up. Nobody would want to pass up a single one of the above pictures. Nor the jolly hits ahead. Leo believes in modesty up to a certain point, but honestly you can't blame him for the swelled chest (not swelled head, folks)! Contracts talk! Listen: MORE M-G-M EXHIBITORS NOW THAN EVER BEFORE AT THIS PERIOD!

“Sweetharts of the day”

THE TOPS!
We used to think a barrel of monkeys was fun until we dropped into the big Broadway Capitol and listened to the packed audience enjoying Clark and Myrna in “Too Hot To Handle.” There’s a show for folks of all shapes and sizes! A natural! And naturally it’s a clean-up! “Entertainment you’ll chuckle over for days to come,” said the Daily News, echoing all the critics of Broadway, N. Y., and your Broadway too, Mr. Showman. Holdovers: New York, Philly, Salt Lake, Harrisburg, Indianapolis, Wilmington, Houston, Atlanta, New Orleans and everywhere as we roar to press.

TELEGRAM FOR LEO!

BOX-OFFICE FLASH!
By wire from California to “Box-Office” magazine: “‘Vacation From Love’ rowdy, romantic fare, fast moving entertainment, well up to Leo’s standard.”

Did you get yours?

Ask M-G-M for the broadside (above) also Exhibitors Service Sheet telling the complete story of one of the greatest promotions since the first Manager hired that elephant from his local zoo! "THE GREAT WALTZ" COMPETITION has begun. In 48 states local contestants are waltzing in the hope of getting one of the 87 pretty prizes, topped by the first prize: THREE MONTHS CONTRACT AT M-G-M STUDIOS! 48 State Trophies (above) will be awarded. These winners will compete in 12 Zone Semi-Finals and the winning couple from each Zone (4 lucky waltzers) will be brought to New York for the whirlwind finals.

You don't have to wait for your "Great Waltz" playdate. (By the way, the picture is finished and our trusted scouts tell us it's a honey!) Every M-G-M theatre can enter and its local winner then enters the State contest.

Nice promotion, say our exhibitor friends. Plus "THE GREAT WALTZ" nationwide posting of thousands of 24-sheets in 1200 cities.

What with one thing and another, there's plenty of dancing on Film Rows... With that merry, musical fellow leading the gayety.

They call him THE WALTZING LION
The Quins have never been like this before... each a definite personality...trouping like veterans! A high-speed, big-city story that whirls in and out of New York's Broadway...abrim with exciting action and the romantic rivalry of two newspaper and radio reporters...loaded with entertainment for every age, every type of audience! An attraction with more solid, universal appeal than any you've played in years!
THE WOMEN ARE PLUS!

The Dionne Quintuplets

in their third and best feature picture

'FIVE OF A KIND'

with

JEAN HERSHOLT
CLAIRE TREVOR
CESAR ROMERO
SLIM SUMMERVILLE • HENRY WILCOXON • INEZ COURTNEY
JOHN QUALEN • JANE DARWELL • PAULINE MOORE

Executive Producer Sol M. Wurtzel
Directed by Herbert I. Leeds. Original screen play by Lou Breslow and John Patrick. Song: "All Mixed Up" by Sidney Clare and Samuel Pokros. Scenes of Dionne Quintuplets photographed under the technical supervision of Dr. Allon R. Dater.

Released
OCTOBER 14th
IT'S A DATE!
1938 U. S. ADMISH TAX $20,800,779

(Continued from Page 1)

of the amount paid above the 41-
cent b.o. price.

By collection districts, the straight admissions tax netted:
Alabama, $32,918.40; Arizona, $20,780.43; Arkansas, $44,922.75; First California, $560,044.11; Sixth California, $1,481,733.11; Colorado, $13,095,076; Connecticut, $187,174.28; Delaware, $2,975,30; Florida, $25,768.57; Georgia, $71,480.61; Hawaii, $59,351.44; Idaho, $15,817.78; First Illinois, $1,060,642.72; Eighth Illinois, $28,306.40; Indiana, $294,576.39; Iowa, $56,188.90; Kansas, $49,844.06; Kentucky, $59,497.04; Louisiana, $99,383.23; Maine, $32,651.54; Maryland, $653,998.14; Massachusetts, $1,068,913.55; Michigan, $612,927.58; Minnesota, $185,465.87; Mississippi, $7,822.65; First Missouri, $280,749.66; Sixth Missouri, $94,055; Montana, $18,206.36; Nebraska, $48,173.37; Nevada, $8,312.78; New Hampshire, $59,209.24; First New Jersey, $253,590.97; Fifth New Jersey, $224,072.84; New Mexico, $13,741.68.

First New York, $795,278.78; Second New York, $68,756.21; Third New York, $85,954.81; Fourth New York, $304,467.59; Twentieth New York, $68,823.63; Twenty-eighth New York, $253,058.68; North Carolina, $80,466.72; North Dakota, $3,966.09; First Ohio, $131,816.40; Tenth Ohio, $45,362.42; Eleventh Ohio, $133,697.87; Sixteenth Ohio, $235,708.63; Oklahoma, $88,160.66; Oregon, $39,186.54; First Pennsylvania, $480,290.35; Second Pennsylvania, $303,217.21; Twenty-third Pennsylvania, $330,326.50; Rhode Island, $137,516.19; South Carolina, $26,697.12; South Dakota, $8,560.04; Tennessee, $87,816.27; First Texas, $150,188.77; Second Texas, $351,901.44; Utah, $41,322.04; Vermont, $6,806.51; Virginia, $115,402.82; Washington, $174,961.94; West Virginia, $228,285.45; Wisconsin, $130,988.95; Wyoming, $10,741.37.

Happy Birthday
Best wishes from THE FILM DAILY to the following on their birthday:
OCTOBER 6
Janet Gaynor
Owen Davis, Jr.
Carole Lombard
Alice Kowland

ALONG THE DIAMOND WITH PHIL M. DALY

- - COMBO SHOWS - - as long as we must have dual
hills, why not make 'em Unique, . . . pack a set showmanship in back
of 'em, . . . that seems to be the general idea in back of booking
Frank and Draw together . . . and knocking the customers cold
with this double dose of Horror Show . . . by all reports, Dracula and
Frankenstein reissued as a "Dare You"—"Scare You" entertainment fea-
ture are gouging the cash customers in all parts of the nation.

- - UP AT Andy Shareck's office in Universal, his desk
is piled high with reports coming in on campaigns from
all quarters on the Double Horror Show—the Strand at Youngs-
town, Ohio, has smashed its standing record of several years with it.
. . . the Victory at Salt Lake City was forced to open up a
dark house across the street to take care of the overflow as they
had another print rushed from the exchange . . . at Waterbury,
Conn., a 3,800-seat house, they played to 6,500 the first day.
. . . the Princess at Toledo, Ohio, doubled the average biz over the
past months' figures . . . multiply this by about 10, and you
have the story as we saw it in letters and wires on Andy Shareck's
desk . . . a complete campaign with pressbook, block paper from
one to twenty-four, windows cards, etc., is available . . . for
some reason the public right now seems allergic (wotta word?)
to the Horror Influence . . .

- - OUT IN the high Sierras RKO Radio is staging warfare
of its own . . . with battle scenes for "Gun Gag Dim" . . . picture
rating as the biggest in the history of the company . . . a movie army
of 1,200 fighting men and 300 players and technicians is in
the hills for the spectacular battle scenes . . . a native East Indian
village has been erected, a frontier town, a British army cantonment
complete with barracks, officers' quarters, stables, elephant stalls
and four massive exteriors, including a Hindu temple . . .

- - TO GIVE you an idea of the expansiveness of this company
on location for "Gun Gag Dim" . . . in a single contingent of
the motor caravan headed for the camera firing line were
16 studio cars, 12 trucks, a laboratory trailer and ten 30-passenger
buses . . . in the mountain wilds a tent city houses this army,
and 400 are fed at one time in the commissary . . .

- - UNDER auspices of the National Board of Review
. . . on the air every Thursday eve at 6:15 . . . station WNYC . . .
and the theme program will be "Song Quiz" Songs . . . recorded direct
from the sound track of selected screen lists . . . and it will be up
to the audience to remember in which picture they were first heard . . .

Paul Gillick, Campaign Co-ordinator of Motion Pictures Greatest Year,
will be the guest speaker . . .

- - PREVIEW of "Dark Rapture" . . . the Armand Denis-
Leida Roosevelt adventure film of the Belgian Congo . . . will be
held at the Chanin Theater Auditorium tomorrow night . . .
the film opens for its New York run at the Globe Saturday . . .

EXPECT EARLY START
FOR TRADE PARLIES

(Continued from Page 1)
"This'll Make You Whistle"
with Jack Buchanan, Elsie Randolph, Jean Gillie, David Hutcherson
M Pictures, Inc. 75 Mins. AMUSING MUSICAL COMEDY WITH ALL CAST MAKING ENTERTAINING SCREENFARE.
Adopted from a highly successful musical comedy of a few seasons ago, this English production has entertaining music, an able cast and numerous gag sequences that draw laughs. Leaning to the broad accents of slapstick for comedy has allowed the introduction of scenes that are anachronistic by more standards, but still pack laughs. The cast headed by Jack Buchanan is well cast and well rounded out. Elsie Randolph can sing and dance and Jean Gillie is attractive as the love interest. Marjorie Brooks is amusing as a horsey Englishwoman. David Hutcherson and William Kendall support Buchanan in minor male roles, and Anthony Holles is amusing as a crotchety old front through who takes a new lease on life. Herbert Wilcox gets credit for the production and direction. Buchanan is engaged to Marjorie Brooks, and is wacking his brains for some method to break it off. He believes he has done so and gets engaged to Jean, but the picture is a rapid succession of amusing gags from there on. When Marjorie Brooks realized the truth, she took off for London, where she is married to a wealthy man. Buchanan follows her and gets engaged to Jean again. Buchanan falls in love with Jean, and they are married. Buchanan then returns to his old job, and Jean becomes his wife.
CREDITS: Produced and Directed by Herbert Wilcox; Screenplay, Guy Bolton and Fred Thompson; Cameraman, F. A. Young; Editor, Frederick Wilson and Richard Wetten.
DIRECTION. Good. PHOTOGRAPHY. Good.

"Racket Busters"
with George Brent, Humphrey Bogart, Gloria Dickson, Allen Jenkins
Warner Bros. 71 Mins. FAST-MOVING GANGSTER STORY PACKS PLENTY OF PUNCH AND DRAMA. Packing plenty of action and drama, this new Warner release successfully follows in the footsteps of a long list of gangster and crime stories produced by this studio. The story is timely in its plot, and an able cast and good direction keep the film moving at a fast clip that should entertain any type of audience. Lloyd Bacon directs the picture and Robert Rossen and Leonardo Bercovici get credit for the screenplay. George Brent plays the role of the trucker nearly, and Humphrey Bogart is his usual mushing self as the gangster chief who attempts to take the trucking racket over. Gloria Dickson is attractive as Brent's wife, and Allen Jenkins is amusing as Brent's sidekick and partner. Walter Abel is as the sincere district attorney who has made up his mind to rid the city of the gangster parasites, but is baffled by the intimidation of his potential witnesses. Brent, the owner of several trucks, is asked to join a new union run by the gang boss. He refuses, but finally joins when his wife is threatened. He is branded as a coward by the men he formerly was friendly with. However, when Bogart shoots Jenkins he leads the honest truck drivers in a concerted drive to lick the Bogart gang and they are cleaned up after a fine free for all.
DIRECTION. Produced by Warner Bros.; Director, Lloyd Bacon; Original Screenplay, Robert Rossen and Leonardo Bercovici; Cameraman, Arthur Edeson; Editor, James B. DeWitt.
DIRECTION. Good. PHOTOGRAPHY. Good.

"Fugitives for a Night"
with Frank Albertson, Eleanor Lynn
RKO Radio Pictures 83 Mins. MYSTERY DRAMA BRIGHT- ENED BY A SWELL NEW STORY IDEA. This murder mystery thriller is brightened by a swell new story idea, which might have been developed on its own rather than as an auxiliary. The Hollywood stocking system authentic and fanciful is a fresh theme, and it is treated with a certain tightness and cleverness that is very refreshing. Albertson is stooging for a Hollywood star (Bradley Page) who is on the skids, and the story shows interestingly the varied things a stooge must do to hold his job. It works right into the murder of a producer, and there are several people at the Hollywood party who have cause to dislike the victim intensely, but none of them points strongly to the stooge, as he had just pulled a fake murder stunt for a gag a short while before the real murder, and his gun is missing. So he takes it on the lam with his girl, who is a publicity writer, and they hop a freight so as to give him a chance to work out a scheme to trap the murderer. Under pressure of danger, and the inspiration of the girl, he suddenly makes a sly move, complex, and becomes a fast thinker, and a daring adventurer. The two rejoin the party being held informally by the police inspector at the home of the stooge's boss, and there the real murderer proves to be the boss. The girl, Eleanor Lynn, is a vivacious and refreshing new comere, Frank Albertson does fine.
CREDITS: Produced, Lou Lustey; Director, Leslie Goodwins; Author, Richard Womar; Editor, Desmond Marquette; Cameraman, Frank Redman.
DIRECTION. Good. PHOTOGRAPHY. Good.

Weigh License System for Canadian Itinerants
(Continued from Page 1) This plan is advanced as a solution of the problem arising from overlapping of territories and the squeeze out of established circuit exhibitors in the itinerant field.

"Mother Goose Goes Hollywood"
(Continued from Page 1) Published Satire In this Silly Symphony, Walt Disney steps into a slightly different realm, satirizing the movie folk. We recognize the well-known Mother Goose characters, but they are no longer themselves. They are Katharine Hepburn, Hugh Herbert, Buster Keaton, Laurel and Hardy, and dozens of other stars stretching out the pages of the Mother Goose book. They are easily recognizable, though the foreword insists that "any resemblance to characters living or dead is purely coincidental!" Boopie Katharine Hepburn runs through the pages like a musical theme with the plaint about "She can't find her sheep, really she can't!" It is packed with laughs and clever musical effects, and the best possible complaint is that it is all too "short."
move for unified mex. distrib. plan

(continued from page 1)

agency which would be directly controlled by the board. Hereford, Mexican producers have had to dispose of their product outside of Mexico by selling it out right to independent distributors or by placing it for exploitation in the hands of the distributing agencies in Spanish territories of the major American companies, a practice which they have long felt to be harmful to the financial structure of the native industry.

Grand National's Board Parallels That of Educat'1

(continued from page 1)

Weyersdale and Blair Alpers, who were president of Grand National, is the only former member of the old GN board to be included among the new company's directors. Meanwhile, Hammons, GN president, plans to go to England within the next three weeks for the purpose of setting up a distribution outlet for the company's product. GN's contract with Associated British Cinemas has expired and Hammons will endeavor to negotiate a new contract with that organization or through some other channels.

"Responsibilities Program" Sought of AAAA by Equity

(continued from page 1)

branch they may move to, if such a case occurs, Actors Equity Council decided to ask the AAAA to outline a "program of responsibilities" for any actor who might make such a transition.

It was pointed out that a program must be formulated so that any actor making a transfer will know exactly what his responsibilities to the new organization may be, and if they will have any ties with their former organization. It is expected that the AAAA will formulate such a program and send it back to its branches for ratification.

new NBC tele station

Washington Bureau of THE FILM DAILY

Washington — NBC's Station WBBX has been granted a license to cover a construction permit for a new television broadcast station.

Advice to Hollywood

Washington Bar, THE FILM DAILY

Washington, D.C., Jan 13: A leading editorial advisory the industry to "move with the times" by Production Co. and buy the rights to Robert Sherwood's "Abe Lincoln in Illinois,"生产力 60 years ago it would "loop the box office with half dollars and go down the street with a great picture than "The Birth of a Nation."

Hollywood

Wanger Signs Claire Trevor

CLAIRE TREVOR has been engaged by Walter Wanger to play the feminine lead in his forthcoming production of "Stagecoach," which will be directed by John Ford.

Harlan Steps Up

Richard Harlan, assistant director to Kurt Neumann on the Gladys Swarthout - Lloyd Nolan picture "Ambush," has been appointed to a full directorship at Paramount studio and was relieved of his assignment by Mc Epstein today. He will direct Tito Guizar in "Radio Troubadour," the first of a series of all-Spanish pictures to be produced by Dario Farinelli for whom he directed a number of Spanish pictures several years ago.

Parry in "Dramatic School"

Paul Parry has been signed for a spot in M-G-M's "Dramatic School."

Start Burnus Pix Nov. 7

Paramount filming schedules have been rearranged to permit the new Bob Burns starring production, "I'm From Missouri," to go before the cameras Nov. 7 instead of next January as previously announced.

Canada Sees U. S.-British Trade Pact Signing Near

(continued from page 1)

the U. S. trade agreements with Britain and Canada will be signed by the end of this month. Canada-U. S. pact, he states, is virtually complete, but some further time is needed to settle the British agreement which will probably be announced simultaneously.

Should immediate sanction be required, Canada's Parliament will be called this Autumn, he indicates, and adds that he personally will be near Washington in case effectuation takes place on his current vacation in the Southern States.

Charles F. Bayer Dies

Perryburg, O. — Charles Frederick Bayer, 68, who built the Palace Theater in Perryburg 17 years ago, died after a year's illness. His wife, five sons, and two daughters survive.

Garrison Handles "Sea"

"Sea of Strife," produced by Front Page Productions, will be distributed in New York State by Garrison Films, Inc.

Marshall Brosier Dead

Milwaukee — Marshall Brosier, 48, former vaudeville and burlesque entertainer, died here. He is survived by his sister.

HOLLYWOOD

Joan Crawford Vehicle Set

Joan Crawford will be starred in an original story written by Leon- ard Prakins, Florence Ryerson, and Allen Eden Woolf which will have the "Ice Follies" troupe that recently completed a country-wide tour, providing the background. Harry Rapf will produce and Reinhold Schunzel will direct.

Garnett To Sail Again

Tay Garnett's next expedition in search of data and scenes for screen stories will embrace South America, Africa, and Europe. The director will again sail in his especially equipped yacht, Athene, and will follow the procedure which resulted in the filming of "Trade Winds."

Roach Signs Alice Brady

Alice Brady has been signed by the Hal Roach Studios for a featured role in "It's Spring Again," the new Oliver Hardy-Harry Langdon vehicle.

"Jitterbug Jamboree" for Rep

Republic has set "Jitterbug Jambo- ree" to cash in on crest of current coast-to-coast jitterbug craze. Cast will include most of youngsters on studio's contract list.

Miami Blast at Movie Quiz Results In Suit Threat

(continued from page 1)

latter has been placed in the hands of the New York law firm of Phillips & Nizer.

10,000 Students Invited to Warner House Opening

Pittsburgh — Warners will open their new State Theater in State College on Oct. 14, with ceremonies. This town is practically built around Pennsylvania State College, and its 10,000 students have been invited to attend the new theater the day of the opening.

Carrier Corp. Lists Bonds

Washington Bureau of THE FILM DAILY

Washington—Carrier Corporation has registered $2,500,000 of 6 per cent convertible debentures with the SEC, and an undetermined number of shares for conversion. Proceeds will be used to reduce bank loans and bolster working capital.

Capra Pix's Fast Pace

Reports from the more than 70 cities where "You Can't Take It With You" opened over the weekend show that attendance and b. o. records, Columbia's home office asserted yesterday.

WB Sets "Flexible" Sales Plan in S. A.

(continued from page 1)

Buenos Aires aboard the liner Brit.

He declared that he is returning well fortified with the type of picture material which his organization is preparing to produce because of the popularity of action pictures in South America generally.

Close to 90 per cent of the product of major film companies, and an unusually high representation of pictures from the leading studios, he said, are imported annually into Argentina from the U. S., and that there is an excellent co-operation form the Argentine Government toward American film branches there, and that there are no present or over-due censorship regulations.

Such reports, Novak points out, based on source in a misunderstanding which has prevailed since the spectacular legislation, created several years ago by the then government, which disseminated widely at that time.

Although the laws were enacted limiting commercial operations of foreign distributors in Argentina, they have no present effect in the case of American pix interests because they are held by virtually all reasonable authorities within the country to be unconstitutional, and that the present friendly administration appears to have no intention of trying to enforce the legislation.

Finns Renamed President By Allied of Massachusetts

(continued from page 1)

treasurer, and Joseph H. Brennan, secretary.


"Caposacchi" as Pix? West Coast Bar, THE FILM DAILY

Hollywood — Dr. Richard Hughes' "Caposacchi" was the big picture at Warner Bros. last year and starring Lawrence Tibbett, may be the first opera to be done by the screen. The composer revealed yesterday that he had received bids from both Hollywood and Italy for property. Much of the deals hinges upon Lawrence, whom the composer wants to head the cast.
George J. Schaefer Has Not Resigned UA Post

While there has been some discussion concerning George J. Schaefer's resignation from UA, it is definitely known that the sales chief has not yet resigned.

There are strong reports on the contrary that he may join RKO when that company comes out of receivership. Schaefer's present UA contract continues to March.

At the present time, THE FILM DAILY established yesterday, nothing has transpired either as to his withdrawal from UA or association with RKO.

Hicks Named Managing Director for Para. in Britain

George J. Schaefer has not resigned UA Post

Hicks' appointment follows the

(Continued on Page 5)

ROPOSE CITY MOVE HREATENS MARQUEES

Approximately 25 film theaters on upper Broadway from approximately 65th St. Northward to

(Continued on Page 2)

liberal Fee for Alger RKO Services is Urged

Application for allowances in connection with the RKO reorganization was made to Judge William

(Continued on Page 3)

Loew's at New High

Loew's preferred hit a new high for the year yesterday on the New York Stock Exchange as amusement issues generally moved ahead. Loew's preferred closed at 1075/8, up three-eighths from the previous high. Biggest advance yesterday on the Big Board was made by Paramount first preferred, up 3 points to 95.

Allied Calls Board Session Oct. 17

After Rodgers-Myers-Yamins Meet

East Baton Rouge Parish Bans Pix Money Giveaways

Baton Rouge, La.—Bank Night, and other film money giveaways were banned in East Baton Rouge, parish (county) yesterday as officials swung into a war on general gambling and closed the parish tightly.

Allied's board of directors will be called to meet in New York Oct. 17 for the purpose of considering, and acting upon, a fair trade practice parade which was discussed yesterday by W. F. Rodgers, M-G-M general sales manager, Abram F. Myers, Allied general counsel, and Nathan Yamins, president of Allied. If the board approves the proposal, a

(Continued on Page 5)

Rodgers Wires Bids; Sessions to Start in New York on October 19

Invitations to eight exhibitor organizations, aside from the two national bodies, to send representatives to trade practice conferences in New York were issued yesterday by W. F. Rodgers, M-G-M general sales manager, in behalf of the distributors' negotiating committee.

The heads of each organization were asked to send a committee to

(Continued on Page 4)

LOEW'S WILL OPERATE CRITERION UNDER DEAL

Loew's, Inc., yesterday acquired a 50 per cent partnership interest in Criterion theater from B. S. Moss and will take over operation. No change in policy is contemplated, it was stated.

Commitment runs for 20 years.

(Continued on Page 5)

Grand National's First Release Goes Out Oct. 14

Grand National Pictures, Inc., has scheduled its first feature release for Oct. 14. The release schedule,

(Continued on Page 5)

The Pay-Off!

There was more humor on tap yesterday at the RKO reorg. allowances hearing in Federal Court, Hamilton C. Rickaby, who has frequently been termed in the proceedings "The Affable Counsel for the Atlas Group," was commenting on the merits of one of the claims when he wheeled to the clerk of the court and said "This is off the record." Then addressing Judge Bondy he said: "If you don't pay this claim, they (RKO) will only give it to a movie star!" Bondy said he would consider that "fact."
Liberal Fee for Alger

RKO Services is Urged

(Continued from Page 1)

O. Bondy in Federal Court yesterday by Otto C. Doering, Jr., acting for the trustee and the court, who declared that Special Master George W. Alger has refrained from stipulating the amount of his fee for services, and therefore the court must be the determiner.

Hamilton C. Bixby, counsel for the Atlas Group, proponents of the RKO reorg. plan, asked Judge Bondy that the allowance to Alger be liberal, consensual with the excellent service he had rendered, a request which was seconded by Rich- ard Hunt, representative of equity interests in the action.

The allowances of Price, Waterhouse, accountants, was placed at $3,500, since the court had set this maximum, although the services of this firm were also appraised more highly.

Bondy also received from Doering several affidavits bearing on the current hearings on the plan's fairness and feasibility.

“Movie Week” In Oshkosh

Brings Lively Business

Current “Movie Week” in Oshkosh, Wis., has resulted in lively business in that territory and increased interest in the Movie Quiz contest, H. J. Fitzgerald, chairman of the Wisconsin committee for Motion Pictures’ Greatest Year, and praising the move- ments for their educational and recreational values and their importance in American economic life.

Postpone Fleischer Meeting

Meeting between Max Fleischer, Inc., and a committee representing the United American Artists and Professional Women’s Labor organizations, called for yesterday was postponed, it was learned last night. Sessions have been held in attempt to negotiate a new contract.

FINANCIAL

NEW YORK STOCK MARKET

Net

High Low Close

Am. Shoot
20 3/4 20 3/4

California Bell
25 13/16 25 13/16

Com. Ind. Mfg
15 11/16 15 11/16

Com. Mfg
26 1/4 26 1/4

East. Kodak
180 179 175 1/2

do pfds.
12

Gen. E
15 1/4 15 1/4 15 1/4

Law’s, Inc.
54 1/4 52 1/4 52 1/4

do pfds.
107 13/16 107 13/16

Paramount 1st pfds.
112 13/16 112 13/16

Paramount 2nd pfds.
12 11/16 11 1/2

Paramount Film
10 7/8 10 7/8

RKO
25 23/16 25 23/16

20th Century-Fox
21 3/4 21 3/4 21 3/4

20th Century-Fox Film
10 1/16 10 1/16

Univ. Pict. pfds.
32 1/2 32 1/2 32 1/2

Warner Bros.
10 1/2 10 1/2

 WARNERS’ PICTURES

Bonds

20th Century-Fox
9 15/16 9 15/16

Paramount
9 15/16 9 15/16

NEW YORK BOND MARKET

Keith A-0 pfds.
72 92

Loew 641
101 101 101 101

Param. Pictures
655 655 655 655

Param. Pictures cv. A-0 73 81 81 81

RKO 691
691 691 691 691

Warner’s 693
912 912 912 912

NEW YORK CASH MARKET

Grand National
1 1/4 1 1/4

Monogram Pict.
2 1/2 2 1/2

Somerset Corp.
1 1/4 1 1/4

Technicolor
23 1/2 23 1/2 23 1/2

Trans-Lux
2 1/2 2 1/2 2 1/2

Equipment

If you want to know what to buy and where to buy it, then refer to the Buying Guide Section of the Recognized Standard Reference Book of the Motion Picture Industry.

THE FILM YEAR BOOK

...The Kind They Talk About!

GIRLS ON PROBATION

From Warners... For Another Alcatraz Exploitation Mop-Up!
CALL 10 EXHIB UNITS TO TRADE PARLEYS

(Continued from Page 1)

the parleys, designating any day beginning Oct. 19 as suitable.

Those to whom the notices were sent included Albert A. Gaebler, ITO of Southern California; S. J. Hyman, West Virginia Managers Assn.; Fred J. Dolle, MPTO of Kentucky; A. P. Archer, Theater Owners and Managers of the Rocky Mountain Region; Leo F. Wolcott, Allied Theater Owners, Inc. of Iowa; Harry Brandt, ITO of New York; Guy Matthews, Allied Theaters of Oregon, and William F. Crockett, MPTO of Virginia.

Text of the telegraphed invitation follows:

"Sidney R. Kent, chairman, through the Committee on Trade Practices, extends to your organization a cordial invitation to confer with our committee here for the purpose of attempting to create a method whereby the inter-related differences and disputes can be adjudicated from within the confines of our industry and for the further purpose of endeavoring to establish a better and more thorough understanding between buyer and exhibitor through the establishment of recognized trade practices. We need and require your support, we will gladly confer with such committee as you may appoint on any day that you select commencing Oct. 19, on which date our conferences will commence with the committees representing both MPTO and Allied theaters. We urge your attendance and will appreciate your early acknowledgement, informing us of the names of the committee authorized to represent you at these conferences. Kindest regards."

ALONG THE REALTO

with PHIL M. DALY

• • • THERE is a definite place in this industry for a producing organization that can act as a sort of School of Expression where a producer can step out with that idea that he has been nursing for years but has had no chance to put it into operation...for a director to do the things he knows he can do but has never had the free rein to do them...come to think of it, the history of the industry has been a record of individual achievement of men who had ideas and the opportunity to express them...that spirit of Individual Showmanship has been pushing the business ahead...keeping it vitalized and alive with the surge of free-thinking and free-creation.

• • • THESE ARE not our thoughts...they come from the fund of knowledge...from the hard knocks and give-and-take experiences of a Showman who has been steadily ACHIEVING for the past 23 years...and who today stands before the industry with the biggest thing he has ever had...a real organization that is geared along the policy mentioned above...we refer to Earle W. Hammons, and his Grand National organization.

• • • AND SO this pioneering showman Hammons visualizes a set-up of perhaps a half-dozen independent producers working on their own...making productions according to their own convictions...this guarantees to the exhibitor a diversity of product from one organization...not all from the same mould...and if one slips, the others can carry the load.

• • • TO THE exhibitor...E. W. Hammons stands as a man whose word has always been sufficient...he has never tried to hog anything on a deal...he knows that pictures must be made to sell to the exhibitor, at a price he can meet...made to give both the producer and the showman a fair return.

• • • MAYBE this Spirit of Give-and-Take coming back into the industry in a concrete way...and with the Grand National personnel itself all working together with the feeling that they have a definite stake in the company's future...a new Era of Goodwill will hit the motion picture business...that was our thought as we left the office of Earle Hammons...a man without any bellyache or overstatement in his makeup...a man who has stuck to propositions when most men would have been willing to call it a day and quit...so for 23 years he has at last come through with flying colors...because he believed in the things he was doing, and stuck with them till he put them over...the industry needs men like this...a fighter...who fights cleanly and intelligently for the Showman Principles he believes in...

• • • LUNCHEON for Independence...given by short subjects sales chief, Norman Moray of Warners...who was host at the trade press in the private dining room at the home office...after which the guests viewed a very timely short, "Declaration of Independence" in Technicolor...which highlights the manner in which the historic document was brought into being by the founding fathers of our country...traces the dramatic incidents that culminated in the final decision of the Continental Congress to charge Thomas Jefferson with the preparation of the document...and the ride of the delegate from Delaware to Philadelphia to cast the deciding vote...here is 18 minutes of timely patriotic fervor served with a fillip of fine artistry in direction and acting..."


**ALLIED ACTS OCT. 17 ON TRADE TALK PLANS**

(Continued from Page 1)

The committee will be named to carry on negotiations.

In a statement issued by Myers to reporters in New York, it was said that Al- lied was willing "to explore any encilia movements looking to improvement of industry conditions and to join with them if there is any possibility that they may be pro-

**Cartoon Series Boosts Interest in Movie Quiz**

Series of 14 cartoons, by prominent artists, has been prepared at headquarters of Motion Pictures' Greatest Year and is being sent to publicity heads of promotional companies. The features are in large cities for present and prospective publishers of daily and weekly newspapers throughout the country. Cartoons convey the message of the campaign humorously, and are free of the Quirks which bedevil the country. Typical of the series is the one representing a woman returning home from the movies, with a quiz booklet in her hand, and a blissful look on her face. Tilt in joke element: "A quarter of a million in prizes, and all you can remember is that Yvonne Power is in it."

**Loew Stockholders Suit**

Loew’s vice-president and general counsel, gave his final testimony yesterday, and Isidor F. Levy, assistant secretary, will appear for exam-

**Agnew Lists Winners in “Para, on Parade” Contest**

(Continued from Page 1)

igious contest. The following were the winners:

Class A (more than 250,000 popula-

**Lomba Departs for South America Till ’39**

Scheduled trip of E. F. Lomba, assistant director of foreign distri-

**HICKS HEADS PAPA. PRODUCTION IN ENG.**

(Continued from Page 1)

is expected to reach its announced $3,415,000 sales quota.

**monogram Sales Up 43%**

(Continued from Page 1)

with negative cost to breed by in-

**Grand National’s First Release Goes Out Oct. 14**

(Continued from Page 1)

as tentatively arranged for an- nouncement to the New York film- meeting this week-end, calls for a feature picture each week there-

"Shadows Over Shanghai," a Fine Arts production, goes out first. Fro-

**Resignation of W. Ray Johnston Discloses**

(Continued from Page 1)

Hicks has been with Paramount since 1919 when he became branch manager in Minneapolis.

**Monogram Sales Up 43%**

W. Ray Johnston Discloses

(Continued from Page 1)

...
**THEATERS**
- SEATING
- AIR CONDITIONING
- LIGHTING

**M-G-M Air-Cooled**

Detroit—First air-conditioned film exchange in Detroit went into operation when M-G-M completed a new installation. Twenty-ten capacity Westinghouse Freon compressor was installed by Mechanical Heat and Cold, Inc., similar to the jobs the same firm has been installing in the Adams and Westown Theaters. Two-zone system is being used. Vaults and inspection rooms are included.

**Quincy Theater to Have Curved Ceiling and Walls**

Quincy, Ill. — J. M. Ennis will build a 500-seat film theater at 5th and State Sts., making the first house in that part of the city. George Bohrenzmeier is architect. Black terra cotta and glass brick will be used on the front. Ceiling and walls will be covered with heavily steel framed and padded seats will be installed. A special designed projection booth will be another unique feature of the house, which will be ready by December.

**New Sonitone Folders**

Communication Division of Sonitone Corp. has just issued three new folders announcing the latest systems being manufactured by the company for inter-office communication. Systems of various sizes and extent, for use in film theaters, studios, and general executive office set-ups are illustrated, and their mechanics and advantages discussed.

**Alguna Names Antonville**

Chicago — S. A. Antonville has been named sales promotion manager of the Alguna Wood & Veneer Co., succeeding J. R. Fitzpatrick. The company is making a drive for the use of Carstenite by the theater owners.

**Schoeder Takes Over NSC**

Detroit—National Sound Co. has taken over by Raymond Schoeder, who has been connected with the company for some time. Headquarters will remain at 14018 Woodward Ave., Highland Park.

**Mogull's Bargaingrams**

Sent 125,000 Customers

What is characterized by Julius Klauser, Jr., advertising manager of Mogull Bros., Inc., as the largest circularization of a mailing piece that has ever taken place in the amateur and professional photographic and cinema industry has been completed this month with 125,000 copies of the company's Bargaingram going to the public.

**Modernized by Midwest**

Chicago — The Midwest Theater Supply Co. reports the completion of a complete modernization program for Harry Lorch's East Side theater, which includes stainless steel and porcelain box-office, Mohawk carpets, new directors' offices and a new type of sheet rubber floor covering.

**Forms Super Neon Co.**

Detroit—Super Neon Co. has been formed by Joseph J. Habib to engage in installation and servicing of Neon equipment. Habib plans to expand his business in theater installations. Headquarters are at 1170 St. Louis St.

**Lennartz Joins Stanley**

Chicago—Bill Lennartz, chief engineer formerly with the U.S. Air Conditioning Corp., has joined the Stanley Theater Supply Co., which has the Illinois and Indiana agency.

**B-K Houses Get New Sound**

Chicago—RCA has installed latest sound equipment in the Chicago, the Granada and Harding houses of the B & K circuit. Eddie Klein was in charge of the installation.

**Charles Ross, Inc.**

Formerly Motion Picture Lighting and Equipment Corp.

We Furnish
Electrical Lighting and Lighting Equipment of Any Kind

244-250 West 49th Street
New York City
Tel. Circle 6-5470-1

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**THE ARCH**

For the Ex

**Equipment**

**REPORTS** from many sections of the country indicate that circuits and independent exhibitors are recognizing the feasibility of better national conditions and contributing favorable facilities to effectuating long-needed improvements in their theaters. In numerous instances, exhibitors will be expanding their holdings via either the existing houses or by constructing new units.

On the premise that a new house is to be built, or an existing theater is to be modernized, what some of the vital considerations the showman to bear in mind? These considerations have been in the theater architectural question was directed this week by John Eberson, planner and designer of many of the important houses in various exhibition territories.

Eberson, in discussing the problem, declares that it is important to have a splashy metal front as it is to have a practical one, both from the standpoint of arrangement and the proportions. There should be visions for advertising material pressed in simple readability fitting into a color scheme while outstanding during the day and as well as at night. At the same time it can be punched-up properly via effective, economical lighting.

It further is not so important that Eberson states, to have an elaborate auditorium executed in quintessence of architectural knowledge. However, it is important that the auditorium designed to treat with greatest eyesight and oral comfort.

It is not so important, either, to set aside space for multiple working rooms and lounges, but it's...
**Village Plans House**

Manitow, Wis.—Electors have voted to bond the village for the construction of a 520,000 municipal building to include a 250-seat theater.

**Chicago Sound Systems Invading Oregon Field**

Portland, Ore.—Expansion of the Chicago Sound Systems into the Oregon territory is announced by D. A. Deverell and C. E. Vogelsang, who have taken quarters at 410 SW 9th Avenue. Portland is the first branch to be opened west of Chicago.

**RCA Managers Switched**

Detroit—H. T. Stockholm, formerly district manager for the Detroit territory of RCA, has been transferred to the Cleveland offices. A. G. Kemp, of the Cleveland offices, has been transferred to Detroit, and with S. J. Combs will have charge of the Detroit offices of the company. Photophone work in the territory will be in charge of J. A. Coleman and R. J. Sederstrom.

**3 Detroit Installations by American Refrigeration**

Detroit—Installations were recently completed of air conditioning systems in three of the leading nabe theaters of the city, by the American Refrigeration Co.

A Freon expansion cooling system was installed in the Alger Theater, with two Worthington compressors having a combined capacity of about 75 tons refrigeration. The same type system was installed in the Dexter Theater, of the Sam Brown Circuit. A 55-ton Freon expansion cooling system, using the same type compressor, was installed, augmenting the original 16 tons machine.

At the Norwest, West Side house of United Detroit Theaters, a Freon expansion cooling system was installed with two 50-ton compressors.

**First Theater for Kenmore**

Boston—The Kenmore district will soon have its first pix house. The Morse & Rothenberg Circuit has obtained a permit and plans have already been drawn for a Kenmore Theater on Beacon St. The building at basement is known as Kenmore Gardens and is used as a roller skating rink. Plans call for a seating capacity of 600.

**New Developing Machinery**

Detroit—New automatic developing machinery and air conditioning equipment in Detroit Film Laboratories has been installed by Engineering Specialties Co. The plant has a capacity of 100,000 feet of film a day on three shifts.

**Garver To Build Fourth**

Terre Haute, Ind.—Ross Garver, operator of the Orpheum, Virginia and Swan Theater's here, is contemplating a fourth house with seating capacity of 600 seats.

**Wilby-Kincey Plan House**


**SPECIAL BANNERS**

**For MOVIE QUIZ, GREATEST SHOW SEASON now ready. Lowest prices—newest designs.**

Ask for free catalogue.

LIBERMAN FLAG & VALANCE CO. 247 W. 46th St. New York City

**STUDIOS**

- Furnishings
- Supplies

**DURAWOOD FOR USE IN HOUSE INTERIORS**

Durawood, an entirely new material applicable to film theater interiors, has been developed recently by Westinghouse Electric & Manufacturing Co. and is ready for marketing, according to an announcement by that organization's East Pittsburgh headquarters.

Available in popular wood designs—mahogany, oak, walnut and pine—the material combines Micarta and natural woods, and is tough, long-wearing and possesses the durability and hardness of Micarta and the varied beauty of genuine wood. It is not an imitation, but the natural wood itself is impregnated and treated so that its glass-like surface is impervious to liquids of all kinds, yet it will not chip, break or crack. Non-warping, it comes in sheets 48 inches by 96 inches and can cut with any ordinary carpenter's saw to any desired specification.

"STRAIGHT, PLACE AND SHOW"

Specify Alexander Smith Carpet and you'll be sure to have picked a winner. Repeated tests have proved the amazing endurance of this good looking, friendly-to-the-budget theatre carpet. Which is why you find it in most of the country's successful theatres.

ALEXANDER SMITH CARPET
THEATER CHANGES
Theater Closings—Openings—New Houses—Renovations—Ownership Changes
A Nation-wide Survey of Theater Conditions
Conducted Exclusively for THE FILM DAILY
by
ROSS FEDERAL SERVICE, INC.

Theater Closings

IOWA
Storm Lake—Empire (9-27-38), Owner: George R. Norman; Moving to new theater.

KENTUCKY
Fullerton—Metro (7-15-38), Owner: J. E. Hanna; Attached by property owner.

OHIO
Mansfield—Ritz (9-24-38), Owner: Sol Bernstein; Diamantied.

Theater Openings

TEXAS
Brenham—Simon (9-18-38), Owner: W. A. Stuckert; House Manager: W. A. Stuckert.

New Theater Openings

IOWA
Storm Lake—Vista, 600 seats (9-30-38), Builder: George R. Norman; Cost: $40,000; House Manager: George R. Norman.

KENTUCKY
Praise—Elkhorn, 306 seats (9-15-38), Elkhorn City; Cost: $10,000 to $15,000; House Manager: A. D. Jackson.

MONTANA

NEW YORK
Greeley—Idle Hour, transferred to Ray Warner; House Manager: Ray Warner.

NEBRASKA
Hebron—Majestic, transferred to A. H. Record by Oscar Hansen; House Manager: A. H. Record.

NEW JERSEY
Lakewood—Strand, transferred to Dr. Brown by Brill Circuit; House Manager: Barney Ferber.

NEW YORK
Narrowsburg—State (formerly Community), transferred to Harden Theaters by Narrowsburg Fire Department.

OHIO
Oxford—Miami Western (9-23-38), Main St.; House Manager: John Otis.

OREGON
Portland—Prosper, 496 seats (8-25-38), 23rd and Kernary; Builder: C. W. White; Architect: D. W. Hillborn; Cost: $15,000; Operator: Howard B. Lloyd.

Pennsylvania
Berwick—Strand, transferred to Comerford Interests by Harry Amusements, Inc.; House Manager: Harry Chambers.

West Virginia
Charleston—Lyric, transferred to Freeman & Newbolt.

Theaters Under Construction

GEORGIA
Mason—New, 750 seats, Third St.; Builder: Fred G. Weiss; Architect: Dunwoody; To be completed about 10-15-38.

OHIO
Mansfield—New Ritze, 1,000 seats, N. Main St.; Builder: Rex Zeidler; Architect: Silbert Smith; Cost: $65,000; Operator: Sol Bernstein; To be completed 10-18-38.

Wisconsin
Wisconsin Rapids—Wisconsin, 825 seats; 233 West Grand; Builder: Greenberg Construction Co.; Architect: Haugen & Henderson; Cost: $100,000; Operator: Eckards; To be completed 11-27-38.

Renovations Planned

OHIO
Defiance—Valentine; Work Planned: Installation of new strong high intensity projectors; Owner: Malters Bros.; To be completed as soon as possible.

Defiance—Strand; Work Planned: Installation of latest type RCA Magic Voice Sound equipment; To be completed as soon as possible.

Utah
Price—Utah (formerly Lyric); Work Planned: New marquee, ventilating system, etc.; Owner: Nick Salavaunikis.

Two Mono, Pix on Bill

Detroit—Monograph booked both units of the bill opening today at the first-run Adams Theater—world premiere of the first of the new Karloff series, “Mr. Wong the Detective,” and return engagement of the first Mickey Rooney starring film, “Ioolien Schoolboy.”

Miller Moves to Buffalo

Syracuse—Joe Miller, Columbia’s Buffalo branch manager, has moved his family to Buffalo.

Theaters Planned

Georgia
Augusta—Cherokee; Dean Bridge; Builder: Zecheny; Operator: Zocheny & Whittle.

Iowa
Osage—New, 650 seats; Osage; Builder: Ed Mason; Operator: Ed Mason.

North Carolina
Kannapolis—New, 700 seats, near Midway; Builder: Cannon Mills; Cost: $75,000; Operator: Cannon Mills.

Change in Ownership

Idaho
Priest River—Roxy (formerly Rex), transferred to M. W. Bennett by J. B. Gardner; House Manager: Bennett.

Iowa
Iowa City—Pastime, transferred to Ray Lumsdon by Albert C. Dunkel; House Manager: Ray Lumsdon.

Maryland
Easton—Avalon, transferred to Schine Circuit by Federalsburg Amusement Co.; House Manager: Roger Christopher.


Michigan
Morenci—Rex, transferred to D. L. McLean by G. W. Miller; House Manager: D. L. McLean.

Nebraska
Laurel—Laurel, transferred to G. W. Miller by George Sulz; House Manager: Miller.

Ohio
Harrison—Mystic, transferred to John Vlachos; House Manager: Vlachos.

Movie Week in Pittsburgh

Pittsburgh—This city, starting today, will observe “Motion Picture Week.” Movement was sponsored by Harry Kalman, head of the Warner theaters in this district; John H. Harris, head of the Harris Amusement Co., and Charles Kurtzman, manager of Loew’s Penn Theater, and was endorsed by Mayor Cornelius D. Scully.

Ascap Crew Investigating Ascap Music Used in La.

New Orleans—An Ascap investigating crew of five, headed by R. J. Powers, will shortly start surveying Louisiana to check the amount of music composed by Ascap members that is used in the state and to standardize the rates. The investigators are just completing such a survey in Mississippi.
Spitz and Rodgers Will be MPTOA Convention Speakers

Schaefer Resigns; May Be RKO Prexy

TOA Accepts Trade Reform Parley Bid, Pledges Co-op

Opulent That Constructive Measures Will Result, Declares Brandt

TOA co-operation in the pending practice parleys in New York is being pledged over the week-end when Jerry Brandt, president, stated that the organization "welcomed the opportunity to prove that the motion picture industry can regulate itself. We are hopeful," Brandt said, that the conferences will result in constructive measures so that the necessity for it, will be eliminated.

Eight regional exhibitor associations.

(Continued on Page 13)

Rich, Reported Cool To Divorce Statute

Detroit—While state legislation is expected to occupy a prominent place in the program of Allied Theaters Michigan convention, opening at the Morton Hotel, Grand Rapids, tomorrow, it is reported here that there is little support for a theater measure.

Among subjects slated for consideration are.

Rodgers at New Orleans for Managerial Meeting

New Orleans—Heads by William Rodgers, general sales manager, M-G-M, held a southern-southwestern manager and exploitation men's meeting here Saturday and yesterday. With Rodgers were Tom Conomy, Ross Federal Promotes Brown, Anderson, Lund

(Continued on Page 6)

U.S. Film Interests Mark Time in Italian Dispute

Failure of expected definite developments to emerge last week in the matter of the U.S. film position in Italy, was described over the weekend as "purposeful" on the part of the representative of American interests entrusted with the task of gaining

(Continued on Page 6)

THE WEEK IN REVIEW

Trade Reform Parleys Set

By George H. Morris

DOMESTIC

Long awaited conferences, out of which are expected to come decisive adjustments in film trade practices, will get under way in New York this month, it was declared at mid-week by Ed Kuykendall, MPTOA prexy, who revealed that preliminaries had been held recently between organization's executive committee and various major distributors. On Thursday, confirmation of the Kuykendall announcement bobbed up in the dispatch of invitations to eight exhibitors by W. F. Rogers, M-G-M sales manager, representing distributors' negotiating committee. ALFRED's board will be called to meet in New York Oct. 17 to consider.

Local 702-D Art Reach Agreement: Picketing Stops

Settlement of the lengthy strike at Du Art Laboratory by Local 702, lab, workers union, was effected last Friday, when Richard Walsh, IATSE vice-president, acting as arbitrator,

(Continued on Page 12)

GN's Eastern Sales Reps. Confer on Sales Policies

Grand National's Eastern sales representatives met at the Hotel St. Moritz over the week-end for conferences on selling plans and policies. Delegates were addressed by E. W.

(Continued on Page 9)

RKO Prexy, Metro's Sales Head Will Speak at MPTOA Okla. City Meet

Leo Spitz, president of RKO, and W. F. Rodgers, M-G-M general sales manager, will be two of the principal speakers at the MPTOA convention in Oklahoma City, Ed Kuykendall, president, stated before leaving New York over the weekend. Spitz and Rodgers, both members of the Distributor Committee on Trade Practices, are among the first to accept invitations. Others

(Continued on Page 6)

No Brit. Finances Sought In GN Deal

Reported deal whereby British money would be put into the new Grand National setup is apparently cold. The company is being financed entirely by American money and none is being sought from abroad, it was learned over the week-end. It was also said that the reorganized company has all the money it needs.

E. W. Hammans, president, and

(Continued on Page 10)

Washington Bureau of the Film Daily

Washington—It is the present intention of the Department of Justice to press the New York equity suit for trial in early December, it was reported over the week-end. It is anticipated that the greater part of November will be consumed with advance-trial legal maneuver-
TWO-A-DAY RUN

Marie Antoinette (Metro-Goldwyn-Mayo) 8th week

FOREIGN LANGUAGE FEATURES

The Edge of the World (Para Films) — 5th week

TWO FUTURE OPENINGS

E TAOIUSI RAOI TAOI SHOU TAOI UCUC
The Last Express (Universal Pictures) — Oct. 11
The Long Lost Laugh (Laemmle) — Oct. 11
Rothschild (Regal Distributors) — Oct. 11
Stabismes (Metro-Goldwyn-Mayer) — Oct. 11
Three Cows My Heart (Universal-Anglo-American) — Oct. 11
Touchdown Army (Paramount Pictures) — Oct. 13
Cathouse (RK0 Radio Pictures) — Oct. 13
The Affairs of Amabel (RK0 Radio Pictures) — Oct. 13
Surv. 20th Century-Fox — Oct. 14
The Sisters (Warner Bros. Pictures) — Oct. 14
Rose of Tralee — Oct. 21

FINANCIAL

(QUOTATIONS AS OF FRIDAY)

NEW YORK STOCK MARKET

Am. Soc. 102 102 102 102
Columbia Picts. vtc. 15 15 15 15
Columbia Picts. pfd. 91 91 91 91
Cen. Fm. Ind. pfd. 85 85 85 85
East. Kings. 139 139 139 139
do pfd. 171 171 171 171
Gen. Th. Eq. 81 81 81 81
Loew's, Inc. 94 94 94 94
do pfd. 364 364 364 364
Paramount 1st pfd. 951 95 95
Paramount 2nd pfd. 127 127 127 127
Pathé Film 104 104 104 104
RK0 Radio Pictures 87 87 87 87
20th Century-Fox 261 261 261 261
20th Century-Fox 261 261 261 261
Univ. Pict. 43 43 43 43
Warner Bros. 45 45 45 45
Warner Bros. pfd. 365 365 365 365
NEW YORK BOND MARKET

Keith A-O 64/6 64/6 64/6 64/6
Loew's, Inc. 102 102 102 102
Para. B'way 525 525 525 525
Para. Picts. 96 96 96 96
Para. Picts. cv. 83 83 83 83
RK0 Radio Pictures 64/6 64/6 64/6 64/6
Warner Bros. 69/6 69/6 69/6 69/6
Warner Bros. pfd. 375 375 375 375
NEW YORK CURB MARKET

Grand National 7 7 7 7
Monogram Ficts. 1 1 1 1
Sancho Pansa Corp. 1 1 1 1
Technicolor 22 22 22 22
Textserv. 64 64 64 64
Universal Picts.

N. Y. OVER-THE-COUNTER STOCK MARKET

Pathé Film 7 pfd. Bid Asked 98 101
Fox Thea. Bldg. 64/6 64/6 64/6 64/6
Loew's Thea. Bldg. 64/6 64/6 64/6 64/6
Metro. Pict. 2nd pfd. 13 13 13 13
MGM Thea. Bldg. 64/6 64/6 64/6 64/6
Rex Thea. Bldg. 64/6 64/6 64/6 64/6

SAFETY LLOYDS

FILM STORAGE CORP.

Storage by Reel or Unit.
729 Second Ave.
New York City
Bivens 5-5600

SECURITY

The Broadway Parade

WB, Vitagraph and Exhibs.
Win Atlanta Libel Case

Sammy Shain Named Editor of Motion Picture Daily

New Harman-Ising Pact With Metro Runs 7 Yrs

COMING AND GOING

JAMES A. FITZPATRICK and his wife sail over the weekend on the cruiser Lines' Timor for a Caribbean cruise.

GEORGE W. WEEKES, Monogram's new sales manager, is in Detroit to attend Variety Club's luncheon dedicated to film pictures.

JOSEPH F. TATEMLIN, has arrived from the coast over the weekend for a two-week vacation.

BOB TAPLINER, Warner studio publicist, has arrived from the Coast via United Airlines for some office conferences.

MADONNA ROSENTHAL flew back to Hollywood Saturday after a week in New York.

ARTHUR GREENSTREET, Eastern division manager for Gaumont British, is touring English Exchange, returning Thursday.

FRED MCCONNELL, president of Record Pictures, left over the weekend for a sales trip through the Middle West.

DONALD DICKSON has gone to the Coast to make tests for a role in Warners’ ‘Dinner at Eight’.

CARL LESERMAN, Warners’ assistant sales chief, has returned to New York after a week at the studios.

ROBERT ARMSTRONG has returned to Hollywood from a two-weeks’ vacation in Mexico where CRETA CARRA arrived in New York from Europe Saturday on the Koningshoek.

BING CROSBY, his wife, the former DIANNE LEE, his son, CARY, and Mrs. LARS CROSBY, his brother and sister-in-law, arrive in New York over the weekend from European vacation, and are stopping at the Waverly after leaving the West Coast.

FAY ROTHMAN, secretary to Louis WEINBERG, Columbia’s circuit sales head, leaves Saturday for a vacation to Havana and Nassau.

FRED WeINBERG and his wife, FLORENCE LELDRIDGE, will spend a month in Bermuda as soon as he completes his role in WALTZ and will return to Los Angeles.

WALLACE FORD has arrived from the Coast to start work today at the Astoria studios in a ‘Picket Fence.’

16,961 titles of Feature Productions released since 1915 are listed in the 1938 edition of the Industry’s Standard Reference Book of Motion Pictures—

THE FILM YEAR BOOK

1501 Broadway
New York City

The 1939 edition now in preparation.
You took the words right out of our heart

"The Arkansas Traveler"
(Paramount)

HOLLYWOOD, Oct. 4.—This picture makes a star of Bob Burns, actual-ly as well as officially, and perhaps the best single way to exploit it is by forthright declaration of that fact. Mr. Burns plays no hozooka in this film, and commits no slanders upon his Arkansas kinfolk. On the contrary, he proves there is no truth in the theory that the passing of an artist leaves an unrefillable vacuum, for he and Fay Bainter here achieve, without in any sense copying or borrowing, exactly the type of entertainment achieved by the late Will Rogers and Irene Rich 'way back in the "Jes' Call Me Jim" era. It is pretty generally agreed that that was, and is, just about the most thoroughly satisfactory type of entertainment ever contrived for the mass public.

Mr. Burns is about due for some recognition. It was inevitable that he should have been charged with "stealing Rogers' stuff." It is about time for showmen to call public attention to the fact that this was an unfair phrasing of an extraordinary if not unprecedented circumstance. There is important truth and considerable box-office in the Burns record, for, far from "stealing Rogers' stuff," this earnest performer has succeeded, by completely honorable and consistently respectful methods, in carrying forward, into pictures and into radio, the wholesome essentials of the Rogers talent.

In this screenplay by Viola Brothers Shore and George Sessions Perry, from Jack Cunningham's story based on Producer George M. Arthur's original idea, Mr. Burns plays a hobo who stops off in a small mid-American town long enough to save Fay Bainter's newspaper from the local capitalist-politician, Lyle Talbot, by means which make an interesting chronicle of it. He also arranges things romantically for John Beal and Jean Parker, with the aid of the local constable, Irvin S. Cobb. The story is not tremendous, spectacular or earth-shaking, but it's solid, down-to-earth entertainment from start to finish.

A secondary exploitation angle is the expressed and widely publicized approval given the film by William Allen White of Emporia, Kan., to whom it is dedicated.

Running time, 85 minutes. "G."

Roscoe Williams
THROW AWAY
FORGET ALL YOU EVER
BECAUSE

IS PAYING

Smart showmen all over the

WARNERS! PARAMOUNT! RKO.

DRACULA

starring
BELA LUGOSI

you play them together!

AND THEN THE CROWDS
HE BOOKS!

NEW ABOUT SHOWMANSHIP!

HORROR/ OFF AGAIN!

Country are cashing in on it!

LOEWS! FOX WEST COAST!

FRANKENSTEIN starring KARLOFF

you dare them to see it!

BREAK DOWN YOUR DOORS!
EQUITY SUIT TRIAL IN DEC., U. S. PLAN?

(Continued from Page 1)

ings or prospective further industry legal conferences with the Department looking to the possibility of laying framework for a consent decree.

No further extensions for answers will be granted past the Nov. 1 deadline, it is authoritatively learned.

One report here is that Senior Judge Knox in New York has already been approached with a view to giving a hearing to the case in the near future.

However, a Justice Department contact emphasized that the final decision as to the Department's strategy will be governed by the pleadings in the industry's answers to the suit.

Ross Federal Promotes Brown, Anderson, Lund

(Continued from Page 1)

Brown, of Chicago; W. O. Anderson, of Atlanta, and Harold E. Lund, of Pittsburgh.

Brown will have under his supervision RF branch offices at Chicago, Minneapolis, Milwaukee, Indianapolis, Des Moines, Omaha, Kansas City and St. Louis. Anderson will supervise branches at Atlanta, Charlotte, Memphis, New Orleans, Oklahoma City and Dallas. Lund's supervisory territory will embrace the Ross branches at Buffalo Detroit, Cleveland, Cincinnati and Pittsburgh.

Omaha — Norman Brennan, Ross Federal manager at Buffalo, N. Y., has been transferred here replacing Horace Free, to the Buffalo office.

Virginia Morris Named

Personnel change effectuated over the week-end by United Artists, places Virginia Morris in charge of advertising under Lynn Farol, director of advertising and publicity. She succeeds Paul Radin, who has joined the staff of Buchanam & Co., Inc.

FRIDAY, OCTOBER 10

@ Happy Birthday @

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

OCTOBER 10

Helen Hayes
Harry Richman

SPITZ, RODGERS TO BE MPTOA MEET SPEAKERS

(Continued from Page 1)

who will be present will be announced shortly.

Kuykendall returned to his office in Columbus, Miss., and will then go to Oklahoma City for completion of convention details. He will be back in New York Oct. 17 for the trade practice conferences.

Rodgers at New Orleans for Managerial Meeting

(Continued from Page 1)

ners, Eastern, Southern and Canadian sales managers; Billy Ferguson, exploitation head; Charles Keseneich, Southern district manager; Bill Coleman, in charge of publicity for the south, and the following exchange managers: Roy Avey, Atlanta; Bert Zalner, Oklahoma City; LeRoy Bickel, Dallas; Frank Weil- ingham, Memphis; Jimmie Mee, New Orleans. Expositors attending were: Tod Ferguson, Memphis; Jimmie Thomas, Atlanta; Bill Durbin, New Orleans. The group attended the victory dinner given by Brant and the New Orleans staff to celebrate the billing prize money they won.

Chi. Hearst Paper Offers $2,500 Added Quiz Prizes

Through a tie-up with the Chicago Herald and Examiner, Movie Quiz fans in the Windy City will receive 65 additional prizes totaling $2,500.

These prizes will be awarded to readers of the Hearst newspaper who rank highest in the list of the national Movie Quiz prize winners. No additional requirements are demanded of entries other than participation in the national Movie Quiz. The contest need only prove that he is a regular reader of the Herald and Examiner by clipping 24 different numbered coupons from the daily paper.

First prize will be $1,000 to the top ranking entry in the Movie Quiz, second prize $500; third prize $250; and fourth prize $100. There will be two prizes of $75 each, the prizes of $50 each, four of $25 each, ten of $10 each and 30 of $5 each.

8 "U's" on Broadway

Deanna Durbin’s "That Certain Age," opening at the Roxy on Oct. 28, will make it right for Universal on Broadway this month. "Dark Rapture" opened September at the Globe; while previously "The Road To Reno" was seen. "Dracula" and "Frankenstein" hit the Rialto Oct. 14, following "Personal Secretary." "You Take A Fling" is set for the Rialto Oct. 15, with "Service De Luxe" to follow.
PLAYGIRL SOCIALITE DABBLES IN MURDER...AND FINDS ROMANCE!

The Mad Miss Manton Throws Another Fit
The Daffy Group Again Involves Senseless Escapade
A million-dollar playgirl turns amateur detective . . . and digs up the murder of the year! . . . What mystery! . . . What excitement! . . . What fun . . . as your heart races to this super-speedy romance of a daring debutante and a handsome, heckling newshound! . . . . . . . It's the kind of a picture that rates

TOP ADVERTISING, because it's
TOP ENTERTAINMENT and
TOP BOX-OFFICE!

Barbara Stanwyck

Henry Fonda

With
Sam Levene
Frances Mercer
Stanley Ridges
Whitney Bourne

Pandro S. Berman in Charge of Production
Directed by Leigh Jason
Produced by P. J. Wolfson
Screen Play by Philip G. Epstein

RKO Radio Pictures

The Mad Miss Manton
**O BRIT. FINANCES SOUGHT IN GD DEAL**

(Continued from Page 1)

Sir Kenneth Baringstoun, foreign manager of the Wednesday on the Normandie line, sailed for England on details concerning distribution.

**N's Eastern Sales Reps. Confer on Sales Policies**

(Continued from Page 1)

Ammons, president; Edward L. Iserson, general sales manager, and H. Skibball, vice-president in charge of production, held a conference on Saturday morning devoted to reining in two new pictures. A business session was held first, and then further conferences and screenings were held on Sunday, T. R. Williams, treasurer; Gordon S. Veal, director of advertising and publicity; Harold Saxe and Bruno A. eyers of the home office group also dressed the sessions. Sam Berkoff, representing Fine Arts Pictures, Inc., also spoke.

Home office and sales representatives who attended included: George Blake, secretary; F. X. Carli, Roberta Goldschmidt, H. L. Woud- ing, Sam Clifton, Phil Leonard, Bette Davis, sales manager; orris Saifer, Coast district sales manager; Ralph Kinsler, middle eastern district sales manager; arry Asher, Eastern district sales manager, and Jack Lamont, South district sales manager.

Branch managers who attended were: Arthur Newman, Albany; Joe Sve, Buffalo; Israel Levine, New York; Morris Medris, Charlotte; Lapis Ludlum, Pittsburgh; Moe Stern, Philadelphia; Harry Brown, ashington, John Himmelstein, Cleve- land; Peter Bish, Rochester; and York Salesmen, Harry Gold- one and Richard Perry.

**AG License Plan for Agents Sets Commission at 10 P.C.**

The Coast Bureau of the脱离 Daily Hollywood-Screen Actors Guild to license agents provides that agents shall be entitled to receive commissions in excess of 10 per cent for services taken that a agent will be allowed to operate he, the agency or anyone inter- tered in the agency, is an employer player except in such case, and the Guild may deem a proper one or which to grant a waiver.

It is said that officials of the Guild feel that this is a proper test of the licensing commissions for bookings and that fees have been raised from 15 to 35 per cent and that the representatives have charged as much as 50 per cent for looking musical artists on the air, the fees will be immediately reduced according to the plans of the Guild officials.

**REVIEWS OF NEW FILMS**

**“The Sisters”** with Errol Flynn and Bette Davis

Warners 98 Mins.

(INDIANAPOLIS PREVIEW)

STRONG LOVE STORY CO- STARRING IN OUTSTANDING PERFORMANCES.

Here is a strong love story, with Bette Davis and Errol Flynn doing outstanding work as the chief characters. The story starts in 1904 at a dance in Silver Bow, Montana, where Theodore Roosevelt’s presidential victory is being celebrated, and Dick Fairly, a malevolent Linchpin has captured the spirit of the time. In fact, Linch has done a splendid job in directing the various ele- ments and directions of the action, and with the performances of the large cast. David Lewis rates credit as associate producer. Milton Sills, director of Scenic Layout, has presented the Myron Brinell novel, but furnished a gripping screenplay and clever dialogue. Tony Gaudio’s photography is high-grade. Restless, moody Flynn, a San Francisco sports writer, comes to Silver Bow to cover a prizefight, and falls in love with Bette. Thed, a young man who loses his wife to a different store owner, offers a spire, Flynn helps himself to a new store. Following a spire, Flynn loses his newspaper job and gets work as a reporter, which is what the new store. Following a spire, Flynn helps himself to a new store.

CAST: Errol Flynn, Bette Davis, Anna Louise, Ian Hunter, Donald Crisp, Beulah Bondi, and others. The story is well-acted and love story. Flynn is reminiscent of his first meeting with him in the same book.

**“Time Out For Murder”**

with Michael Whalen, Gloria Stuart, Chick Chandler, Douglas Fowley

20th-Fox 60 Mins.

GOOD MYSTERY STORY WITH PERSONAL CAST PROVIDES PLENTY OF ENTERTAINMENT VALUE.

More supposedly class “B” pictures like this one, and there will be few complaints about double bills. Getting off to a snappy start, the film hits a fast pace that is maintained to the finish, packing plenty of punch and entertainment for all types of audiences. Combining a good mystery story, able direction and a personal cast, the film never loses interest right through a punch-packed climax. Michael Whalen, a reporter, Chick Chandler, his photographer, Gloria Stuart, a female bill, and a pair of detectives. Tuesday, July 5, 1938.

CAST: Michael Whalen, Michael Whalen, Gloria Stuart, Chick Chandler, Douglas Fowley, a racketeer, neatly fill the principal roles. Possibly Whalen and Chandler do not give as ac- curate a portrayal of what they might, but they play the roles the way audiences want them played. H. Bruce Humberstone gets credit for the direction, and Jerry Cady for the screenplay. Supporting roles are ably acted by Jane Dar- well, Jean Rogers and Robert Kellar. Kel- lar is arrested for the murder of a woman whose husband she had possession of. He was taking them to the bank he worked for. Whalen believes the murder solved when the arrest is made, but later de- velopments lead him to suspect Fowley, a racketeer, but also a good friend. How- ever, with the aid of Fowley he uncovers the real murderer and everything is worked out satisfactorily.


CREDITS: Associate Producer, Howard J. Green; Director, H. Bruce Humberstone; Screenplay, Jerry Cady; Cameraman, Vir- gin Miller; Editor, Jack Murray.

DIRECTION: Good. PHOTOGRAPHY, Good.

13 More Conn. Indies Sign For Campaign Movie Quiz

New Haven—Approximately 55 Connecticut indies now participate in the Movie Quiz Campaign, with 13 new names having been added to the list this week. Theaters joining recently are the Carroll, Hamilton, Cameo and Alhambra, Waterbury; E. M. Loew’s, Hartford; Astor, Norwich, and Fidd’s, New Haven; City Playhouse, New Canaan; Capitol, Milford; Strand, Plainville; Strand, Plymouth; Grand, Southington, and Bryan Memorial Hall, Washington Dept.

**MICH. REPORTED COOL TO DIVORCE STATUTE**

A preliminary to the convention propo- ner, the Board of Directors meets today and dines tonight. First busi- ness session of the convention is slated for tomorrow afternoon when William F. Rodgers, Metro sales chief, is scheduled to speak. Abram F. Myers, national Allied’s general counsel, will address the convention Wednesday morning. Final business session will be held in the afternoon, with a banquet at night closing the convene.

**Lincoln Theater Deals Send B. O. Scales Upward**

Lincoln, Neb. — Most important incident in re-arranging the theater scene here in four years transpired yesterday for 15th-Fox, on October 26, with L. D. Dent’s Westland Theaters of Colorado, gained control of the Liberty, a 1,400-seater, and a partnership in the Colonial, a 250- seater. This adds to their already operating Varietys and Kivas.

Dent NTI’s 3,790 seats in the downtown area, against Cooper’s 4,550 seats. Previous to Aug. 1, Cooper had 3,890 seats.

More important than the change in seat distribution, will be the effect on prices, Lincoln having been a pocketbook market for nearly three years. Varietys, just re- opened, went from 20 cents to 40 cents top, Kiva, under their new setup a holdover house, goes from 15 cents to 35 cents top. Liberty, 15 cents top, raises a nickel, and the Colonial likewise. Liberty becomes a second runner, and the Colonial changes from a to an action first.

**South African Exhib. Unit Wants Darryl Zanuck Visit**

Copetown — (By Cable) — Following the visit of Walter J. Hutchinson, director of foreign dis-tribution for 20th-Fox, on October 26, the Hutchinson will be asked to extend an invitation from the exhibitors’ organization of South Africa to Darryl Zanuck, to spend his next vacation here. An elaborate reception has been planned to be held in Hutchinson, as his first year with its own distributing organiz-ation in this territory.
And here are the ads that did the job for Exhibitor Al Anders of the Bijou Theatre, Springfield, Mass. They'll do the same for you! Get behind this really swell picture!

JEAN ARTHUR
SAYS: Nothing has impressed me so much recently as the deeply sympathetic, highly enjoyable picture called 'Girls' School'. Here is a story which probes so deeply into the adolescent minds and hearts of typical young American girls as to make it richly reminiscent of my own young girlhood. It will not only thrill but it will pull at the heart-strings of all America.

The above are reductions of 480-line ads that ran in Springfield, Mass. Additional ads of the same general type are now in preparation. You'll get them with your pressbook.
DISCLOSES SMASH HIT!

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE
This is a full-rate telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS
DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

FILED AT 1.39.001 11 PM 10 33
AZA 487-51 NL = SPRINGFIELD MABB 5
COLUMBIA PICTURES CORP=
729 SEVENTH AVE NYK=

OPENING TODAY WITH GIRLS SCHOOL ONE OF BIGGEST OF SEASON.
AUDIENCE REACTION EXCELLENT. EVERY INDICATION THAT COLUMBIA
HAS ANOTHER HIT. LOOK FOR EXTENDED RUN HERE. GIRLS SCHOOL
HAS GREAT CHARM AND APPEAL AND ANTICIPATE WORD OF MOUTH
AFTER GETTING SWELL OPENING WILL BUILD GROSS DAILY.
CONGRATULATIONS=
AL ANDERS BIJOU THEATRE.

AL ANDERS. QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE
THE WEEK IN REVIEW
Trade Reform Parleys Set—Hicks Vice Graham

DOMESTIC

and act upon the proposed fair trade practice parley. If directors approve, a committee will be named, it was learned, to carry on negotiations.

MPTOA disclosed a program embodying 14 questions for study at its annual convention set to open Oct. 30 in Oklahoma City. Included in the program are such points as self-regulation for the industry, taxes, trade practices and legislation.

GN’s Chi meeting of branch managers from the midwest and western exchanges brought out that company will make and release 44 pictures during 1939. In attendance were: L. E. Hammons, organization’s prexy, signed a lease providing for GN headquarters in the new Associated Press Building, Rockefeller Center.

RKO reorg. hearings appeared to be nearing completion in Federal Court. While strenuous objections were raised at last Monday’s session by minority interests, producers’ plan showed growing confidence that it would be confirmed.

Top news items additionally were new employment pacts and stock options for Columbia execs. Presiding of Will H. Hays at the unveiling of a tablet marking the first commercial showing of motion pictures at Koster & Bials’ Music Hall, 34th St. and Broadway, site now occupied by R. H. Macy... and issuance of Government as Paramount’s director in Great Britain, his withdrawal resulting in the com- manding of John W. Hicks, organization’s foreign department manager, to the post for an indefinite period. Hicks, it was stated, takes the helm immediately, while George Weitner, assistant foreign manager, moves into managership of the foreign department.

When it was learned in London that Mark Ostrer, GB president, is contemplating an early trip to New York, pix circles concluded that step may be for purpose of renewed subtlest whispers, and Joseph M. Schenck, 26-Fooh board chairman.

Mexico City checked in with advice that a world-wide unified syste of pic distribution for native produced is being talked there by production interests.

An early rift in the existing impasse between U. S. and Japan as far as film trade is concerned seems certain, according to Tokyo cable. The Japanese Government, it said, is giving close and sympathetic consideration to solution of this problem, and this attitude, which has been a growing one of late, is an indication that existing importation and financial bans may be modified.

Roller Derby Franchise
Acquired By Interstate

Fort Worth, Tex.—Interstate Circuit, which operates seven local theaters, has purchased the Texas franchise for the Roller Derby, skating marathon show, now filling its 21-day engagement at the Will Rogers Memorial Coliseum. The Derby probably will appear in other Texas cities under the sponsorship of Interstate.

The Roller Derby first appeared in Fort Worth this past Spring, and cut into local theater business considerably. Attendance at the Derby was largest in history of this city for an event of this type. This caused Interstate to buy Texas franchise of the Derby when the Derby signed to return to this section this Fall. Thus the theater company will cash in, even though it is still in competition to the theaters.

George Lederer Dead

George W. Lederer, 76, famed newspaper and radio commentator of Hollywood, scene writer, died Saturday at his Queens home.

LOCAL 702-Du Art Reach Agreement; Picketing Stops

(Continued from Page 1)

held a meeting with John H. Rugge, president of Local 702-M, and Arthur Gottlieb, owner of Du Art.

General terms of a new contract were agreed upon: workers out on strike go back to work today on a seniority basis with 10 per cent wage increase; a new contract to be signed within 10 days, time limit set for signing by the IA. Following the meeting, pickets were withdrawn from different places the Local had been picketing, including Du Art, M-G-M and Caravel Films.

Informed sources pointed out that the mediation of the IA through Walsh indicated that full official sanction of the IA and full backing could now be expected for the Local. This fact is expected to play a prominent part in future negotiations the Local carries on with laboratories that do not have signed contracts at this time.

U. S. Film Interests Mark Time in Italian Dispute

(Continued from Page 1)

from the Italian Government not only clarification of the recent anti-foreign film decree but its modification.

Sources close to the situation told THE DAILY that a more favorable opportunity was awaited. The full personnel of the U. S. "mission" to Italy, charged with responsibility of the impending negotiations, has not yet arrived in Rome, although it is admitted that some delegates have had preliminary discussions with Government representatives there.

SCHAEFER RESIGNS; MAY BE RKO PREXY

(Continued from Page 1)

not expire until March, is under- taken to be the choice of the Rocke- feller interests for the RKO top spot, with Nelson Rockefeller acting for the family interests in the re- ported negotiations.

If and when Schaefer takes over at RKO, it is understood that the status of Ned Depinet will be un- changed, Depinet continuing as vice- president in charge of distribution. Whether there would be other changes, however, is not determinable at this time.

Sources close to RKO confirmed Saturday that the Schaefer affiliation had been discussed.

Upon the receipt of Schaefer’s resignation, the board of directors accepted it and Silverstone, in con- veying the regrets of the board and the following message to Schaefer:

"The directors have asked me to express to you their sincere appreciation of your devotion and loyalty to the company and extend every good wish for your continued success in the industry."

This came as a conference following the meeting, Silverstone added his own remarks in which he concurred with the board’s sentiments and added that he believed Schaefer one of the most able executives in the business and an asset to any enterprise with which he may become associated. No announcement of a successor was made after the meeting, but it was indicated that one would be made shortly. Silverstone said he planned an early English trip.

Schaefer is the second major ex- ecutive to withdraw from the com- pany in the last six weeks. Andy W. Smith, Jn., general sales man- ager, left UA on Sept. 8.

Schaefer joined United Artists in 1936. He entered the film business in 1914 and worked with Sam Selznick, becoming assistant sales manager of World Film Corp. in 1916. Joining Paramount in 1920, Schaefer rose steadily until he be- came vice-president, resigning in 1935.

Oklahoma City Product Deals in Final Stage

Oklahoma City—Local product lines are almost set with only a few more contracts to be negotiated.

Standard Theaters has product of Warner Bros., First National, Columbia, Universal, M, RKO and Paramount for first-run and neighborhood runs in its five nabe houses.

State Theater has 13 United Artists pictures and Standard has 12. Besides these UA films the State also has Columbia, Republic, Monogram and some independent product also.

Local 702-Du Art Reach Agreement; Picketing Stops

(Continued from Page 1)

 Saying the premiere of "Sue" at the Roxy next Friday, 20th-Fox started an intensive Metropolitan advertising campaign over the week- end that will cost around $50,000 by the time the picture opens, it is 24 sheets have been posted around New York and a total of approximately 16,000 lines will be used in Met. dailies this week, starting last Sunday.

School May Sub for Conn. House Storm Destroyed

Jennett City, Conn.—John Barnett, operator of Finn’s Theater, completely destroyed by the hurricane, is negotiating for the use of the loss of an high school auditorium for ex- hibition of pictures. The house, formerly upstairs, will be rebuilt as a modern theater, together with the store and apartments in the build- ing.

$3000 Ad Campaign
Backs "Sue" In New York

Heralding the premiere of "Sue" at the Roxy next Friday, 20th-Fox started an intensive Metropolitan advertising campaign over the weekend that will cost around $50,000 by the time the picture opens, it is learned. Over 150 24-sheets have been posted around New York and a total of approximately 16,000 lines will be used in Met. dailies this week, starting last Sunday.

Local 702-Du Art Reach Agreement; Picketing Stops

(Continued from Page 1)

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Collier's

Wherein the suave James Lee Wong, under-cover man, encounters a murder mystery, and overlooks the evidence in favor of a quiet little talk—

Introducing the slickest... suavest sleuth of them all!

BORIS KARLOFF

as Hugh Wiley's Chinese detective in

"Mr. Wong, Detective"

with

GRANT WITHERS - MAXINE JENNINGS - EVELYN BRENT

Directed by WILLIAM NIGH - Associate Producer WILLIAM LACKEY
Screenplay by Houston Branch - Based on the "James Lee Wong" series in COLLIER'S MAGAZINE written by Hugh Wiley

A Monogram PICTURE

"Fast-moving mystery story with plenty of suspense launches new series." - Film Daily
"Monogram has built a class production that should go far." - Variety
"Will undoubtedly prove a genuine rival to Charlie Chan in popularity." - Picture Reports
"First-rate murder mystery which will rank high. Boris Karloff flawless." - Boxoffice
Your copy of our 1938-1939 Announcement Booklet is in the mail. Our sales representatives are now in the field and will call on you shortly.

Our first four feature releases of the new season are already completed. Ask your branch manager to screen them for you.

A FEATURE PICTURE A WEEK ... EVERY WEEK STARTING OCTOBER 14
Supreme Court Refuses to Review Philly Duals Case

GOLD, SCHLAIFER TO DIRECT UA’S DOMESTIC SALES
Va., Calif. Exhib. Units Accept Reform Parleys Bids

Iowa - Nebraska Association Expected to Take Action Today

Three unaffiliated exhibitor organizations to date have accepted invitations to send representatives to a trade practice parade in New York during the week of Oct. 17. Delegates from the MPTO of Virginia and ITO of Southern California as well as the MPTO will be present for the sessions, a check-up yesterday revealed.

Allied Independent Theater owners

FOREIGN HEADS AWAIT ROME MEETING REPORT

A meeting of major company foreign managers has been scheduled for Thursday, it was reported last night. It was learned that efforts are being made to hold a meeting.

Industry Leaders Going To Eddie Golden Dinner

Sizeable contingent of New York execs, will attend the Edward A. Golden testimonial dinner, Friday at the Nicotet Hotel, Minneapolis. Already set to go are Nat Blum.

Majors Lose Legal Fight to Block Duals; Perelman’s Victory Stands

Elmer J. Barnard, Para. Indianapolis Mgr., Dead

The Paramount home office was informed yesterday of the sudden death of Elmer J. Barnard, Indianapolis branch manager, who was associated with the company since 1924.

“Barney,” as he was familiarly

WILL RE-HEAR DALLAS SUIT

U. S. Supreme Court Notes Probable Jurisdiction

Washington Bureau of THE FILM DAILY
Washington — The U. S. Supreme Court yesterday noted “probable jurisdiction” in the so-called Dallas anti-trust case, paving the way for a re-hearing.

The action, brought by the Government against Interstate Circuit, Texas Consolidated and the majors, was sent back to the U. S. District Court in Texas last year for findings of fact held omitted in the decision of the trial judge who found for the Government.

The case first came before the Supreme Court on direct appeal from the trial court early in the

300 RESERVATIONS IN FOR MPTOA SESSIONS

Oklahoma City — Advance reservations for the four-day convention of the MPTOA, opening at the Bilmore hotel here on Oct. 30, already

Silverstone Says No Successor to Schaefer Will be Named

United Artists’ domestic sales will be in charge of Harry Gold, Eastern sales manager, and Jack Schlaifer, Western sales manager, it was stated yesterday by Maurice Silverstone, general manager in charge of world affairs, who pointed out that nobody would be brought into the company as general sales manager. This means that the post of George J. Schaefer, who resigned Friday as vice-president in charge of distribution, would remain unfilled.

Both Gold and Schlaifer have been with UA almost since its in-

WOBBER WILL ATTEND MPTOA OKLA. PARLEY

Swelling the list of prominent industry leaders who will attend the MPTOA convention which opens Oct. 30 will be Herman Wobber, general manager of distribution for 20th-Fox, it was learned yesterday. Wobber will leave for Oklahoma City shortly before the convention’s opening date.

He will go from Oklahoma City

Michigan Allied to Hear William F. Rogers Today

Grand Rapids — William F. Rodgers, Metro’s sales chief, will be a principal speaker at today’s session of the annual convention of Allied

Metro Sales Ahead

Chicago — Twenty-five to 30 per cent more contracts have been signed for films this year than last year. William F. Rodgers, general sales manager for M-G-M said here.
HARRY M. WARNER is expected to arrive here from the Coast next week.

GEOE W. WEEKS, general sales manager for Monogram, left here yesterday for a trip to Detroit, Cleveland, Scranton, and Boston. He will be gone about 10 days.

JAMES GRAINGER, president of Republic and general sales manager for the company, will arrive in New York from the Coast at the week-end.

BOB TAPLINGER, Warners' studio publicity manager, arrived in New York over the week-end by plane from the Coast for a two-week stay.

JACK L. WARNER, arrives in England today on the Queen Mary.

L. W. CONROW, president of Altec Service Corp., has returned to the home office after a two weeks' trip to the company's Southern branch offices.

ROBERT SMELTZER, central district manager for Warners, is in New York for home office conferences.

FRANK PHELPS, Warner labor representative, was in New York recently.

GABRIEL PASCAL, English producer, arrived here yesterday on the Normandie for the opening of his production of G. B. Shaw's "Pygmalion," which will be distributed here by M-G-M.

ALTON BUTTERSFIELD, managing editor of Pathe News; JULIUS STEIGER, of Fox Films; LADISLAS SZUCS, Hungarian picture producer; ARTURO TOSCANINI, GIOVANNI MARTINALI, COLLEGE OOTKALLE and CLAIRE LUCE arrived from Europe yesterday on the Normandie.

L. VON HAVERBECK, general manager of United Artists in Canada, has returned from New York for the opening of his production of M-G-M.

R. S. HARRISON, western star in Paramount and RKO pictures, is here with the rodeo.

Public’s Views via Ed Sullivan

(Continued from Page 1)

system is understandable. The average star is identified with a particular type of role.

The Gable fan wants Gable in a Gable part. Shirley Temple in a Shirley Temple vehicle. etc. Stellar popularity and press clippings when this is forgotten by either player or studio or both. So undeniably the movioporgen today is more critical of stories than ever before, ex- hibs. generally may be counted upon to continue to buy stars. So working show-
mum tell us.

SULLIVAN's comment upon the public’s indifference to "the things that mean so much in Beverly Hills and Bel-Air and Hollywood" is something else again. It confirms a well-defined hunch that some of the more effusive industry chatterers for newspaper and air were missing their audience target by a mile or two.

Report Indie Interests May Take Over Oriental

Chicago — Negotiations are reported under way for the early opening of the Oriental theater by independent interests.

HERMAN A. DE VRY, president of De Vry Corp., returns to Chicago tomorrow, following a brief visit to company's New York offices.

BING CROSBY, his wife and son, accompanied by the LARRY CROSBYS, are stopping at the Waldorf-Astoria, following a three-weeks' stay in the south and leaving shortly for the Coast.

WAYNE MORRIS returns to Hollywood this week from New York after a vacation and a personal appearance at the Strand.

LOUIS WEITZKORN, screenwriter and playwright, returned to Hollywood yesterday from New York.

WILLISY DE MOND, scriptwriting for Hollywood stars, has returned to New York from a business trip and a visit to RKO Radio's Coast studios.

E. C. GRAINGER, general manager of the Feifer & Shea Circuit, has returned to the home office after visiting the circuit's five houses in Ohio and Pennsylvania.

RUSSELL T. ERWIN, Jr., and RODERICK M. WARREN arrived in New York Sunday on the President Roosevelt after working on a film in Northern England.

WALTER KAROL, former UFA executive in England, has returned from a vacation in England.

HARPO MARX is at the Plaza. GROUCHO and CHICO arrive Saturday.

CHESTER MORRIS is in town for a P. A. at the Strand.

IRVIN BERLIN has returned from a business trip to England.

WILLIAM SCULLY, universal sales manager, and W. J. HENNE, Western sales manager, returned to their respective posts yesterday.


FREDIE BARTHOLOMEW will arrive in New York tomorrow to begin his part in "Mr. Smith Goes to Washington.""
Something to Get Excited Over!

GIRLS ON PROBATION

BY THE ALCATRAZ MAKERS—WARNER BROS.
2 MORE UNITS ACCEPT REFORM PARLEYS BIDS

(Continued from Page 1)
of Iowa and Nebraska is withhold-
ing action on the invitations until
its board votes on the issue during
its annual convention now in pro-
gress in Des Moines. A decision is
expected today.

The executive committee of the
West Virginia Managers Associa-
tion is reported to be considering
the invitation today.

Elmer J. Barnard, Para.
Indianapolis Mgr., Dead

(Continued from Page 1)
known throughout the Mid-West,
joined Paramount in 1924 as assis-
tant shipper in the Ad Sales De-
partment of the Chicago Exchange
and later became Ad Sales Manager
at the Indianapolis, Cincinnati and
late Chicago branches. Barnard
returned to the Chicago office in
1927 as salesman and in March of
1933 was appointed sales manager
of that exchange until August of
1936 when he became branch man-
ger of the Indianapolis Exchange.
No successor has been appointed
as yet.

A native of Chicago, Barnard
was educated at Chicago Tech and
Chicago University.

Ark. ITO Defers Meeting;
Waits on Reform Parleys

Little Rock, Ark.—The semi-an-
nual convention of the Arkansas
ITO, scheduled for Oct. 16-17 here,
has been postponed, according to J.
F. Norman, president. The meet-
ing will probably be held sometime
in November, it was announced.

Impending trade reform confer-
ces in New York was believed to be
a factor in the postponement
decision.

Buddy Rogers Recovered

Chicago — Fully recovered from
injuries received in a motor mishap
last week, Buddy Rogers and his
ork opened yesterday at the Hotel
Sherman.

GOLD, SCHLAIFER ON UA DOMESTIC SALES

(Continued from Page 1)
ception and Silverstone said he was
making the promotion in line with the
company's policy of advancing
men from the ranks.

Canadian sales were continuing un-
der the direction of Haskell Mas-
ters. No other changes in personal-
or in the operation of the com-
pany are contemplated, Silverstone
emphasized.

At an informal press conference,
Silverstone clarified reports linking
Alex Alexander Korda with the produc-
tion of pictures for other distribu-
tors. Korda, he said, "has neither
the inclination nor the legal right" to
make product for any other com-
panies.

The fact that Korda's studi-
ios in London are available for
American producers has resulted in
stories indicating that Korda, per-
sonally, would make pictures for
outside organizations, Silverstone
said.

A trade showing of United Art-
ists short subjects, "World Wind-
dows," will be held next week.
It was revealed that scenes taken in
side the Vatican and of activities of
the Pope and church officers would
be incorporated into a special re-
lease of four or five reels in length.
This will be one of the "World
Windows" series in Technicolor.

Distributors' Foreign Heads
Await Rome Meeting Report

(Continued from Page 1)
of European representatives of th-
majors tomorrow or Wednesday in
Rome, to try and further clarify the
Italian situation. The meeting in
New York is believed to have been
called to hear a report on the Ital-
ian developments from representa-
tives who attend the Rome session.

Still Negotiating Film
Section in U. S.—U. K. Pac

Washington—The proposed Anglo-
American trade treaty is still some-
distance from the signature state
it is reported in State Department
circles.

The FILM DAILY learns that Great
Britain is yet to give a final an-
swear on all important articles in the
projected pact, with the ticklish fil-
question still among those sub-
to negotiation.

STORKS!

Philadelphia—Herbert M. Miller
managing editor of the Jay Emanue-
Publications, is the dad of a son
born to Mrs. Miller yesterday at th-
Hammam Hotel.
WEAVER BROTHERS
AND ELVIRY

DOWN IN 'ARKANSAW'

RALPH BYRD
JUNE STOREY · PINKY TOMLIN
Directed by NICK GRINDE
Associated Producer ARMAND SCHAEFFER
Republic
“Dark Rapture” with Kent Uva, Spring Byington, Louise Fazenda. 20th Century-Fox. 61 mins. (HOLLYWOOD PREVIEW)

ONE OF THE BEST OF THE JONES FAMILY SERIES. SCORES HEAVILY AS LAUGH WINNER.

This is easily one of the best of the “Jones” series to date. It is built for laughs and wins chuckles, guffaws and belly laughs. Malcolm St. Clair provided a fast tempo and extracted a full measure of comedy from the various situations. John Stone rates considerable praise for his work as associate producer. Eddie Collins, Louise Fazenda, Boris Bowdon and Roberta Smith are newcomers to the Jones’ series and do outstanding work. Robert Ellis and Helen Logan provide an amusing Banjo blues based on stories by Homer Croy, Frank Fenton and Lynn Root. Jett Prouty and his family accept an invitation to spend a week on Louise Fazenda farm. Prouty, who was a corn-husking champion in his youth, engages in a husking contest, which develops into a campaign stunt for his state senatorial campaign when the Marysville Chamber of Commerce sends its leading members to the event. Sidney Blackmer, political leader, has a boat party and the Johnsons, who have wagered heavy amounts on Prouty become frantic. Young Billy Mahan, Prouty’s son, and Roberta Smith rescue Prouty. Prouty is so stimulated by corn liquor supplied at the right time by Eddie Collins that he wins the contest.


CREDITS: Associate Producer, John Stone; dialogue, Jett Prouty; music, Harold Cliss. Based on original stories by Homer Croy, Frank Fenton, Lynn Root; characters by Katherine Kava- naugh; Screenplay, Robert Ellis and Helen Logan; Camera, Edward Snyder; Editor, Harry Reynolds; Art Directors, Bernard Herzbrun and Boris Leven; Musical director, Samuel Kaylin.

DIRECTION, Fast. PHOTOGRAPHY, Very Good.

C. F. Hopkins Recovering: Harrisburg, Pa.—C. Floyd Hop- kins, Harrisburg representative of the Wilmer & Vincent Corp., injured when struck by a locomotive in Utica, N. Y., where he had gone to attend funeral services of John Malloy, former Altoona theater manager, is recuperating at his home.

and, as the announcer states: “everything but the films.” We can wink at this bit of showmanship, for it is done without hokum. But the rest of the performance is so authentic, realistic and graphically done that it affords an hour of grand entertainment. The cam- era work is exceptionally fine. There isn’t a blundered shot anywhere. The Denis-Roosevelt combo has turned in what will rank as the most authentic and exciting film. It is easy to reach the screen. The narration is finely done, also.

“Personal Secretary” with William Garagan, Joy Hodges. Universal. 61 mins. SILLY STORY OF NEWSPAPER-OL- UMNISTS IN MURDER MYSTERY. KAT FURNISHES NO THRILLS.

A Hollywood conception of how column- ists and their lives get thrown wide- open and go out and solve crimes that have stumped the police, with the help of a clever secretary while the police do not enter into the murder case at all. It is all very quaint and childlike in its sim- plicity, and might just as well be the work of some high school students who were asked to knock off a film scenario as part of their home work. To present it as serious work of professional writers in Hollywood is what constitutes the main mystery far more confusing than the mys- teries in the plot. William Garagan is the man in the title but the writing is done with Joy Hodges, who runs a column on a rival paper. She uses astrology to help solve her problems. Her fiancé is her husband is innocent, while Garagan in his column is sure she is guilty. For some reason, no one knows the identity of the assassin, most of the chance to become secretary of her rival to get the lowdown on him. Of course she falls in love with him, which makes her problem very tough. Meanwhile he goes on the air on his program and takes blasts at the other columnist, who is sitting up nights to run her two jobs. From this basic absurdity the action moves on to other ab- surditites, till a poison clue is discovered by the girl which convinces her boss-rival col- umnist that she has been right all the time and that the poor wife did not murder her husband. We realize this all sound silly but you can imagine how silly it is to have it dished out at you more graphically in pictures on the screen. Now the rival columnists work together to uncover the real poisoner, and he is un- covered without one thrill or suspense sequence being needed. William Garagan and Joy Hodges do noble work against the handicaps of the ama- teurish story. Andy Devine and Ruth Donnelly as stooges for this story furnish sorely needed laughs in this futile film. Director Otis Garrett rates sympathy for struggling through a hopeless script and making it sound far less silly than it is.


CREDITS: Producer, Max H. Golden; Director, Otis Garrett; Authors, Betty Laid- low, Robert Lively, Charles Grayson; Screenplay, Sam; Camera, Stanley Cor- te.

DIRECTION, Handicapped, by material, Photography, Good.

Ochs Is Convalesceiding Cleveland — Herbert Ochs, Vitr- agraph manager operated on last week for removal of a kidney stone, is reported on the mend at St. Mary’s, Cleveland, and it is expected he will remain another week or two.
Southwest Exhibs. Splurge With Ads

Oklahoma City—First season advertising of campaign of most houses in the southwestern area are the largest in several years with more space being devoted not only to20th-Fox, but also to the new books and magazines. Advertising is nearly all directed along the lines of the better press book copy. The smaller town houses are using more local copy than in previous years, employing everything from local testimonials of authorities to personal endorsements. Advertising by circuits has been particularly heavy and in several offices added personnel has been placed in copy departments.

Industry Leaders Going To Eddie Golden Dinner

(Continued from Page 1)

Berg and William Scully of Universal, primary the following morning and early, the green coach of the Burlington Zephyr, arriving in Minneapolis 9 p.m., Friday. The special coach at back of the tap room has been reserved for the Golden Gang.

Among Monogram franchise holders, the Franklin name, and Harry Elman, Chicago; Charles W. Trampe, Milwaukee; Nate Schultz, Cleveland; Forrest Judd, Des Moines; Charles Weinre, Minneapolis; Mandrooy and Ben Welansky, Boston. Peter Harrison is arriving from Hollywood with a group of six executives in a specially chartered plane.

Many of the celebrations are staying an extra day for the Minneapolis-Michigan home-coming football game to take place in Minneapolis on Saturday.

Exhibs. from Three States

At Dallas V. C. Tournament

Dallas—Execs, and exhibs, from Texas, Oklahoma and New Mexico were here yesterday to the number of several hundred for the annual fall golf tournament of the local Variety Club at Lakewood Country Club. Visitors began to arrive Saturday, and established headquarters at the Adolphus Hotel; pre-tournament stag Saturday night followed the Texas-Oklahoma football game. Banquet and dance closed the three-day party last night.

Switch Criterion Pix

Switch in bookings puts "Broadway Musketeers" into the Criterion Theater Thursday instead of the announced "Touchdown Army."

Herman Wobber to Attend MPTOA Oklahoma Parish

(Continued from Page 1)
to Los Angeles for studio conferences with Darryl F. Zanuck on next season's program. Following the studio conferences he will meet in L. A. with James P. O'Loghlin, Canadian district leader and Kent Drive chief-tain, to outline product details before O'Loghlin starts his third and final stage of the Kent Drive.

O'Loghlin will be accompanied on his tour by William J. Clark, short subjects sales manager, and the Ontario district director, William J. Kupper, William C. Gehring and William Sussman, in their respective territories. Wobber will return to New York as soon as O'Loghlin starts his trip.

Michigan Allied to Hear William F. Rodgers Today

(Continued from Page 1)

Theaters of Michigan, Rodgers arrives this morning from Chicago. Exhibit unit's directors held a closed meeting yesterday and, while no statement was forthcoming, it is understood that the trade reform parley proposals made last week by distributors committee headed by Sidney R. Kent, 20th-Fox president, were discussed. National Allied's board meets Oct. 17 to determine Allied's course of action.

Convention here continues tomorrow when Abram F. Myers will speak.

Rogers is being accompanied here from Chicago by Jack Flynn, Met-East manager. While leaving here, Rogers will head for Minneapolis where, on Friday night, he will be Al Steffen's guest at the Eddie Golden testimonial.

S-I to Make American

Version of Swedish Pix

West Coast Bureau of THE FILM DAILY

Los Angeles — Selznick International has purchased "Intermezzo" which was made in Swedish by Svensk Filminstitutet and will make an American version. Merritt Hurlburd, who has just joined Selznick, will be the associate producer on "Intermezzo."

MPA Meets Oct. 18

Business meeting and luncheon has been scheduled by Motion Picture Associates at Gallagher's Restaurant for Oct. 18, it was announced yesterday. Tickets for the drive for advertising for the MPA Journal will be discussed at the meeting.

300 RESERVATIONS IN FOR MPTOA SESSIONS

(Continued from Page 1)
total 300, it was said yesterday by Morris Loewenstein, convention committee chairman.

Continuance is reflected by reservation of exhibit booths; 23 of the original 25 have been taken, causing the committee to set up eight additional Gregory with National Screen; F. C. Hensler with Loew's; E. A. Harris with Alexander Film Co.

Loewenstein has also announced that arrangements have been completed to secure the new downtown Oklahoma City Municipal Auditorium. The combined will be planned for the last night of the convention.

"Brother Rat" Premiere

On Kate Smith CBS Hour

Said to be the first time that a picture's world premiere has been covered with a commercial air program, debut of Warners' "Brother Rat" at Virginia Military Institute, Lexington, Va., on Oct. 20 will get radio recognition via Kate Smith's show on the CBS hookup of 97 stations from 8 to 9 p.m., EST.

Participating in the broadcast will be Priscilla Lane, Wayne Morris, Eddie Albert and Johnnie "Scat" Davis. Miss Lane flies to Lexington from the Coast for the premiere, while Robert S. Taplager, Warner studio publicity director, now here for home office conferences, will fly from New York.

WEDDING BELLS

Syracuse, N. Y.—Engagement of Al Gilbert, owner of the Riviera Theatre and Polillo, daughter of a New York restaurateur, is announced. Wedding probably will take place in January.
provisions against dueling of their feature length pix.


Harry Perelman and Louis Perelman, individually and as co-partners, were respondents.

The majors were charged with violation of Sections 1 and 2 of the Sherman Act and Section 3 of the Clayton Act by conspiring to restrain interstate commerce in motion picture films through inserting in their contracts as distributors with exhibitors provisions whereby exhibitors agreed not to show another full length feature film on the same program with the majors feature-length films.

The District Court in Philadelphia found the conspiracy in restraint of trade existed, that it was in violation of Section 1 of the Sherman Act and Section 3 of the Clayton Act, and entered a decree enjoining the majors from continuing of carrying into further effect the double feature clause. The Circuit Court of Appeals affirmed the decision of the District Court to the extent that it found that the petitioners had violated Section 1 of the Sherman Act. Although the circuit court did not determine the question of violation of Section 3 of the Clayton Act, it affirmed in entirety the decree of the District Court.

The distributing companies contended before the Supreme Court that the Circuit Court erred in affirming the decree of the District Court but the High Court refused to hear the case.

Schwartz Hospitalized

Canton, O.—Ben Schwartz, manager of Warners' Ohio here, is in Mercy Hospital here following an operation for an injured cartilage in his knee.

HOLLYWOOD

Paul de Sainte-Colombe Remaining

Paul de Sainte-Colombe, who came to America to study the public reaction to his English-made film, 'Married a Spy,' is remaining in Hollywood, writing for American pictures. He is well known to American cinema and the literary work in France. He is the recipient of a French Academy award, and his book on American handwriting will be published soon by Doubleday-Doran.

Weissmuller as Educator

Johnny Weissmuller, who has signed a new three-year term with M-G-M, will be an educator in his next 'Tarzan' picture. He will train a young boy in Indiana Thunder, captivated by the studio—to be a Junior Tarzan in an African jungle locale.

Four Rival Interests Ask Theater Building Permit

St. Louis Park, Minn.—This thriving Minneapolis suburb is faced with the problem of deciding which among four applications for permits to build a theater for its showgoers 5,000 inhabitants should be granted. A series of hearings upon the application of Harold Field, Pioneer circuit head; Ben Friedman, who heads his own circuit throughout Minneapolis and southern Minnesota; Benjamin Paust, Minneapolis realtor; and Charles Winchell, of the American Amusement Co., have brought decision in the matter. Winchell has already been granted a permit to build, last Spring, but a dairy contractor copyrighted it. Field is acting as agent for certain interests not connected with Pioneer.

All four candidates propose theaters costing $100,000 or more, with approximately 1,000 seat capacities, and the final decision will probably rest on the sites selected by each applicant for the location of his house. Field has promised a gift of 10 acres of land to the village as a playground.

John T. Belger Dies

Fort Wayne, Ind.—John T. Belger, former Fort Wayne theater operator, is dead. He formerly operated the Gateway Theater, and went to Bluffton, Ind., in 1914 to operate the Gateway there for 18 years before returning to Fort Wayne in 1932. His mother, a brother, and two sisters survive.

“Boys’ Town” Big in Chi.

Chicago—Opening of Metro’s “Boys’ Town” at the United Artists theater was biggest business of ‘Marie Antoinette,” according to William F. Rodgers, Metro’s sales chief, who was here yesterday.

Levin Going to Europe

Following treaties abroad, Producer Albert Levin will follow his original plan for a European vacation and will leave in about three weeks. While in England, he will combine his rest with a supervisory eye on the background filming of “Knights of the Round Table,” which he is soon to make.

The Busy Mister Ruggles

In addition to his acting duties on the screen and radio, Charles Ruggles is active in four business interests, including his dog kennels, a partnership in a Beverly Hills personal service, the purchase of a real estate tract in Pomona, and a patent oil conserving invention for cars.

400 Ind. Theaters Will Be Represented at Convention

Indianapolis—Associated Theater Owners of Indiana convention and trade show at the Antlers Hotel here Nov. 1-2 will have the largest turn-out in the unit's 12-year history, it is announced. Approximately 400 thespians will be represented by owners and circuit executives.

Program details are being completed by the convention committee, Marc J. Wolf, I. R. Holycross, Ernest L. Miller and Don Rossiter.

Although exhibit space was not made available to manufacturers unconnected with the 10 largest companies, the space has been contracted for by the nationally known manufacturers to reserve space for exhibit purposes.

New Bank Night Action

Filed Against Kallet

Following discontinuance of separate actions against Livingston Theater, Inc.; Ouidaa Theater Co.; Deposit Theaters, Inc.; Carroll Theaters Amusement Co., Inc.; Pak-takan Theaters, Inc., and Kallet Theaters, Inc., a single suit, involving a total judgment of $6,500 against these six defendants, has been re-intstituted by Edward Gold, who recently purchased the New York territorial rights, it was revealed yesterday.

The suit is based on the alleged use by the Kallet Circuit of Bank Night without paying license fees since early in April, 1938.

Charles Brown Dies

Roanoke, Va.—Charles M. Brown, president of the National Local Theater Corporation, operators of four local theaters, died here.

COURT REFUSES PHILLY DUALS CASE REVIEW

TO RE-HEAR DALLAS ANTI-TRUST SUIT
Consider Extension of Quiz Closing Date on Oct. 25

NO ADVANCE REFORM PLAN SUBMISSION TO D OF J

Iowa-Neb. Unit Will Participate in Distrib. Parleys

Wolcott, Prexy, and Mansfield, Director, Named to Sit in

Des Moines—Allied Independent Theater Owners of Iowa and Nebraska will participate in the New York trade reform parleys with the distributors committee.

Action to that end was taken at the closing session of the exhibit's two-day convention here yesterday. Leo F. Wolcott of Eldora, Iowa, elected prexy for a fifth time, and Wesley Mansfield, of Tama, named a director at the meeting.

NEC EXPECTS TO OPEN HEARINGS NEXT MONTH

In all probability the National Economic Committee will be able to institute the first of its public hearings some time in November, U. S. Sen. Joseph C. O'Mahoney, chairmen of the Film Daily, told The Film Daily yesterday in New York.

O'Mahoney said he intends to address the New York Board of Trade, stated that a meeting of the full committee, scheduled for October 10, was expected to open.

FPC Leads Move to End Giveaways, Jump Admiss.

Ottawa—In its co-operative dealings with independents in connection with Motion Pictures' Greatest Year Campaign, Famous Players Canadian Corp. is leading the way in a move for the total abolition of giveaways, according to the company.

Gulf States' Selling Season Nearing Close

New Orleans—Selling season in the Gulf States is practically closed, with the Saenger Theaters Corp., and its various affiliates reported to have bought all but three majors for houses in the area consisting of 24-theaters.

WPA Helps Detroit's Business

Detroit—Business has increased 25 per cent in this city's nobles within the past month, according to Sam Ackerman, operator of the East Side and Loyal. Chief factor in improvement, avoided by questioning numerous individual sellers, is that many, particularly those over 45, are now on the WPA and no longer unemployed.

SET GN'S FIRST TWO PIX TO BE MADE HERE

First two features to be made in the East by Grand National will be 'Jitterbug' and 'Uptown New York,' it was learned yesterday. These stories are now in preparation and shooting may get under way on one of them within the next two weeks.

While it had been reported that all of Educational's shorts for GN release would be made in the East, a number of them will be produced in Hollywood.

Hammons Will Negotiate With Several British Cos.

Although Grand National is hopeful of renewing its foreign distribution pact with Associated British Cinema, negotiations will be carried on with other companies.

Campaign General Com'tee to Meet at Astor Oct. 25 on Quiz Extension

Para. Purchases $977,000 of Its 31/4% Debentures

Washington Bureau of THE FILM DAILY

Washington—Paramount Pictures Inc. yesterday filed a special report with the SEC revealing that during the period from Jan. 2, 1938, to Aug. 31, 1938, it purchased in the open market $197,000 principal amount of their 3 1/4 convertible debentures.

Possible extension of the Movie Quiz closing date will be discussed Oct. 25 when the campaign's general committee meets at the Hotel Astor, New York, with George J. Schaefer, chairman, presiding. It is believed that a satisfactory solution to the problem will be reached.

Replacement headquarters, which has received complaints from regional committees relative to the inability of many theaters to play a sufficient number of quizzes, may be forced to move to a new location.

S. CALIF. TO ASKS OCT. 24 PARLEY DATE

Los Angeles—Albert Galston, prexy of the ITO of Southern California and Arizona, has suggested Tuesday, Oct. 24, as the date for his organization's trade reform parley.

B & K to Ask Additional Time for Suit's Answer

Chicago—Counsel for B & K will appear before U. S. District Judge Wilkerson here tomorrow to request additional time to prepare the answer to the anti-trust suit instituted.

"Letty Lynton" Plagiarism Hearing Shifted to Oct. 21

Scheduled hearing yesterday before Special Master Kenneth E. Walker at his New York office on the "Letty Lynton" plagiarism action, brought by Edward Sheldon and Margaret Ayer Barnes against
My Son, My Son" Rights
Cost Ed Small $50,000

West Coast Bureau of THE FILM DAILY

Hollywood — Edward Small Productions has purchased the copyright rights to the Howard Spring novel, "My Son, My Son," for $50,000. Small is now negotiating to try to bring "Spring," which is being filmed from England to do the screenplay. Picture will be for United Artists release this season.

The book, published by Viking Press in America, is currently selling 5,000 copies a week.

Prospects for Vaudeville
Brighten in Michigan

Detroit—Prospects for vaudeville locally and in Michigan are better than in several years, booking agents report. So Berns’ office has a four- and-a-half-weeks of theaters now, and four more under negotiation.

Marriott-Schlesinger Presentations, local booking office, has closed with Bernard Beiman joining the Mike Breen organization. Booking office formerly with the Gus Sun office, has joined the Berns and Byrdon office.

To Try Livingsongs’ Suit
Against Para. in Month

Detroit—Suit of Charles D. Livings, operator of the WXYZ dramatic department and his wife, against Paramount Pictures is expected to be tried in Federal Court within a month. Suit alleges piracy of a play by the Livingsongs for the Bing Crosby film, "Double or Nothing," and asks $90,000 damages.

Mo. Governor Opposes
Increase in Sales Levy

Jefferson City, Mo. — Governor Lloyd C. Stark has announced his opposition to any increase in the present state 2 per cent sales tax. It is believed that an attempt to raise the tax rate to 3 per cent would be made when the next Missouri General Assembly convenes early next January.

Record Makes Pin Deal

Fred McConnell, president of Record Pictures, has closed a deal with Myron C. Nast of Beverly Hills, Calif., to handle the distribution throughout the world for "Convicts," featuring Ralph Forbes and Paula Stone. Record has released "Dark Sands" and "The Gang" will be ready this month.

Agree on Wage Scale

Chicago — A satisfactory agreement has been reached between United Artists and the IATSE regarding the wage scale for all change employees, it was reported yesterday.

Gatti Expedition Leaving
For Belgian Congo Shortly

Albert E. Lowe, secretary of World Wide Export, Inc., 1600 Broadway, declared yesterday that the photographic expedition organized under the leadership of Com. Attilio Gatti to compile film footage in the Belgian Congo will leave Brussels, Belgium, by plane late this month. Initial destination in the Belgian Congo will be Stanleyville.

Three objectives have been mapped—short subject material for Warners; sequences for a commercial film, and a full-length feature for the Belgian Government.

Planners of the camera crew will be Harry E. Squire, who sails from New York on Oct. 20.

Some two tons of photographic equipment and supplies are already forwarded from New York by World Wide Export, Inc., for use by the expedition which will require approximately 60 weeks in the Belgian Congo.

125,000 "Quiz" Booklets
In French Distributed

Ottawa — The Canadian committee of the Motion Pictures' Greatest Western campaign, headed by N. A. H. Taylor, has completed the publication and distribution of 125,000 Movie Quiz Contest booklets in the French language.

The committee has collected in excess of $50,000 in campaign proceeds from independent and film distributors, approximately half of the amount having been received from the principal exchange companies. The literature has been sent to 450 theaters from coast to coast, or about half of the recognized pic houses in the Dominion. These represent 60 per cent of the total seating capacity of Canadian theaters.

Wrigley Considering Lasky
Radio Show for Next Year

Chicago—While commercial sponsorship of a radio show projected by Jesse Lasky in association with RKO Radio is under consideration for next year, there is nothing definite to the deal at the present time, it was said here yesterday by H. L. Webster, Wrigley advertising manager.

Wrigley now has two air shows, Billy House, and The Scattergun, and related radio activities.

ATHENS, GREECE

Proprietor of commission firm, est. 1923, now in New York would like to come in contact with Film Producers.

Write M. R. GORTSKY
Hotel Babylon-Plaza New York City

Wednesday, October 12, 19-

COMING AND GOING

EARLE W. HAMMONDS, president of Gamart Pictures, sails for Europe today on the Normandie.

NORMAN H. MORAY, Vitaphone sales manager, was in Philadelphia yesterday with Bill Murrell, Warner branch man.

JOHN F. CARLE, IATSE representative New York, was in New York yesterday.

MARC LACHMAN, national exploitation manager for 20th-Fox, and BILL CHAMBLISS, publicity contact man, are expected to return from the home office tomorrow morning from Apos.

ANTHONY RUDZINSKI, general manager of the Golden State Film Company, is in New York on a buying trip.

LESSER SAMUELS, Gaumont British sales manager, and his wife, Agnes, leave New York tomorrow for the Coast after a vacation here.

ALAN MOWRY, actor, arrives here tomorrow to attend the premiere of Hal Roach’s "There Goes My Heart," which opens in the Music Hall.

CLIFFORD C. FISHER, producer, and MRS. JULIAN DUVIVIER, play for Europe today for the Normandie.

HERMAN RIFKIN, Republic franchise holder in the Boston territory, arrived in New York yesterday and returns today to Boston.

ANN SOTHERN, having completed her role in Walter Wanger’s "Trade Winds," arrives in New York today for a brief vacation.

B. W. RICHARDS, president of Standard Pic, left the Coast yesterday by motor for New York.

SOL A. ROSENBALT, film attorney, is attending the A.F. of L convention in Houston.

T. KENNEDY STEVENSON, Epri president, is en route to the Coast by train.

BEN GOETZ flies East from the Coast today.

SAM WOOD leaves Hollywood today for New York and sails early next week for Europe.

If you were to pay ten big American dollars for a book on exploitation we could not sell you one that would give you any more valuable information on exploitation than you will find in THE FILM YEAR BOOK 1939 Edition now in preparation.

FINANCIAL

NEW YORK STOCK MARKET

Net
High
Low
Close
Change
Am. City 19% 19% 19% 9%-
Columbia 14% 14% 14% 9%-
Columbia Pics. vtc. 69% 69% 69% 9%-
Columbia Pics. vtc. 9% 9% 9% 9%-
Con. Fm. Ind. 1% 1% 1% 9%-
Eastman Kodak 19% 19% 19% 9%-
do pd. 17% 17% 17%-
Loom’s Inc. 5% 5% 5% 9%-
do pd. 11% 11% 11%-9%
do pd. 11% 11% 11%-
Pathé Film 9% 9% 9% 9%-
RKO Film 9% 9% 9% 9%-
20th Century-Fox 27% 27% 27% 9%
do pd. 27% 27% 27%-9%
do pd. 9% 9% 9%-
Va. Univ. Pict. 9% 9% 9% 9%-
do pd. 9% 9% 9%-
Va. Univ. Pict. 9% 9% 9% 9%-
do pd. 9% 9% 9%-

NEW YORK BOND MARKET

Keith A 646 646-
Lowe 9L-wv 120 101% 101%-9%
Par. B’way 3x3x5 63 63% 63%-9%
do pd. 9%
do pd. 9%-
Par. Picts. cv. 36%47 84% 84%-9%
do pd. 84% 9%-
RKO 641 75% 75%-9%
do pd. 75%-9%
Wagner’s 659 81% 81%-
do pd. 81%-9%

NEW YORK CURB MARKET

Grand National 12% 12% 12% 9%
Monogram 1% 1% 1% 9%
Sohone Corp. 1% 1% 1%-9%
do pd. 9%-9%
do pd. 9%-9%
do pd. 9%-9%
do pd. 9%-9%
do pd. 9%-

N. Y. OVER-THE-COUNTER STOCK MARKET

Bid Asked
Pathé Film 7 pd. 9%-
Fox Thea. Bidg. 6% 1st 36-
Lowe’s Theo. Bidg. 5 1st 36-
Met. Playhouse, Inc. 5 1/3-
Kosy Theo. Bidg. 6% 1st 36-

SAFETY LLOYDS

FLM STORAGE CORP.

Storage by Reed or Vault

720 Seventh Ave. New York, N. Y. B’vast 9-5500

SECURITY
ALONG THE REALTO WITH PHIL M. DAILY

- RUNABOUND......given to a representative of a manufacturing concern trying to tie up with a certain star name which was already sewed up with other manufacturers......the gent wouldn't take no for an answer......so the guy in charge of tie-ups for the producer was pestered to go to lunch every few days and "talk things over"......so......figuring he might as well have a nice lunch, the film mug says: "Okay. Where do we eat?"......the commercial gent says: "Name your food joint"......"The Astor"......and so they dined at the Astor......

- AND WHAT happened?......you'll never guess......all through the luncheon film mugs kept talking up to the table and talking to their pal......and the poor manufacturing gent couldn't get to first base on the star tie-up proposition......"So sorry," apologized the film guy......"That's all right," says the commercial lad. "Next time we'll go to another restaurant where we can talk in PRIVATE."......so the film mug says: "Sure. We'll make it the Tavern."......

- SO THE next time they ate and wined at the Tavern......and this time two film gent's drew up extra chairs and sat down at the same table with the film mug being entertained by the commercial lad who wanted to tie up a star......and all through the lunch the commercial feller learned a lot of dirt about the film biz......but nary a word of cheer about a tie-up with a certain film star......but he had the pleasure of paying for drinks ordered by the two extra dinners......"So sorry," apologized the film guy......"That's all right," says the commercial lad. "Next time we'll be sure to go to a restaurant where we can talk in PRIVATE"......and the film mug, the dirty so-and-so, says: "Sure. We'll have lunch at Sardi's"......well, you know what happened at the Astor and the Tavern happened so much at Sardi's......the commercial fella paid for five lunches and four rounds of drinks......and later at Dinty Moore's......and finally Childs......weeks had passed at this indoor sport, and still the commercial gent hadn't got a word in about the tie-up with the star......

- WAS THE commercial gent discouraged?.......NO.......he grew fussy......."Let ME pick the luncheon place this time," he says......."Oke," says the film mug......."Let's dine at the Automat, just for the novelty of the thing."......"Swell," says the film mug.......and at the Automat they ran into nine film execs, grabbing their supply of Pumpkin Pie in SEASON......the poor commercial guy went out filled up with pumpkin pie which all the nine film execs instated he sample from their plates......generous guys, these film fellers.......the film mug is waiting for another invitation to lunch from the commercial gent who wants to tie up a star......it passed new, and no invite......it is beginning to look like a Lost Meal Ticket......

- IT GIVES us extreme pleasure to record that Phil De Angelis, the hill posting syndicate of our town, is now a proud grandpappy.......his daughter-in-law Mrs. Edward De Angelis having presented the family with a beautiful baby girl!.......the event took place at St. Joseph's Hospital in Yokners......hurray for Yokners.......that's Our Town......

MACHER'S \$100,000

Walter Futter was taking no chances in a possible bank marriage in London in the event that the recent crisis in Europe had not ended peaceably, according to Allyn Butterfield, Pacific News' managing editor, just back from abroad. Futter carried around $100,000 in a money belt, Butterfield said.
last week that his association was willing to join in the sessions, but added that the "only condition to this is that, in the nature of the case, we cannot agree to any proposals that would not be acceptable to the Department of Justice." Clarification of Allied's position, in the light of Myers' proviso, is expected at the meeting of its directors next Monday. Board meets to act formally on the invitation to participate in the reform discussions. Conference quarters in this city are yet to be determined, it was said yesterday, and may not be until William F. Rodgers returns to New York early next week from Minneapolis.

No decision has been reached as to whether the parleys will be behind closed doors or open to representatives of the trade press. Matter may be left to the discretion of the conference, it was said yesterday.

"Letty Lynton" Plagiarism Hearing Shifted to Oct. 21

(Continued from Page 1) M-G-M, was postponed until 10:30 a.m., Oct. 21.

Hearings currently are concerned with determination of damages suffered by the plaintiff, and are legal steps pursuant to the decision rendered Aug. 4, 1936, in U. S. District Court by Federal Judge Knox who held that the literary property of Sheehy and Barnes, "Dressed to Kill," was plagiarized by the defense.

Hammons Will Negotiate With Several British Cos.

(Continued from Page 1) during E. W. Hammons' stay in England. The G. N. prefix says today on the Normandie, accompanied by Jack Barnsyn, foreign manager. Hammons expects to go to Hollywood for production conferences shortly after he returns to the U. S. late next month. Jack Skibell will be in executive charge during Hammons' trip abroad.

WEDDING BELLs

Pittsburgh — Dorothy Alexander, daughter of James Alexander, local franchise holder and branch manager for Republic Pictures, was married to Francis Bright, of this city. The newlyweds are honeymooning in Washington.
THE PICTURE INTO WHICH 20th CENTURY-FOX POURED ALL ITS VAST RESOURCES ... DARRYL F. ZANUCK ALL HIS PRODUCTION SKILL!
WITHOUT EXCEPTION THE GREATEST
ever brought to you by 20th Century-Fox!

with
TYRONE
POWER • YOUNG
ANNABELLA

and
J. Edward Bromberg • Joseph
Schildkraut • Henry Stephenson
Sidney Blackmer • Sig Rumann
Maurice Moscovich • Nigel Bruce
Miles Mander • George Zucco

Directed by Allan Dwan
Associate Producer Gene Markey
Screen Play by Philip Dyne and Julian Josephson
Based on a story by Sam Duncan

DARRYL F. ZANUCK
In Charge of Production

The heroic romance of the man who tore continents apart that ships might sail the desert!
“King of Alcatraz”
Paramount 
56 mins.
EXCELLENT MELLER WITH UNUSUAL GANGSTER THEME ABOARD SHIP HAS 26 PUNCHES.
Here is a melodrama that carries a ter-
riﬁc punch and holds a quality of suspense
that few of the gangster ﬁlms can equal.
The grand result is due to a combina-
tion of acting, dialogue and direction.
Richard Barthelmess

“Young Dr. Kildare”
with Lew Ayres, Lionel Barrymore, Lynne
Carver
M-G-M
81½ mins.
NEAT MELODRAMATIC STORY MAKES
ENTERTAINMENT FOR NAIVE AUDIENCES.
“Young Dr. Kildare” is not a pretentious
offering, but it has a neat story, some
good humor, and an able cast to make it
appealing to and understand the opportuni-
ty hopeful patrons. There have been a num-
ber of screen stories concerning the medical
profession and there will be many more,
but perhaps none quite so well handled as
this. The story is a good one, and no diag-
osis, carry the brunt of the story ably.
However, they are supported by an ex-
traordinarily effective cast which includes,
Lew Ayres, the young doctor, Lionel
Barrymore, the noted diagnostician, car-
ries the brunt of the story ably.

“The Lady Objects”
Columbia
62 mins.
UNCONVINCING DRAMA OF SMART
WIFE AND HELPFUL HUSBAND HOLDS
SLIGHT ENTERTAINMENT.
The story consists of inconsequential
offerings in the series of stories about a
brilliant career woman and her less brilli-
ant husband. She wanted a career. He
wanted a home and loved the wife. (Gloria
Stuart) starts as a secretary in the law
ofﬁce, and the ﬁrst thing you know she
is a junior partner and a brilliant lawyer
with everybody in the city knowing how
brilliant she is. Right there the story
ends. The rest of the plot does not strengthen it any. The husband
(Lanny Ross) acts like a mechanized ﬁg-
ure, and only when he sings does he seem
to take on life. Finally, hubby gets fed
up by his wife turning their fashionable
home into a bar association for all the
works of the world, and lights a cigarette
and lights a night club and gets himself
a job as a singer where he can
launch himself, and the couple are
draughtsmen in an architects’ ofﬁce. Wife
visits the club one night with her lawyer
friends, and sees hubby being vamped by
a sultry singer. He is found out, and
after insulting his husband in the midst of
his song. And so they part, and later on,
when there is a ﬁght in one of the apart-
ments, she has strangled herself after
getting drunk. The husband is accused
of murder, and when the trial comes to
the climax to make an impressive speech
in court, even though she is not the de-
fense counsel. This will probably make all
the lawyers smile. In a plot, in which she
takes all the blame for being a selfish
wife and breaking up their home causes
the jury to bring in a verdict of not guilty,
and so they live happily ever after.
CAST: Lanny Ross, Gloria Stuart, Joan
Benson, Marjorie Lisette, Pierre Watkin,
Robert Paige, Arthur Loft, Stanley Andrews,
Buckingham, Bess Flowers, Ann Doran,
Ves- sly O’Darrow.

Don Lee Sells Television
Patent Rights to RCA
West Coast Bureau of THE FILM DAILY
Hollywood—Don Lee Broadcasting
Company has sold patent rights for televi-
sion synchronization methods and apparatus to Radio
Corporation of America for United States, Canada, Great Britain and
Germany. Equipment was invented by Harry Lubeck, director of tele-
vision for the Don Lee organization. The network will continue use of its
equipment.

Garber’s Ork In Short
Leslie Roush is currently directing a Paramount musical short fea-
turing Jan Garber’s orchestra at the Film Art studios in the Bronx.
Up-town studio is being used while Eastern Service studio is under capacity waiting schedule.

“Maga Lesz A Jerjem”
(You Will Be My Husband)
with Irene Agai, Paul Javol, Gyula Kabos
Hungarian Pictures, Inc.
82 mins.
WELL PACED COMEDY ABLY ACTED
BY TOP NOTCH HUNGARIAN STARS.
This new Hungarian release is an enter-
taining comedy amiablely acted by the cast,
insuring entertainment for the Magyar fans. Irene Agai, Paul Javol and Gyula Kabos, three of Hungary’s top notch performers, handle the principal roles skilfully, and the
supporting cast is more than adequate. Bela Gzota directs the picture deftly and a cast of jokes from the Miss Agai in trying to snare a eligible young man, apparently shy with the female sex, gets another bachelor to pose as her husband. With that set-up an unlimited ﬁeld for amusing complicat-
ions was constructed. The results are amusing and satisfactory for the audience. Well mounted, the picture has a nice pace that is well maintained.
CAST: Paul Javol, Irene Agai, Gyula Kabos,
Najassy Miklos, Miriska Vizvary, Zoltani, Mavni Kicsi, Gyula Coertes,
Joseph Berky.

CREDITS: Produced by Rex Films; Di-
rector, Bela Gaal; Screenplay, Karoly Noti.
Presented at the Modern Playhouse with
Hungarian dialogue and no English titles.
DIRECTION, GOOD; PHOTOGRAPHY, Good.

“Magyar Kicsipaj”
(Magda Is Expelled)
with Ida Turay, Klari Tolnay, Antal Pager
Danubia Pictures
99 mins.
AMUSING COMEDY SKILLFULLY PRE-
RECTED WILL ENTERTAIN THE MAG-
YAR FANS.
A most amusing and well paced, this new Hun-
garian picture will ﬁnd high favor with the Magyar audiences. Lack of English titles restricts its exhibitor value. The film is
directed by Laszlo Vajda and ably acted by a topnotch cast of Hungarian
players. The film is also on a high stand-
ard technically. Story deals with a ten-
ager grammar school class. The girls have been taking dictation to a supposedly myth-
ical Englishman in London. However, the
instructor, Klari Tolnay, writes a romantic
note which accidentally is mailed and it reaches a very real person by the name of Anthony Page who decides to investigate the matter further with hilarious results. Antal Pager, Klari Tol-
ay and Ida Turay blend the roles ably and the rest of the cast provides strong support.
CAST: Ida Turay, Klari Tolnay, Antal
Pager, George Naty, Fritz Peer, Sandor
Goth, Julissi Gozon.
CREDITS: Produced by Harmonia Films; Di-
rector, Laszlo Vajda; plays at the Modern Playhouse with Hungarian dialogue and no English titles.
DIRECTION, Good; PHOTOGRAPHY, Good.
“Declaration of Independence”  
(Historical Technicolor)  
Vitaphone  18 mins.

Fine Timely Drama

A very dramatic and timely subject, dealing with the historical events connected with the issuance of the Declaration of Independence. The sequence of events has been given dramatic license to a certain extent, but only in the interest of good suspense and colorful incident. The historical facts are followed.

Cesar Rodney, the Delaware delegate, is back home at the time that Thomas Jefferson has been shot after an attempt of drafting the Declaration. The stirring incidents involving the signing of the majority of the Congress to the bill of the Revelation are handled deftly, building to fine patriotic fervor. The deciding vote of Rodney is necessary, but he elaborates the John Litchfield. Thomas Jefferson does as fine a job as he did in the role of Patrick Henry in a previous Historical Technicolor. The rest of the historical characters are well portrayed, especially that of Benjamin Franklin. Directed with fine dramatic tempo by Crane Wilbur. Here is a timely short that carries a strong patriotic message at this critical period in world history.

“The Ugly Duckling”  
(Technicolor)  
Disney-RKO  9 mins.

Here’s a Peach

The Hans Christian Andersen fairy tale translated to cartoon language emerges a delight to the ear and the eye. A mother duck is hounded by a brood of ducklings while the father, in modern style, paces the lake shore. Something goes wrong. Among the hatches is a white duck with a voice totally unlike the others. The whole family immediately disowns him. Life is therefore just a hard battle for him. When a decoy turns her back on him, finally, when things look blackest, he comes on a white swan and a duck family as he swims happily away. Though the story concerns only the feathered folk, this Disney short is fused with real feeling and pathos.

Pixie Land  
Universal  7 mins.

Fairly Amusing

Imagination, and the appeal thereto, are the erud of this short which opens in a woodland setting with the Pixies, who take care of flowers, as the players. Among those diminutive folk is an inventor, Slap-Happy, who has concocted a secret formula fluid to make big Pixies. To try it out, he visits his discovery on a flea which is populating a dog. The insect grows to tremendous proportions and scares the inhabitants of Pixie Land, including the queen. The latter, following the application of the liquid a second time, resulting in the flea’s shrinkage to her normal size, punishes the inventor. Subject is fairly amusing.

Ghost Town Frolics  
Universal  7 mins.

A Chief Appeal to Youngsters

A quaint cartoon telling of the adventures of three monkeys, two of whom are of the masculine gender and one of the female kind. Together they arrive by auto in a village which is haunted, and settle down for the night at a spook-laden house. Happenings within are all told from the monkeys’ point of view, and two male beings sort out to all sorts of indignities by the ghosts. As a climax, the trio escapes, but not until the young gallants have driven off in the car and then returned for the forgotten girl monkey who was left behind in the house. Kids will probably enjoy this one most. As adult fare it lacks more than ordinary interest and punch.

“China Today”  
(Color Parade)  
Universal  7 mins.

Good Travel Number

This is an E. M. Newman travel offering, with narration by Dwight Weist. Opens with arrival by Clipper at Hong Kong. A leisurely jaunt is made through the city, with amusing sight gags and a vast number of effects, and then on to Macao, the oldest European settlement on the Far East. Then a visit to the grotto of Camoes, and the English church and burial ground. The manufacture of fireworks is seen to be truly splendid the work of men, who do it all by hand. The reel finishes with a visit to the fine constructed church in Macau.

“Porky’s Naughty Nephew”  
(Looney Tune Cartoon)  
Vitaphone  7 mins.

Good Gags Here

Trying to do a good deed, Porky takes his little nephew to the beach. Little Porky annoys Porky with tricks, so he enters the swimming race to get the favors back from the pest. But Porky follows in the race, for his mischief by pulling a stunt that forces Porky to win the race when he was away behind gags. Produced by Leon Schlesinger.

“Goofy and Wilbur”  
(Technicolor)  
Disney-RKO  8 mins.

Swell New Character

Wilbur, the grasshopper, is a new character among Disney creations, who is immediately have堆 of cheering fans. For he's a spunky little show-off who wins when all odds are against him. The affable Goofy, is something beautiful to behold. Wilbur acts as living bait with which Goofy catches fish. Wilbur’s method is the simplest expedient of luring the fish by leaps and jumps into Goofy’s waiting net. All goes well until Wilbur, over-confident, is swallowed by a fish. The chase is on. Goofy never rests until he has Wilbur safely in the palm of his hand. The characterisation of Wilbur is so real, that one seems to have known him a little too well. All Disney followers will welcome him. The short is in color.

Merle Kendricks and His Orchestra  
(Melody Master)  
Vitaphone  10 mins.

Well Presented

Well presented pop selections by Merle Kendricks’ band, who work with snap and class. Vocal interpo- sitions are by the head singer and the basso. Neat dance numbers by Marion Wilkins and Jack Walters. Directed by Joseph Henabery.

“Donald’s Lucky Day”  
(Technicolor)  
Disney-RKO  8 mins.

Tip-Top Fun and Tunes

Donald Duck experiences his usual misfortunes, and his chief good luck is that he doesn’t get blown to bits. He is a newspaper boy. Friday, the 13th and, carrying a package containing a time-bomb, he meets with a black cat. His antics in endeavoring not to let the cat cross his path, and in not losing the package make up the bulk of the action. As a time-bomb takes place when the cat is on one end of a tettering board and Donald tries to keep the balance from the other and the cat makes both their lives by unwittingly throwing the bomb into the lake. Notable in this short was the musical accompaniment with heightened the action two-fold.
CONSIDER EXTENDING QUIZ DATE ON OCT. 25

(Continued from Page 3)

DAILY

number of contest pictures within the allotted time. Requests for ex-

closing the date have been rece-

Closing date of the Quiz now stands as Dec. 31. Extensions of from 30 to 90 days have been pro-

posed by various exhib. groups and individual showmen.

Meanwhile, the first sketches for the all-industry fashion show have been received. Created by leading Hollywood designers, the styles are to be presented to selected manufac-

turers who will carry out the designs for display in leading department-

stores throughout the country.

Through personal contacts by em-

ployees of the 13 Paramount the-

aters in Miami, 72,328 entries in the Mickey Mouse Quiz contest was announced according to W. R. Lynch, general manager.

The campaign committee an-

nounced yesterday that reproduc-

tions of wired congratulations from Hollywood stars on the success of the drive are available for exhibi-

tors who wish to use them as lobby displays. The wires are from Ron-

ald Colman, Tyrone Power, Ray Mil-

land, Dick Powell, Claudette Colbert, Martha Raye, Don Ameche, Alice

Faye, Joan Blondell, Edgar Bergen, Irene Dunne, Bette Davis, Jack

Benny, Bob Burns, Loretta Young, Dorothy Lamour, Ginger Rogers, Mickey Rooney, Lew Ayres and Fred Astaire.

Urgy Exhib. to Register for Campaign Contest

Entry blanks are being distributed among exhibitors of all theaters participating in Motion Pictures' "The World Is Yours," to be released Sept. 30 by Paramount, with a view to obtaining their registration for the $2,100 exhibitors' con-

test prizes. "The World Is Yours" opens Sept. 12 in Miami, and with yesterday's Sidney C. Davidson, of Paul Guelle's staff, is preparing the press book. The first full of "The World Is Yours" is expected at camp-

aign headquarters for preview pur-

poses shortly.

Blanca Castejon Gets Pact

Blanca Castejon, who played the femme fatale in the Spanish piz, "Misa Mala," of Amores Productions for Farmhouse release, has been given a long term contract by Rafael Ramos Cobian.

Decker's Coast Exchange

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Decker, former-

ly Monogram distributor in Detroit, has taken over the All-Star Ex-

change in Los Angeles and has re-

named it Majestic Distributing.

Cop. He has 24 pictures for this territory and two series of western-

er. Included are the Pinky Tom-

lin's, Frankie Darro's, Kermit May-

nard's and Tim McCoy pictures.

Mrs. Kenny Baker Hurt

West Coast Bureau of THE FILM DAILY

Hollywood—A motion picture stunt woman, Mrs. Geraldine Baker, wife of Kenny Baker, was seriously hurt when the car in which she was driving struck a deer.

REVIEW OF NEW FILMS

FOREIGN

"Prostygopoula"

(The Girl Refugee)

with Sophia Vebo, Manos Philippides

Benjamin Brodie

110 Mins.

AMUSING FILM WITH ABLE CAST

WILL PLEASE THE GREEK AUDIENCES.

Although this picture is somewhat out-

moded when compared to pictures being

produced now, it nevertheless tells an in-

teresting story with amusing and enter-

taining qualities. Greek dialogue naturally

restricts it to audiences understanding this

language. Sophia Vebo and Manos Philippides

share the starring roles ably. The rest of the cast provides adequate support. Only real faults with the film are technical

aspects, showing a decided lack of modern equipment. The story allows Philippides, a prosperous farmer and devoted husband to fall into the hands of a heartless siren who would have stolen his wife, his child, and into the streets. The solution of Philippides' problems is amusing and

nearly worked out.


CREDITS: Produced by Bohra Frer; Di-

rector, Dominos Borgi. Presented at the

Miami Theater with Greek dialogue and

no English titles.

DIRECTION, O. K. PHOTOGRAPHY.

Fair.

"The Story of a Cheat"

with Sacha Guitry, Jacqueline Delubac

Gallio, Films

83 Mins.

INTERESTING DRAMATIC STORY

SKILLFULLY ACTED WILL ENTERTAIN

THE FOREIGN FANS.

Sacha Guitry, French star, has added to the foreign pictures in which he acts, directly and has contributed the screenplay. Assisted by a skillful cast, the picture of his wife, Jacqueline Delubac, Guitry unfolds a biographical narrative of a crook from early childhood. The technical aspects of the picture are good, and it has been provided with a complete set of

English titles. The story, based on Guitry's book, "Le Roman d' Un Tricheur," carries him from a childhood beginning as a petty

thief to maturity as a skillful and clever

crook. The film runs the complete gamut of emotions from tragedy to amusing com-

edy. The picture is novel and it should entertain the audiences who patronize the art theaters.

CAST: Sacha Guitry, Jacqueline Delubac, Marguerite Moreno, Rosine Dorean, Serge Gravé, Pierre Assy, Pierre Labry, Pauline Cartier, Freskol, Henry Pfeifer, Gaston Du-

pray.

CREDITS: Produced, Directed and Writ-

ten by Sacha Guitry. Presented at the 5th Ave. Playhouse with French dialogue and

English titles.

DIRECTION, GOOD. PHOTOGRAPHY, Good.

"A Donto Pillanat"

(The Crucial Moment)

with Gyula Kabos, Klari Tolnay, Antal Pag-

er

Hungarian Pictures Inc.

80 mins.

ENTERTAINING COMEDY WITH FINE

CAST WILL AMUSE THE MAGYAR FANS.

Despite the fact that the theme of this

new foreign is somewhat on the tragic side, the highly talented Gyula Kabos turns the film into a sprightly comedy with the assistance of a talented cast. The picture will please the Magyar audiences, but lack of English titles limits its exhibitor value. Kabos is supported by the attractive and capable Klari Tolnay, Antal Pager, and a good cast. Kabos is the manager of a the-

ater, and is a staunch supporter of Pager, who is struggling for a stage career with the help of his wife, Klari. Kabos loses his savings backing Pager, but later on Pager manages to achieve fame and every-

one agrees he is worthy of his faithful friend.

CAST: Gyula Kabos, Klari Tolnay, Antal Pager, Bela Mihalyffy, Andor Ajhay, Vilma Orosz, Blanka Szombathelyi, Zoltan Mak-

lari, L. K. Booce, Sandor Pathes.

CREDITS: A Haams-Komor-Vajda Pro-

duction; Director, Laszlo Vajda; Screen-

play, John Bokay. Presented at the Modern Playhouse with Hungarian dialogue and no English titles.

DIRECTION, GOOD. PHOTOGRAPHY, Good.

NOTE: "The Story of a Cheat" and "A Donto Pillanat" both are pictures of a foreign company and are of a limited area, therefore no further comments are possible on these two pictures.

Only RCA PHOTOPHONE does the Whole Job!

Recording... Ultras-Violet Sound for Major Hollywood Studios.

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phone will continue its intensive research and engineering and its progressive policies in be-

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Your choice of 7 equipments ranging in price from $107.50 to $360.00—all available on convenient terms.

From OCT. 25 through NOV. 30, 1938.
HOLLYWOOD

Editing “Little Orphan Annie”

JOHN SPEAKS picture “Little Orphan Annie” is now in the process of being edited. Ben Holmes directed and Paramount will release. The picture stars Ann Gillis who played Becky Thatcher in “Tom Sawyer.” Speaks is now preparing the screening for the Collier’s Magazine story “Melody Morgan” by Richard Wormser. He expects to have it ready for an early production.

Jester Gets Some Space

Ralph Jester has taken space at Solnick International’s where he is now preparing “The Good Samaritan.” Dana Burnett is working on the story and production will start in about two weeks.

To Shoot All-Negro Western

Hollywood Productions, with headquarters at 2510 South Central Avenue, goes on location to Victorville, where it will shoot an all-negro Western titled “The Bronze Buckaroo,” starring Herbert Jeffrey and Mantan Moreland. Mantan’s completion of the feature, “Harem Riders of the Range” will go in work with Jeffrey and Moreland starring. Richard Kahn will direct. Distribution will be handled by Sack Amusement Enterprises through their exchanges in Chicago, Atlanta and Dallas.

Para. Purchases $977,000 of Its 3 3/4 Debentures

(Continued from Page 1)

debentures, due in 1947 and during the period from Sept. 1 to Sept. 30, it purchased, $40,000 more of the debentures. Paramount also purchased from a consolidated subsidiary $740,000 of the debentures. The company reduced their outstanding debentures from $12,507,200 to $11,529,200 at the end of Sept., 1938.

Randolph Operating Co. was reported dissolved by Paramount in special report of changes and Jackson Tennessee Enterprises, Inc., stock was transferred to an affiliated company, not controlled by Paramount.

“Gay Nineties” Clicks

Astor Pictures’ “Gay Nineties” is reported to be doing big business at RKO Terminal Theater, Newark.

Not an Educator

Minneapolis—A drive to place John P. Devaney, Northwestern Allied chief con- cern and former chief justice of the Minnesota Supreme Court, in the presidency of the University of Minnesota to replace the late President Coffman, who died recently, was nipped in the very start. A transaction that he was a lawyer and not an educator.

A “Little” from Hollywood “Lots”

WHO’S WHO IN HOLLYWOOD

197 introducing Interesting Personalities: No. 198

Introducing Interesting Personalities: No. 197

DAVID HEMPSTEAD. Born Oct. 2, Salt Lake City, son of a former U. S. Assistant Attorney-General, attended Westminster Collegiate Institute. Took his A.B. degree at the University of Michigan. Career actually began at Michigan, where for three years in succession he wrote the book and lyrics for undergrad musical comedies. First spot in pictures followed the sale of a screen yarn. Subsequently became a producer at RKO. Then moved to 20th Century-Fox as assistant to Nunnally Johnson. Now on Darryl F. Zanuck’s staff as an associate-producer. Within the last year has produced “Happy Landings,” “Little Miss Broadway,” “Just Around the Corner,” “Straight Place and Show,” and his studio’s adaptation of Gustave Holbein’s novel, “Hold That Co-Ed.” At present is preparing latest Sonja Henie vehicle, a musical for Alice Faye and Don Ameche, and a star Nancy Kelly, new 20th Century-Fox discovery. Married to the former Eleanor Avery, he lives with his wife and two children, Avery and David, IV, in Beverly Hills. Admits that his favorite indoor sport is viewing approximately 50,000 feet of film each week.

Another Acting Ameche

Jimmy Ameche, younger brother of 20th Century-Fox star, Don Ameche, who took over the latter’s radio work in Chicago when Don went to Hollywood, now appears to be following even more closely in his brother’s footsteps. Screen tested by his brother’s studio, Jimmy is now being sought for a role in the musical comedy version of “The Three Musketeers,” in which Don Ameche is starred with the Ritz Brothers.

Binnie Barnes Cast

Binnie Barnes will have an important featured role supporting Warner Baxter and Loretta Young in “Wife, Husband and Friend,” 20th Century-Fox announces.

Sam Wood Off for England

“Good-bye, Mr. Chips” will be the next Metro production to be made. British producer Sam Wood, who recently completed the male starring role, opposite Rosalind Russell, in “The Scarlet Pimpernel,” will star in “Good-bye, Mr. Chips” and Sam Wood will be the director.

To start preparations for the pictures, Director Wood will leave California today sailing for England early next week. Ben Goetz, company production head in London, is flying East today and will precede Wood abroad.

Lantz Buys Kalmar-Ruby Song

Walter Lantz has purchased the popular song, “I’m Just a Jitterbug,” from Kalmar and Ruby. The song will furnish the theme for Lantz’s forthcoming Jitterbug cartoon which will bear the same title as the song.

First Co-ed for Goldwyn

“The First Co-Ed,” an original screenplay by Mary McCall, Jr., and Stanley Rauh, has been purchased by Samuel Goldwyn. It was announced today. Andrea Leeds has been awarded the title role, with Joel Mccrea as her leading man.

Set Grand National’s First Two Pix to be Made Here

(Continued from Page 1)

of production, expects to have the shooting schedule completed before returning to the Coast in about 10 days. “Prodigal Son” is to be directed by “Ex- press,” starring Anna Sten, gets under way in about two weeks at the Hollywood studios.

GOP Nominee Owns House

Utica — Julius Rothstein of this city, Republican nominee for Attorney-General, owns the Avon Theater building here and was formerly financially interested in film firm, Avon is under lease to Warners.

League Sent to Syracuse

Syracuse — Walter League of Gloves has arranged to take RKO-Schine Strand.

For Souls At Sea

London (By Cable) — Announcement is made here that when the new liner Mauritania sets out on her maiden voyage next summer she will have three pilots, one for each class of passenger — cabin, tourist and third. In cabin class will be a pro- scenium as large as in many theater-ashore, it is declared.
MPPDA Board To Get Studio View On Foreign Situation

RODZERS TO ACT FOR MAJORS IN ALLIED PARLIES

Columbus Day Sends B'way Pix Biz 25% Above Normal

Affidavit of Originality, Quiz Safeguard
As a check against the purchasing of solutions to the $250,000 Movie Quiz contest from "solution peddlers" and to protect bona fide entrants, all winners in the contest will be required to sign affidavits certifying that the answers were their own. Jack Telfig, of Radio and Pablicaon Contests, Inc., which is handling the mechanics of the Movie Quiz, announced yesterday. Telfig stated that he had used the affidavit plan in previous contests, and that it has been successful in weeding out unscrupulous persons and protecting legitimate entries.

Reorganized Indien Producers Ass'n Will Request Concessions from SAG

West Coast Bureau of THE FILM DAILY
Hollywood—Independent Motion Picture Producers Association, reorganized with Phil Goldstone as prexy, will open concession negotiations with the SAG, taking the position that the desired adjustments will enable the indies to materially increase their schedules.

Association, through a special committee, will also make overtures to other guilds and unions for co-operation on the ground that this will make production of Motion Pix a safe investment and provide increased employment for those players and technicians who seldom work in major plants.

Serving with Goldstone are Phil Krause, George Hiram and Sig Newfield, vice-presidents; Sam Wolf, secretary and general counsel, and Bud Barsky, treasurer.

Regularity of Telecasts Is Sought by Set Makers

Conferences are currently under way in New York between manufacturers of television receiving sets, parts manufacturers and broadcasting company officials with a view to assuring the continuation and regularity of telecasts. Manufacturers of receivers, including the American Television Corp., of 150 West 66th St., are said to be seeking via the conferences some definite solution of the set-marketing problem. ATC's president, Samuel M. Saltman, recently predicted that within the next year 100,000 sets will be in use in this country, but the prexy of the National Association.

Link Warner, Schenck, Goldwyn Trips East With Haysian Meeting Saturday

Fleischer N. Y. Office Closing Over Week-end

The New York office of Max Fleischer, Inc., will close over this week-end, with all efforts and employees of the organization either in Florida or en route to the new studios in Miami by that time, it was announced yesterday.

By HOLLY KENNAN
FILM DAILY Staff Writer

With Saturday's session of the MPPDA directorate reported keyed to the critical foreign situation confronting the industry, top Coast execs were speeding East last night, presumably to present the studio viewpoint.

Harry M. Warner, prexy of Warn (Continued on Page 5)

Has Power to Bind All But One Company, Myers Tells Mich. Allied

By JANET LOGIE
FILM DAILY Staff Correspondent

Grand Rapids—Abram F. Myers, Allied States' board chairman and general counsel, speaking on the proposed trade reform conferences between distributors and exhibitors at the closing session of Michigan Allied's convention here yesterday, disclosed that:

1. William F. Rodgers, Metro's sales chief, will represent the distributors' committee in the negotiations with a committee Allied's board is expected to name at a meeting in New York Oct. 17.

2. The distributors' committee now has authority to bind all major companies except one "within certain outside limits." Myers did not name the company, contending himself with saying:

BRANCH RE-ELECTED

MICH. ALLIED HEAD

Grand Rapids—Ray Branch, of Hastings, was re-elected president of Allied Theaters of Michigan at yesterday's session of its annual (Continued on Page 3)

Richey Out as Mich. Co-op Public Relations Director

Detroit—H. M. Richey is out as public relations head of Co-operative Theaters of Michigan, following (Continued on Page 3)

Rejects MPTOA Bid

Grand Rapids—Abram Myers, Allied's general counsel, said yesterday that he would be unable to accept MPTOA's invitation to hold their convention in Oklahoma City because of conflicting engagements in Pittsburgh and Indianapolis.
24-hour European Coverage
In Assured for Pathe News

Pathe News is now prepared for 24-hour European coverage, in Europe, it was said yesterday by Allyn Butterfield, managing editor of the newsreel, who has just returned from Paris.

When the recent war scare reached its crisis, every available newsman in France had been called into the army so that it was necessary to import cameramen from both England and Italy to cover the Paris scene, Butterfield disclosed.

Both the English and French Pathe organizations are individually operated companies. By negotiating a stronger arrangement for the exchanging of American film, the scope of coverage has been widened. Butterfield said, so that any future event will be fully photographed. Strong coverage also has been obtained in Germany and in Paris through Czech Univer-

TAC Industry-wide Rally
Tonight Night at Astor

Film division of the Theater Arts Committee will hold an industry-wide rally at the Astor Hotel tomorrow night at 9 o'clock. Louis Nizer, prominent industry attorney, will have the event opened as chairman, introducing guests and speakers including Leif Erickson, Ben Grauer, Blanche Yurka, Leland Wilk, Richard Watts Jr., Harold Rome, Hiram Sherman, Millon Brand, Michael Loring. The latter to present a musical show, respectively, of "Sing Out the News," current musical show.

No admission is charged and everybody connected with the film industry is welcome, according to the committee.

Metro Releasing Next
Joe E. Brown Feature

David Loew, producer of Joe E. Brown pictures, has closed a distribution deal with M-G-M for his twenty-one pictures, who will release the next Brown feature comedy, "Flirting with Fate."

Brown's two previous pictures, "The Gladiator" and "Wide Open Faces," were released by Columbia.

Roper Cites Admis Tax
Gain as Prosperity Sign

Washington Bureau of THE FILM DAILY
Washington—Secretary of Commerce Daniel C. Roper at his press conference yesterday made special reference to the $1,000,000 increase in admission tax income last year as reported by the Bureau of Internal Revenue and said that this is a sign of returning prosperity for the pin industry, as well as all U. S. business.

Industry execs, displayed lively interest yesterday in the national income estimates for the first and second six months of the year, made by the Alexander Hamilton Insti-

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"Sacrifice

Pittsburgh

LLOYDS

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British Royalty At Debut of WB and Wilcox Films

London (By Cable) — Duke and Duchess of Kent attended the premiere of Warners’ new show window here last night. Pix was “Robin Hood.” Proceeds go to British Empire Cancer Campaign. Warpaint was represented at the premiere by Jack L. Warner, Sam Morris, Max Milder and D. E. Griftiths. Downtown Queen Mary, it is announced, will attend the premiere of Herbert Wilcox’s “Sixty Glorious Years.” sequel to “Victoria the Great,” at the Odeon, Leicester Square, tomorrow. Copies of the film are being sent to Toronto and New York. Canadian release will be about the middle of October while the film’s first showing in the United States will be at the Radio City Music Hall in New York the first week in November.

Hannah Kass Recuperating

Hannah Kass, now in charge of the title department of Columbia Pictures, is recuperating from an operation at the Murray Hill Hospital where she has been for the past 10 days.

Branch Re-Elected

Mich. Allied Head

(Continued from Page 1) convention. C. R. Beecher, Charlotte, was elected vice-president, succeeding W. G. Thick. Edgar E. Kirchner, Detroit, was re-elected secretary-treasurer.

The following directors were named: H. Y. Carley, Holland; N. A. Casri, Midland; G. A. Cross, Battle Creek; Allen Johnson, Grand Rapids; W. I. Olson, Clare; J. H. Ross, Lansing; R. A. Scharman, Kalamazoo; William Shute, Detroit; W. Sonnen, Grand Rapids; J. E. Stocker, Detroit; W. G. Thick, Marshall; Y. Wilbur, Wyandotte.

The Detroit delegation, headed by J. E. Flynn and F. I. Downey, were hosts to the entire Allied members, themselves having reached regarding popular rendezvous. The convention closed last night with a dinner dance.

Columbia’s Directorate

Re-names Cohn as Prexy

(Continued from Page 1) all other company officials were renamed, including Jack Cohn, vice-president; A. Schneider, treasurer; and Charles Schwartz, secretary.

In the wake of the initial meeting on Tuesday of the company’s board, it was stated that the directors declared a regular quarterly dividend of 65½ cents per share on the $2.75 Convertible Preferred Stock, payable Nov. 15, to stockholders of record on Nov. 1.

Richey Out as Mich. Co-op Public Relations Director

(Continued from Page 1) a protracted session of the board here yesterday.

Departure of Richey follows that of Ray Moon who was replaced by Carl Breier as co-op manager on Oct. 1. At that time, it was denied by President Fred DeLodder that Richey would go.

Fleischer N. Y. Office

Closing Over Week-end

(Continued from Page 1) learned yesterday. Last truckloads of equipment will go out on Friday and Saturday. To date no agreement has been reached regarding new contract covering the studio employees, but negotiations are still under way.

Plaque for Monroes

West Coast Bag, THE FILM DAILY

Hollywood — Paramount associates of Barbara Monroes were presented him with a plaque honoring him for arranging “Music of the Cinema” which was presented at the Hollywood Bowl, Aug. 4. In addition to arranging the event, Marion conducted the orchestra. The plaque is signed by Adolph Zukor, Wil- liam Le Baron and members of the Para- mount music department.
The whole industry is asking: "Can M-G-M keep delivering one 'A' picture after another as it has been doing since the start of the season?" Here's the happy answer—keep your ear to the ground.
and look over the M-G-M releases so far:

"A"—MARIE ANTOINETTE
(Shearer, Power sensational triumph Big cities, small towns everywhere)

"A"—THREE LOVES HAS NANCY
(America flocking to Bob Montgomery, Janet Gaynor, Franchot Tone comedy)

"A"—BOYS TOWN
(The year's smash with Tracy grand and Rooney your new money star)

"A"—TOO HOT TO HANDLE
(Gable and Loy! What a pair! "Test Pilot" records go bye-bye!)

"A"—VACATION FROM LOVE
(Dennis O'Keefe, Florence Rice a new team for the fans. It's a riot!)

"A"—STABLEMATES
(Beery, Rooney in laughs and tears! Mickey has captured America!)

"A"—YOUNG DR. KILDARE
(Just previewed! And what a drama! M-G-M's new series idea will equal the "Hardy Family." Lew Ayres and Lionel Barrymore great!)

And here are some that follow, one "A" picture after another, from now to December, almost all of them completed and previewed:

JUDY GARLAND, FREDDIE BARTHOLOMEW in "LISTEN DARLING" • LUISE RAINER, FERNAND GRAVET, MIZLA KORJUS, "GREAT WALTZ" • ROBERT DONAT, ROSALIND RUSSELL in "THE CITADEL" • JEANETTE MACDONALD, NELSON EDDY in "SWEETHEARTS" (Technicolor) • MICKEY ROONEY, LEWIS STONE, etc., in "OUT WEST WITH THE HARDYS" • LEW AYRES, MAUREEN O'SULLIVAN in "SPRING DANCE" • JOAN CRAWFORD, MARGARET SULLAVAN, ROBERT YOUNG, MELVYN DOUGLAS in "THE SHINING HOUR" • LUISE RAINER in "DRAMATIC SCHOOL", etc.

The industry's new slogan is: "It's Metro-Goldwyn-Mayer's Grade 'A' Year!"

The "A" Company

YN-MAYER
Big Broadway Odd: The suit alleged that the Leader Press printed and distributed advertising accessories that contained misleading and false statements. It also charged that motion pictures distributed therein, pictures, cartoons and caricatures of stars and feature players were printed in certain stars, names which contractual requirements between Paramount and the stars required be printed in certain type relations on all advertising.

"It appears to the court that the owner of the theater would be as much interested in securing the best results from a show's exhibition in his theater as would the plaintiff," Judge Vaught stated in his opinon, noting that the defendant had公然 exhibited the advertising matter. It merely manufactures the character and appearance of the theater owner who is willing to purchase and the theater owner is free to purchase this advertising matter and advertise as he chooses. He has an opportunity to purchase his advertising matter from the plaintiff and the fact that he is much interested in the plaintiffs and that he chooses to purchase the advertising matter reproduced by the defendant indicates that the owner is not of the same opinion as the plaintiffs as to the value that the advertising manufactured by the defendants. . . . the names to be carried upon the advertising matter, while a matter of contract between the producer and the various personalities appearing in the picture, are a matter or contract between the producer and the defendant and the fact that the defendant has refused to carry the names on the advertising reproduced by the defendant is, as hereinbefore stated, and the plaintiffs have a remedy to control the character of the advertising reproduced by the defendant in the contract with the exhibitor . . . .

Specifically the complaint referred to the picture "Boulevard." Acting actress Claudette Colbert was presented as a Negress, that the name "A Paramount Picture" was omitted from the title, that the stars were omitted and the latter being violation of the producers contract with the exhibitors.

"On "Big Broadcast" it alleged certain names were left out, others presented improperly, the firm name was approved out and the captions were shown in reverse balance between various players named was not adhered to.

Rodgers To Represent Distributors’ Committee in Allied Reform Parleys

Continued from Page 1)

Myers Voices Optimism

Myers expressed sincere optimism over the possibilities for accomplishing the aims of his organization. He declared that motion picture history may be written in the next six days, but he was emphatic in asserting that “any display of sincerity” would meet with swift retribution.

Pointing out that the annual meeting of the board in January would come on Allied’s tenth anniversary, Myers expressed the belief that it would be an occasion for great rejoicing.

"We may even receive the friendly recognition by the ‘big eight’ that has been withheld through the intervention of industry politicians,” he said. “It is an inspiring prospect, that of a united industry to sound bound up and its anguish assuaged, surging forward to even greater accomplishments.”

But this being parleys, Myers told his audience, will not be restricted, if Allied participates, to the program of points to any organization or group. This was assured, he said, by Rogers during a discussion of the proposed meetings earlier in New York.

"It developed,” he continued, “that the distributors’ committee of the board was to be a platform which, at the Ohio convention last year, outlining what I thought was the basis for a constructive industry program and it was indicated that this might figure in the negotiations with Allied. But this will preclude the submission of other and different proposals at the conference.

Allied Action Up to Board 1938

More than 500 motion-picture people planned joining the parleys, Myers made it clear that the appointment of a negotiating committee depended on the decision of the board which meets in New York Oct. 17. "It is not for me to predict the action which the board will take,” he said. But assuming the board does name a committee, Myers added, it will be made up of capable men in whom exhibitors should put their trust.

Tele Set Makers Seek Assurance of Programs

Continued from Page 1)

Orpheum Theater, Jersey City, a Rosenbalt-Welt house, started its stock company policy yesterday. House will present plays every Wednesday through Saturday and will show pictures on the other three days. If successful, the policy will be shifted to a seven-day legit stand.

First stage piece will be "Room Service," which features the story of "The Flat" and "Yes, My Darling Daughter." All seats in the 1,400-seat house will be reserved during the production, and the pictures will be shown on those days.

New manager of the Orpheum is Joe Parlette.
FIRST TEST ENGAGEMENT OF GIRLS' SCHOOL* proves to be SMASH HIT!

FOR SECOND WEEK AT THE BIJOU THEATRE, SPRINGFIELD, MASS.

HELD OVER ALADDIN THEATRE DENVER, COLO.

* The Year's Big Surprise!

SECOND TEST ENGAGEMENT GRAND THEATRE, ALBANY, N. Y. FRIDAY, OCT. 14

SHIRLEY GREY BELLAMY

Story by Tess Slesinger • Screen play by Tess Slesinger and Richard Sherman • Directed by John Brahm
Walter, them's our sentiments, exactly!

WILMER & VINCENT CORPORATION

SIDNEY WILMER
EXECUTIVE OFFICES
1776 BROADWAY
NEW YORK CITY

WALTER VINCENT

October 7, 1938

MR. ROBERT M. GILLHAM,
Paramount Pictures, Inc.,
Times Square,
New York City.
My dear Mr. Gillham:-

Now there comes in exploitation on "Arkansas Traveler" by way of copy of a telegram from Little Rock, Arkansas, and here is where I get a chance to thoroughly agree that "ARKANSAS TRAVELER" is mighty good entertainment; that Bob Burns is the first man that I have thought may capture the fancy of the public as did Will Rogers.

I look forward to "ARKANSAS TRAVELER" being a real box-office attraction in the great majority of theatres.

So many times I criticise that I find it a real pleasure to praise.

Sincerely yours,
U.S. Film Companies to Intensify S. American Drive

TELEVISION INTERESTS UNITE FOR 3-POINT DRIVE
Six Regional Units Sending Delegates to Trade Parley

The Industry
... and a good press

By CHESTER B. BAHN

More than 500 newspapers in the United States have taken editorial cognizance of Motion Pictures' Greatest Year and while it is impossible to attribute an exact percentage to these expressions of commendation and support, obviously they have played some part in increasing grosses.

In the last analysis, however, the industry's greater benefits from this widespread editorial interest promise to materialize as improved press, and hence public, relations. This industry and the public it serves have two vital points of contact. One, of course, is the box office. The other is the printed page.

The importance of a good press is cheerfully admitted, but the collective industry tendency until recently has been to let the admission stand, persuasively for the record, and do nothing further.

The unfortunate results of this "policy" may be read in the daily reports of the national press services which find their way into the news columns, in the chatter of the columnists, in the editorial paragraphs, yes, and in the flow of blurbs from publicists and press agents.

The accent, even in the editorials, generally has been on the inconsequential and the freakish, while the important role the industry plays in America's economy has been slighted or wholly ignored.

It has taken the present campaign to remind editors and publishers that this is a business—a big business and a serious business—and not the creation and the field of endeavor of zanies. The new or renewed respect thus gained is reflected in no uncertain fashion in both the news and editorial slants during the last five weeks.

The industry now faces the follow through job, and it is earnestly to be hoped that it does just that, from Hollywood as well as New York.

Incidentally, this might be an opportune time for exhibitors in some other spots

Invited Groups Accept Invitation; MPTOA To Represent Va.

Of the eight unaffiliated exhibitor organizations invited to New York for trade reform parleys, six will send committees and one will be represented by the MPTOA. The eighth, Allied Theaters of Oregon, is no longer in existence, and hence that territory will be unrepresented. The West Virginia Managers Association is naming no special committee to meet with the distributors.

SUCCESS OF PARLEYS
FORECAST BY RODGERS

Detroit—This city's delegation to the Allied of Michigan convention returned from Grand Rapids yesterday highly confident that the major distributors are prepared to (Continued on Page 4)

Harry Cohn Flying East for MPPDA Board Parley

Hollywood contingent rolling into New York from the Coast for tomorrow's MPPDA meeting which is scheduled to start at 10 a.m. was (Continued on Page 6)

London (By Cable)—Announcement of a complete new production lineup for 20th-Fox at its English studios, calling for 11 pictures, with at least two to be made in Technicolor, was made by Robert T. Kane, vice-president and general manager of the British subsidiaries of the Chas. B. Lubin Co. in Hollywood.

Max Fleischer's new Miami studio will be operated on an open shop basis, it was stated yesterday by Louis Nizer, attorney for Fleischer. Although a majority of the workers will be largely union people, Fleischer's contract with the

Ground Work Laid by U.S. Film Cos. for Further S. American Development

III. Allied Proxy Here in Connection with B & K Suit

Chicago—Jack Kirsch, president of Illinois Allied, went to New York yesterday in connection with a re-ported settlement of the suit recently instituted against Balaban & (Continued on Page 2)

Intensification of the drive by U.S. film companies for South America is indicated by moves made by foreign managers.

Emphasis upon the Latin-American market at this time results from two causes, it is understood. First, is the anticipation that the European market will react to political unrest for some time. See

Would Use Theater Screens and Contests in Promotional Campaign

By GEORGE H. MORRIS
FILM DAILY Staff Writer

First concerted drive to co-ordinate the activities of all motion picture interests for the purpose of supplying transmitters to broadcasting stations, instituting regular programs of a sustaining nature, prior to their future possible sale to sponsors; and the marketing of sets to the public, in the wake of a campaign to popularize their purchase was disclosed yesterday to THE FILM DAILY by sources close to the elaborative program.

Drive, plans for which are re-
(Continued on Page 5)

BRITISH LION'S HEAD TO MEET WITH YATES

With the arrival here early next week of Sam Smith, managing director of British Lion Film Corporation, Ltd., United Kingdom distributor for Republic and producer of its quota pictures, it is expected that the British exec will immedi-

Foreign Managers To Seek Clarification on P. R. Tax

Foreign department managers, meeting yesterday to discuss the new Porto Rican film tax, decided to send letters of inquiry to lawyers in Porto Rico for clarification on certain clauses of the measure. Ap-

Whitney Going to Coast for Production Confabs

No new S-J releasing arrangement is expected to result from John Hay Whitney's recent trip to the Coast where he is due to arrive on

(Continued on Page 6)
COMING AND GOING

JOHN HAY WHITNEY, Solotzek International board chairman, arrives on the Coast Sunday by plane from Chicago.

HARRY COHN, Columbia president, is scheduled to arrive in New York via Kansas City to attend tomorrow's MPDA meeting.

SAM SMITH, managing director of British Lion Film Corp., Ltd., arrives here next week from England.

JACK KIRSCH, president of Illinois Allied, arrived in New York yesterday.

GROUCHO MARX leaves Hollywood today for Paris.

OTTO KRUGER and GLENDA FARELL are on route to New York from the Coast by train.

DAVID LOWE is scheduled to leave Hollywood early next week for New York bringing a print of Joe E. Brown's latest picture, "Flirting With Fate."

GABRIEL PASCALL leaves by plane today to report on the M-G-M Coast studios for conferences on his next G. B. Shaw picture.

ADEO TANCHI, who is in charge of the Technicolor photography in "Drums," arrived from London on the Bremen and is stopping at the Grand Hotel. His leave for Hollywood shortly.

CAESAR W. CHAPERAU has arrived from Europe with the rights for several French pictures.

GAIL PATRICK has returned to Hollywood from Little Rock.

HARRY PERRY, Paramount cameraman, has arrived in New York from Hollywood by plane to photograph Riverside Drive shots for "Invitation to Happiness."

PAT CASEY, producer labor contract, is expected to arrive from the West Coast within the next few days.

JACK MERSEREAU leaves tonight on the Super Chief from Hollywood for New York, returning to the Coast Oct. 29.

BOB GILLHAM, Para. ad and publicity chief, is in New York for advance work on Mark Sandrich's "Cabin in the Moon."

CHESTER MORRIS, who has been East on a personal appearance tour, leaves today for the Coast for a featured role in RKO Radio's "Pacific Line."

PRISCILLA LANE leaves Hollywood Sunday by train for Chicago and to make a p. a. with the "Brother Rat" premiere at the Virginia Military Institute.

PAT O'BRIEN arrives from the Coast today for a short vacation.

BEULAH BONDY, film actress, is due here from the Coast today.

EDNA WALLACE HOPPER has arrived in New York by motor from the Coast and is stopping at the Waldorf-Astoria.

JOE PENNEL, head of the propaganda department, is in New York for a week at the company's home office.

F. J. A. MCCARTHY, Universal's eastern sales manager, is in New Orleans on a sales trip. He will visit other Southern branches before returning.

RICK RICKETSON is here from Denver for conferences with Spyros Skouras.

Moon and Richley Expected to Launch Booking Combine

Detroit—Departure of Ray Moon and H. M. Richley from Co-operative Theaters of Michigan gave rise yesterday to persistent reports that they may call some move shortly to establish a new booking combine.

Neither Moon nor Richley have announced future plans.

It was learned yesterday that Co-operative Theaters will name an successor to Richley as public relations director.

III. Allied Proxy Here in Connection with B & K Suit

(Continued From Page 1)

to follow the example set by Los Angeles showmen and move for a more equitable space treatment and other reasonable adjustments.

The situation effectively and diplomatically cited by the West Coast theater owners and managers—the marked differences in film and sports attendance and newspaper revenues from film and sports advertising—is paralleled in practically every town, city and village in the country.

17 Companies Will Have Displays at Allied Meet

Seventeen companies to date have reserved exhibit space for Allied's eastern regional convention which opens in Atlantic City next Wednesday for a three-day period.


Although official figures have not been compiled, indications are that the meetings will have the largest attendance in many years.

"Britain's Dilemma" Too "Dangerous," British View

London (By Cable)—British Board of Film Censors has banned the latest issue of The March of Time, titled "Britain's Dilemma" which dramatizes background and cause of the Czechoslovak crisis.

Beyond the statement that the reel's content was "dangerous" and "likely to create trouble," no reason was given officially for its suppression.

Distributors were informed that the film's arrival England that drastic cuts would have to be made. Since release was set for today, time preclude deletions and the subject was shelved.

Footage starts with dramatization of Hitler's "My Struggle," an subsequently touches on the Turkish-Japanese conflict, Ethiopian war, Spanish, Austria's seizure, and the Czech troubles. Ending is a Munich and the theory Britain will not fight. The final question, refer ring to Hitler: "Is he right or wrong," is said to have displeased the censors and led to subject's rejection.

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III. Allied Proxy Here in Connection with B & K Suit

(Continued From Page 1)

Katz is a member of the major companies.

Chicago—At the request of defense attorneys, Judge Wilkerson yesterday postponed until Oct. 18 a scheduled hearing for a temporary injunction sought by independent exhibitors in their anti-trust suit against major distributors, B & K and Warner Bros. theaters. Defense attorneys wanted more time to file their answers.

IATSE Asks Bargaining Agency Certification

West Coast Bureau of THE FILM DAILY

Los Angeles—Although under the basic studio agreement it is recognized by producers as sole bargaining agency for the four locals it represents, IATSE has petitioned NLRB for certification as exclusive bargaining agency for the crafts. It is understood the move is prompted by the desire of IATSE to protect its present status as the attacks of minority groups. Initial petition was filed on behalf of Local 695, sound technicians.

Chi. Unions Co-operating

Chicago—Final settlement of the theater engineers strike is reported tied in with the present operators' negotiations for a new contract with theater owners.

Chicago, operators plan a final meeting next week to settle their new contract.
FOR A WALLOPING GOOD SHOW

treat yourself to a loving look at that sensational new comedy number now being dashed out to all Warner Exchanges under the title of

"HARD TO GET"

with

Dick Powell • Olivia de Havilland

CHARLES WINNINGER • ALLEN JENKINS • BONITA GRANVILLE • MELVILLE COOPER

Directed by RAY ENRIGHT

Screen Play by Jerry Wald, Maurice Leo and Richard Macaulay • From an Original Story by Wally Klein and Joseph Schrank
Suggested by a Story by Stephen Morehouse Avery • 2 songs by Harry Warren and Johnny Mercer
6 REGIONAL UNITS FOR TRADE PARLEY

(Continued from Page 1)

representatives, authorizing, instead, the MPTO to act for it at the scheduled conference on Monday.

Subject to confirmation of date by the distributors' group, a committee representing the MPTO of Virginia will come to New York on Oct. 25. According to a telegram received by The Film Daily from President W. F. Crockett. The Virginia contingent is to include Crockett, Elmore Heins of Roanoke, J. Eilson Loth of Waynesboro, Benjamin T. Pitts of Fredericksburg and Williams B. Wilder of Norfolk.

Allied Theaters of Iowa and Nebraska is sending Wesley Mansfield and Leo Wolcott, who are underwritten to have suggested Oct. 18 as the conference date.

The MPTO of Kentucky has designated Leo Mollof, Lebanon, Leon Keller, Pal Success; Richard Martin, Jr., Ashland; Lawrence Davis, Hazard; C. O. Brown, Middleboro, and Sam Sworow, Louisville as its representatives.

Robert Pool and Albert Galston, representing the ITO in Southern California and Arizona, have requested Wednesday, Oct. 24, as the day for their parleys in New York.

Theater owners and managers of the Rocky Mountain Region, Inc., is favorably disposed, but is expected to name a committee over the weekend.

The ITOA will be represented by Harry Brantol, Leo Brehier and Lawrence Bolognino.

Testimonial Dinner Tonight in Minneapolis For Golden

Eddie Golden, Monogram's vice-president, will be honored at an industry testimonial dinner tonight at the Nicollet Hotel in Minneapolis. Eddie Green and the Eastern contingent left New York yesterday afternoon for Chicago where they board the Burlington Zephyr which brings the party into Minneapolis at 3 o'clock.

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

<table>
<thead>
<tr>
<th>October 14</th>
<th>October 15</th>
<th>October 16</th>
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<tbody>
<tr>
<td>Lillian Gish</td>
<td>Myron LeRoy</td>
<td>Harry Rapf</td>
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<td>Benita Hume</td>
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ALONG THE RIALTO

MAJORS TO INTENSIFY SO. AMERICAN DRIVE

(Continued from Page 1)

ondly, the fact that the majority of the principal S. A. countries balanced their budgets during the past year, a sign of growing prosperity.

Walter J. Hutchinson, 20th-Fox foreign distribution director, completed a Central and South American tour this week, sailing for South Africa; Arthur Loew, Metro's foreign chief is now in Cuba, en route to Mexico and countries further south; Phil Reisman, RKO foreign exec., preceded his present European trip with a swing through the Latin-American, while John W. Hicks, Jr., of Para, and Sam Morris of Warners conferred extensively with S. A. managers, summoned to New York, prior to their departures for Europe.

It is the opinion of foreign managers that these territories stack up as great potential market. No marked increase in revenue can be expected immediately, it is said, but it is the concurrent opinion that over a period of the next few years, tremendous strides will be made.

Existing relations between the United States and countries in South and Central America have never been better, it is pointed out. Recent conclusion of a number of new trade pacts has also helped to cement these bonds, as well as President Roosevelt's visit last year.

Every effort is being made by the Government to strengthen trade ties and stimulate reciprocal trading agreements. These pacts will help the film business inestimably, it is said.

Further evidence of the major companies' interest is found in the number of pictures in Spanish that will be turned out this year. Paramount and 20th-Fox have both outlined a program of Spanish pictures, with Fox also dubbing shorts for the market. This is apart from an increasing number of independent producers of both features and shorts who have aimed their pictures directly at these countries.

Perelms Said Weighing Doubles Damage Actions

Philadelphia — U. S. Supreme Court in favor of the Perelmans in the so-called Philly doubles case may result in damage suits by the Perelmans against the majors, based on the alleged refusal of the exchanges to sell them pix for doubles, it was reported here yesterday.

Family Pic Rule

Only three of the 42 features re-viewed by the National Board of Review during September were listed as for family audiences. These were "The Lady Objects," "Paralyzed from the Big House," "Secrets of an Actress." Other 39 were given family or family-junior audience rating.
ported as fast taking definite shape, is the result of general realization on the part of interests involved that immediate commercial development of television is keyed to co-operative effort rather than a competitive policy.

To get public interest in television, the plans, as disclosed yesterday, call for the early use of 100 theater screens in New York, Philadelphia, and Boston, the present three Eastern television centers. A considerable number of the houses are said to be in the RKO field.

Receivers as Giveaways

Television receivers as theater giveaways is the crux of the setup insofar as the film houses are concerned. In return for free receivers to be awarded local contest winners, the co-operating theaters would be expected to run trailers or shorts depicting telecasting and tele-reception.

Placing of these pioneer television sets in homes in the three metropolitan cities is expected to give the required impetus to receiver sales. In addition, the plan's proponents see the trailers a valuable auxiliary.

The next step upward from the availability of sets to the public is concern to telecast periods via which regular programs will be assured to set purchasers. A fund is proposed to which all interested organizations in the television field may subscribe. Proceeds will defray the cost over an indefinite period to make possible sustaining programs, pending the advent of commercial stations, RCA, it is learned, may or may not allocate a portion of its present limited fund to the sustaining program, but it is expected to appropriate for the “kitty.”

Necessity of a new deal in the telecast field is logical, it is pointed out, because programs in the past have had so many periodic lulls that the public urge to purchase sets under such circumstances is at too low an ebb to permit manufacturers of sets to make effective inroads.

Aim at More Stations

The forward step in the plan concerns television stations. More must be provided, it is contended. RCA's desire to bring about this condition was manifest yesterday with the announcement in Camden by I. R. Baker, manager of transmitting equipment for RCA Mfr Co., that his department is preparing to supply information to and for RCA Mfr Co for new Anshe(nc)rs would be telecast and for the new CBS station.

Here's Your Chance

A unique first-prize will be awarded in connection with a raffle held as part of the Catholic Actors Guild rally at the Plaza next Sunday night. The holder of the winning ticket will be given a screen test at the 20th Century-Fox New York studio, 10th Avenue and 56th Street.

20th Century-Fox Revamps Its British Production

(Continued from Page 1)

production head for the company here. Budget estimate for the increased program was said to be around $4,000,000.

Acquisition of a number of story rights has been made by Kane during the past few months, including rights to a detective series. Titled announced are as follows: two "Inspector Hornleigh" films, "Handley Cross," "Langman's House," "Frenchie," "Husbands Beware," "Old Folks At Home" and "Sally Of The Shipyard." Grace Field and Anabel head the list of players who will appear in the films.

20-Mile Route Is Planned For Toronto Drive Parade

Toronto—Instead of following a five-mile route, as originally planned, Toronto's "Motion Pictures Are Your Best Entertainment" parade, Oct. 22, will cover a route of between 20 and 25 miles along some of the city's principal streets. Dewey D. Bloom, head of the film publicity and radio committee for the industry's business drive, also announced that every branch of the industry will share in the parade's cost. The civic authorities have given permission for erection of imposing buntings with words: "Toronto Welcomes Motion Pictures' Greatest Year," at principal street intersections.

George Hartman Dead

Youngstown, Ohio—George F. Hartman, Jr., 82, motion picture operator at the Cameo Theater, died suddenly of a heart attack. He leaves his wife, a daughter, a brother, and his father.

Mary Rokke Dies at 80

London (By Cable).—Mary Rokke, 80, stage and screen actress for 66 years, is dead today. She retired in 1933, her last appearance being in the British pit. "Testimony," Biography fills five columns in the "Theatrical Who's Who."
SUCCESS OF PARLAYS FORECAST BY RODGERS

(Continued from Page 1)

make concessions which will assure industry peace.

Optimism was based upon the remarks of both William F. Rodgers, National Allied's board chairman, and General Joseph F. Myers, national Allied's board chairman and general counsel, at the convention. In particular, the exhibit, cited the Rodgers statement: "That we will be successful in our deliberations, seems to me to be a certainty. Rodgers is scheduled to meet the distributors' committee in the anticipated parlays with Allied.

As a further cue to the distributor attitude as the reform parlays draw near, the Detroit contingent yesterday placed emphasis on these words of Rodgers: "We as distributors are committed and you may have our assurance that every step of the way will be met courageously. We can look at it from that standpoint; fearlessly, you can accept it as such, and furthermore, with a definite conviction that we want, and sincerely so, to have a state of confidence exist, and are prepared to discuss every phase of our different problems and will do our level best to bring about the understanding that will enable all of us to more completely enjoy the benefits of our great industry."

Membership in Allied Theaters of Michigan has increased 60 per cent in a year, almost entirely up to date, it was stated at the theatermen's convention which was attended by 200. Paid up dues are at the highest point on record. The convention atmosphere was harmonious, indicating a full recovery from the rift of the co-operative split a year ago.

At an informal session President Ray Branch was proposed for membership on the consolidation board. Subject of free shows by merchants commanded much attention with strong sentiment for legislation outlawing them. Twilight softball was attacked as hurtful opposition.

Several co-operative leaders attended the banquet last night which closed the convention. Edward C. Beatty and J. O. Brooks of the Butterfield circuit attended the business session.

Harry Cohn Flying East for MPPDA Board Parley

(Continued from Page 1)

augmented by the announcement yesterday that Columbus's president, Harry Cohn, is en route here by plane.

Joseph M. Schenck, H. M. Warner and Samuel Goldwyn are other film barons making the trek in time to attend today's session of the MPPDA. Schenck and Goldwyn are scheduled to be here this morning. Schenck and Goldwyn were the key figures in the negotiations and the new agreement.

Mrs. Luke Johnson Dies


3 MAJORS SETTING DEALS WITH SANGER

New Orleans—All majors may be set with deals for the Saenger Theaters and its network of affiliates this week as RKO, Universal, and United Artists sent executives into New Orleans to negotiate. H. M. Lyon, southern district manager, is on the job for RKO; United Artists sent Bob Mochrie, while Frank J. A. McCarthy, Eastern sales manager, and Harry (Mahatma Ghandi) Graham, Southern district manager, are on the ground for Universal, Paramount, Columbia, 20th Century Fox, M-G-M and Vitagraph are already reported to have deals.

Fleischer Miami Studio to Operate as Open Shop

(Continued from Page 1)

artists' union does not call for a strike, 448. It was said, to hire non-union workers at his own discretion. Transportation of the New York staff to Miami and a year's contract for each em- ployee has been guaranteed.

A vote will be taken two weeks from today as to whether the workers will remain under the CIO banner or select the A F of L as their choice.

A committee representing the American Artists and Professional Workers Union met with Fleischer representatives last night. Agreement on a new contract was reported near.

Head of British Lion, Ltd. Coming to Confer with Yates

(Continued from Page 1)

lately huddled with Herbert J. Yates, Republic chieftain, on production and financing questions concerning next year's program.

The Smith-Yates conferences are expected to formulate a final program for the fulfillment of Repub- lic's quota needs under the new British regulations. It is not known what the Republic program will comprise, but it is almost a certainty that costs in England will be increased over past years.

Foreign Managers to Seek Clarification of P. R. Tax

(Continued from Page 1)

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HOLLYWOOD

Lamont on "Inverted Cipher"

FRANKLYN WARNER, head of Flip Fingers, Inc., has assigned Charles Lamont, producer-director, to handle "Inverted Cipher," the second in the series of "Cipher Bureau" stories. Arthur Hoerl and Monroe Shaff are writing the script, which will deal with the activities of United States Government operatives in stamping out espionage.

They Saw "Ice Follies"


Set for Butte Oct. 20

West Coast Bureau of THE FILM DAILY

Los Angeles — Fox West Coast will give the Northwest its biggest premiere when, on Oct. 20, it opens "The Sisters" at its Rialto Theater in Butte, home town of Myron Brinig, who wrote the best seller upon which the picture is based. Via Western Air Express, Warners will fly several principals from the cast of "The Sisters" to Butte to make the p.a.'s. A national radio hookup is being set.

Harry Kalmine Re-elected

Pittsburgh — Harry Kalmine, zone manager for Warners in this territory, was re-elected Post Commander of the Pittsburgh Variety Club Post No. 589 of the American Legion, and C. C. C. Strom, local sales manager for 20th Century-Fox, was re-elected post adjutant, at a meeting held in the William Penn Hotel. A number of officers will take place Oct. 10.

"Popeye" Creator Dying

West Coast Bureau of THE FILM DAILY

Santa Monica — E. C. Segar, cartoonist creator of "Popeye the Sailor," is critically ill here, his death anticipated.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 199


B & K Denies Conspiracy

In Answer to Gary Suit

Charges that it is a party to any illegal combination or conspiracy in restraint or restriction of interstate commerce are denied by B & K in replying to anti-trust charges brought by the Gary Theater Co., Gary, Ind., against major distributors and the B & K circuit. Copies of the answers, prepared by B & K attorneys, Sommenschien, Berksen, Laumett, Levinson & Morse, were received in New York yesterday.

The circuit admits that the "plaintiff seeks to bring this suit under the so-called anti-trust laws," but it denies that the "subject matter of this action is in any way affected by the provisions of any of said laws."

Allegations in all paragraphs of the suit are denied except those describing clearance regulations,珊瑚 species and others relating to release dates. Strict proof of the charges are demanded.

Screen Trailer Warning

Against Quiz Tipsters

Trailer No. 9, issued by Movie Pictures' Greatest Year in connection with the $290,000 Quiz contest, contains a warning against "tipsters" and movie magazines offering alleged correct answers to the contest questions. Trailer asserts that one magazine already has given three wrong answers.

Dallas V. C. Tourney Nets

$3,000 for Freeman Clinic

Dallas — Fall golf tournament and festival of the local Variety Club netted approximately $8,000 for the Freeman Memorial Clinic. Joe Law- don had a hole in one at the tour- ney.

Detects "Scratch"

When Big Truck Shakes Theatre

GAINESVILLE, FLA. — Right after completing a routine inspection, my Altec man, W. M. Shubert, noticed a trace of scratches in the sound, just when a heavy truck rumbled by the theatre, said W. E. Roberts, manager of the Altec Theatre here.

"Shubert was immediately suspicious and went back to the booth. He found that a wire to the amplifier, covered by insulation, was broken. The only reason the amplifier wasn't completely dead was because by accident the lead sheathing of another wire was touching the frame of the amplifier, making a shaky contact."

"If we would have needed, to lose a Saturday night's full house business was to have another big truck go by in the middle of the show. It's a good thing that Shubert has such a sensitive--and such a suspicious--nature."

ALTEC SERVICE CORPORATION

250 West 57th Street

New York City.

Gentlemen: Without obligation to myself, you may have the Altec Inspector in my neighborhood tell me why an Altec Service Agreement can give me greater protection.

NAME

THEATRE

ADDRESS

CITY

64

...that your Theatre may never be dark...
Van Buren boy makes good!

“BOB BURNS in ‘THE ARKANSAS TRAVELER’ turns in a performance that will linger in the memory of those who view it.” —Daily Variety

“BOB BURNS in ‘THE ARKANSAS TRAVELER’ is on his way to occupy the high pinnacle in box-office circles reached by the late Will Rogers.” —Hollywood Motion Picture Review

“BOB BURNS in ‘THE ARKANSAS TRAVELER’ carries on with honor in the footsteps of the departed great Will Rogers.” —Motion Picture Herald

“BOB BURNS in ‘THE ARKANSAS TRAVELER’ gives exactly the type of entertainment achieved by the late Will Rogers.” —Motion Picture Daily

“BOB BURNS in ‘THE ARKANSAS TRAVELER’ proves himself a first-rate dramatic actor.” —Film Daily
Kuykendall Sees Trade Parleys Netting 5 Big Reforms

INDUSTRY PROBLEMS DISCUSSED AT MPTOA MEETING

Allied and MPTOA Leaders Decide Trade Issues Today

Allied Execs. To Decide On Participation in Parley; MPTOA Maps Course

MPTOA's executive committee and Allied's board of directors meet in separate sessions today to decide courses of action in connection with the trade practice conferences to be held this week in New York. The MPTOA group will huddle at 1 p.m. at organization headquarters to prepare recommendations for submission to the distributors' negotiating committee. Allied's board will convene to decide whether or not the association will participate in the trade practice parleys.

Wednesday has been set for the (Continued on Page 3)

MYERS STATES ALLIED TRADE REFORM STAND

Any trade reforms negotiated with Allied "must meet the reasonable demands of the religious, welfare and educational groups so that mo-- (Continued on Page 5)

Gaumont Brit. Drops Contest; $200,000 for Advertisements

Plans formulated by Gaumont British to hold a contest campaign similar to the current Motion Pictures' Greatest Year drive have been definitely abandoned, and an allocation of $200,000 made by the company for campaign expenditures will be spent for advertising and publicity for the company's pictures, it was learned over the weekend from authoritative sources.

It was pointed out that the GB (Continued on Page 4)

Ed Peskay Is General Mgr. For Kute Kris Kringle Co.

Ed Peskay, former vice-president of Grand National Films, has been appointed general manager of sales and distribution of Kute Kris Kringle. (Continued on Page 11)

REPORT SETTLEMENT OF ABP-OSTRER SUIT

London (By Cable)—Reports persisted at the week-end that an out of court settlement of the fraud action brought by Associated British Pictures against Mark and Isidor Ostrer had been effected. Action (Continued on Page 11)

SCHENCK SEES GAIN IN FOX'S EARNINGS

Arriving Saturday morning from the Coast to attend the MPTOA meeting and to confer with President Franklin D. Roosevelt in Washington either today or tomorrow, Joseph M. Schenck, board chairman (Continued on Page 5)

THE WEEK IN REVIEW

Schaefer Leaves UA—Majors Eye S. A. Market

By GEORGE H. MORRIS

DOMESTIC

Monday's headlines disclosed the resignation submitted at the weekend by George J. Schaefer, which marked the relinquishment of his post as UA's vice-president and general manager in the U. S. and Canada. Persistent reports placed his (Continued on Page 4)

FOREIGN

Balanced budgets by South American countries, plus the consideration of continued European unrest, moved U. S. foreign managers during the week to eye the intensification of their efforts to make the most of the opportunities obviously (Continued on Page 4)

Shorts, Cancellation, Conciliation Problems to be Solved—Kuykendall

By ERNEST W. FAIR

FILM DAILY Staff Correspondent

Oklahoma City—From the forthcoming trade parleys in New York will emerge five major reforms in industry practices, it is forecast by Ed Kuykendall, MPTOA president, who hopes to announce crystallization of the results of the distributor-exhibitor deliberations at the MPTOA's (Continued on Page 4)

World's Fair Pic, Guilds, Ad Drive and Trade Practices on Program

In an adjourned meeting which lasted more than seven hours, the MPPDA board of directors Saturday discussed and, in some instances, disposed of a number of industry issues including the production of pictures for the New York and San Francisco World Fairs, studio guilds, the Motion Pictures Greatest Year campaign and intra-industry relationships particularly between distributors and exhibitors.

Although details of the sessions were not revealed, it is understood that the trade practice conferences (Continued on Page 4)

SCHAEFER MAY ENTER RKO BEFORE REORG.

Due to the fact that RKO is still in receivership and no contracts can be entered into that would be binding after reorganization, it is understood that George J. Schaefer, (Continued on Page 4)

Dreifuss Quits Coronada To Make Musical Shorts

West Coast Bureau of THE FILM DAILY Hollywood—Arthur Dreifuss resigned Saturday as vice president in charge of production for Coronada Films, Inc., to form a new company which will make 10 musical shorts for Columbia release. Coronada, which is slated to produce eight westerns for Grand National, will complete the series under the supervision of Don Lieberman.

Korda's Next Four Pix Will Be in Technicolor

London (By Cable)—Next four pictures to be produced by Alexander Korda will be in Technicolor, it was learned this week. Korda stated (Continued on Page 11)
TWO-A-DAY RUN

Marie Antoinette (Metro-Goldwyn-Mayer)—9th week.

FOREIGN LANGUAGE FEATURES

The Edge of the World (Pax Films)—6th week.

The Pajama Diary (Akinoki)—a.

Halt That Co-ed (20th Century-Fox)—Oct. 22 (c).

Rova of Trains (United Artists)—Oct. 21.

Brother Rat (Warner Bros. Pictures)—Nov. 4.

That Certain Age (Universal Pictures)—c.

Service de Luxe (Universal Pictures)—c.

Five of a Kind (20th Century-Fox)—c.

Rancho Grande (Aafes Film)—c.

Life of Alphonse (c). (d)

(d) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Revival.

Martin Murphy Appointed
Universal Studio Manager

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has announced the appointment of Martin Murphy as studio manager on the Pacific Coast effective Saturday. In assuming studio management, Murphy does not relinquish his duties as production manager. Dave Garber continues as manager of studio operations, no further changes are contemplated.

Zanuck Selects Sidney Toler
To Play Charlie Chan Role

West Coast Bureau of THE FILM DAILY

Hollywood—Darryl F. Zanuck has selected Sidney Toler to play the role of Charlie Chan in the series of mystery films currently being made under Zanuck’s production, succeeding the late Warner Oland. His first picture will be “Charlie Chan in Honolulu” which will start Oct. 24 with John Stone as associate producer. Toler was the 35th player to be tested for the part. He was discovered by Sol Wurtzel when he looked at rushes of “Up the River,” 20th Century-Fox picture in which Toler appears.

Walt Disney Now Has Four
Plants in Full Operation

West Coast Bureau of THE FILM DAILY

Hollywood—Walt Disney now has four plants in operation. These include the main studio on Hyperion, the Annex, the Seward Street plant, and the one in Burbank. Two more new studios will be added in Burbank which houses the construction crew, architects and engineers who will build the Burbank and Hollywood studio which will be opened in two years. When completed the Burbank plant will include twenty and twenty-seven buildings.

“Suez” Opens Strong

Opening at the Roxy Friday to capacity attendance throughout the day, “Suez,” new 20th-Fox release, had passed all house marks set at the theater with the exception of “Alexander’s Ragtime Band” when it ended its first day’s showing. The management predicted a holdover engagement of some length on the basis of the film’s performance over the week-end.

Fleischers, Artists Sign

One-year contract between Max Fleischer, Inc. and the United American Artists and Professional Workers' Union was signed by two commissioning Fleischers representatives last Friday at 11 o’clock, after a night-long session. The shop, wage scales and working conditions are provided for in the pact.

The continued activity and increased interest and appreciation of English Production prompts this paper to incorporate in the 1939 Film Year Book a complete English Section which will be of unusual and vital interest to the industry here and abroad.

THE FILM YEAR BOOK

1501 Broadway, New York City

The 1930 edition now in preparation
SCHENCK SEES GAIN
IN FOX'S EARNINGS
(Continued from Page 1)

of 20th-Fox, told THE FILM DAILY that he expected the earnings of the company to exceed last year's record of $86,017,114.

Schenck stated that rumors that the industry would accept a 3 cents relief in the Government suit, were, in his opinion, out of the question. Declaring himself as being in favor of any trade talks or mediations that will help to bring a settlement of industry disputes, he stated that he feared the court would not, in its final decision, do justice to the exhibitors, especially to the small operators.

When asked about cancellation, Schenck said: "Serious cancellation will cause a lowering of production budgets as it reduces income. A 3 cent cancellation which is being asked for by some groups would be extremely serious, and if we cut budgets the quality of product won't go up to the exhibitors' expectations. Personally, I am against cancellation and I don't believe that any company can stand more than 10 per cent." The Fox exec is scheduled to talk to President Roosevelt today or tomorrow regarding the President's annual infanticide parade drive. Schenck was chairman of the committee in Southern California last year, and expects to serve in a similar capacity during the next drive. When asked about the proposed deal between 20th-Fox and Gaumont Pictures, which in England or for an interchange of talent and other properties which would assist in production, Schenck said that in the event Sidore Oster came over here he would undoubtedly hold further discussions with him on this subject. He stated that there was nothing further to the deal.

Services for Popeye Creator
Santa Monica, Cal.—Funeral services will be held here today for C. B. Cegar, creator of the comic strip character, Popeye the Sailor, one of the favorite screen cartoons. Schenck said that in this event Sidore Oster came over here he would undoubtedly hold further discussions with him on this subject. He stated that there was nothing further to the deal.

on the afternoon of which the MPTOA and the distributors will negotiate the so-called trade reform. Allied's conferees with the distributors will be determined following today's board confab, if the directors agree to join in the general discussions. Although members of Allied's directors have declined to comment on the organization's probable stand on the issue, indications were, over the weekend, that Allied would agree to join in the meetings. This belief was based on the optimistic view expressed by Abram F. Myers, Allied's general counsel, at the Michigan unit's convention in Grand Rapids last Wednesday. Unaffiliated units are sending representatives this week for individual meetings with the distributors' committees.
SEES TRADE PARLEYS NETTING 5 REFORMS

DOMESTIC

next affiliation as RKO, possibly as president of that organization should Leo Spitz, incumbent, return to his legal practice in Chicago. Maurice Schaefer, UA's vice-president in charge of war affairs, declared that Schaefer's post would remain unfilled and that Gary Gold, Eastern sales manager, and Jack Schlifer, Western sales manager, would be in charge of domestic sales.

Columbus Day sent B'way grosses rocketing to some 25 per cent above normal, with the B'way segment of the Great White Way area reporting far better "takes" than on the holiday a year ago.

Afram F. Myers, addressing closing session of Michigan Allied's convention in Grand Rapids declared that William F. Rodgers, Mtra sales chief, will represent distribution committee in trade reform negotiations with a committee Allied's board is expected to name at a New York meeting today. Virtually coincident with Myers' statement, New York sources said that submission of any proposal to the Department of Justiciary for a compromise plan of fair trade practices Hoboken is not contemplated by distribs.

ITOA accepted trade reform parley bid and pledged co-operation, as did Virginia and California exhibit units, together with Iowa, Nebraska and others.

Supreme Court refused to review Philly dual case, indicated it would rehear the Dallas trust case. Leo Spitz and William F. Rodgers were selected for ITOA convention speakers, and television interests were declared uniting on a three-point drive to establish science's popularity, with the drive's highlight, the use of 100 film theaters in New York, Philadelphia and Boston, for contests and promotion.

FOREIGN

afforded by the South American held.

London cables recounted the 20th-Fox announcement that of a complete new production lineup at its Italian Government for modification of the recent Fascist film decree, and from Capetown, South Africa, that Gaumont, may survive there on Oct. 26 of Walter J. Hutchinson, 20th-Fox foreign distribution director, he will be asked to perform. Harry Zanuck is scheduled for a vacation in South Africa during 1939.

U. S. Interests in Italy were poised to present their views to the Italian Government for approval of the new Fascist film decree, and the recent Fascist film decree, and from Capetown, South Africa, that Gaumont, may survive there on Oct. 26 of Walter J. Hutchinson, 20th-Fox foreign distribution director, he will be asked to perform. Harry Zanuck is scheduled for a vacation in South Africa during 1939.

MPPDA BOARD TALKS INDUSTRY PROBLEMS

(Continued from Page 1)

to be held this week in New York were thoroughly discussed and proposals outlined in advance to the various exhibitor committees and it was believed that the persistent request for 20 P.C. cancellation was made on all problems, including as production budgets probably would be affected if this concession were granted.

Mr. World's Fair picture were completed. It was said that the film would be a panorama of America in historyhighlights of the 1st day's shown in the U. S. Government Building. Tentative title is "Cavalcade of America." A similar picture showing the development of the West is planned for the San Francisco World's Fair.

Industry representatives from the West Coast discussed the others of developments in connection with the Guilds embodying actors, director and writers. There also was a report on the incident.

Board members declined to comment on any decisions made at the meeting, which lapsed at 10 A.M. and adjourned after 5 P.M.

Attending the session were Nat. Blumberg, president of Universal Barney Balaban, president of Paramount; Harry and Jack Cohin, president and vice president, respectively of Columbia; Sidney K. Kent, 20th Century-Fox president; Joseph M. Schneek, chairman of 20th-Fox's board; Nicholas M. Schneek, president of Loew's; ITOA president; Harry and Albert Warner, president and vice president, respectively, of Warner Bros.; Murray Schaefer, president of United Artists, and Will H. Hays president of MPPDA.

"The Sisters" and Heidt
Ork Start Big at Strand

Warners' home office reported of the week-end that "The Sisters," gave the Strand on Friday; it was the best opening day's business since the ork-pix combination policy was inaugurated at that house. It grossed some $15,000 Saturday and Sunday box-office returns were described as exception.

Stage show is headed by Horace Heidt and His Orchestra.

Marial Ballyhoo
Fairfax, Neb.—When Ray Holtz ex- cepted the invitation of Helen Lies, this town's business men waited until he got back from his honeymoon, and the industry's biggest picture. Taken to the theater's lobby, he and toute were shown the "Ballyhoo" in the lobby, over which was hanging an old-fashioned Andy Hardy sign with Ray Holtz's name for Andy Hardy. A three-piece German band was hired, and the audience were the townspeople, who went, went to laugh.
Thrill to the most amazing series of air adventures ever filmed...dog fights above the trenches of France...death-defying plane tests...a daring plane rescue in mid-Atlantic...an air raid on Paris...a dozen more...thrill to the exploits of the biggest crew of flying fools ever assembled for a single picture...yes, and thrill to the great heart-pounding emotional story which is the story of "Men With Wings"...a story which is going to grab the interest of your audience and hold them to the last glorious moment...thrill to the all-star cast, a cast headed by great names and numbering thousands of players...thrill to the beauty, the power of technicolor used for the first time to give an air picture its true setting...thrill to the exploitation opportunity of a lifetime...a chance to get your entire community interested, more than interested, aroused about this great tribute to Americans, "Men With Wings"...your chance to make every single member of every single family a booster for your theatre by letting them tell the world they had the greatest thrill of their lives seeing "Men With Wings."

Adolph Zukor presents

"MEN WITH WINGS"

with FRED MacMURRAY • RAY MILLAND
LOUISE CAMPBELL

Andy Devine • Lynne Overman • Porter Hall • Walter Abel
Kitty Kelly • Virginia Weidler • Donald O'Connor
and a cast of thousands

Produced and Directed by
WILLIAM A. WELLMAN
Creator of "Wings"

In Technicolor
Screen Play by Robert Carson

A PARAMOUNT PICTURE
“Suez” with Tyrone Power, Loretta Young, Annabelle, J. Edward Bromberg, Joseph Schildkraut, 20th-Fox, 104 Mins.

DILLIANT DRAMATIC STORY WILL DEFINITELY BE HEAVY WORLDWIDE BOX-OFFICE.

Pageantry, romance and drama, as well as the path of history, have been skillfully projected to the screen in Darryl Zanuck’s “Suez.” The superior production values of the Technicolor, the entertainment value for any type of audience, inside or outside the American market. Possibly there is a slight overflow of sentiment for the benefit of the audiences, but all in all the picture is a fairly true portrayal of the story of Ferdinand de Lesseps and his inspiration which resulted in the Suez Canal. The pomp of the Victorian era and the part it played in this work is neatly worked out, and the picture of Louis Napoleon is also faithfully depicted. Overshadowing the rest of the production as the transfiguring simon, which wrecks de Lesseps’ work and seems to be the end of the Canal, are several dramatic scenes that are excellent, with the climax a standout. The direction of Allan Dwan is deft, welding a lengthy vehicle into a cohesive whole. The acting is all that could be asked for, with the supporting players equally as good in their roles as the principal. Tyrone Power, Loretta Young, Annabelle, Henry J. Stephenson, J. Edward Bromberg, Joseph Schildkraut, and Leon Ames are all excellent. Bromberg is particularly good in the Egyptian period, and Annabelle as fine as the French girl, Philip Dunne and Julian Josephson have done a fine job. Fay Wray, Ronald Colman, Stewart and the other technicals also deserve praise. The story, Power, as de Lesseps, is sent to Egypt where he, with his wife, Diana of the Nile, and Miss Young, Power’s sweetheart. Power dreams of the Canal and his subsequent fight to build it, bringing dinero, death for his father, and the loss of the women in his life, leaving him alone at the conclusion of the film, completes the tale.


CReditS: Produced by Darryl F. Zanuck; Director, Allan Dwan; Screenplay, Philip Dunne and Julian Josephson; Cinematography, Karl Freund; with Barbara McLean; DIRECTION, Fine. PHOTOGRAPHY, Excellent.

“Brother Rat” with Priscilla Lane, Wayne Morris and Johnnie Davis. Warners, 90 Mins. (HOLLYWOOD PREVIEW)

BOX-OFFICE HONEY IN ANY TYPE THEATER LENDS ITSELF TO EXPLOITATION.

This picture, which lends itself to exploitation, should prove a box-office honey in any type theater. It deals with the trials and tribulations of cadets at the Virginia Military Institute, which has been called “the West Point of the South.” William Keighly has given the comedy an exuberant, exuberant, one time, and has injected many human touches. Robert Lorcd rates praise as associate producer, Eddie Albert, who plays the role of “Bing” Ed- wards, which he created on the stage, is a definite screen “find.” He has whirniscal ability as the cadet secretly married to Jane Bryan, who becomes a mother on the scene, as the sequence show.

A man does outstanding work as the daughter of Henry O’Neill, the commandant. Wayne Morris is effective as a glib cadet, whose well-meant plans are always getting his “brother rats” (fellow cadets) into trouble. Priscilla Lane does good work as the aggressive girl, and Jane Bryan has convinced as Wayne’s roommate. Johnnie “Scat” Davis and William Tracey, as a first-year cadet, are important factors in winning laughs. Ol H welland, Jessie Bus- ley, Louisa Beavers, Larry Williams and Gordon Oliver are among the capable prin- cipals. Richard Macaulay and Jerry Wal- ley furnished an amusing screenplay, based on the book by John Monks, Jr., and Fred F. Farnsworth, Ronald Reagan, and William Tracey, Eddie Albert, in addition to worring over the fact that his secret love, Marjorie, is going to have a baby, is afraid he will flunk in his chemistry examination. Without Eddie’s knowledge, Wayne has wagered $50 of Eddie’s money that the woman that Eddie went to pitch for V. M. I. Eddy is literally knocked out of the box when a battered ball hits him on the head. Jane, a “whiz” in chemistry, tutors Eddie, and although she and Priscilla are discovered by Larry Williams, Eddie is offered the day, in the room occupied by Wayne, Eddie and Randolph. Jane warns Williams that “papa won’t like it,” and the cadets are saved. Eddie passes.


CReditS: Executive Producer, Hal B. Wallis; Associate Producer, Robert Lord; Director, William Keighly; From the play by John Monks, Jr. and Fred F. Farnsworth, Ronald Reagan, Richard Widmark, Ronald Reagan, Jerry Wal; Cameraman, Ernie Haller; Art Direction, Max Parker; Editor, William Wyman; Musical Director, Leo F. Forbin.

DIRECTION, Sympathetic. PHOTOGRA- PHY, Very Good.

“A Clown Must Laugh” with Richard Tauber, Steffi Duna. GB

HEAVY AND UNSUNG SCREEN VERSION OF FAMOUS OPERA “PAGLIACCI” FALLS FLAT.

A very creaky and labored version of the famous “Pagliacci,” with Rich ard Tauber playing the role of Canio, the jealous husband. This production is done with no inspiration and moves with labori- ous and mechanical effort. The brightest part of it all is Steffi Duna as the flirtatious wife, Nettie. She plays with spirit and verve, and flits around like an effin, a very charming and attractive personality. She makes the mechanical piece seem half-way true when the famous “Pergolesi” number comes. Richard Tauber’s splendid voice is of course the excuse for the production, but the mere fact that he sings gloriously cannot cover the shortcomings of the film which is something more than the original operatic script. The story is also known to detail at length, being the sad account of the clown who sees in his own married life the situation of their stage acting dulici- cated as the faithless Nedda becomes enamored of the stranger, Silvio, the dash- ing young officer. Tauber is the actor-owner of the traveling troupe that goes from one town to the other, and the tragedy reaches its climax in the little town of Crizzmona, as the traveling players give their famous comedy, “Columbine and Her Lover.” At the climax of the performance he stabs his wife fatally as they act out the scene that parallels his own experience.

The sequence of this climactic scene is filmed in British Cinemacolor, and the color photograph is very effective, done in soft sepia effect and the colors very true and pleasing to the eye.


CReditS: Director, Earl Grume; Screen- play, Monckton Hoff, Roger Burford; Cameraman, Alfred Black, Otto Kantorek.

DIRECTION, Weak. PHOTOGRAPHY Good.

Bob Moriarty on Coast

Bob Moriarty, Paramount’s press book editor, who went to the Coast three weeks ago, will remain per- manently as assistant to Cliff Leon in the studio publicity department. Oil Evans replaces Moriarty here. Moriarty returns in about three weeks to take his family to Holly- wood.

Cleveland V. C. to Start

Cleveland — Nat Wolf, Variety’s chief Barker, has named Harry H. Goldstein, Paramount distri- bution manager, and Frank Drew, M-G-M branch manager as kings of the Cleveland session on the season to be held at the Aller- ton Hotel today.


PROGRAMMER WITH SMALL TOWN BACKGROUND SHOULD GET FAIR RE-CEPTION.

Frank Fay departs from his usual Broadway way roles to become a small town handy man and good fellow, with fairly convinc- ing results in this new indie release. Fay also wrote the story and produced the picture. It is definitely in the program class, but it should meet with a fair reception in tiny houses and out of town theaters. Richard Ceder gets credit for the direction. Fay is supported by a number of able players including Hale Hamilton, Ruth Hall, Nat Pendleton, George Meeker and Berton Churchill. Fay, elevator operator in a hotel, is the town’s general handy man. He is in love with Ruth, who runs the cigar counter in the hotel. Churchill, her uncle, is mayor, but for the first time in 20 years he is opposed, by Hale Hamilton. An invention that Fay and Meeker are working on turns out successfully, and Hamilton is accidentally caught in an un- derskirted deal, giving Fay the opportunity to force his withdrawal from the mayoralty campaign. However, Meeker gets the girl after all, the new invention is accepted by everybody as his love for Ruth is never discovered.


CReditS: Producer, Frank Fay; Direc- tor, Ralph Ceder; Original Story, Frank Fay; Editor, Don Hayes; Camera- man, Will Rees.

DIRECTION, O. K. PHOTOGRAPHY Fair.

Cleveland Embassy Opens

Cleveland — The new Embassy, built on the site of the old Cameo downtown on Euclid Ave., opened yesterday. Operating are Max and Morris Lefkovich and Leo and Harry Greenberger. New house (for the east and west walls) eliminates the old balcony, has a larger lobby, an inner rotunda, modern type auditorium streamlined with curves running toward the screen, latest air-conditioning, projection, and an equipment of new chairs. It seats 1,200 persons.

Kessler Pix for Belmont

“Flight Into Darkness,” starring Annabelle and being distributed by First National, is playing at the Belmont Theater tomorrow. Kessler has also bought the Ameri- can rights to “Concert in Tyrol,” the last picture made by the Vin- nese Choir Boys in independent Austria. The Choir has made ar- rangements for personal appearances in this country along with the picture.
REVIEWS OF THE NEW FILMS

“Torchy Gets Her Man”
with Glenda Farrell and Barton MacLane
Warners—62 mins.
(HOLLYWOOD PREVIEW)
COUNTERFEITING STORY PACKS PLENTY OF LAUGHS AND SUSPENSE.
This time Glenda Farrell and Barton MacLane are the counterfeiter, who specializes in passing $100 bills. William Beaudine has done a high job of directing, winning laughs from the start and also holding the suspense to the end. Bryan Foy rates credit as the producer. Glenda and Barton do splendid work, while Tom Kennedy, a police chauffeur, is good for numerous laughs with his poetry and horse-racing system. Willard Robertson is convincing as the counterfeiter, who poses as a federal agent. Robertson wins the confidence of the police, convincing the authorities that he is a government agent looking for men passing bogus bills. Declaring that the men he suspects will pass the money at the race-track, he goes to get him installed at the $100 window. Glenda suspects Robertson, but it is not until near the end of the picture that Barton is convinced that Robertson is the counterfeiter. Albert DeMond contributed an interesting screenplay.
CREDITS: Associate Producer, Byran Fay; Director, William Beaudine; Author.
DIRECTION, High Class. PHOTOGRAPHY, Good.

“Lightning Carson Rides Again”
with Tim McCoy, Joan Barclay, Bob Terry
Principal Pictures—59 mins.
PLENTRY OF ACTION AND GUN PLAY PROVIDES GOOD FARE FOR THE SIX-GUN ADDICTS.
The reductable Colonel Tim McCoy, last man with a six-gun in all of Texas, rides again, with an accompaniment of bullets and villains to make excitement for the cowboy fans. They will get a full measure of action in this new release. Joan Barclay provides the feminine interest opposite Bob Terry, nephew of McCoy. The villains, led by Frank Wayne, are a scurrilous lot worthy of plenty of hisses. Sam Newfield directed and Sam Katzman produced. Terry and another man are held suspects in forging a sum of the bank's money. Terry escapes the bandit's fire, but gets blamed for the crime by the crooks, who plant false evidence with the sheriff. McCoy, Terry's uncle, is called into the case. He masquerades as a Mexican to get into the gang. Finally, he is discovered, but later on, when this Colonel McCoy had the situation well in hand when the sheriff led the remnants of the gang to the point of capture. CAST: Tim McCoy, Joan Barclay, Frank Wayne, Ted Adams, Bob Terry, Forrest Taylor, Ben Corbett, Karl Hackett, Frank La Rue, James Flaven.
CREDITS: Producer, Sam Katzman; Director, Sam Newfield; Original Story and Screenplay, E. R. O'Day; Cameraman, Marcel Picard; Editor, Holbrook Todd.
DIRECTION, Fast. PHOTOGRAPHY, Good.

Standard Pictures Execs.
Coming East for Confabs
West Coast Bureau of THE FILM DAILY
Hollywood—With the company's first picture, “The Headless at Home” completed and now in the cutting room, B. W. Richards, president of Standard Pictures, arrived in New York this week, accompanied by George Laganas and George E. Trainer, of Boston, members of the board of Directors. The latter two have been in Hollywood for two weeks. The trio will go to New York to present the company to the members of the Board of Directors. On their way East they will stop at Denver, Kansas City, Chicago, Detroit and Cleveland for business meetings and conferences of interest in the new company.

Cohn Heads Variety Club
Pittsburgh—The local Variety Club has unanimously elected: Chief Barker, Frank C. Cohn; Asst Chief Barker, Harry Seid; 2nd Asst Chief Barker, Jules Lapidus; Treasurer, M. Shapiro; Secretary, Al Weibman; Directors, Joseph Latta, Jake Soltz, Joseph Mischacic, C. C. Kellenberg, Harry Feinstein; delegates to the national conventions, Harold Lund; Alternates, Dr. I. Wise, Mark Goldman.

“The Immortal Brush”
(Technicolor Special)
Vitaphone—9 mins.
New and novel treatment of the world of painting. Several of the famous paintings of all time are presented, such as Joshua Reynolds's portrait of Queen Caroline of Sussex and Mozart's “Mozart's Mrs. Siddons.” Molière's “Retreat From Moscow,” Oehschlen's “Napoleon On the Battlefield,” and Frans Hals' “The Laughing Cavalier.” It is in the manner of presentation that this project is correct and necessary. The ordinary, to become a high spot in the parade of short subjects. The narration is by Dwight Weist, and the talks on each painting are done with a human touch and stay far away from any learned technical discussion over the heads of the average person. The method of presenting the paintings becomes a sort of humanizing process whereby these great works of art are brought close to the average citizen and this treatment is very effective in making you appreciate what the artist was trying to convey in his work. The camera treatment also is skillful and original, in shooting the painting from different angles and perspectives, or else showing just a portion of the painting, so that you are given the feeling of actually seeing the eyes, as in the case of “The Laughing Cavalier.” Here is a subject that should be expanded into a serial for the screen. It is hard to see how it can miss.

“Tollywood Casino”
(Broadway Brevity)
Vitaphone—22 mins.
Grand Kiddie Show
One of the finest kiddies shows ever flashed on the screen. These youngsters have been gathered together from all quarters of the country, and are immense. The setting is a lobby of a hotel, which becomes the stage for the youngsters as they put on their show. It becomes the form of a musical revue. The various acts and specialties range the adult entertainment in the musical comedy field. Amazing little faces andprobabilities of character acts, comedy skits, and every one of them more than good. It is hard to see how this aggregation could possibly be topped. Directed with class by Joseph Henabery.

“The Newcomer”
(Terry-Toon)
20th-Fox—Amusing Cartoon—7 mins.
This one will be right down the children's alley. Introducing a baby panda, the studio goes to town. Paul Terry worked up an amusing and pleasing character. The baby panda is seen in the zoo where it is getting all the attention. This raises the jealousy of the other animals, particularly the lion. The lion breaks out of his cage and chases the panda around the zoo. The latter is rescued by a garro. Produced by Paul Terry.

“What Every Girl Should Know”
(Lew Lehr and His Kindergarten)
20th-Fox—10 mins.
Just Fair
Lack of a director and a smoothly prepared script seem to be the principal fault with this one. Lew Lehr will undoubtedly amuse his own fans to a great extent, but unless better scripts are provided and there is direction to go with them the Lehrs fans are likely to complain. We see Lew with a kindergarden of grown girls. Numerous gags are used and he keeps up a running monologue which should have been broken up. Lehr has possibilities as a good comedy bet if properly handled.

“The Glass Slipper”
(Terry Toon)
20th-Fox—7 mins.
Good Number
Cinderella goes streamlined in this new Technicolor version of the well known fairy story. Characterizations of Mae West and Harpo Marx help to liven up the proceedings for the little waif. The picture is amusing and the color is good, making it good entertainment for grownups as well as children. Produced by Paul Terry.

“Isle of Pleasure”
(Magic Carpet)
20th-Fox—11 mins.
Fine Travologue
Printed in sepia tones, this travelogue about Cuba is an excellent short subject. Lowell Thomas narrates, and a fine narration and film covers all the real points of interest to be seen in the island. Havana is shown from the air and the streets to advantage. Morro Castle, ships coming and going in the harbor, and the surrounding countryside with sugar plantations and other native industries are well covered. There is also an intimate glimpse of the gay night life of the Cuban capital.

“Little Pancho Villa”
Vitaphone—7 mins.
Lively Cartoon
Sprightly adventures of Little Pancho, who has a few tricks up his sleeve. He sneaks away from his mother, and enters an amateur contest. Here in an event that he learns to bull he learns that it is not all glory in the ring. He finally succeeds in vanquishing the bull, and when the lass comes he is a wiser little man. Produced by Leon Schlesinger.
"Did you print THAT?"
screamed the million-
dollar playgirl.

"I certainly did,"
barked the handsome young editor.

— AND THAT'S
WHAT LED TO THE SLAP
IN THE FACE THAT ECHOED
'ROUND THE TOWN!
Seven Pretty Debutantes . . .
and . . . TWO MURDERED MEN!

What, MURDER? . . . You bet!—And larceny and assault—and maybe even mayhem, too! . . . plus the fastest courtship you ever thrilled to . . . in this crackling mixture of mystery and fun and racing romance! . . . The kind of a picture that gets a rise out of any kind of an audience and sends 'em away singing the praises of your show . . . IT'S BOX-OFFICE ALL THE WAY!

BARBARA STANWYCK
HENRY FONDA

THE MAD MISS MANTON

SAM LEVENE
FRANCES MERCER
STANLEY RIDGES
WHITNEY BOURNE

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
DIRECTED BY LEIGH JASON
PRODUCED BY P. J. WOLFSON
SCREEN PLAY BY PHILIP G. EPSTEIN
A "Little" from Hollywood "Lots"

By RALPH WILK

HOLLYWOOD

Nelson Eddy As Solo Star

NELSON EDDY'S next starring picture for Metro will be "Let Freedom Ring," original story for the which John Q. Willoughby, Jack Con-

way, will direct, under supervision of Harry Rapf.

Eddy is now appearing in "Sweetheart," opposite Jeanette MacDonald, at the Culver City. George Barbier has been added to the cast of the latter.

Scrambled Cuts

If Jack OTTerson and S. Sylvan Simon took hasty looks into their respective mirrors upon receipt of today's pajama bag, they would be signers of scrambled cuts. Likenesses of Simon appeared with Otterson's sketch. Accordingly, any, way, real pears. Simon will be given and photo will follow. Apologies, gentlemen.

Frank Dolan Assigned

Frank Dolan has been assigned by Republic to write the screen play on "Street of Missing Men," Arm-

and Schaefer, associate producer on the picture.

Andrews Adapts Own Story

Republic has purchased an original

al story from Robert Andrews titled, "Women Make News." Andrews has been signed to do the screen play, so Siegel will act as associate producer on the picture.

Finish Chore at Rep.

Abe Kandel and Thomas E. Mc-

Laughlin have finished their assign-

ment on the screenplay of "Doctors Don't Tell" and have left the Rep.

ublic lot.

Again Writing Crosby Numbers

Songwriters Johnny Burke and Jimmy Monaco have been signed by Universal to work on the next Bing Crosby picture, "Three's Company."

Reports of Settlement of ABP-Ostrer Suit Persist

(Continued from Page 1)

was scheduled to come up in court here tomorrow.

Terms of the reported settlement were not obtainable, nor was any word of any

iation from the interested parties.

John Maxwell's ABP sued for $3-

000,000, and is still seeking to get in connection with the ABP-GB stock deal. The charge was vigorously denied by the Ostrens.

Cleve'd Subsequent Runs Oppose "Quiz" Extension

Cleveland—Independent exhibitors operating subsequent runs here have gone on record with M. B. Horwitz, chairman of Motion Pictures' Greatest Year drive here, opposing any extension of Movie Quiz contest beyond the original date. Horwitz has agreed with exhibitors, stating that pledges have been given that the contest would end on Dec. 31. Hor-

witz has communicated attitude of exhibitors, to George J. Schaefer, cam-

aign manager.

Industry Leaders to Attend Harris Party at Music Hall

(Continued from Page 1)

representatives, and civic leaders will attends the reception given by Motion Pictures Greatest Year in honor of John H. Harris, prominent Pittsburgh exhibitor, chairman of the Radio City Music Hall, this afternoon.

The occasion will also mark the tribute of the world's largest the-

ater to the late John Harris, father of the guest of honor, and founder of the first continuous show nickel-

odeon in Pittsburgh in June, 1905.

W. G. Van Schmus will be on the receiving line with George J. Schaefer, Howard Diets, Harold B. Franklin and Paul Guilick, exec-

utives of the industry drive.

John H. Harris is regional chair-

man of the drive in the Pittsburgh territory.

Korda's Next Four Pix Will Be in Technicolor

(Continued from Page 1)

that the business which took him to America had not been completed due to the unsettled European situa-

tion, but he hoped to complete his business by correspondence. He predicted biggest revenues for his produc-

ions in America in the future and stated that he expected "Drums" to gross upward of $1,000,000.

Myers States Allied Stand On Proposed Reform Program

(Continued from Page 1)

tion picture entertainment be made responsible to community standards, preferences and requirements.

The program, "Ten Years of Allied," appearing in the program for the an-

ual convention of Allied of New

and Allied's Eastern Regional Con-

ference which open in Atlantic City Wednesday.

The article continues, "is further complicated by pendency of the Government's suit. Necessarily, if there is a will, a way can be found. If the Big Eight is sufficiently impressed by the grav-

ity of the situation they can still seek, in co-operation with the bona fide representatives of independent exhibitors, a solution of industry claims for submission to the De-

partment of Justice as a compliance with the demands of the Govern-

ment."

The article stresses the point that negotiations must have the sanction of the Department of Justice, to be

BURKE and Monaco wrote the music and lyrics for the last four Bing Crosby pictures.

Fine Arts Prepares Seven

Fine Arts Pictures is now pre-

paring several years for the screen. Heading the list is "Wonder World," a film dealing with prehistoric mon-

sters, which producer Joe Baldwin is producing under the supervision of Franklyn Warner, president of Fine Arts.

WEBEDKIS Is General Mgr.

For Kute Kris Kingle Co.

ingle, a novelty attraction for theater

obbies. Through a patented device, a live Santa Claus appears to be riding a three inches high and carries on a conversation with observers.

The novelty is to be leased to theaters for a six-week period from Thanksgiving Day to New Year's. A number of circuits, including But-

erdale, Wilmer & Vincent, Fox Midwest and others, have contracted for the deal.

Wilcox Pix Sets New Mark

For the first time in the history of Leo Brecher's Plaza Theater an attraction will be held over for a second week, it was announced on Saturday by the management. At-

traction is Herbert Wilcox' "Peg of Old Drury," which opened at the theater on Oct. 11. It is now slated to plan through Oct. 24.

Theatrical Musicians—"The future is so

enduring, must grant full security to independent exhibitors to work out their future according to their ability, place distributor-exhibitor relations on a basis of mutual confidence and understanding, provide for the adjustment of future dis-

utes and bring every branch of the industry into conformity with the law.
6 BOXOFFICES SWAMPED AS 'SUEZ' HITS 207% PACE OPENING DAY ROXY, N.Y.
MPTOA to Finish Draft of Distributor Demands Today

ALLIED NAMES TRADE REFORM NEGOTIATING GROUP

Ontario ITA Wants Action on Trade Practice Changes

U. S. Reform Parleys Stir Canadian Exhib. Unit Into Fresh Action

Toronto — Authority was given at general meeting here of Independent Theaters’ Ass’n of Ontario to N. A. Taylor, its vice-president, to urge the conciliation committee of the Toronto Board of Trade’s film section to call an early meeting for the express purpose of dealing with the questions of contract, clearance and score charge. Conciliation Committee was established two years ago, but has made scant progress.

Decision to renew pressure at this time is attributed in some quarters to trade reform activities current in the U. S.

DEUTSCH IN TOP SPOT IF ODEON-GB MERGE?

London (By Cable)—In the event that the long-discussed Gaumont British and Odeon merger is effected, it is reported here that Oscar Deutsch, Odeon chief, will be managing director. Consolidation would thus give Deutsch the say-so for approximately 600 theaters. United Artists is financially interested in Odeon with Deutsch.

‘Suez” Plays to 87,000 in Four Days at the Roxy

Four-day hit of “Suez” at the Roxy was expected to reach 87,000 admissions, theater officials said last

Quiz Appeal Survey Shows 22.1%, in Contest

Phone-call test of public response to the “Quiz Quiz” made by Nat Wolf, Warner’s Ohio zone manager, in Mansfield, O., established that 22.1 per cent of those contacted were definitely in the contest. 87 per cent had the booklets and might enter and 47.1 per cent were not interested.

15 More Technicolor Features Set for 1938-39 Season, Checkup Shows

Fifteen more Technicolor features are definitely set for 1938-39, a checkup established yesterday. With 10 already released during the calendar year, Technicolor, on the basis of 1938 commitments, has a total of 25, said to be a new joint U. S.-British high.


U. S. Supreme Court Refuses to Review Hart Case

Washington Bureau of THE FILM DAILY

Washington—Petition for a writ of certiorari filed by William S. Hart and Mary Hart, co-partners, doing business as The William Hart Co., to review their case against United Artists Corp., was denied yesterday by U. S. Supreme Court.

The petitioners and UA entered into a contract under which UA was given the exclusive right for a period of six years to distribute for exhibition two motion pictures which were to be produced by UA with the agreement that they were to

MPTOA Exec. Committee Huddling Again Today on Distrib. Demands

B. F. Keith Corp. Retires 5% Gold Bond Issue

Washington Bureau of THE FILM DAILY

Washington—In a special report to the SEC, B. F. Keith Corp. reveals that on Sept. 1, it executed to Bankers’ Trust Co. and R. Gregory Page as trustees, its second supplemental indenture (supplemental to the first and general refunding mortgage of B. F. Keith Corp. dated as

MPTOA’s executive committee expects to complete its fair trade practice proposals today so that they can be presented to the distributors’ representatives at a meeting scheduled for tomorrow morning. The MPTOA group yesterday huddled at organization headquarters most of the afternoon, during which the members voiced their opinions as to what constituted a fair plan.

A greater part of the time was

May Confer Today With Distrib. Committee — Concrete Formula Drafted

Allied yesterday agreed to participate in trade practice conferences with a distributors’ negotiating committee and a group was appointed to sit in at the sessions.

Decision to enter into negotiation with the Sidney R. Kent committee was reached shortly after the board of directors assembled at the Hotel Warwick and efforts were being made late yesterday to schedule a meeting with the distributors today.

Appointed to represent Allied at the hearings were: H. A. Cole, chairman, Ted Sidney Samuelson, New

EXPECT RKO REORG. OKAY AFTER OCT. 25

While Federal Judge Bondy is expected to officially okay the RKO reorg. plan at an early date, such action is not now anticipated at the next hearing scheduled for Oct. 25, it was learned yesterday.

RKO before the close of the week

Industry Picture in West Brighter, Grainger Finds

Industry conditions in the West and Middle West were characterized as “very much improved,” with every prospect for further solid advances in the immediate future, by

All-Night Policy

Broadway now has two al houses operating all night. Policy was adopted yesterday by the Klub, for Universal’s horrific duel, “Dracula” and “Frankenstein” and by the Globe for Universal’s “Dark Rapture.”
JOHN HAY WHITNEY, chairman of the board of Sestnick International arrived in New York over the week-end.

NEMO BULABÓN, STANTON GRIFFIS, AL LICHTEMAN and RUSSELL KANE left New York yesterday for the Paramount Coast studios.

JAMES R. GRAINGER, president of Republic, returned yesterday from a trans-continental trip.

HARRY COHN, president of Columbia, leaves for Los Angeles.

W. RAY JOHNSTON and EDDIE GOLDEN of Monogram returned to New York yesterday.

JOSEPH N. WEBER, president of the AF of M, arrives tomorrow from Houston where he attended the AF of L convention.

GEORGE E. BROWN, president of the IATSE is expected here tomorrow from attending the AF of L convention in Houston.

PAT CASEY, producer's labor contact, arrives today from Hollywood.

ROLAND YOUNG arrived in New York by motor yesterday after completing his role in "Tupper Taggart & Co."

MRS. FLORENCE MARSTON, Eastern sales of SAG, returned over the week-end from Houston where she attended the AF of L convention.

KARL MACDONALD, WB supervisor in Latin American affairs, arrived this week-end to visit company offices in Cuba, Porto Rico, Trinidad and in Venezuela and Jamaica.

SAM WOOD, director, and BEN GOETZ, in charge of British production for M-G-M, sail tomorrow on the Queen Mary for London.

GERALD RICHARDS, head of Sanger Theatres, is in New York for conferences with Para. theater execs.

C. K. ALBERT, broadway actor, has been signed by Hal Wallis for a role in "The Poor Nut," and leaves soon for Warners' Hollywood studios.

DOMINGO MARVAEZ, president of Venezuela Cinemartogalica, has left New York for Caracas, accompanied by FINY REVACHOFF, general manager of the company.

FATS KELLY, comedian, arrived in New York by plane yesterday for a vacation, having just completed a role in Goldwyn's "The Cowboy and the Lady."
Utica! Philadelphia! Los Angeles!
New York! Rochester! Wilmington!
Albany! Memphis! Canton!

Now! Wow!

ERROL FLYNN • BETTE DAVIS

"The SISTERS"

A WARNER BROS. PICTURE

Post! Post! Post this great hit news!
Experienced in handling tremendous crowds, New York's 5886-seat Roxy Theatre keeps on call extra ushers, cashiers, doormen for emergencies. But even the Roxy's elaborate plans were inadequate when the 20th Century-Fox hit "SUEZ" had its world premiere run there. Usually, four boxoffices are sufficient for the biggest attractions. But with "SUEZ," even the Roxy's full battery of six boxoffices (largest in the world) was not enough. Of interest to all showmen, these scenes show how the Roxy's augmented staff operates when a smash brings thousands storming the doors.

"Busy? Say I haven't even had a chance to powder my nose!"
—Cashier No. 1, Georgia Childs
"Another day like this and I'll be positively exhausted!"—Cashier No. 2, Olive Kniffen.

"Did you ever see so many people in all your born life?"—Cashier No. 3, Marguerite Hutcheon.

"I must have sold millions of tickets today."—Cashier No. 4, Lily Webster.

"Now I know what it will be like when the World's Fair opens!"—Cashier No. 5, Elmina Rainwater.

"Just look at them! Simply swarming in!"—Cashier No. 6, Erna Hatt.
The waiting line a half-hour before the New York Roxy doors opened. 3,089 people stretched along 50th Street a quarter of a mile.

Crowds strain against the tape. Doormen W. G. Smith, Fred Fanning, Ralph Miller need all their strength.

Thousands pour through box offices and descend upon ticket-takers Jack Brodsky, William Moclain, George Mills, Albert Rubenstein.

(left) Every one of the Roxy's 5886 seats is filled and more than 500, under Capt. Walter Darrah's watchful eye, wait in the rotunda. (right) Waiting line breaks through, fills huge Roxy rotunda.
Hundreds stand in back of orchestra hopefully waiting for a seat. They are lucky. This, their fifth wait, is their last.

Protected by bars in the vault, Treasurer Muldoon and assistants, William Moran and Walter Corvey, count up.

Treasurer Frank E. Muldoon, guarded by Police-man James Cummings, with drawn gun, takes cash from boxoffices to theatre vault.

Armored car from U.S. Trucking Corp. picks up cash for deposit in the Chase National Bank.
ALLIED NAMES TRADE NEGOTIATING GROUP

(Continued from Page 1)

Jersey; Al Steffes, Minneapolis; Ray Branch, Michigan; Nathan Yamins, Massachusetts, and Abram F. Myers, who will be present as counsel.

M. A. Rosenberg, Pennsylvania, and Herman Blum, Maryland, were named as committee alternates.

Allied hoped that a session could be held today so that the directors could meet in Atlantic City on Thursday.

After it was agreed that Allied should participate in the trade practice conferences, the directors fell to work to draw up definite plans and a concrete formula to present to the distributors' representatives.

All types of complaints were studied and these were assembled into a consolidated report.

Meanwhile, a distributors' committee met yesterday to discuss the forthcoming sessions with the various exhibitor groups. Clarification of the distributors' plans is expected to be announced today at a press conference in the office of W. F. Rodgers, M-G-M general sales manager and member of the Kent committee.

Dortic Named Pittsburgh Exchange Manager for GN

Pittsburgh—Charles Dortic, booker and office manager for Grand National here, has been appointed branch manager of the local exchange effective yesterday, succeeding Jules Lapidus who was promoted to Middle Atlantic district manager, embracing the Pittsburgh, Philadelphia, Washington and Cleveland territories, for that company.

Dortic is one of the best known film men in this territory, having been with United Artists a number of years before joining Grand National.

SPEND IN PREPARING THE PHRASEOLOGY

spent in preparing the phraseology of the MPTOA formal demand—expected to be based upon the fall or 10-screen program. This will be submitted in written form and submitted for consideration by the entire council committee instead of by an appointed group.

Representing MPTOA will be Ed Kuykendall, O. C. Lam, M. C. Moore, Mack Jackson, Ed Levy, Arthur Lockwood, Charles Williams, H. B. Harvey, Lewen Pizor and Sam Pi

Sam Borisky, Chattanooga Exhibit, Dies in Baltimore

Chattanooga, Tenn.—Col. Samuel H. Borisky, 47, widely known local theaterman, died Friday in Johns Hopkins Hospital, Baltimore, according to word received here.

Mr. Borisky, who had been ill for several months, had been taken to John Hopkins last week for treatment.

He was vice-president of Independent Theaters Inc., operating a circuit of six theaters in Chattanooga. An official of Southeastern Theater Owners Association, he was chairman of arrangements for the annual convention held here in June.

Coming to Chattanooga from Atlanta 20 years ago, he had been identified with Independent Theater since 1919 when his brother Abe Borisky, and brother-in-law, Abe Solomon.

Surviving are his widow, his mother Mrs. Carrie Borisky of Atlanta; four sisters, Mrs. Abe Solomon; and Mrs. Julius Schwartz of Chattanooga; Mr. David Rosenblum of Butler, Pa., and Mrs. Stanley Rocker of New York, one brother, Abe Borisky of Chattanooga.

The body was returned to Chattanooga for funeral services.

Joe Nadel Joins Small

West Coast Bureau of THE FILM DAILY Hollywood—Joe H. Nadel, formerly with Major Pictures, has been made production manager of Edward Small Productions.
“Service de Luxe”

with Constance Bennett, Vincent Price, Charlie Ruggles

Un-rated 85 mins.

(HOLLYWOOD REVIEW)
MERRY ROMANTIC COMEDY SUPPLIES PLENTY OF ENTERTAINMENT AND SHOULD CLICK EASILY.

This merry, romantic comedy supplies a large evening of entertainment. Rowland V. Lee’s direction is splendid and he has gained excellent performances from his cast. Edmund Grainger rates credit as associate producer. Constance Bennett has never done better work, while handsome Vincent Price, recruited from the stage, is certain to make the hearts of feminine fans flutter. That scene stealer, Mischa Auer, is a constant delight, and Charlie Ruggles scores heavily with his comedy. Helen Broderick is another of the funmakers and responsible for many laughs. Joy Hodges is decorative and capable as a giddy, love-sick debutante. Gertrude Purcell and Leonard Spiegelgass, turned in an amusing screenplay, based on an original story by Bruce Manning and Vera Caspary. Constance Bennett operates a service that is a rarity of everyone’s affairs. Price is an inventor from upstate New York and has been dominated by patrons and others. He meets Constance and dominates Constance, and she likes it. Unknown to him she gets Ruggles interested in Price’s invention. Joy Hodges, Ruggles’ daughter, falls in love with Price, who pays little attention to her. She proposes to him—and announces their engagement.” In dismay, Constance admits to Price that she has been secretly managing his affairs. In a bitter dispute, he tells her that he is going to marry Joy. He relents, however, and learning that Auer is a real Russian nobleman, has Auer display his medals to the title-loving Joy. This leaves Price free to marry Constance, and all ends well.


CREDITS: Associate Producer, Edmund Grainger; Director, Rowland V. Lee; Author, Bruce Manning and Vera Caspary; Screenplay, Gertrude Purcell and Leonard Spiegelgass; Cameraman, George Robinson; Art Director, Jack Otterson; Editor, Ted Kent; Musical director, Charles Previn.

DIRECTION, Splendid. PHOTOGRAPHY, Very Good.

No Date Set for Meeting on Cameramen’s Contract

No date has been set yet for meeting Local 644, cameramen’s union, and Eastern newsreels to discuss renewal of the union’s pact with the company, it was learned yesterday with the arrival of Pat Casey, president of the local.

Casey will attend the huddle the APM will hold this Thursday with heads of the major companies.

“Listen, Darling”

with Judy Garland, Freddie Bartholomew, Mary Astor

M-G-M 70 mins.

(HOLLYWOOD REVIEW)
STRIKES A HUMAN NOTE AND SHOULD PLEASE EVERY MEMBER OF THE FAMILY.

This story has a fresh human note, and properly exploited, should attract every member of the family. It deals with the youngsters, a girl and a neighbor boy, who are determined to prevent an undesirable marriage for the girl’s mother and find a suitable mate for her. Judy Garland is the girl, and Freddie Bartholomew the boy, and they do outstanding work. Edwin L. Marin provided warm, sympathetic direction and planted the comedy and romance effectively. Jack Cummings rates credit as associate producer, Mary Astor does splendid work as the mother, ready to marry a business man, Gene Lockhart, whom she does not love, to gain security for her two children, Judy, and Scotty Backett. Scotty is especially appealing as the younger with a Daniel Boone complex. Walter Pidgeon is very good as a New York attorney, on a vacation, who falls in love with Mary, Alan Hale is convincing in an important role. Gene Lockhart, Charley Grapewin and Barnett Parker are among the capable principals. Elaine Ryan and Anne Morrison Chapin wrote the screenplay, based on the story by Katherine Bragley. Judy scores heavily with three songs, “On The Bumpy Road To Love,” by Al Hoffman, Al Lewis and Murray Mancher; “A Lullaby, Ten Pins In The Sky,” by Joseph McCarthy and Milton Ager; “Zing! With The Strings Of My Heart” by Joseph Hanley. Georgie Stoll directed the music effectively. After Mary decides she should marry Lockhart, it is Alan Hale, who helps the youngsters and Pidgeon in their campaign to have Mary wed Pidgeon and Pigeon wins.

CAST: Judy Garland, Freddie Bartholomew, Mary Astor, Walter Pidgeon, Alan Hale, Scotty Backett, Barnett Parker, Gene Lockhart, Charley Grapewin.

CREDITS: Producer, Jack Cummings; Director, Edwin L. Marin; Author, Katherine Bragley; Screenplay, Elaine Ryan and Anne Morrison Chapin; Cameraman, Charles Lawton, Jr.; Art Director, Cedric Gibbons; associate, Harry McAlphine, Edwin B. Willis; Editor, Blanche Sewell; Musical Director, Georgie Stoll; Musical Arrangements, Roger Edens; Songs by Al Hoffman, Al Lewis and Murray Mancher; Joseph McCarthy and Milton Ager; Joseph Hanley; Musical Score, Dr. William Ast.

DIRECTION, Sympathetic. PHOTOGRAPHY, Very Good.

Robert V. Latham Dead

Miami—Robert V. Latham, 59, veteran stage director, is dead today. He was formerly manager of the Fairway and the Olympia. The “roll-away” staging, projecting over the footlights, was invented by Latham.

Robert Latham, the widow, Edna, and two sons, Cal and Lawrence. Another son, Paul, was killed several years ago in an airplane crash.

“Aladdin’s Lantern”

(Our Gang Comedy)

M-G-M 10 mins.

TOPS SERIES

One of the best of the Our Gang series, with a real clever skit for the youngsters to sink their historic teeth in. They put on the Arabian Night’s tale of Aladdin and his magical lantern. Spanky plays the role of the Caliph. Darla is his beautiful daughter, a singer and dancer. She is in love with Aladdin, played by Alafia. The latter approaches the Caliph and gets him excelled over the magic lamp when he rubs it and brings a bevy of dancing girls out of nothing to entertain the potentrance. There are some very funny scenes with Alafia riding on the magic carpet, strung on ropes and a pulley that gets stuck under a lighted candle as Alafia attempts a song and scores his underside. This skit is done with just the right amateur touch and all the kids do fine work.

“Streamlined Swing”

(A Miniature)

M-G-M 9 mins.

SNAPPY HARMONY

Presentation of the original Sing Band, a colored aggregation of clever boys who produce the instrumental effects by manipulation of their mouth and hands. They are porters on a swanky streamline private car owned by the president of the railroad. Some nutty millionaire thinks the car is his, and makes the boys a present of it, provided they remove it from the railroad tracks. So they turn it into a night club on wheels, serving fancy southern dishes and dispensing hot swing music. Good atmosphere, peppy harmony, and moving at a fast pace.

COME ON, FRIEND ...and bring the ladies!

18th ANNUAL M.P.I.O.A. CONVENTION

OKLAHOMA CITY, OKLA.

(October 30th to November 2nd)

MAKE YOUR RESERVATIONS TODAY!

Write or wire: J. C. Rader, Biltmore Hotel, Oklahoma City, Okla.

Rates $2.50 up.

A "Little" from Hollywood "Lots"

By RALPH WILK

Small Pact for Green

On strength of his direction of "Duke of West Point," Alfred E. Green has been signed by Edward Small Productions to direct "King of the Surf" starring Adolphe Menjou and starting about Nov. 15.

Para. Signs Hageman

Richard Hageman, Metropolitan Opera conductor and symphony director, has been signed by Paramount to write the music for "The Light That Failed" and the new version of "Hotel Imperial."

Six "Juarez" Principals

Warner Bros. has set six principals for the cast of "Juarez." Paul Muni and Morton (of his own fund picture) will play Juarez; Bette Davis will do Carlotta; Brian Aherne will portray Maximilian; John Garfield will impersonate Diaz, and Claude Rains will be seen as General Ortega. Donald Crisp will also play a feature role in the production, which William Dieterle will direct. Shooting is scheduled to start on Nov. 7.

Paco Moreno with Guizar

Paco Moreno, well-known Spanish comedian and father of Rosita More- no, has been signed by Dario Prods. to play an important role in "Radio Troubador," a Spanish picture, which will star Tito Guizar. "Radio Troubador," which will be directed by Richard Harlan, long assistant to C. B. DeMille, will be released by Paramount. Dario Faralla, president of Dario Prods., has signed Dr. Hugo Reifenzell of the Abe Meyer organization, to arrange the musical score for the picture.

B. F. Keith Corp. Retires

5% Gold Bond Issue

(Continued from Page 1)

of March 1, 1929) providing for first and general refunding mortgage 6 per cent bonds, series B, due March 1, 1946.

The first and general refunding mortgage was issued to the Bankers' Trust Co. as collateral for a loan from Bankers' Trust to B. F. Keith Corp., in the principal amount of $1,000,000. The loan is evidenced by eight promissory notes of B. F. Keith Corp., maturing serially, pay able to Bankers' Trust Co. each in the amount of $125,000. The B. F. Keith Corp. said it used the proceeds of the loan together with $100,160.67 of its own funds to retire all the issued and outstanding first mortgage 5 per cent gold bonds of B. F. Keith's New York Theaters Co. in the total principal of $1,100,000.

Keith-Albee-Orpheum Corp. also filed a special report with the SEC stating that the Keith-Albee Theaters Corp., a subsidiary of Greater New York Vaudeville Theaters Corp., which is a subsidiary of K-K-A, sold on Sept. 30 its 10 shares of stock of the Costello Theatre Corp., representing all the shares of stock outstanding.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 200

S. SYLVAN SIMON. One of the youngest directors if not the youngest at a major studio. Notable in his career is his rapid advancement for within two years after entering production he is directing for M-G-M. Born March 9, 1926, in Chicago, Illinois, his father (David Simon) became Universal exchange manager here. Spent a good deal of his time between 1914 and 1928 on film row. Finishing Shenley High School, Simon went to University of Michigan in 1927. Following graduation in 1931, he taught speech and play production for one year. Also served as assistant director of broadcasting where he instituted the first radio course in the playing of musical instruments. Then to Columbia Law School in New York, graduating in 1935, practiced law one day. Was given a job as director of the summer theater in Schroon Lake, N. Y. There was seen by a Warner talent scout and was signed as talent scout by Warners. Worked in Warners' home office for one year. While talent scouts for Warners, directed several Broadway successes, including "Lysistrata" and "Girls in Uniform." Then signed as test director for Universal on the Coast. Directed a special Universal short on "Hollywood Screen Test" and on the merits of that picture, he was advanced to feature director, in the space of one year he did four pictures. The fifth production was the Hope Hampton picture, "The Road to Reno." On the final day of "The Road to Reno" he signed to a long term contract by Metro, where he is currently directing "Spring Dance," starring Maureen O'Sullivan, Lew Ayres and Burgess Meredith. Not only did "The Road to Reno" win him his M-G-M contract, but three days before the picture was finished his wife presented him with a daughter, named Susan.

Claim "Snow White" Tune

"Old Eli" Infringement

Suit against RKO-Radio Pictures, Inc., Walt Disney Productions, Ltd., Walt Disney Enterprises, Inc., and Irving Berlin, Inc., was filed Saturday in U. S. District Court by Thornton W. Wilder Co. Suit, charging infringement of a song copyright, seeks an injunction and accounting of profits and damages in the use of "Old Eli March" (Yale University) which the plaintiff alleges was infringed upon in "Some Day My Prince Will Come," a "Snow White" number. "Old Eli March" was written, the suit charges, by Wadsworth Dexter while the film song was written by Harry Morley and Frank Churchill.

"The Sisters" Draws 60,000

Steady SRO from 30 minutes after the house opened both on Saturday and Sunday was claimed by the New York Strand management yesterday as the achievement of War- ners' "The Sisters." With Harley Hork's bill. In bill first three days played to more than 60,000 admissions.

Walters Sell to L-J

Walters has concluded a deal with the Lucas & Jenkins Circuit for the theater chain's 27 theaters to play the complete seasonal output.

Loew Circuit Books RKO

Loew's Circuit in New York has closed with RKO Radio for the 1938-39 product.

Pleasure Plus Business

While in Mexico City recently, ostensibly on a brief vacation, a- mount producer Arthur Hornblow, Jr., acted as talent scout, purchasing agent, and location manager for "Drums Over Havana." He signed three players, Mario Sanchez, a comic; John Ruge, president of the L.A. SRO; and Marquerita and Romero. Also, he arranged for a full carload of vari- ous"props." Hornblow will ready "Drums Over Havana" for the cameras by the middle of November.

Laura Wilk Sets Two

Laura Wilk, writer's agent, has just set Frederick Jackson at Metro to collaborate on a yarn with Laurence Stallings, and placed Louis Weitzenkorn with Warners to develop an original story.

Boyd In 20th-Hopalong

William Boyd finished "Riders of the Range" last week which marks his 20th Hopalong since the series started four years ago. He has one more to do on the pictures' schedule.

Para. Signs Raft "Find"

Verdi Lardien, 20-year-old blonde George Raft, sidekick of the coffee Raft at the Cafe Francois in Brooklyn, has been placed under six month's contract by Paramount, who will appear in a small part with the star in "The Lady's From Kentucky."
ATTAINING NEW HEIGHTS
IN THEATRE CHAIR PERFECTION

Announcing the American Bodiform

A revelation in new construction principles, new design, new values

The best which even the American Seating Company was able to produce under theatre seating traditions has now been far excelled by its own initiative, research and engineering. New ideals and modern science have united in producing a better theatre chair—the American Bodiform.

Long practical experience assures the box office appeal and operating economy of this new product. You are invited to see the revolutionary new American Bodiform chair at our nearest office.

American Seating Company
GRAND RAPIDS, MICHIGAN

BOSTON • NEW YORK • ALBANY • PHILADELPHIA • RICHMOND • SYRACUSE • JACKSONVILLE • CHARLOTTE • COLUMBIA • PITTSBURGH • BUFFALO
HUNTINGTON • CLEVELAND • ATLANTA • CINCINNATI • DETROIT • JACKSON • NEW ORLEANS • CHICAGO • MEMPHIS • ST. LOUIS • MINNEAPOLIS
DES MOINES • KANSAS CITY • DALLAS • OMAHA • OKLAHOMA CITY • DENVER • SALT LAKE CITY • PHOENIX • LOS ANGELES • SEATTLE • SAN FRANCISCO
EXPECT RKO REORG. OKAY AFTER OCT. 25

(Continued from Page 1)

will formally announce George J. Schaefer’s affiliation with the company, THE FILM DAILY was informed.

At the same time, it was said that the company would announce that Leo Spitz, stepping down as president, would continue with the company as special counsel.

Industry Picture in West Brighter, Grainger Finds

(Continued from Page 1)

James R. Grainger, Republic’s president and general manager in charge of distribution, who returned to the home office yesterday following a three-weeks’ trans-continental trek which took him to most of the West Coast keys, and important territories en route homeward.

The trip was the first to Los Angeles, Portland, Seattle and other spots in the West since his elevation to the top executive post in Republic. Studies are running at top speed, he declared, and districts and exhibitors, alike are enjoying the results of good product. During his trip, Grainger closed several important circuit deals, and stated that he is unusually optimistic over progress made by Republic in recent months.

Air Interviews for Execs. at MPTOA Meet

Oklahoma City—Both major local radio stations, KOMA and WKY, are making plans for carrying broadcasts centering around the forthcoming 18th annual MPTOA convention here Oct. 30-Nov. 2. KOMA is located in the Biltmore Hotel, convention headquarters, and will feature executives and speakers for guest interviews. Both stations’ program departments are going overboard to give the MPTOA plenty of air time while it is in session.

“Suez” Plays to 87,000 in Four Days at the Roxy

(Continued from Page 1)

night. Over the week-end, the pix drew 89,006. At 4:15 p.m. yesterday, it was approximately 25 percent ahead of the opening day at the same hour.

“Suez” biz yesterday ran ahead of the opening day; pix is expected to stay at least four weeks at the Roxy.

Report Maxwell to Receive 3 Millisons in Settlement

London (By Cable)—Terms of the settlement of the Associated British Pictures (John Maxwell) suit against Islor and Mark Ostrer are understood to provide for the repayment to ABP of $3,000,000 in 10 yearly installments. Action was based upon alleged misrepresentation in the ABP-GC stock deal.

“Husbands” for Carnegie

“School for Husbands,” released on this side by J. H. Hoffberg Co., will have its U. S. premiere at the Little Carnegie.

Pending Applications Will Boost SAG 1109 Membership

Enrolled membership in the Eastern division of Screen Actors Guild totaled 1109 when the books were officially closed on Saturday, but membership total is expected to go considerably over that mark as pending applications filed before the Oct. 1 application deadline are to be acted upon before Nov. 1.

Mrs. Florence Marston, Eastern SAG head, returned to the office yesterday after attending the RFT convention in Houston and making a brief stop in Chicago.

Agreement was reached with Chicago Film Laboratories on terms of an SAG contract, it was learned, with signing expected to take place as soon as a contract is sent to the laboratory by Mrs. Marston.

Mrs. Fred Nugent Dead

Detroit—Mrs. Hazel Nugent, wife of Fred Nugent, manager of Monarch Pictures office, formerly Metro branch manager here, died following several months’ illness. Burial was in Toledo. She is survived by one son, Fred, Jr.

HIGH COURT REFUSES HART CASE REVIEW

make contracts for the leasing of the pictures and split the profit on a specified basis with the Will. S. Hart Co.

The petitions contended that before the actual production UA leased and contracted for the distribution of the picture on such a price basis that, to its knowledge, petitioners’ interest would be less than the actual money cost of production.

The Harts brought suit to recover the sum retained by UA as its compensation out of the proceeds of the distribution. The District Court dismissed the complaint on the grounds that it failed to state a cause of action. Holding that the contract did not create a fiduciary relationship between petitioners and UA, the Circuit Court of Appeals affirmed the decision. After which the Harts appealed to the Supreme Court.

Louis Blaine Appointed Assistant to John Joseph

Chicago—Louis Blaine, RKO advertising manager, has been named assistant to John Joseph, Universal’s director of advertising and publicity. Blaine leaves for Hollywood in 10 days. His successor here will be named shortly.

TAY GARNETT PRODUCTIONS

Just Completed

“Trade Winds”
(Walter Wanger—United Artists Release)

In Preparation

“World Cruise”
Defeat of Newly Introduced Measure Is Believed Certain

A bill which would set up a censor board and tax distributors for fee maintenance has just been introduced into the Argentinian Congress, it was learned here yesterday. The measure will not come up for a vote until May, 1939, and indications are that it will not pass, owing to determined opposition by the Argentinian industry.

The board, under the proposal, (Continued on Page 4)

CONFIRM SETTLEMENT OF AFB-OSTRER SUIT

London (By Cable) — Settlement of the $8,000,000 AFB (John Maxwell) suit against Isidor and Mark Ostrer for alleged fraud in the associated British Pictures-GB stock deal was officially confirmed here yesterday.

That an out of court settlement was in prospect was forecast in a London cable published in THE FILM DAILY Monday.

Lund Rites Tentatively Arranged for Tomorrow

Funeral services for Ralph Lund, 74, member of the advertising staff of RKO Radio pictures under Barret McCormick's direction, were being formulated yesterday. It being announced tentatively that the rites will be held at the family home of Ralph Lund today and that the service will be held tomorrow at the church of the family. Lund's death was caused by a heart attack at his home yesterday.

J. C. Graham to Announce New Affiliation Shortly

London (By Cable)—Resignation of J. C. Graham as Paramount's managing director, recently announced, does not mean Graham is retiring; instead, he is expected to

(Continued on Page 4)

WILCOX MAY MAKE THREE FOR BRITISH LION

Herbert Wilcox will produce three features for British Lion if present negotiations are successfully concluded, it was disclosed here yesterday by Sam Smith, British Lion exec., on his arrival from London. Financing would be provided by British Lion.

TELEVISION PROBLEMS BEFORE SMPE MEETING

Television problems will come in for attention at the SMPE Fall convention which opens at the Hotel Statler, Detroit, Oct. 31 and continues through Nov. 2. Program for the sessions, announced yesterday, calls for appearances on Nov. 1 by L. J. Kass of GE who will discuss "Some of the Problems Ahead of Television" and by G. L. Beers, E. W. Engstrom and I. G. Maloff (Continued on Page 8).

APPRENTICE OF ROBERT COBE TO MANAGE GN EXCHANGE IN BOSTON

Appointment of Robert Cobe, formerly Republic's exchange manager in New Haven, as manager of Grand National's branch in Boston was announced yesterday. Cobe steps up to fill the vacancy caused by the recent promotion of (Continued on Page 8).

COURT HEARS WRIT PLEA IN TRUST SUIT

Chicago — Plaintiffs' application for a temporary injunction in the anti-trust suit brought by local indies against Balaban & Katz, et al., came before Federal Judge William here yesterday, with the hearing continuing today.

Joseph Rosenberg and Aaron Stein of Rosenberg, Stein and Rosenberg appeared for the plaintiffs, largely members of Allied of Illinois, while (Continued on Page 8).

CANADIAN FILM BUSINESS IS SHOWING MARKED GAIN

Film business in Canada, since the opening of the current season, is exceptionally good, it was stated yesterday by Wolfe Cohen, Warners' Canadian district manager, upon his arrival at the home office of Toronto.

Sales of WB product are far (Continued on Page 8).

BRITISH LION TO PRODUCE 8 TO 10 PIX TO FILL REPUBLIC QUOTA REQUIREMENTS

Drive Sends B. O. Returns Up 10 to 25% in Atlanta

Industry's drive is credited with boosting box office returns from 10 to 25 per cent above last year in Atlanta, the local committee advised headquarters here yesterday.

At the same time, headquarters made public commendatory statements by leading exhibitors, based on (Continued on Page 8).

MPTOA, Allied and Distributors Open Parleys This Morning; May Last a Week

First step in the establishment of a so-called industry fair trade practice program gets under way today as representatives of MPTOA and Allied meet, separately, with distributor groups.

Sidney R. Kent, 20th-Fox president, and Ned Depinet, RKO vice-president, are representing the MPTOA delegation, while Grad Sears, Warner Bros. sales head, and W. F. Rodgers, M-G-M sales manager, are to convene with Allied representatives. Abe Montague, sales chief for Columbia, will alternate between the two sessions. Indications are that the meeting will continue into next week.

Discussions with the unaffiliated (Continued on Page 8).

R'KY MT. GROUP ASKS BIGGER CANCELLATION

Denver — A greater cancellation privilege will be sought by the Theater Owners and Managers of the Rocky Mountain Region through their representative, Charles Gilmore, who yesterday was selected unanimously to represent the interest.

(Continued on Page 8).

Take Schenck Deposition in Loew Suit Next Week

E. K. Ellis, attorney for a group of Loew stockholders who seek to restrain the company from putting a profit-sharing plan into effect, expects to

(Continued on Page 8).

Television Circuit Plans 6 Coast Newsreel Houses

West Coast Bureau of THE FILM DAILY Los Angeles — With the erection on Hollywood Boulevard as the first of a string of 6 theaters, (Continued on Page 8).
COMING AND GOING

Wed., Oct. 19, 1938

New Operators Contract Takes Shape in Chicago

Chicago—Early agreement on a new contract was indicated yesterday by representatives of operators' union and theater owners conferred. Matter of colored operators representation is also expected to be settled.

BILLY BEIN, franchise holder for Trailer-Made in the Cincinnati territory, is in town today, making his headquarters at the St. Moritz.

BARRY RICHARDS, head of Standard Pictures, is in New York from the Coast on a business visit and is scheduled to return to Hollywood during the coming week-end.

JOHN EBERSON, film theater executive, returned to New York from following a brief trip to Texas.

LOUIS D. FROHLICH, of the law firm of Schwartz & Frolich, has returned to New York from Boston.

ALLEN JENKINS, Warner comedian, arrived in New York yesterday from the Coast. He was accompanied by his wife.

OTTO KRUCER, agent, sails for Europe today on the Queen Mary.

GEORGE RAFT is scheduled to arrive on the Coast tomorrow, after Eastern trip.

WOLFE COHEN, WB's Canadian district manager, who arrived in New York yesterday from a visit to the latter city via St. John and Montreal.

SAM MARS is in New York from the Coast looking over the new play.

LOUISE CAMPBELL, Paramount player in "Song with Wings," arrives in New York from the Coast today on the Twentieth Century for a brief vacation.

FRANK GILLMORE, AAA president, is in New York for confabs with the Screen Actors Guild.

"If I Were King" Sets Record at N. Y. Para.

Playing to approximately 252,000 admissions in three weeks, Para's "If I Were King" set a new attendance figure for that period at the New York Paramount where it is in its second and final week. "Song with Wings," Technicolor production, follows, opening on Oct. 26.

"If I Were King" gave the Metropolitan Opera the biggest gross biggest gross in the history of the house since going to a straight Opera house. "Song with Wings" office was yesterday. "King" ran well above average biz at the Allyn, Hartford, Capitol, Worcester, Paramount, New Haven, and Paramount, Springfield.

St. Louis MPTO to Send 100 to Oklahoma City Meeting

St. Louis—MPTO of St. Louis, Eastern Missouri and Southern Illinois will send a delegation of 100 to the MPTOA convention opening in Oklahoma City on Oct. 30, it is announced by Fred Wohrenberg, presy of the unit and MPTOA board chairman. Delegation probably will travel by special train.

Goetz, Wood Sailing

Ben Goetz, M-G-M British production head and Sam Wood, director and producer, are sailing today on the Queen Mary for England. They plan to put "Goodbye, Mr. Chips" into work immediately upon their arrival. Picture to follow "Mr. Chips" at the British studios has been selected but Goetz yesterday declined to reveal its title.

Ontario ITA Seeks Gov't Curb on 16 MM. Itinerants

Toronto—Alarmed by the fact that the itinerant showmen with 16 mm. films are cutting into the business of exhibitors in various parts of Ontario, the Independent Theatres' Ass'n of Ontario has delegated a committee headed by J. Scott, of Weston, to work for provincial regulation. The ITA wants the 16 mm. exhibitors to be governed by all the regulations now relating to the 35 mm. theaters. The ITA points out the 16 mm. exhibitors are often given in halls very subject to panic and fire hazards and that many such buildings are tax free and even were constructed partly through governmental grants.

SAG and MCA Huddle on Radio Show Plans

West Coast Bureau of THE FILM DAILY

Hollywood—Screen Actors Guild execs, and officials of the Music Corporation of America have been discussing possibilities of a joint show with SAG talent, with programs to be donated to the Motion Picture Relief Fund. It was learned yesterday, Music Corp. is handling negotiations for a backer, with several sponsors interested, it is said.

Co-op Booking Question Again Before CEA, KRS

London (By Cable)—Co-operative booking question is up again here with the Films Council reported inquiring the views of both the CEA and KRS. Latter, of course, is in Opposition. Amendment of the film act would be essential for the adoption of co-operative booking.

The continued activity and increased interest and appreciation of English Production prompts this paper to incorporate in the 1939 Film Year Book a complete English Section which will be of unusual and vital interest to the industry here and abroad.
The Alcatraz Type

GIRLS ON PROBATION

WARNER EXPLOITATION WINNER!
ARTEGONIA FIGHTS
TAX, CENSORSHIP

(Continued from Page 1)

would have the authority to ban any picture which would tend to ridicule or otherwise prove injurious to Argentine or its people. Board further would be empowered to oust the offending organization from the country.

The measure also would permit equipment and raw stock to enter the country without duty.

Lund Rites Tentatively
Arranged for Tomorrow

(Continued from Page 1)

will be held tomorrow at 11 a.m. in the Capitol Theatre, 1970 Broadway.

Lund, who entered the film industry via Universal Pictures in 1925, died on Sunday evening at the U. S. Veterans' Hospital in the Bronx, following an illness of several weeks due to a spinal infection.

Prior to joining Universal he was engaged in news feature and newspaper syndicate work. Later he joined Lord & Thomas, and subsequently came to RKO Radio. For many years he was prominent in Aampa affairs and was secretary of the organization for one term.

Surviving are his widow, Mrs. Ruth Lund; his parents; and three brothers two of whom reside in Erie, Pa., and one in New York.

Expect Warners' "Sisters"
To Stay at N. Y. Strand

Warner's "The Sisters" is expected to stay three weeks at the New York Strand. Reports to the home office from the seven keys where it has opened yesterday said that the pix was topping grosses of "Four Daughters," "Green Lights" and "Jezabel."

"Wings" at N. Y. Para.

Parr's "Men With Wings" will follow "If I Were King" at the New York Paramount, opening Oct. 26.

BLIGHT THE

WITH PHIL M. DALY

On the road.

\- ONE OF the high spots of the season...outed as THE big one on the RKO Radio lineup..."Gange Din"...and so Barret McCormick, the ad and pub chief for the company, flies to Hollywood today to look over the rushes...and plan the advertising campaign right on the spot where the production is reaching the final shooting stages...

\- \- THIS MODERN technique of working close to the Big Picture before the final touches are added, shows how closely production and advertising are meshed...Barret McCormick has been pursing this policy for a couple of years or more...speeding to the studio and seeing up the ad slants on the important product every three months or so...he will also give attention to a preliminary campaign on the new Astaire-Rogers picture based on the life of the Versom Castles...and the Leo McCarey production, "Love Affair," with Irene Dunne and Charles Boyer as the glamorous-gallant combo...Barret will be back in two weeks...with these three campaigns all set for the home office to start the advertising and publicity flowing...

\- \- A FIELD Day for Walt Disney yesterday...showing at a trade preview in the Astor Theater seven of the shorts that should shake the box-offices of the land...we could comment on these at great length and with a riotous flow of adjectives...but why should we...for the I.T. old paper has already reviewed 'em...they having been previewed on the Coast on the occasion of Mickey's birthday last month..."

\- \- THE TRADE is talking about that clever ad in yesterday's paper...conceived by the 20th Century-Fox alert ad minds...dramatizing the story of the Jam Session at the Roxy as "Suez" came to Broadway...Crowds, crowds, crowds...played up from every angle...in the lobby, on the block-long line four deep from Fiftyfourth Street, standing in back of the orchestra...Crowds and Dough...a swell showman combination...the Dough was dramatized with Treasurer Frank Muldoon carrying out the money bags guarded by a cop...and an armored car with guards with drawn revolvers depositing the first day's receipts (or part of 'em up to 2 o'clock) in the bank...this is putting over a Showman Story with Sock appeal...with pictures in the Modern Manner...setting a new mode for all producers with a Smash Hit to follow...

\- \- WINNERS of both the Motion Picture League pennant for 1938 and the play-off trophy...Consolidated Film Industry's baseball squad will be leted on Oct. 7 at Little Ferry, N. J. with a dinner and dance...the team also captured the award for the outfit making the most runs during the season...

\- \- ONE OF the highlights of the convention of Michigan Allied at Grand Rapids...was the statement made by its president, Ray Branch...in introducing William F. Rodgers of M-G-M...among other things he said: "A man who is sincere and knows the problems confronting all of us...desirous of bringing the two branches of this great industry together in close harmony"...in this spirit of give-and-take, it begins to look as if the industry is starting to move ahead with a common purpose...
A Steady flow of QUALITY PRODUCT

STORM OVER BENGAL
PATRIC KNOWLES
RICHARD CROMWELL
ROCHELLE HUDSON
DOUGLAS DUMBRILLE

I STAND ACCUSED
ROBERT CUMMINGS
HELEN HAYES
LYLE TALBOT
THOMAS BECK

CALL OF THE YUKON
RICHARD ARLEN
REBECCA ROBERTS
LYLE TALBOT

BILLY the KID
ROY ROGERS
SMiley BURNETT
MARY HART

10TH AVE. KID
BRUCE CABOT
BEVERLY ROBERTS
TOMMY RYAN
BEN WELDEN

DOWN IN 'ARKANSAW'
WEEVER BROTHERS' ELVIRA
RALPH BYRD
JUNE STOREY
PINKY TOMLIN

LONE RANGER Serials
THE LONE RANGER
SILVER TONTO

PRAIRIE MOON
GENE AUTRY
SMiley BURNET
SHELLYE DEAN
TOMMY RYAN

PRISON NURSE
HENRY WILCOXON
MARIAN MASON
BEN WELDEN

OVERLAND RAIDERS
JOHN WATNE
RAY CORRIGAN
MAXuraM

REPUBLlC
“T Stand Accused”, with Robert Cummings, Helen Mack, Lyle Talbot
Republic
61 mins.

HOLLYWOOD PREVIEW

VERY GOOD GANGSTER STORY PLEYS WELL TO ANGLES TO CATCH AND HOLD INTEREST.

It’s a racket story, told from a “mouthpiece’s” point of view and it’s very interesting. Associate producer and director, John Auer, has handled the piece in a high-level manner, with big action. The character is one which requires forcefulness and ruthlessness, yet it must have the human qualities which gain sympathy and understanding and Cummings gives it. Gordon Kahn contributed an intelligent well-developed screenplay, and Alex Gottlieb furnished the additional dialogue. The production is mounted in a top flight manner, with good acting, Robert Cummings and Thomas Beck, on graduating from law school, open a law partnership firm, Robert wants to make money and when some gangster business comes his way, he takes it, since there has been none of the legitimate kind. He gets deeper and deeper into the racketers and becomes known as “The Kid Mouthpiece.”


CREDITS: Associate producer, John H. Auer; Director, John H. Auer; Manager, Al Wilson; Screenplay, Gordon Kahn; Additional Dialogue, Alex Gottlieb; Camera, Jack Martin; Supervising Editor, Murray Seiden; Editor, Ernest Nims; Art Director, John Victor Mackay; Musical Director, Cyril Feuer.

DIRECTION, Corkin. PHOTOGRAPHY, Very Good.

WB “North” in Montreal

WARNERS has set the world premiere of “Heart of the North” for Montreal in late November.

“Meet the Girls”, with June Lang, Lynn Bari, Robert Allen, Ruth Donnelly
20th-Fox
66 mins.

SHALLOW STORY AND INEPT DIALOGUE HANDICAP CAPABLE CAST OF THIS MYSTERY-FARCE.

Despite their personal charm and ability, June Lang and Lynn Bari are unable to overcome the weighty handicap of a story weak in situation and interest. Additionally, the dialogue is unbelievably flat. Not only are these central players victimized by these flaws, over which they have no control, but likewise the other cast members.

The result is an aimless and dull production. The shallow story recounts the adventures of the Lang-Bari combo on shipboard, after the latter has lost the passage money and has had to apply to “Frisco from Honolulu where they have been stranded. There is much ado about a diamond, its theft, disposition and fate, with a gang being suspected and accused.

Much of the goings-on are supposed to be comedy or drama, and, belied, the story is satirical, but the lines are never clear. What most of it is can best be described as boring. Some successful films have been made on ocean liners, but in such instances the ingredients, all the way from the story to the final operation of cutting, have been handled with sufficient precautions to overcome the production provided by shipboard quarters as settings, which is not the case with “Meet the Girls.”


CREDITS: Associate Producer, Howard J. Green; Director, Eugene Forde; Screenplay, Margarette Roberts; Cameraman, Edward Snyder; Art Director, Bernard Herszron, Harold Carlton; Editors, Sound; George P. Costello, William H. Anderson.

DIRECTION, Fair. PHOTOGRAPHY, O.K.

Robert Cobe to Manage GN Exchange in Boston

(Coitalized from Page 1)

Harry Asher to GN’s division manager.

He has been in the distribution field for the last 20 years in the Middle West, Boston and New Haven.

Succeeding Cobe in New Haven for Republic is George Rabinowitz.

Rosa Reilly Rites Held

Funeral services for Mrs. Rosa Reilly, 66, was held in the crematorium of Popular Photography and wife of William J. Reilly, advertising manager of Cine Mundial, were held at St. Mark’s Church and the University of Montreal.

Funeral Chapel, 52nd St. and Lexington Ave. Mrs. Reilly’s death occurred Monday at Beth David Hospital, following a short illness from pneumonia. Besides her husband, Mrs. Reilly leaves a son, Michael.

Touchedown Army”, with John Howard, Mary Carlisle, Robert Cummings
Paramount
60 mins.

HOLLYWOOD PREVIEW

WEST POINT FOOTBALL STORY PACKS THRILLS AND SUSPENSE.

This story of life at West Point has been well developed and produced, the highlight of the story is the thrilling army football game, which has a most favorable ending. Kurt Neumann has supplied skillful direction, while Edward H. Lowe rates many bows as associate producer.

John Howard, Robert Cummings and Mary Carlisle do splendid work as the leads, while Owen Davis, Jr., Minor Watson, Benny Baker, William Frawley and Raymond Hatton are among the important principals. John Howard and Raymond Hatton are an interesting original story and screenplay. Cummings is a wise-cracking, cocky football player who seems determined to break all the rules at West Point, and Howard who is from the South, is the chief rival for the affections of Mary Carlisle, daughter of Minor Watson, a Major at West Point.

The Academy has an excellent effect on yesterday’s events, and when he believes Mary has given him all the answers for the French quiz, he surprises with ease, he voluntarily appears before the Academy officials and his privileges are taken from him. The big Army-Navy game opens in New York and Cummings is cleared by the effects of Mary Carlisle, daughter of Minor Watson, a Major at West Point, and when Howard runs the wrong way with the ball, Cummings lets out a “rebel” yell, which brings a fight to his senses. Howard tosses a left pass to Cummings, who, in turn, lateral it to another Army player, who goes for the running touchdown.

CAST: John Howard, Mary Carlisle, Robert Cummings, William Frawley, Owen Davis, Jr., Benny Baker, Minor Watson, Raymond Hatton.

CREDITS: Associate Producer, Edward T. Lowe; Director, Kurt Neumann; Authors, Lloyd Corrigan and Erwin Gelsey; Screenplay, same; Cameraman, William H. Anderson; Editor, Arthur Schmidt; Musical Director, Boris Moross.

DIRECTION, Skillful. PHOTOGRAPHY, Good.

Columbia U. to Start Film Extension Course

Fourteen speakers, including Hal Hays, Columbia exec., and Harrison Forman, newsreel cameraman and technical consultant on “Lost Horizon,” will assist in conducting Columbia University’s Motion Picture Parade, 2nd series.” An extension course held on Wednesday nights for 20 consecutive weeks, starting tonight, was announced yesterday. Norman Allen and John Craig, cameramen, and a number of novelists and critics have also been chosen to speak. A number of select motion pictures will be shown in conjunction with the sessions, which are scheduled for the McMillen Academic Theater.

“Prairie Moon”, with Gene Autry, Smiley Burnett, Shirley Deane, Tommy Ryan
Republic
56 mins.

PLENTY OF ACTION IN THIS WESTER WITH AUTRY AGAIN DELIVERING STRONGLY.

Gene Autry, exponent of song and his sidekick, Smiley Burnett, exponent of mirth, are provided with a good cast and an entertaining story, making this new Republic release pleasing screensaver. However, all is not song and laughter; there is plenty of hard riding and action thrown in for good measure. The selection of Shirley Deane as the leading lady is a happy one as Miss Deane is both physically and vocally able. Tommy Ryan, young Republic white hope in the chosen screen debut for box-office attraction, proves to be an able young actor. Ralph Staub as a good directing job and the Betty Burbridge-Stanley Roberts screenplay has plenty of movement. Autry, a deputy sheriff, agrees to take the children of an old friend who is shut in by the police as a wanted racketeer. He details Burnett to go to Chicago to round up the kids and they turn out to be an ornery crew, not the least bit impressed with cowboys and ranch life. Despite the fact that they have no cow- sense, Howard tries to make them law abiding, and sends them to school, they finally appreciate him as a guardian when they get in a jam.


CREDITS: Associate producer, Harry Grey; Director, Ralph Staub; Original screenplay, Betty Burbridge and Stanley Roberts, Based on a story by Lester Orlebeck; Cameraman, William Nobles.

DIRECTION, Good. PHOTOGRAPHY, Good.

Canadian Film Business is Showing Marked Gain

(Continued from Page 1)

ahead of the rough and tumble period last year, with virtually all circuits in the Dominion, as well as indie outlets, committed to Warner releases, he declared.

While general quality of product, he said, is responsible for the prevailing boom for all distributing companies in the Canadian territory, the Motion Pictures’ Greatest Year campaign is helping exhibition interests to play the public more effectively.

“Valley of the Giants” and “Four Daughters” have scored heavily, with the former accorded particular favor because of its theme, action and story setting.

“Valley of the Giants” and “Four Daughters” have scored heavily, with the former accorded particular favor because of its theme, action and story setting.

Wednesday, October 19, 1938
Announcing
the
1939
YEAR BOOK
of
MOTION PICTURES

21st edition
larger and more practical than ever
the Standard Book of Reference of the Motion Picture Industry
Published by Film Daily and ready for distribution shortly after the first of the year.
TELEVISION PROBLEMS BEFORE SMPE MEETING

(Continued from Page 1)

of RCA who will demonstrate "Some Television Problems from the Motion Picture Standpoint."

A total of 20 technical papers and presentations is carded for the convention. Dr. Herbert T. Kalman, prexy of Technicolor, will present "Technicolor Adventures in Cinemascope," while papers on sound-recording and reproduction, studio lighting, theater practice, film processing and various other phases of motion picture engineering will be read.

Results of the mail solicitation for new officers will be announced at the annual session, Oct. 31. Scheduled for election are:

E. A. Williford, president; N. Levinson, executive vice-president; A. S. Dickinson, financial vice-president; J. J. O'Brien, secretary; R. E. Tinsman, treasurer; R. H. Rockwell, and L. H. Schmid, members of the Board of Governors will be named. The nominees embrace M. C. Batsel, G. Friedl, Jr., A. N. Goldsmith and H. G. Teich.

Informal luncheon on the opening day will have as speakers Mayor R. W. Beading of Detrola, Jimmawr Mahan, Time Inc. editor; W. Trelle, president of United Detrola Theaters and Dr. C. F. Kettering of General Motors.

A session on sound will be held for Monday afternoon and a film program for Monday night. General session is announced for Tuesday morning, to be followed by an open session in the afternoon and the semi-annual banquet at night. SMPE Progress Medal and Journal Award will be presented at this session.

A tour will be held for all SMPE members. The program calls for a studio-lighting-theater session; in the afternoon, a general session closes the convention.

Canadian Trade Leaders Attend Pasternak Dinner

Toronto-Joe Pasternak, director, who visited Toronto while en route from Hollywood to New York, was tendered a dinner at the Royal York Hotel. Guest of honor was Mayor Ralph C. Day, Col. John A. Cooper, head of Motion Picture Dist. & Rx. & Boston Advertisers Handb., was also present, as were the Canadian consul general, Roy St. J. Fitzgibbons, R. Bolstade, C. Robson, M. Stein, all of Famous Players' Canadian; Paul Nathanson, A. W. Davis, general sales manager; Sam Brant, J. Palansky and Ben Plotte, all of Empire-Universal Films; Hon. J. Earl Lawson; E. T. Long and R. Main of Associated Theaters; N. A. Taylor and R. Auerbach, of Exhibitors' Booking Ass'n; H. Allen and C. Allen of Paramount Theaters; J. Miles and S. Weiner, of Winpenny; and S. Fine and S. Bloom of Bloom & Fine Theaters.

British to Show Pix at N. Y. World's Fair

LONDON (By Cable) -The British Government will include a motion picture theater in its United Kingdom Pavilion at the New York 1939 World's Fair. Co-operation of the film trade will be sought to ensure a proper selection of British picture to be shown at the theater during six months of the Fair. Both documentaries and features will be invited for representation, and an agreement for the organization, will be in accordance with a plan to encourage distribution of British films overseas.

Take Schenck Deposition in Losw Suit Next Week

(Continued from Page 1)

Schenck's deposition will complete the taking of depositions of defendants next week. Testimony of David Warfield is scheduled to be heard next Monday. Nicholas M. Schenck is slated to be a witness on Tuesday or Wednesday, and he is to be followed by Leonold Friedman, David Bernstein and Jesse Mill.

Testimony of Charles C. Mosko- witz, head of theater operations, was heard yesterday at Ellis' office.

Televue Circuit Plans 6 Coast Newsrel Houses

(Continued from Page 1)

Televue Theater Corp. headed by Arthur Klein plans to have in operation by next summer, will open Oct. 29. Sites have already been secured in San Francisco and San Diego. The theater seats 350 and will show newspapers and short subjects. Seats are push back type, invented by Allan Hale.

Additional Display Space Provided for MPTOA Meet

Oklahoma City-The main display booth section for the MPTOA convention has been completed with only one of 25 booths remaining unreserved. So many additional requests are on file that Morris Loederman, MPTOA director, is setting up an additional display space for eight booths to be adjacent to the original 25 in the convention booths at the Bill- more Hotel.

The convention committee has established a rule that all booths must be erected and installations completed on Saturday night preceding the opening of the convention.

List of reservations to date are as follows: National Service, three booths; International Seating Corp., two booths; National Theater Supply Co., two booths; Nap-ads, one booth; RCA, two booths; Maxie Eye Co., one booth; Burch Manufacturing Co., one booth; Warner Service, two booths; Hollywood Theater Supply, one booth; Teleview, two booths; America Seating Co., two booths; Teleview, two booths; Warner Sign Service, two booths; and Oklahoma Theater Supply, one booth.

Roky Mt. Exhibitors Ask Greater Cancellation Right

(Continued from Page 1)

organization at the New York trade-parleys, Gilmour arrives in New York Sunday and probably will be accompanied by Ed Schulte, prominent exhibitor of Casper, Wyo. The meeting here yesterday was a closed session but it was said that the cancellation issue would be one of the major issues to be sought. Also was said that members went on record as being opposed to the Ascap seat charge and the alleged forgoing of shorts. Exhibitors present said they favored anything whereby purchase of shorts would be limited to time available for them.

Chi. Federal Court Hears Writ Plea in Trust Case

(Continued from Page 1)

Henry Goldberg represented the defendants.

Golding asked for leave to strike various declarations from the complaint.

Y. Frank Freeman, Paramount theater chief, who was here yesterday for conferences presumably in connection with the suit, left for New York last night.

Expect Decision This Week In "Birth of a Baby" Case

ALBANY—Decision by Supreme Court Judge Pierce Russell is expected late this week on a motion for new trial based on a determination of the merits of the film, "Birth of a Baby." Judge Russell reserved de- cision on the certiorari plea of Ellis Staley, counsel for Sam Citven and the American Committee on Maternal Welfare.

Opponents of motion picture censorship believe their biggest victory to date will have been obtained if a decision upholding the State motion is forthcoming. Trials by jury, they think, will result in a general relaxation of the Education Department's censorship over films.

Saphier Names GN Branch Managers in Seattle, Portland

West Coast Bureau of THE FILM DAILY

Hollywood.—Morgan Saphier, Western district manager for Grand National, has appointed the following:

In Portland, the appointment of two new branch managers on the West Coast. Lloyd V. Lamb was named branch manager in Portland and G. E. Jackson in Seattle. They succeed K. L. Brinn who has been managing both North- west branches.

TRADE HARMONY AIM OF TODAY'S PARLIES

Regional units are slated tentatively for Monday and it is believed that the distributors will meet with Mr. Auerbach to take up a number of questions, and that an agreement will be advanced this evening. The Allied Theaters of Iowa, already is here.

An Allied group held a brief conference with the distributors' committee yesterday to formulate plans for completed at today's meeting. At the same time, the MPTOA executive committee completed the preparation for the meeting, so that both organizations this morning are poised to participate in what is considered one of the most important negotiations in the history of the business.

Although Allied's directors are scheduled to convene in Atlantic City on Tuesday at the Eastern Regional Conference, they will be held in New York, inasmuch as it is doubtful that their discussions with the distributors can be completed before the convention begins. It is probable that they will return to New York after the Atlantic City convention to resume and complete the meetings.

Leaders of both organizations yesterday declined to predict officially the outcome of the trade-parleys. But several said that it was probable the meetings would result in some sort of agreement or at least an understanding of the problems. The sessions were attended by some 25 representatives of exhibitors. Morals previously had been non-committal as to their entrance into the discussions, but with the presence of Sales Manager Sears on the negotiating committee 100 p.c. co-operation by the majors is as- sured.

Drive Sends B. O. Returns Up 10 to 25% in Atlanta

(Continued from Page 1)

the boom in the territories. Among those reporting definite benefits were John Harris of Pittsburgh, Elmer Rhoden, fox Midwest all groups concerning personal appearance of Rick Rickeford, fox Intermountain; Fred Wehrenberg, St. Louis; S. J. Switow, Louisville; John Duma, Seattle, and C. E. Koerner, Boston.

Said rhoden: "Even in situations where, because of bad business, it looked as if things would turn the tide of unfavorable public opinion, an achievement of the utmost value."

Wednesday, October 19, 1938
Majors' Counsels Again See Arnold on Trust Action

'DEFINITE PROGRESS' AT TRADE REFORM PARLEYS

Score Charges Condemned at Allied Eastern Meeting

Allied Board Meets Today at A. C. Sessions; New Jersey To Elect Officers

FILM DAILY Staff Correspondent

Atlantic City—Facing of score charges by distributors was condemned and definite action against his practices was contemplated at the opening session of the annual convention of Allied Theaters of New Jersey and eastern regional units. The New York Allied unit is holding its first convention in association with the others.

Members yesterday declared that (Continued on Page 4)

MEET TODAY ON U. S. COPYRIGHT STATUS

Redraft of the provisions of the Berne Convention to define and make effective the international copyright status of U. S. interests, including the motion picture industry, will receive further impetus today in the Low Memorial Library, Columbia University, where, in Room 311, representatives of writers, composers, broadcasters, artists and affiliated crafts and organizations will meet at 2:30 p.m.

Film industry delegates will be (Continued on Page 9)

Moon Admits He May Start New Booking Organization

Reports that Ray Moon, who recently withdrew from Co-operative Theaters of Michigan, may start a booking organization of his own are (Continued on Page 9)

Talk Procedure, Not Consent Decree, as Arnold and Majors' Counsels Meet

B & K Trust Suit "Strike Out" Plea Under Advisement

Chicago—Judge Willkerson yesterday took under advisement at the conclusion of the second day's hearing of arguments by Fred Burnham for the distributors and Robert Golding for B & K to strike out specific

By PRESCOTT DENNETT

Washington Bureau of THE FILM DAILY

Washington—As representatives of the two major exhibitor organizations and of the distributors met in New York yesterday to discuss trade practice reform, counsel for the defendants in the Government's equity suit assembled here for a second conference with Assistant U.

SEPT. ADMISHL TAXES UP OVER $250,000

Washington Bureau of THE FILM DAILY

Washington—September admission tax collections soared more than $250,000 over the August figure, the U. S. Bureau of Internal Revenue reported yesterday. Totals for September were $1,688,827.04, and for August, $1,425-

Tom Spry, UA's Boston Branch Manager, Quits

Resignation of Tom Spry as UA branch head in Boston was disclosed in New York yesterday. Successor (Continued on Page 4)

'Peter Pan' to Disney

West Coast Bur., THE FILM DAILY

Hollywood—Walt Disney, according to an announcement here yesterday, has acquired the rights to "Peter Pan," which property he will make into a full-length feature cartoon in color. It is also persistently reported here that Disney is considering production of a screen fantasy based upon "Don Quixote."
Poll Regional Chairmen on Drive Extension

Regional chairman of "Motion Pictures' Greatest Year" are being polled on the advisability of continuing the industry drive and Movie Quiz contest beyond Dec. 31. Letters were dispatched yesterday by the Employment,äter George J. Schafer, executive chairman.

Decision to make the canvass results from opposition in some territories to the proposed extension. Final decision will be reached at a meeting of the campaign committee at the Hotel Astor Oct. 25.

Equity to Proceed Against Agents Who Ask Big Fees

Draconic action will be instituted by Actors Equity in the near future against agents charging exorbitant fees and against actors who deal with unlicensed agents, it was forecast yesterday by Arthur Byron, AEA ex-president. At the same time, it was pointed out by informed sources that this move would be watched closely by BAG, and in all probability would be followed.

Committee reports have been given to Byron that contain a complete survey of the situation, and it is expected that AEA will draft a penalty code to deal with agents and actors. Present report of fees to actors act in a single engagement of $75 weekly in a play he charged five per cent commission, and actors re-entering over that he charged 10 per cent would be voted down unanimously by AEA membership, it was said.

Alternates Named by ITOA To Serve at Trade Parleys

The ITOA yesterday appointed two alternates to its negotiating group which will represent the organization at the trade practice conference with the distributors. Leon Rosenblatt and Julius Carmo were named to act as alternates for Leo Drecker and Lawrence Bolognion, who will act for the ITOA at the sessions.

A resolution urging the support of Governor Lehman for re-election was passed at a meeting yesterday. Harry Brandt, president, said that Lehman deserved the support of the picture people because he had been a friend of the industry.

S. L. Kleine & Co. was named as accountants for the association.

Weeks Sets RKO Deal

George W. Weeks, Monogram sales manager, announced that a circuit deal with RKO has been concluded, covering first-run presentations of Monogram's 1938-39 lineup. The contract covers the New York Metropolitan circuit as well as out-of-town situations. Fred Meyer, previously represented yesterday in negotiations, Boris Karloff in "Mr. Wong, Detective" is the first picture to be shown under the terms of the deal and is expected to be dated shortly.

Omaha Pay Cut Rescinded

Omaha — Projectionists' 10 per cent cut, taken last June, has been rescinded.

Hicks Plans Late December Return from Great Britain

John W. Hicks, head of Paramount's foreign department, returns from England during the Christmas holidays. He is now filling the post of managing director for the United Kingdom until a successor to John Cecil Graham is named. Whether Hicks will return to England after the holidays or announce a new managing director before that time is not known.

Reports from London quote Hicks as saying that Paramount had ambitious plans for theater expansion in the United Kingdom, declaring that the company would either build houses or acquire them.

Paramount's British production unit with quality product with a world market in view. Some of the pictures will be in line with the two-for-one or three-for-one quota quality clauses. However, good product from independent sources will not be excluded.

Promoted Pittsburgh Trio Will Be Feted On Monday

Pittsburgh—A three-in-one testimonial dinner will be given in the William Penn Hotel here on Monday, in honor of Clarence Eismann, who has just been appointed manager of the New York exchange for United Artists, Jules Lapidus, who has been promoted to manage the Pittsburgh branch for Warner-Fisher National. Jake Soltz is chairman of the committee in charge.

Monogram to Contribute to "Family" Pix Series

Monogram will contribute "The Murphy Family" to the family pix series, continuing the characters introduced in "Frank" by "Barron's WANTED by the Police." Second will be "Tough Kid," which goes into work Nov. 1 with Howard Bretherton directing.

ITOA and Building Service Local Sign 10-Year Pact

Contract running ten years' duration has been signed by the ITOA and Local 54, building service employees union, it was announced yesterday by the theater organization. Contract covers wage scales, working conditions and vacations, it was said.

Thursday, October 20, 19
The Lion's Roar

Some people are allergic to charts. They get dizzy just from watching.

We're very fond of charts, especially those with the zig-zag lines going UP!

Right now, what with car loadings, bigger button-holes, second helpings and all those other business indices it looks like prosperity is coming out from around that corner.

As we go to press, newspaper dispatches published nationally tell of a sharp business upturn, a gain in momentum that is bringing about the greatest second half expansion in ten years!

M-G-M prepared for it months ago, is ready for it this Fall and Winter as never before in its history.

Stars and stories and manpower and resources! Big productions!

Our release schedule from August to New Year's is geared in anticipation of what is happening in America.

Geared for "A" times with "A" pictures!

Your future is very rosy, Mr. Exhibitor.

ROLLING ALONG!

"Boys Town" continues big everywhere, "Thanks for telling us to hold it extra days," writes R. L. Keoh, Nebraska exhibitor, and that's typical of hundreds of accounts. "Too Hot To Handle" hold-overs are mounting too. It's a smart policy to keep your playing time ready for M-G-M hold-overs. "Stablemates" is another soul-satisfying hit!

"DR. KILDARE's TONIC!

Flash! As we go to press. Good medicine is "Young Dr. Kildare" in Norfolk, Reading, Memphis. M-G-M's new series (with Dr. Lew Ayres) is off to a healthy start.

A NEW NOTE IN FAN MAGAZINE ADVERTISING!

The column reproduced to the right will be read by your patrons.

Leo, who has been telling you about his M-G-M affairs these many years through the trade press, now appears also in all fan magazine ads with a personal column addressed to the fans. Leo's happy to talk to this nationwide audience and he believes he's going to help you sell additional tickets. Something new all the time from that frisky Lion!

"White-haired boy"

LEW AYRES GOING UP!

The mailman at the studio is as good a barometer of public interest as anything we can name. He's carrying a lot of letters to handsome young Lew Ayres these days. Lew did a sincere job in "Holiday," followed with an engaging performance in "Rich Man—Poor Girl." Then the ticket-buyers started a Lew Ayres boom! M-G-M likes to build stars for the public that worships them, so Lew Ayres is going up. When you see "Young Dr. Kildare" you'll know he is UP!

WEALTH OF TALENT!

The announcement of "A New York Cinderella" with Spencer Tracy and Hedy Lamarr in the leading roles is evoking plenty of trade interest. No personality within recent years has sky-rocketed to such fame in so short a time. The magazines cry for her photos. Interviewers besiege her. "Screen find of the year" said Motion Picture Daily. And Hollywood Reporter states: "She is destined to reach great heights. She has more sex, more rare beauty than the screen has seen for many days, and with it definite artistry. Hedy Lamarr will be a sensation." Add another bright name, gentlemen, to your list of M-G-M's golden stars!

"CITADEL" TRADE SHOWS!

Until you see it with your own eyes you won't really know. And when you do see it you'll never stop talking about it. Nationwide screenings this week at strategic points of M-G-M's magnificent drama "The Citadel". We'll publish your comments on this page if you'll write us what you thought.

With everybody writing a column, I don't see why I should not take a crack at it myself.

My idea is to tell you about some of the Metro-Goldwyn-Mayer pictures and personalities. And folks, I've got the inside dope on everything that goes on in the world's greatest studio.

The late Will Rogers said all he knew was "what he read in the papers." All I know is what I see on the screen (and what my spies at the studio report to me).

You've read all about "The Citadel" in our advertisement this month. It's made of the sterner stuff. Merrier, sayer, is "Sweethearts," which, with appropriate fanfare, brings us once again that thrush-throated pair, Jeanette McDonald and Nelson Eddy.

"Sweethearts" is their first modern musical. Modern as the dialogue by Dorothy Parker (the "glad girl") and Alan Campbell.

Hunt Stromberg, who produced "Naughty Marietta", "Rose Marie" and "Maytime", and Director W. S. Van Dyke II, are the sweethearts who give us "Sweethearts"—and it's all in beautiful Technicolor.

And if you want to hear more about pictures, write for my little book, "The Screen Forecast," M-G-M Studios, Culver City, Calif. It's free!

Just call me Leo.

We acknowledge with gratitude and appreciation receipt this week of Box-Office Magazine's Blue Ribbon of merit. "Boys Town" won the award for the best family film. Produced by the company with the best film family. You guessed it, the Hardys!
SCORE CHARGES HIT AT ALLIED MEETING

(Continued from Page 1)

seats royalties collected by Ascap should be sufficient to pay for music in pictures. It was said that Ascap taxes the producers for the sound tracks and the producers were passing the tax on to the exhibitors.

The regional directors' meeting, scheduled for yesterday, was postponed until today owing to the presence of a majority of the board at the trade practice parleys in New York. Abram F. Myers, general counsel and chairman of the board, is slated to deliver his address today.

The New Jersey and New York units, meeting in joint session, went on record opposing the Movie Quiz contest and the industry's ad drive. Members expressed the opinion that the venture had not attracted sufficient public interest to make the enterprise worth while. Similar opinions were voiced by delegates from Maryland, Pennsylvania and New England.

Forcing of short subjects was scored by the convention despite the reading of a letter written by W. F. Rodgers, M-G-M sales head, who declared that his company did not resort to such methods in selling pictures. However, several exhibitors claimed they had been obliged to buy shorts from Metro since the letter was written.

New Jersey Allied will elect officers today. A nominating committee consisting of Louis Gold, J. Unger, Dave Snapper and Lee Newberry was named.

Irving Dollinger, New Jersey president, and Max Cohen, head of the New York unit, are presiding jointly.

More than 400 persons attended the opening session yesterday.

Union to Elect Nov. 20

New Haven — Local No. 273, motion picture operators will elect officers on Nov. 29 in Trade Council Hall.

"DEFINITE PROGRESS, TRADE REFORM REPORT" (Continued from Page 1)

(tions with the distributors will resume tomorrow at the Columbia Union Hall.

What was described as "enlightening progress" resulted from the MPTOA sessions at the Union Club, where an all-day conference was held to further discussion of trade matters with the distributors.

Decisions were reached, it was said, but the representatives felt that they were close to a solution.

Representing the distributors at the Allied meeting were W. F. Rogers, M-G-M general sales manager, Abe Montague, Columbia sales head; and Graddwell Sears, general sales manager for Warner Bros. The Allied group consisted of H. A. Cole, A. Steffes, Sid Samuelson, Ray Branci, Nathan Yamins and Herman Blum. Sid Samuelson of the MPTOA committee were Sidney R. Kent, president of 20th Century-Fox, and Ned Depinet.

RKO was represented by RKO's committee included Lewin Pinor, Arthur Lockwood, Oscar Lam, H. V. Harvey, C. E. Williams, Ed Kuykendall and Ed Levy. Mack Jackson and C. L. Moore attended as observers.

This committee of distributors and exhibitors will resume their discussions today.

Tom Spry, UA's Boston Branch Manager, Quits

(Continued from Page 1)

is expected to be named shortly by Harry L. Gold, company's Eastern sales manager.

Plans of Spry, oldest sales executive in New England from the point of service, are unannounced. Spry, subsequent to joining UA more than a year ago, was New England chief for Warners.

UA vacancy in Pittsburgh created by the promotion of Clarence Eisenman of the New York branch manager's post is expected to be filled by Abe Weiner, Boston district UA salesman. Appointment, however, has not been officially announced.

Lachnit Heads Branch

Cincinnati — L. L. Lachnit is new branch manager for Big Feature Rights Indianapolis office, succeeding A. H. Kaufman, who has joined Universal.

WEDDING BELLS

Marriage of Michael Raymond, screen writer, and Theresa Weingarten will take place Sunday, Oct. 31, at the Concourse Center of Israel.

West Coast Bureau of THE FILM DAILY

Pasadena—Suzanne Vidor, daughter of King Vidor, will marry Earl Van Orman Armstrong.
“Inside Story” with Michael Whalen and Jean Rogers
20th Century-Fox, 60 Mins. (Hollywood Preview)

“Broadway Musketeers” with Margaret Lindsay, Ann Sheridan, John Litel
Warner Bros., 62 Mins. Emotionally Taller Earring Wife Should Satisfy the Pop Trade

This emotional melodrama has been aimed at the pop trade and will no doubt
than the story. Margaret Lindsay makes a
ewson from childhood in keeping in touch
Marie, an office secretary, who has grown
ting custody of the baby. The
has not been successful. What her
took over the story. The film and
came back to the city with him. Whalen
and with her aids gets the evidence which con-
Whalen, while drunk, wrote a column about the
lonely man wanting to meet the lonely
Jean Rogers, a clip joint artist, sees her
never seen her. The holiday is to be
in the company of Whalen. Fowley traces her,
and while Whalen is away from the
story, that Jean is a really
a girl who has just gotten
on the narrow course, that he

CAST: Michael Whalen, Jean Rogers,
Charles Clark, Charles D. Brown, Charles Lamb, John Duggan, Louise Carter,
Bert Roach.

CREDITS: Associate Producer, Howard J.
Green; Director, Ricardo Cortez; Author,
Ben Ames Williams; Screenplay, Jerry
Cady; Cameraman, Virgil Miller; Art Dire-
tors, Bernard Herzbrun and Albert Hog-
ten; Editors, Jack Murray and Norman
Colbert; Musical Director, Samuel Kaylin.

DIRECTION, Good. PHOTOGRAPHY, Good.

Only 25 Unwired Houses
Now Remaining in Peru

Lima (By Cable)—Peru's 205 film
theaters, with the exception of 25
in remote sections of the provinces,
are now operating. Majority of houses have U.
S. sound equipment.

“Men of Ireland” In Chi.
Chicago—Deal has been closed by
J. H. Hoffberg with Sonnette to open
“Men of Ireland,” an
extended run basis on Nov. 17.

“Rothschild” with Harry Baur, Pasquale, Paul
Regal Pictures
80 Mins. Inexpensively Composed Film Has
Harry Baur as One Saving Grace.

This new French film will not find any
great favor with American audiences as it
falls below the standard set by recent pic-
tures from that country. The able and
brilliant Harry Baur struggles through a
part that does not fit him, and his perform-
ing may be the best feature of the film. A
satiric story in essence, the treatment is
state and high. Proper handling of the
Story and the dept direction of a man with
ability of the cast, but the
the film a success. Baur is supported
by an able cast. The story is the same
story that Ait did a few years ago under the
the title of “Mr. Hobo.” It tells of the
capitalism of a pair of bums on a
name. Baur happens to have the
same name as the illustrious banking family,
and he works his way into high financial circles. The
usual complications and results ensue.

CAST: Ettore Basti, Pasquale, Paul
Casewess, Claude Cleves, Germaine
Michel, Philippe Herlat, Georges Paulais,
Jean DvD.

Oklahoma to Dedicate
Rogers Memorial Nov. 4

Oklahoma City — Numerous
film industry personalities, including
Hollywood stars, have been
convened in Deadwood, S. Dak., to
attend the dedication of Oklahoma's
to Will Rogers at Claremore, Nov. 4, it is announced
here by the Will Rogers Memorial
Commission.

Eddie Cantor, George M. Cohan,
Fred Stone and Irving S. Cobb will
spend a nationwide program to
be aired over NBC from the dedication
ceremony grounds. Cantor will
be cut in from Los Angeles
Cohan from Pittsburgh. John Boles
will sing at the dedication.

Dedication ceremonies will be cov-
ed by the newsreels which may also
film a 25-episode Will Rogers
Indian Pageant set for the after-
noon and evening of Nov. 4.

Burns Pix Above Average
Para's “The Arkansas Traveler,”
Bob Burns' starting vehicle, in its
first four key city engagements is
running from 30 to 65 per cent
above average weekly business, the
company home office reported.

IOTA Says Fisher “Biased”
IOTA, in the current issue of The
Independent, house organ, opens
the radio commentator and newspaper
columnist with “bias” and “poor
reporting” and asks that “editors
edit his copy in exactly the same
way they edit the balance of
their papers.”

Fire in Chi. Theater
Chicago—Fire yesterday damaged
the Haymarket theater.

Thursday, October 20, 1938
After Its Sell-Out Stage Run of 2 Years in Roadshow Records, Warner Bros. Stand Ready The First, Only and Eagerly Awaited Cont.
New York Alone and 'Round the Country

...they deliver their top "Service" Picture

...they of life at Virginia Military Institute

...with

PRISCILLA LANE
Her first picture since 'Four Daughters'!

WAYNE MORRIS

and

JOHNNIE DAVIS • JANE BRYAN • EDDIE ALBERT
RONALD REAGAN • JANE WYMAN • HENRY O'NEILL-

Directed by WILLIAM KEIGHLEY

Screen Play by Richard Macaulay and Jerry Wald • From the Play by
JOHN MONKS, Jr. and FRED F. FINKLEHOFFE • A First National Picture
SEPT. ADMISH TAXES UP OVER $250,000

062.88. The corresponding September, 1937, figure was $1,722,486.14, representing a comparative drop this year of $53,641.60.

Comparative September figures for the Broadway area of Third N. Y. District are: 1938, $337,366.51; 1937, $407,698.67.

Lambs’ Party Tonight

The Lambs’ Club will hold its first Seidel Night of the season tonight with Fred Stone presiding as Seidel Master. Arthur Byron, Frank Craven, Sam H. Harris, Max Gordon, Moss Hart, George S. Kaufman, Brock Pemberton and John Goldstein will occupy seats of honor.

Borserine Rites Held

Kansas City, Mo.—Funeral services were held for Mrs. June Borserine, 21, wife of Gerald L. Borserine, Yellow Cab Co. exec. and daughter of Claude Morris, exploitation manager attached to the local M-G-M exchange, who died in St. Mary’s hospital, Burial was in Calvary cemetery.

U. S. Concession Demands Held Trade Pact Barrier

London (By Cable) — Accounts published yesterday in two newspapers here, the News Chronicle and the Daily Mail, disclose that new difficulties have arisen in the negotiations for a British-American trade agreement, of which films form an integral part.

The Daily Mail declared that parleys have reached “a delicate stage” because the U. S. has demanded larger concessions respecting British duties on several commodities. Optimism, says the Dally Mail, is not nearly as prevalent in the U. K. as in the U. S. with respect to negotiations being successful, to which the News Chronicle adds that it is questionable whether there will be any trade treaty at all.

The U. S.-British pact is regarded by American producer-distributor interests as the sole channel through which they might receive modification of the Films Bill (Quota Act), several provisions of which are regarded as oppressive by U. S. companies.

W. Va. Territory Exhibs. Tender Dunbar, Dinner

Pittsburgh—West Virginia territory exhibitors, yesterday from Robert Dunbar, who was recently promoted from W. Va. salesmen to assistant manager and city salesman for the Warner-First National exchange here, George Purcell, of the Penstate Amusement Co., in Uniontown, and Jack Mapel, of the Barneys Theater, Point Marion, were co-chairmen in charge of the banquet yesterday at the house to 54 exhibitors who presented Dunbar with a portable bar.

Maurice Kineler, of the Warner-First National foreign department, succeeds Dunbar as West Virginia salesman for Warners in this territory.

Injunction to be Asked in Action Over 12 Pix

Complaint is to be filed in Supreme Court today by attorneys for Superior Talking Pictures, and Stage and Screen Attractions alleging that Principal Film Exchanges, Inc., has failed to properly account and report the bookings and receipts of 12 pictures delivered to Principal by the two companies.

Sam Krellberg, head of the exchange, was served with a summons yesterday by Oliphant and Lerman, counsel for the plaintiffs.

In the complaint to be filed today, it will be asked that a receiver be appointed, and an injunction be granted to restrain Principal from releasing the pictures delivered by the plaintiffs.

Storm-Wrecked Providence Theater Reopens Oct. 27

Providence—The Strand Theater will reopen on Oct. 27. The recent flood and hurricane necessitated extensive repairs with the total cost over $60,000. The theater has been completely remodeled.

Premiere Deferred

World premiere at the Continental Theater of “The Singing Blacksmith,” the new Yiddish film starring Moshes Oyster, has been postponed to Nov. 1.

Romans Janney Dead

Chillicothe, O.—Reynolds Janney, 80, father of Russell Janney, New York theatrical producer and grandson of William Janney, of the films is dead at his home here.

20-100 MORE PATRON MEANS DRIVE PROFIT

(Continued from Page 1)

The chart to back up that contention by the campaign headquarters was issued yesterday by Harold F. Franklin, business manager.

Based on an estimate of from 2 to 100 patrons attracted to theater by $2.50 or $3.00 ticket price, it can be seen that additional receipts would cover pledge fees and the cost of accessories, and leave a substantial profit.

“We believe,” Franklin said, “that our estimate is a modest one. A theater that adds $30 to $100 a week, indicating that additional receipts would cover pledge fees and the cost of accessories, and leave a substantial profit.

Strengthen Detroit GN

Detroit — GN branch here is strengthening its staff. Already added are Jack Allender, who will cover Western Michigan, leaving W. R. Sturman to cover the Eastern half of the state, and Marjorie Sloan as contract clerk. New city salesmen and new inspectors also will be engaged. E. E. North replaces Grace Hoffman as office manager and booker.

Bon Voyage for Banford

Chicago — Walter E. Banford, Metro’s exchange manager here, was tendered a bon voyage dinner at the Congress Hotel yesterday by film executives. Banford sails on the Conte di Savoia from New York Saturday for a month’s stay abroad, as a result of the recent international billings contest.

H. J. Geiselman Dead

Loudonville, O.—Hugh J. Geiselman, 53, for many years manager of the opera house here, is dead. Geiselman also at one time operated the newspaper here. His brother survives.

Sax Adds Milt Francis

Milt Francis, writer and composer, has been added to the production staff of Warner Bros. Vitaphone Studios, 125 Brooklyn, Sam Sax, yesterday.
MEET TODAY ON U.S.
COPYRIGHT STATUS
(Continued from Page 1)

Edwin P. Kilroy, chairman of the MPDA copyright committee; Rob-

ert W. Perman, chairman of the Hays

law committee and chief coun-

sel for Warner Brothers; and Gab-

riel L. Hess, general counsel for

MPMDA.

Meeting is the second called this
year to iron out the intricate prob-

lems of American copyrights in the

foreign field, the initial conclave

having been held on July 7, last, at

which session it was decided that

interested parties should submit and

exchange views on copyright re-

form.

Sources close to today’s proceed-

ings declared the stake of filmland

in the international copyright ad-

justment program is one involving

millions of dollars in prospective

losses until the situation is cleared

up.

An example of what difficulties

American film interests are facing

in several parts of the world is in

the instance of 20th-Fox, to which it

is said, a proposal was submitted by

a producing group in the Nether-

lands asking that rights should be

acquired to make “Daddy Long

Legs.” When 20th-Fox refused, the

Brooklyn group claimed it was

making the story allegedly on the

premise that the existing copyright

law did not preclude such a move.

Twenty-Fox is reported as now ready
to press legal action in Amsterdam on

the ground that a reciprocal copy-

right relation should exist between

the governments of the Nether-

lands and the U. S.

This part, it is indicated, will be
evoked by 20th-Fox, if necessary,

through the State Department, and

the latter’s preparations for a

suit are said to have regard to the

violation of the proposed definition as

to whether the agree-

ment is in force or not.

Recently a Holland publishing

firm issued a new edition of Mar-

garet Mitchell’s “Gone With the

Wind.” Courts in that country

are said to have regarded the violation

of local hot spots as a warrier.

A bill collector cornered Eddie

Fox on the street and asked

him if he remembered him.

“Listen,” cracked Eddie, “I never

forget a face—but in this case I’m

willing to make an exception”.

Donald King, seen in the Grouch

Club last night, seems like Valen-

tino to be his brother.

Production notes. Roy Mack

starts a musical with Johnny Perkins

and the Gee Foster girls on the 19th.

...On the 25th he will do another

with the Harvest Moon Dancers.

Joe Henabery follows with a Gib-

son’s adventure yarn and Lloyd

ager, together with Herman Finkle-

stein, of the law firm of Schwartz

& Frohlich, will attend today’s meet-

ing at Columbia University.

Should the Berlin Convention pro-

visions remain chaotic and unre-

solved as to both their letter and

spirit, it is said, the American com-

pany would have to be generally

effected. This may still have to be

done to make the future position of its

U. S. interests a tenable one, it is

declared.

Meeting at Columbia University
today will again be under the aus-

pices of the American Committee on

International Intellectual property

operations.

MAJORS, AFM HUDDLE
ON MORE EMPLOYMENT
(Continued from Page 1)

program to propose, but that the AFM

had a number of ideas to present for

consideration, and he felt certain that

the film company heads would have

ideas along these lines, and would co-

operate in every way possible.

When asked about the new move

made by the Music Hall to inaugu-

rate a six-day week for musicians

with seven days pay, he stated that

this program has already been

adopted in a number of large cities

and would, it was hoped, be put into

effect generally sometime in the

near future.

Moon Admits He May Start
New Booking Organization

(Continued from Page 1)

not entirely without foundation, Moon

admitted in New York yesterday.

Moon and H. M. Richey, who

also formerly was with Co-operative,

are here in connection with several

other deals with which they may be

become associated.

Moon said that a new booking

association was being considered but

that no move had been taken to-wards its formation.

SHOT SHORTS FROM EASTERN STUDIOS

By S. W. WEISS

French is getting ready for another

of the Melpar Club series. Milton

Schuerwald starts casting the last

in November for five shorts...

Add interesting personalities:

David Mendoza, musical director at

the Vitaphone studios for the past

seven years... Was at the Burbank

plant for a year and a half and nine

years with the Capitol Theater... Has

scored music for such productions as

“Big Parade,” “Ben Hur,” “Merry

Widow,” “Dancing Daughters,” and

“We White Shadows,” which was

M-G-M’s first sound picture...

...He was responsible for the

innovation of beat light for scoring

after the pix is completed and nine

years ago addressed the SMFE on

acoustical values and the necessity

for live reverberant stages.

At that time the engineers were

using deadening properties such as

celtik, rock wool, etc. He was an air

pioneer with the late Roxy and was

probably the first violinist to solo on

the radio... At any rate, he was

actually the first to organize a

studio orchestra for regular weekly

plays.

In modest and unassum-

ing to a fault and probably writes

more original music regularly than

most of the composers in the field.

...And what a bridge play-

er!...

FIRST COME-FIRST SERVED

Wire-Phone. Best thing to do, come see him yourself

Tonym Straw Stamm Commercial Attractions

1902, R.K.O. Building

New York

32 W. Randolph Street

Chicago

Phone: Circle 5-7135—7155

We own the basic patents.

We have no competition.

He is beyond the shadow of a
doubt the greatest magnet—
the most prepossessing attractor
of crowds in history.

Kute Kris Kringle

A living, breathing, human SANTA

CLAU.$

He stands three inches tall in

his stocking feet.

He occupies a gloriously

appointed, brilliantly lighted,

luxurious home, 2½ feet high, 3½

feet long.

He walks, he talks, he sits, he

stands, he laughs, he answers

questions.

He’s alive—he actually breathes—

and leaves your patern breathless!

In this little house are running

electric trains, a lighted Xmas tree,

a roomful of colorful toys. A REAL

THRILL!

AND HERE’S THE TOPPER! He

talks to you—carrying on a

running conversation.
COUNSEL SEE ARNOLD ON TRUST ACTION

S. ATTON, General Thurman Arnold and his leading Governor associates in the case, Wendell Berge and Paul Williams.

The conference held at the Department of Justice on several hours, and at its conclusion, it was stated that the ground covered included questions incident to the suit, further meetings will be held, it was added.

In Department of Justice circles, however, it was reported that the present industry move to effect trade reforms was discussed. The matter of a consent decree, however, remained on the table.

The conference, scheduled for today, is expected in more detail the Justice Department's request for the status quo in the major's administrative operations pending trial.

Those representing the industry at the confab included Col. William J. Donovan, counsel for the RKO trustee in bankruptcy; Austin C. Kitch, counsel for Paramount; Robert W. Perkins, general counsel, Warners; J. Robert Rubin, general counsel, Loew's, Inc.; Edward M. Mallari, counsel for RKO; Bertram F. Shipman, counsel, Universal, and William F. Dwight, both of the firm of Dwight, Harris, Keogel & Caskey.

B & K Trust Suit "Strike Out" Plea Under Advisement

(Cocontinued from Page 1)

instances in the independents case against the majors, relating to ownership of theaters, division of the territory, free markets for films and similar matters.

Many plaintiffs were in court yesterday with balance sheets and other books asked for by defendants' counsel, but were excused by court, as they were not called upon to show the books in court by the defendants' attorneys. Joseph Rosenberg for the plaintiffs said they recognized rule of law, that affidavits from both sides with time demands on them were required to post prohibitive bonds in temporary injunction proceedings, and in the case, which was heavy for independents to assume.

Whatever decision is rendered, it is expected that it will be retroactive to the date of suit in the case, according to a leading attorney in the case. Decision is expected next Wednesday.
KING OF FILMS

EASTMAN Super X Panchromatic Negative reigns supreme. ... Not by virtue of fine grain alone. ... Not by virtue of speed alone. ... But by a combination of those qualities with that prime requisite of the fine motion picture, superb and dependable photographic quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN SUPER X PANCHROMATIC NEGATIVE
RCA and Others to Market Television Sets by April

MPTOA GROUP CONCLUDES TRADE PRACTICE PARLIES

Theater Divorcement Issue Outside Scope of Confabs

Distributors Not Prepared to Negotiate It, Cole Informs Allied

By W. H. McMARDON
FILM DAILY Staff Correspondent

Atlantic City—Trade reform parleys in progress in New York between distributors and exhibitors may not solve the theater divorce problem, it was indicated here yesterday by Col. H. A. Cole, chairman of Allied’s negotiating committee, who, with Abram F. Myers, Allied general counsel and Nathan Farnim, Allied proxy, addressed the convention of New Jersey and New York Allied.

Allied’s committee at its first (Continued on Page 3)

DOLLINGER RENAMED
N. J. ALLIED PREXY

Atlantic City—Irving Dallinger of Linden was re-elected president of Allied Theaters of New Jersey at the annual convention here yesterday.

The convention also re-designated these officers for another year:
Jacob Unger, Hillside, secretary; (Continued on Page 3)

“Snow White” London Gross $550,000; Run Continues

“Snow White and the Seven Dwarfs” has grossed $550,000 during the 33 weeks it has been run. (Continued on Page 4)

Films Biggest Year
West Coast Bar., THE FILM DAILY

Hollywood—“Motion Pictures’ Greatest Year” campaign is leading the film industry into the biggest year in its history, Barney Balaban, president of Paramount, said upon his arrival here yesterday. He was accompanied by Stan Roman, and Robert Holm. Neill F. Agnew arrived by plane yesterday.

Continue Musicians Job Confab Next Tuesday

Conference held yesterday between the American Federation of Musicians and heads of the major companies to discuss plans to get more musicians to work in the theaters, was adjourned to next Tuesday after a round table discussion. Session was held in the office of Pat Casey, producers’ labor representative. Joseph N. Weber, AFM proxy, and the entire AFM executive board attended. Sidney R. Kent, Nicholas M. Schenck, Major Albert Warner, Austin Kough, Nate J. Blumberg, Leo Spitz and a Columbia legal representative represented the major companies.

JUSTICE DEPT. ENTRY IN JTPC CASE RAPPED

By MILTON F. LUNCH
Washington Bureau of THE FILM DAILY

WASHINGTON—Intervention of the Department of Justice to “assert and protect the public interest” in the U. S. Supreme Court rehearing of the General Talking Pictures Corp. patent infringement suit was assailed yesterday by Merrel E. Clark, counsel for the respondents, Western Electric, Erpi and A T & T.

Styling the Justice Department’s submission of a brief as “most unnecessary” (Continued on Page 4)

Schafer’s Appointment May Be Announced Today

Ratification of George J. Schafer’s contract as president of RKO is not expected until after next (Continued on Page 2)

David Sarnoff Declares RCA Ready To Put Tele on Commercial Basis

Commercial television is ready to turn that corner. David Sarnoff, RCA proxy, addressing the Radio Manufacturers Association at the Roosevelt Hotel yesterday, announced that his company and “a number of other radio manufacturers in the U. S.” are preparing to manufacture and market television receivers which will reach the market “by the time the

Reported in Accord On Some Issues; May Resume Talks After Convention

MPTOA’s trade practice negotiating committee yesterday concluded its conferences with Sidney R. Kent and Ned Deplin, representing the distributors, and a report of the proceedings will be made to the organization’s convention delegates in Oklahoma City.

Although no announcement was made by either the exhibitor or distributor groups, it was understood that both sides were in accord on some of the issues involved.

It was believed that proposals (Continued on Page 3)

JAPAN WILL ADMIT 80 U. S. PIX YEARLY

Tokyo (By Cable)—Sources close to the Japanese Government declared here yesterday that the war ban on importation of foreign films is about to be relaxed to permit the entry of 80 U. S. pictures annually. Decision, while not yet official, is held certain of pronouncement and will culminate several months of cooperation effort on the part of U. S. producer-distributor interests with Japanese officials.

Movie Quiz Held Lottery in Mo.; Schafer Rejoins

Opinion by Missouri Attorney General McKittrick to the effect that the industry’s drive’s Movie Quiz constitutes a lottery drew a quick re (Continued on Page 4)

Back to Films

Mobile, Ala.—Radio and Bank Night was out here yesterday and theaters had to depend upon film for business as a result of a Grand Jury’s refusal to indict pinball operators on the grounds that it would be discriminatory to indict the pinball men and not act against other alleged violators.
MPTOA COMMITTEE ENDS TRADE TALKS

(Continued from Page 1)

made by both committees were met
by counter-proposals and out of
the dust will come an understanding
that may result in an agreeable plan
insofar as MPTOA is concerned.

It is probable that the organiza-
tion's executive committee will re-
sume discussions after its conven-
tion which gets under way for four
days on Oct. 29 Ed Kyrkendall,
secretary, plans to return to his
home in Columbus, Miss., tomorrow,
and proceed to Oklahoma City with-
out a few days. Other members of
the negotiating group will leave for
their respective homes immediately.

Meanwhile, Allied's committee re-
sent this morning from Atlantic City
and will resume its discussions with
distributors' representatives
today.

Prepare Copyright "Briefs" for Further Mutual Study

(Continued from Page 1)
draft of the provisions of the Berne
Convention.
Edwin P. Kilroe, 20th-Fox coun-
sel and chairman of the MPPDA
copyright committee, Gabriel L. Hess,
general counsel for MPPDA; and
Robert W. Perkins, chairman of the
Hays office law committee and chief
counsel for Warner, appear-
ounced in the deliberations which
consisted of co-ordinating
suggestions of the various
interests. These "briefs" are to receive
further mutual study and be edited
down before a further meeting to be
held in London Memorial Library with
in the next two or three weeks.

Happy Birthday

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

OCTOBER 21
Lloyd Hughes
Dom Hancek
Josephine Lovett
Edward G. Levy

OCTOBER 22
Constance Bennett
Jean Fontaine
James Hall
Bela Lugosi
Mitzi Green
M. J. Wifield

OCTOBER 23
Sam E. Morris
Harry Cohn
Sally O'Neill
William Wyler

ALONG THE WAVE WITH PHIL M. DALY

- • TRAIL-BLAZERS . . . . of new picture technique . . . .
  of new slants on old themes . . . . of new interest revived in the
  motion picture public . . . . of new ways of injecting Punch, Excitement,
  Suspense, Human Interest, into the structure of the motion picture . . . .
  we're talking of Warners . . . . and more especially of their overwhe-
  mingly dramatic masterpiece just shown in their projection room . . . .

  "Angels With Dirty Faces" . . . .

- • HERE IS a picture of POWER . . . . that stirs you
  yes, whips you . . . . whips your emotions into a white heat
  what a story! . . . . what a cast! . . . . (we seldom use exclama-
  tion marks, for that is the hallmark of the sob sister . . . .
  but we've used two exclams right here . . . . and as far as we are
  concerned they are the equivalent of a brace of four-star ratings
  for "Angels") . . . . AND what direction! . . . . (that's three ex-
  clamps) . . . . hell, we're almost getting as sensational as Whitem-
  and Polker combined . . . . (see our later review on this Trail-
  Blazer in picture technique, which explains ALL . . . .

- • COMPLETE SERVICE . . . . reaching the high water mark
  the culmination of 20 years of continuous service to the industry
  in supplying the exhibitor needs for the Screen and the Lobby
  and so we are doing the master of ceremonies act in presenting
  for your consideration the Vital Contributions in Practical Showmanship
  made by National Screen Service on this happy anniversary occasion
  approaching . . . . the noteworthy accomplishments comprise such
  Showmanship Achievements as . . . . localizing of the company's service
  with a branch system equal to that of any major producing organiza-
  tion . . . . stepping up their Pre-Vue trailer to a total of more than 12,000
  exhibitor accounts . . . . expanding the Special Announcement Trailer
  division and co-ordinating it with the local branches so that the exhib-
  itor can get that special trailer with amazing speed, and hitting close
to the mark of his special requirements . . . . that is one-half of the
  Service . . . . the Screen . . . . the other is the Lobby . . . . taken care
  of with the efficiency born of experts in the creation of art work, layout,
  photo technique . . . . a comprehensive Accessories Plan that is unique
  in the display field in this or any other industry . . . . to Herman Rob-
  bins and his splendid organization that meshes out into 21 branches
  in key spots everywhere . . . . we say: "On this approaching anniversary,
  to a grand organization doing a complete showman job. felicitations
  and the best of everything . . . .

- • PREVIEW SHOW . . . . given at the Astor Theater
  yesterday morning by Paramount . . . . presenting "Men With Wings"
  to the exhibitors and bookers in the metropolitan territory . . . .
  a smash Technicolor achievement . . . . really a working aviation
  picture that is earmarked with the O.B. Guarantee . . . .

- • SPECIALIZED audiences . . . . that is the way they are
  selling the Armand Deno-Leila Roosevelt picture of the Belgian Congo.
  "Dark Rapture" . . . . the husband-wife producers will address the Gilm-
  bel Stamp Club tomorrow . . . . and Leroy G. Phelps, the cameraman on
  the production, starts on a lecture tour of the city's high schools . . . .
  Rudie Harris, the local radio announcer, will be given a
  birthday party Sunday by Mimi Powers in her well known pent house.
  "My Fair Lady" ("No Es") "White, see to Roy Johnston, is all
  aflutter with excitement because the boss will be back from the Coast
  in a couple of weeks . . . .

DIVORCE ISSUE NOT IN PARLEY'S SCOPE

(Continued from Page 1)

meeting with the distributors' re-
representatives was advised that the
latter could not negotiate divorce-
ment of theaters, Col. Cole, said,
adding, "We have not discussed this
further." Allied has been commit-
ted to theater divorce, one of the
issues as well in the pending New
York equity suit.

Myers, Yamins and Col. Cole,
however, expressed their optimism that the parleys
would prove successful. Yamins
foresew a "peaceful victory"; Myers
called the negotiations a "test of
whether there exists in this business
capacity to practice self-regulation," while Col. Cole said that today's
conference in New York might pro-
duce a settlement, although discus-
sions might continue next week.
He left last night for New York.

New Jersey Allied went on record
opposing all games of chance in
theaters. Vote was divided and
came after hot discussion. Dis-
sussion took up most of the after-
noon session.

New York Allied also considered
the games question, but did not join
in the condemnatory action. H. G.
Kochs, one of the counsellors, said New York Allied favored games "because of
necessity." Subsequent were re-
quizzed to resort to them because of
the late dates at which they re-
ceived product.

At the New York Allied meeting,
the shorts situation came in for at-
tention, with further consideration slated today. A number of mem-
bers reported obtaining adjustments
on hanging contracts. Buying gen-
erally was described on a business basis as contrasted with the 30th
buying a year ago, and President
Max Cohen said he was confident the buying situation was "under control."

Results of a product survey, made
yesterday, will be announced at this
morning's session.

Convention cocktail party and
banquet were held last night.

Committee meetings will precede
today's general business session at
which their reports will be sub-
mitted.

New "U" Omaha Exchange?
Omaha—Local Universal branch
will remodel present exchange on
Fleming at a cost of $20,000 or
may build a new one-story brick
exchange with all modern trim-
mings, said Roy Palmquist, local
chief.
RCA TO MARKET TELESETS BY NEXT APRIL

(Continued from Page 1)

World's Fair" opens on April 30.

At the same time, Sarrao declared: RCA "has offered and is prepared to sell television transmitters to broadcasters and others who may desire to enter that field."

2. RCA "is prepared to assist its licensees who may desire to manufacture television receivers, and so far as practicable, will be glad to sell them such television parts as they may wish to purchase."

3. "Opportunities to compete in the erection of television transmitters, the establishment of television program services, and the manufacture and sale of television receivers to the public, are available to the radio industry and others in the U.S."

(The DAILY FILM on Oct. 14 reported exclusively that television interests were co-ordinating activities for the launching of commercial television, the three-point drive embraced provision for the supply of transmitters to radio stations, regular sustaining telecasts and the manufacture and sale of receivers.)

Sarrao further declared that RCA's experimental field tests have convinced him that television in the home is now technically feasible, but added that "many technical, artistic and financial problems remain which will have to be overcome to establish an acceptable and regular public service of television programs to the home."

E. W. H. Little of a national service of network television waits upon the solution of these problems, Sarrao asserted, and that solution, he contended, could be "easily solved only by operating experience."

Hence, he said, RCA proposes to begin "a limited program service to the public from its New York television transmitter."

Reception will be restricted to a radius of approximately 50 miles from the Empire State Building.

Sarrao called attention to the fact that NBC plans to be on the air with television programs for at least two hours a week by the time the World's Fair opens and that CBS is installing an RCA-built transmitter in the Chrysler Building and also will telecast then. NBC will resume telecasting Jan. 1, but no definite date has been set, it was said at NBC last night. Antenna changes are being completed.

J-L-S NOT TAKING ORIENTAL

Chicago—Reports that J-L-S, Inc., which owns the Oriental theater in Chicago, has taken over the Oriental theater were denied by the circuit yesterday.

ZEIDMAN TO PRODUCE "GIRLS TOWN"

West Coast Branch of THE FILM DAILY

Hollywood—B. F. Zeidman of Malcome-Browne Productions will place "Girls Town" in production on Jan. 6. It will be a series of the company's specials based on the lives of girls living in an industrial home. It will be one of M-B's 20 releases through its independent exchange affiliate.

GOLDWYN CONSIDERS SHERWOOD "LINCOLN" FOR GARY COOPER

(Continued from Page 1)

the producer said yesterday on his departure for the Coast. With Mrs. Goldwyn, he left on theCentur.

Goldwyn declared that the literary market and the stage had occupied his time while in New York, and said he was returning to the Coast for the final review of "The Cowboy and the Lady," his first film for the new season.

GRIFFITH SUBSIDARY GETS TWO TEXAS FILM HOUSES

Oklahoma City—The Consolidated Theaters, Inc., Griffith Amusement Co. subsidiary has announced purchase of the buildings and equipment of the Strand and Ritz theaters at Uvalde, Texas, from Uwile Theatres, Inc., of which H. W. Little is president.

The theaters have been leased to Jack Pickens, Pickens Theaters, Inc., subsidiary operated by Consolidated, adding to Pickens operation of houses in New Braunfels, Refugio and Cuero, Texas. Stock in the Pickens organization is held by Jack Pickens and the Consolidated Theaters, Inc., of which L. C. Griffith is president.

Foster Lyman, Griffith manager of the Vinita, Okla., has been named city manager at Uvalde and Joe Stribling, Jr., has been moved from Hobart, Okla., to take Lyman's place. Cyrus Hoenscheidt, assistant manager at Duncan for Griffith, has been promoted to Griffith manager at Hobart.

100 ORKS TO PARTICIPATE IN "MUSIC WEEK" OF DRIVE

More than 100 orch leaders will vote one of their programs during the observance of "Music Week" for Motion Pictures' Greatest Year to a series of song hits from or inspired by films, past and present, it was announced yesterday at drive headquarters, "Music Week" starts Oct. 31.

First print of the all-industry short for the drive, "The World is Our Battleground," was sent to New York from the Coast.

HEAD BURIAL IN COLUMBUS

Detroit—Ambrose Heed, head of the Moviscope Development Co., established to manufacture a new type of projector, was buried Tuesday in his home town of Columbus, O. He is survived by his widow.

JUSTICE DEPT. ENTRY IN GTPC CASE RAPPED

(Continued from Page 1)

usual," Clark declared that when the A. & T. and other companies have entered into license agreements, Forestall impending research work the Government had given its approval. This would be a minor change in the agreement.

"Most of the Government's brief in this is a check on a telephone company because it is a party to the cross-licensing agreement," Clark charged. "The Government is seeking to use this case to establish a new rule of law by saying that it is illegal for a telephone company to license its patents for another."

That, counsel continued, was "an astounding suggestion," and those advances it was a familiar one: "What is the patent law and what a patent is and I don't think the Government brief is very helpful in this case."

Samuel E. Darby, Jr., counsel for GTPC, Schlesinger-controlled, told the bench that the sale of a patented article by the patent holder or exhausts the patent monopoly and thus denies the original holder the right to restrict its use after sale.

Citing an early motion picture patent case, Darby pointed out that the Court in that case held invalid restrictions on patents after sale.

"By pooling of small patents, one concern is now in position to hold a virtual monopoly" in the motion picture and other fields, Darby contended, "absolutely essential" to the protection of motion pictures as well as to music fields.

In his argument, Clark contended that it was the GTPC's defense that it held an implied license for use outside of the licensees' patent. "An improver or infringer, which caused it to be no sale."

Ephraim Berliner, also appearing for GTPC, answered questions asked by Chief Justice Hughes and Justice Stone.

Supreme Court's decision is not expected before a month or six weeks. The Court may either deny the rehearing, which its previous decision or rule on affirming or reversing the lower court decision.

STONEBROO TO BUILD HOUSE

Pittsburgh—a bond issue for $850,000 has been authorized by the general council of the United States Stonebroo to build a modern 600-seat motion picture theater. When completed, the house will be leased to a outside exhibitor on a rental plan. This town is situated between Grove City and Franklin. The theater will have a capacity of 1,200 for the past eight or nine years.
presents his first picture of the new season... a picture that will be as popular with audiences and as important to exhibitors this year as his productions of

"DAVID COPPERFIELD"

"PRISONER OF ZENDA"

and

"A STAR IS BORN"

were in their seasons
4 GREAT FAVORITES

JANET GAYNOR . . . in her first Selznick role since "A Star Is Born" . . . and her best performance.

ROLAND YOUNG . . . topping his famous "Topper" as the fake Sahib!

DOUGLAS FAIRBANKS, Jr. . . . adding new laurels to those he won in "The Prisoner of Zenda."

BILLIE BURKE . . . incomparable as the mother of the "gay banditti"!
PAULETTE GODDARD . . . Charlie Chaplin's world-acclaimed find... in her first talking role!

RICHARD CARLSON . . . Broadway's acting sensation brings a new type of leading man to the screen!

MINNIE DUPREE . . . Beloved young-at-heart veteran of the American stage in her first screen appearance!

SELZNICK INTERNATIONAL presents

JANET GAYNOR
DOUGLAS FAIRBANKS JR.
PAULETTE GODDARD

IN HEART

with ROLAND YOUNG
BILLIE BURKE

HENRY STEPHENSON . introducing RICHARD CARLSON . directed by RICHARD WALLACE
Based on the Saturday Evening Post Serial, "THE GAY BANDITTI" by I. A. R. WYLIE
Produced by DAVID O. SELZNICK . . . . . and Released thru UNITED ARTISTS
here comes the Carleton Family

streamlined Ali Babas . . . exuding Charm and a touch of Larceny with every fortune-hunting Smile . . . happy-go-lucky Pirates with a Dress Suit nailed to their mast . . . bonanza bound...
Theater Closings

ARKANSAS
Arkadelphia — Co-Ed, 400 seats (10-8-38); Owner: Cecil Capps; House Manager: Jimmie Holgood; Previously closed 6-1-38.
CALIFORNIA
Port Chicago—Port Chicago, 362 seats (10-2-38); Owner: James Malone.
ILLINOIS
Navoo—Navoo, 250 seats (near future); Owner: Francis David; House Manager: Francis David; Previously closed 9-25-38.
Galesburg—West, 600 seats (10-6-35); Owner: Great States; House Manager: Revere Olmsted; Previously closed, Spring, 1938.
INDIANA
Elkhart—Roxy (10-6-38); Owner: Elkhart Amusement Corp.; House Manager: Mr. Holland; Previously closed 7-27-38.
KENTUCKY
Richmond — Schine’s States, 400 seats (10-9-38); House Manager: Fred Williams; Previously closed in the Spring, 1938.
MARYLAND
Baltimore—Empire (formerly Europa), 200 seats (9-16-38); Owner: I. Monoff; House Manager: Leonard Jaworski.

New Theater Openings

CALIFORNIA
Tulare—State, 424 seats (10-14-38); Owner: Mr. Fading; Previously closed 9-25-38.
KANSAS
Altoona—Main, 250 seats (10-1-38); House Manager: A. T. Wahrhaftig.
ILLINOIS
Salina—Vogel, 450 seats (10-13-38); 200 block So. Santa Fe; House Manager: Paul W. Dixon.
NEW YORK
McKe—McKe, 250 seats (9-38); Main St.; Cost: $2,500; House Manager: Bud Hughes.
TEXAS
San Diego—Regis (10-1-38); House Manager: Dr. A. Duran.

Theaters Under Construction

CALIFORNIA
Rosemead—Rosemead, 800 seats; Owner: James Edwards; To be completed 11-17-38.
Los Angeles—Clint, 750 seats, 910 No. Western Ave.; Cost: $40,000; Operator: C. Blake; To be completed 11-1-38.
FLORIDA
Miami—Cameo, about 1,000 seats; Owner: Paul Greenbaum; Cost: $50,000; To be completed December, 1938.
ILLINOIS
Plymouth—Franklin, 275 seats; Owner: Frank Dewese; To be completed not certain.
INDIANA
Attica—New, 850 seats, W. Mil St.; Builder: Wallace Hayworth; Architect: L. Johnson; Cost: $40,000; Operator: Carey S. Alexander; To be completed November or early December.
WISCONSIN
Oaklawn—Rex, 475 seats (Sept., 1938); Owner: Mr. Fading; Previously closed Spring of 1938.

Theaters Planned

ARKANSAS
Huntington—Roxy, 220 seats; Operator: Mr. E. A. Patton.
CALIFORNIA
Los Angeles—New, 550 seats; Cost: $20,000; Operator: A. Cantor.
FLORIDA
Miami—New Parkway; Coral and S.W. 12th Ave.; Owner: S. J. Speck; Construction Co.; Operator: Alon Courser.
ILLINOIS
NEW BODIFORM CHAIR HAS NOVEL FEATURES

Climaxing some two years of experimentation and development, American Seating Co. of Grand Rapids, with branches in more than 30 American cities, launched this week on the market its new Bodiform theater chair which embodies the new construction principles for achievement of durability, practicability, and comfort, and for the incorporation of beauty plus economy of purchase as well as space.

Structurally, the new chairs feature a vertical compound curve which fits the body of the patron, thus stepping-up comfort to new heights, it is claimed. Back is padded as well as the seat area, and L. N. Olmsted, company’s ranking New York executive, reveals that the folding seat is equipped with an automatic device which eliminates any manual operation on the part of the patron to raise and lower, back some 70 degrees, or to a three-quarter position automatically, the chair seat permits exceptionally easy access, and when a patron wishes to permit another patron to pass in the aisle, the pressure of the heel is arranged around 90 degree or vertical elevation.

Among the many additional advantages, Olmsted calls the new type arm chair, which eliminates coil springs, and the total absence of tacks, screws or wood in the seat assembly. He also points out that the Bodiform compactness is in itself an innovation, and that comfort is arrived at without course to the recent practice of high and deep padding.

Contracts for Goldberg

Chicago—Joe Goldberg, Inc., reports the installation of Ideal De Luxe seats in the Harper Theater, new carpets, lobby modernization and Ideal seats at the Palace Theater, Ft. Wayne, and complete modernization of the Forn Theater for the Charles Theater Co. of Chicago.

Luminous Curtain

Detroit—Thomas Faland is installing a new advertising drop curtain in his Femand Theater, at Ferndale. Curtain, first of its type in this section, is made of luminous paint, which becomes alive under a spotlight. Curtain is being installed by the Woodward Display Co.

White Way Sign Service Filling Neon Contracts

Chicago—White Way Sign Service, inc., has been awarded the Wagner Sign Service and consolidated the respective staffs, reports several new neon jobs in the local territory which call for installations for the Rialto, Joliet, of Great States circuit; Irving, of Es-senite, and the new Road Theater and the Ellington, respectively owned by Charles Nelson and the Goodman & Harris circuit.

P. Plummer, White Way exec., reports business outlook for Autumn months showing improvement over previous months.

Willis Contracts Awarded

Detroit—Albert Westaway, manager of the Willis Theater, is completing remodeling of the house. New projectors and front have been installed by Amusement Supply Co.; new seating by International Seating Corp.; new marquee by E. A. Long Sign Co. New carpeting, complete redecorating, new heating plant, and screen sound are also included in the remodeling.

Barr in Chi. for NSS

Chicago—Perry Barr has been named Chicago manager for National Theater Service, succeeding Tom Burke, resigned. Barr was St. Louis manager and he has succeeded there by Jack Washburn, from the Milwaukee office.

Supplies Gatti Cameras

Burgi Contner is supplying all the camera equipment on the Gatti Expedition for the Boly-Bong, Harry Squires, cameraman, left this week to join Gatti in Belgium.

SPECIAL BANNERS

For Movie Quiz, Greatest Show Season now ready. Lowest prices—newest designs.

Ask for free catalogue.

LIBERMAN FLAG & BALANCE CO.
247 W. 46th St. New York City

Charles Ross, Inc.
Formerly Motion Picture Lighting and Equipment Corp.

We Furnish

Electrical Lighting and Lighting Equipment of Any Kind

244-250 West 49th Street
New York City Tel. Circle 6-5470-1

THEATERS
• SEATING
• AIR CONDITIONING
• LIGHTING

EXTENSIVE BUILDING FOR SCHINE CIRCUIT

New theater projects, coupled with remodeling and improvements to existing houses, will be undertaken by the Schine Circuit, Inc., for the 1938-39 season, it is learned by The Film Daily.

J. Meyer Schine, circuit’s president, following his plans, has directed John Eberson, New York theater architect, to conduct a survey aimed at the Arcade Theater property, Salisbury, Md., for complete arrangement of floor plans, revamping of auditorium and interior generally, refurbishing of reception rooms, and modernization of sound and projection equipment. House, when finished, will take a leading role in this new territory in which Schine has shown so much interest.

Plaza Theater, Milford, Del., serving a large farming section, has recently been taken over by Schine interests, and an examining crew of engineers and theater planners is working out survey for floor plan remodeling, resetting, acoustical treatment, new front with modern marquee, and new architectural rearrangements.

Plans are being prepared by Eberson for Schine’s Strand, New Amsterdam, N. Y., for a major remodeling job, including balcony reconstruction and rearrangement of interior to increase seating capacity.

Title has been cleared and active transfer of real estate has been made for the new Schine 1,600-seat, including 10 stores, in Oswego, N. Y., and this unit is expected to be ready some time next Spring.

Eberson is preparing plans also for new Schine houses in Norwalk, O.; Perry, N. Y.; and for the Salamanca, N. Y., house for which property title has already been taken pending Spring construction. The former, Ashland, O., is to be remodeled and capacity increased to 950.

WHY can’t a factory-adjacent sound reproduction system be made so it will automatically produce sound as natural, as dynamic, in one theater as another?

Before such a pre-adjusted sound reproduction system can be duced, theaters themselves would have to be made identical—p mean identical acoustic conditions identical sound absorbencies, identical auditorium characteristics throughout. Until that occurs, production of pre-adjusted sound reproduction must be approached from a different angle.

Certain significant developments make it possible to adapt the sound as it is recorded on the film, to reproduce a uniformly good quality in any theater with markedly different characteristics. These developments are the result of co-operative search and interchange of scientific data between the Research Council of the Motion Picture Arts and Sciences, set up by the producers themselves; the Society of Motion Picture Engineers, an organization including sound experts of sound equipment manufacturing organizations; and our independent service organization.

The producers themselves have made, and continue to make, impressively large investments in establishing interchangeability between the sound recording techniques of various studios. Naturally, the producers’ exhibits for the public which will deliver a uniform quality of sound reproduction will be available types of reproducing equipment. The producers can look toward this common objective with out circumventing their individual techniques unduly; ample latitude is available.
M E N T

THE FILM DAILY

PHOTOPHONE FOREIGN GAINS, "SUBSTANTIAL"

Sales of RCA motion picture theater and studio sound reproducing units in the entire foreign field have shown a substantial gain from Jan. 1, to date, as compared with the corresponding period last year, it was said yesterday by Van Ness Philip, RCA Photophone export manager, following his return to New York from a 15-week tour of several European countries and the Union of South Africa.

Business upswing during the first nine months is expected to give further stimulus in Europe from the improved political situation.

In England, he said, RCA is getting an increasingly large portion of the total recording business. Film production there is very much depressed, due to the over-expansion which occurred a few years ago. However, during the first six months of 1938, Photophone equipment was used on 35.8 per cent of British-made pictures, a boost of 5 per cent over 1937.

Last year, the Union of South Africa was ninth in RCA Photophone's world market, but in 1938 it jumped to fourth place, and may, with orders coming in, go even higher. Exhibs there are very much alive, he said, to necessity of replacing worn out equipment. While in South Africa, he attended the opening of 20th-Fox' theater in Durban, country's most modern house, which uses Photophone equipment.

French productions, in his opinion, are making major advances in both volume and general quality, and the industry faces a bright future, conditional only on international political and economic developments.

While in Belgium, he surveyed the market with eye to improving company's distribution facilities.

STUDIOS
- FURNISHINGS
- CARPETING
- SUPPLIES

NEW HYDRAULIC LIFT FOR CAMERA CARRIAGE

A development which may revolutionize all movie camera carriages has been perfected by Gregg Toland, chief cinematographer for Samuel Goldwyn. It is a hydraulic lift which replaces the conventional style of tripod that is raised and lowered by a worm gear arrangement.

The lift, no bigger than an ordinary movie camera tripod, is operated by a lever that can be manipulated either by foot or by hand. Among its advantages is the speed with which it can be raised and its instantaneous lowering which is inherent in hydraulics. It also, according to Toland, has a greater vertical range than similar mechanical tripods.

The lift was designed by Toland and constructed in the Goldwyn studio shops. He now plans to extend his development to a hydraulic camera parallel which is now being constructed.

"ROOM SERVICE"

Those who sell and install Alexander Smith Carpet take justifiable pride in the quality of their service. Exhibitors too know the value of such service. Which is one reason why you’ll find Alexander Smith Carpet in most of the country’s successful theatres.

ALEXANDER SMITH CARPET
Ant you PUTTING on *SC*L?K?*

Screen brightness may mean the difference between profit and loss in the operation of your theater.

30 foot lamberts* is considered the ideal screen brightness. 7 to 14 foot lamberts is recommended as the minimum range of brightness for satisfactory vision. Yet some theaters have a screen brightness of only 2 to 4 foot lamberts.

Our eyes adjust themselves to a brightness as high as 10,000 foot lamberts in summer sunlight. So the brightest screen is not too brilliant for comfort if the level of surrounding illumination is sufficient to avoid disturbing contrast with the screen. But there is a lower limit beyond which the average person cannot see with clearness and comfort.

Keep your screen brightness safely above this limit. Provide light enough for the poorest and slowest eyes in your audience. Simplified High Intensity projection will do it. Ask your dealer to show you the profit possibilities and the surprisingly low cost of this new projection light.

*The foot lambert is the standard unit of brightness.

SAFE GENERAL ILLUMINATION

30 FOOT LAMBERTS

How Much Light
ARE YOU PUTTING ON THE SCREEN?

Simplified High Intensity Projection
WITH "NATIONAL" SUPREX CARBONS

ECONOMICAL AND MODERN

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide & Carbon Corporation
CARBON SALES DIVISION, CLEVELAND, OHIO
General Offices: 30 East 42nd Street, New York, N. Y.
Branch Sales Offices: NEW YORK; PITTSBURGH; CHICAGO; SAN FRANCISCO.

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Distrib. Open Trade Talks With Indie Units Today

SCHAEFER RKO ELECTION DUE; HEADS SUBSIDIARIES

Television's Arrival Fails to Worry Industry Executives

50 Makers of Receiving Sets Hold RCA Licenses; 20 Stations Active

By GEORGE H. MORRIS

Film industry channels, in the wake of the statement by David Sarnoff, RCA president, that television in the home is now feasible and that the public will get sets by April, next, expressed on the weekend little concern over the announcement's implication that television is "just around the corner." While the Sarnoff declaration was appraised as a step forward in the fortunes of U. S. television because of the weight which the official sponsorship of RCA naturally carries, feeling among pix execs, and industry technicians is that the pronouncement was made with the idea of centering public interest at this time in the proposed television activities of the World's Fair. But despite the pix complacency,

MAY ORGANIZE PHILLY ALLIED UNIT THURSDAY

Philadelphia—Allied States is reported preparing to organize a unit here. It is understood that Abram F. Myers, Allied's general counsel and board chairman; Col. H. A. Cole and N. J. and N. Y. Allied closed their

Atlantic City—Closely adhering to a "stand pat" policy, New Jersey and New York Allied closed their

Prince Succeeds Bob Mochrie As UA So. Division Manager

David Prince, United Artists branch manager in Atlanta, has been moved up to the post of south

Quebec Weighs Pix Classification Plan

Montreal—Quebec Province at the next session of the Quebec legislature may adopt the Belgian system of making two classifications of films, one for adults and one for children, T. J. Cocon, K. C., Provincial Minister Without Portfolio, told an audience gathered in a preview of "Boy's Town." The guests were mainly Roman Catholic clergy and heads of Catholic schools and organizations. They included representatives of the Centre Catholique de l'Action Cinematographique.

Expect 600 Attendance at MPTOA Convention; 400 Reservations Made

Oklahoma City—Advance reservations for the MPTOA convention to open here Sunday are now at the 400 mark with likelihood that attendance will be in excess of 600 delegates representing several thousand theaters from all sections of the United States. Special train out of St. Louis is expected to bring several hundred. St. Louis territory will be represented by about 100, while delegations from 20 up are expected from New Haven, Seattle, Chicago, Washington and other cities. Reservations to date at the official convention headquarters, the

THE WEEK IN REVIEW

"Progress" in Trade Parleys—Japan to Admit 80 U. S. Pix

DOMESTIC

Biggest news of the week was the statement of W. F. Rodgers, distributors committee spokesman, that "definite progress" has been made since beginning of the all important trade practice parleys. Sidney R. Kent, Ned E. Depinet, Grad

Allied to Resume Trade Practice Discussions in New York Tomorrow

Would Subsidize Australia Producers at U. S. Expense

Sydney (By Cable)—The M. P. Exhibitors' Ass'n of New South Wales has asked the State Government to tax American film distributors $750,000 and to use that sum as a subsidy for Australian producers.

Representatives of independent theater units today will open negotiations with the distributors' trade practice committee, following a week of parleys by the two national organizations with the distributors. Delegates representing exhibitors in southern California, Kentucky, Colorado, Iowa, New York, Virginia

Contract to be Signed When Company Emerges from Receivership

Naming of George J. Schaefer as president of the parent RKO organization is expected tomorrow following his election to the presidency of the B. F. Keith Corp., K-A-O and RKO Radio Pictures on Friday. Leon Spitz, who tendered his resignation as president of these three companies at a meeting of their boards, has agreed to continue to serve in special matters, according to an announcement.

LONDON HEARS UA AND BUCHANAN TALK DEAL

London (By Cable)—Jack Buchanan-UA deal is reported in the making here. Meanwhile, Jack Buchanan Productions has stopped work in progress on alterations to the recently

Selznick, Whitney Arrive, With Huddle in Prospect

David O. Selznick, president of Selznick International, arrives here this morning on the Century for a

Mid-West Biz Improvement Index Best in 5 Yrs.—Ross

Semi-annual poll of business made in and around Detroit, Chicago and Milwaukee by Ross Federal Service

VOL. 74. NO. 89 NEW YORK, MONDAY, OCTOBER 24, 1938

TEN CENTS

THE DAILY
**Financial**

(QUOTATIONS AS OF FRIDAY)

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**NEW YORK BOND MARKET**

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| Para. | 100 | 100 | 100 |
| Para. Ficts. | 87 | 87 | 87 |
| RKO | 78% | 78% | 78% |
| Warner's 6 3/4 | 87 | 87 | 87 |
| WB Picts. 6% 9/16 | 84% | 84% | 84% |

**NEW YORK CURB MARKET**

| Grand National Picts. | 1 1/4 | 1 1/4 | 1 1/4 |
| Monogram Picts. | 2 | 2 | 2 |
| Screen企业的 | 2 1/2 | 2 1/2 | 2 1/2 |
| Technicolor | 2 1/2 | 2 1/2 | 2 1/2 |
| Universal Picts. | 2 1/2 | 2 1/2 | 2 1/2 |

**BBC Telecasts 4th Pic**

London (By Cable)—BBC televised its fourth full-length feature, Friday evening, and its feature was “So Ended a Great Love,” produced on the Continent.

**Safety Lloyds**

**FILM STORAGE CORP.**

Storage by Reed or Vault

729 SW 17th
New York City

B.B. 9-5600

**Mid-West Biz Improvement Index Best in 5 yrs.—Ross**

(Continued from Page 1)

Indepert Units Hold Trade Reform Talks Today

(Continued from Page 1)

and Utica are present to attend at present day’s sessions.

Allied’s committee, which met with the distributors in New York on Wednesday and Friday of this week, is scheduled to resume negotiations tomorrow. W. F. Rodgers, spokesman for the distributor committee, stated over the week-end that definite progress had been made with the Allied group. It is believed that a tentative agreement will be reached at the conclusion of tomorrow’s sessions. MTPOA’s committee will present a resume of its conversation with the distributors to its members next week when the organization’s annual convention gets under way in Oklahoma City. Information discussions to take up some “loose ends” are likely to be held in New York this week.

It is believed that when all preliminary conferences have been completed, committees representing the major exhibitor unions will be called to New York for the final establishment of a fair trade practice plan, provided, of course, all parties concerned (including the trade press) will be

Legit. Out, Pix Back

Albany—Hannerman Bleecker Hall, operating in Filmplan Enterprises, returns to pictures today after a whirl at legit policy.

**The Broadway Parade**

**Picture and Distributor**

Theater

Love Story (Universal Pictures)—4th week

Dark Rapture (Universal Pictures)—3rd week

Southside Story (Monogram)—2nd week

The Sisters (Warner Bros. Pictures)—4th week

Draculas (Universal Pictures)—2nd week

For Love (Universal Pictures)—2nd week

Stablemates (Metro-Goldwyn-Mayer Pictures)—2nd week

Service de Luxe (Universal Pictures)—2nd week

Law of the Texas (Columbia Pictures)—2nd week

Volcano of the Giants (Warner Bros. Pictures)—1st week

Hold That Co-ed (20th Century-Fox) (1)

**FOREIGN LANGUAGE FEATURES**

The Edge of the World (Paris Films)—7th week

The Story of a Galant (Gaumont)—7th week

Flight Into Darkness (Frank Kassert)—2nd week

La Enfance de Jeanne d’Arc (Gaumont)—2nd week

Lullaby (Mankine)—1st week

The Singing Blacksmith

(Continued from Page 1)

as a contribution to the film industry netted “by far the most encouraging index to improvement in business in the last five years,” it was said over the week-end by Harry A. Ross, prexy.

Settlement of labor disputes has spurred new enterprises in the Midwest area, Ross stated, adding that there was marked improvement in the milk and cheese industries. Wisconsin industries which had been operating with a skeleton force have reopened to over 65 per cent of 1929 capacity.

A sharp upturn brought about by new business activity can be anticipated by theater men in the Chicago sector, Ross declared, while in Detroit there is assurance of excellent box office returns for the winter months, due to the motor industry’s re-employment schedule.

**UA Deal With Buchanan Reported on in London**

(Continued from Page 1)

acquired Riverside Studios. Negotiations admittedly are in progress which, if completed, will involve a considerably increased production schedule, and will necessitate further alterations in the studio than originally intended.

**COMING AND GOING**

DAVID O. SELZNICK, president of Selznick International Co., is in New York this morning on the Century.

JOHN HAY WHITNEY, Sr board chairman arrived from the Coast over the week-end.

DAVID LOEW is expected from the Coast today.

HEERMAN WOBBER, general manager of distribution for Goldwyn, leaves on Friday for Oklahoma City and Los Angeles.

EDMUND C. GRAINGER, Universal producer, arrives from the Coast today.

HEERMAN ROBBINS, head of National Screen left for California over the week-end.

WILLIAM G. GERING, central division manager for 20th-Fox, returned to the home office over the week-end from Montreal.

ARTHUR A. LEVY, vice-president and general manager of Gaumont British, returns to the home office today after a short stay in Canada.

GEORGE CONVERSE, of Filmex, Inc., leaves Hollywood for New York on Nov. 1 for a five-weeks’ stay here.

DON ALEXANDER, Jr., assistant sales manager of Alexander Films, has arrived in New York from Colorado Springs.

WILLIAM R. LEVY, European representative of Walt Disney Enterprises, sailed Saturday on the Chaumont.

F. J. A. McCARTHY, Eastern sales manager for Universal, returns to the home office today after a two-week sales trip.

FRED BRICK LONSDALE is shopping at the Savoy Plaza.

ROLAND YOUNG arrived in New York Saturday.

DOUGLAS FAIRBANKS, Jr., arrives in New York today for a vacation.

CHARLES BOULTON, Floyd Gibbons prize winner, arrives in New York today by plane.

TED CURTIS of Eastman Films returned yesterday to Rochester.

No New Clearance Talks Chicago—There have been no further conferences looking at a solution of the clearance controversy here since those held with distributors’ representatives on Oct. 6. Ross stated Friday by Jack Kirschner, prexy, and Aaron Stein, counsel, for Allied of Illinois.

**In Any Emergency...**

...we pick up work quickly... we make haste carefully.

...we deliver promptly.

PHOTO ENGRAVING CORP.

250 WEST 54TH STREET, NEW YORK

Telephone: 54-6111 OR CO. 5-5675
“MEN WITH WINGS” FOR WOMEN!

FROM MOTION PICTURE DAILY, OCTOBER 21

“Men with Wings”

(Paramount)

William Wellman has gone a long way as a director since he turned out “Wings” as a silent spectacle of the air a number of years ago. In “Men With Wings” he provides a cavalcade of aviation from the first Wright brothers’ flight at Kitty Hawk to the present day bombers, with magnificent aerial shots in Technicolor, but the story isn’t simply a spectacle; it’s a human record of dreaming and striving played close to the heart.

A woman caught in the hypnotic engendered by flight spends her life sacrificing her love, first for her father then her husband. This brings in the element of pathos throughout, but in the end the thrill of achievement makes it seem worthwhile. Women and men and boys will all like it. Exhibitors can shoot the works on it.

After the Kitty Hawk flight Walter Abel throws up his job as a newspaper man to design a plane of his own and loses his life in his first flight. Two boys take up where he leaves off. Their roles as grown men are played by Fred MacMurray and Ray Milland, and the girl who went up in their first experiment with a kite is played by Louise Campbell.

MacMurray goes to war and becomes a famous pilot who can never get back to a prosaic life on land. Miss Campbell follows him to France as an army telephone operator and marries him after the armistice. Some of the dog fights in the air over France are extraordinary both for their pictorial beauty and drama.

Milland stays at home as an airplane constructor for the army. He becomes an air mail pilot when matters are out. Later he and MacMurray team up in an airplane construction company, but in the end MacMurray succumbs to the intoxicating desire for more war flight and is killed in China.

A parade of planes passes through the story with spectacular flying punctuating the development of its more intimate phases. Even the start of Lindbergh’s flight is presented.

Comedy relief is furnished by Andy Devine, as a loyal airplane mechanic who sticks to Milland through everything. Emphasis on the spectacular content of the film is probably best for exploitation purposes, but the word-of-mouth advertising will be done by the women who watch a woman devote her life to the man she loves in spite of his shortcomings, while another waits in the shadows to comfort her.

Running time, 105 minutes. “G.”

J. M. Jerauld
No show in many, many months has created so much talk as RKO Radio's "A Man To Remember". Hollywood's preview critics discovered it. Bookers, circuit heads and managers, convinced it is a 'sleeper' are arranging booking and laying plans to give it the works. Columnists and syndicate writers have taken up the chorus of praise, and seem determined to make everybody in America see it. Some of the big magazines are throwing out other layouts and remaking their pages to include pictures and news of this simple picture that is all heart and carries a heavyweight wallop to the chin.
Schaefer RKO Elg't'n Due; Heads Subsidi

(Continued from Page 1)

by the Irving Trust Co., trustees of RKO.

Schaefer and the parent RKO company will not enter into any contract until the latter comes out of receivership, which may be to-morrow, a reliable source said over the week-end. In any interim, how-ever, Schaefer will be active as president, chairman of the board and a director of K-A-O, B. F. Keith Corp. and RKO Radio Pictures.

Spit is hopeful of returning to his Chicago law practice as soon as he can wind up his affairs in New York. Becoming head of RKO three years ago, he is credited with being largely responsible for the present financial stability of the organization. His record as a real estate builder and an executive in the motion picture field had its beginning in 1925 when he represented B & K when that circuit acquired the Lubliner & Trinck chairmen, resigning in 1925. The following year he joined United Artists as vice-president in charge of distribution, leaving that post on Oct. 7 of this year.

Luncheon in the Rainbow Room for Schaefer was given Friday by Ned E. Depines, RKO's sales chief. In the party were Spitz, Jules Levy, John J. O'Connor, A. H. McCaus-land, O. C. Doering, Malcolm Kings-berg, Peter Rathvon and A. Christensen.

Best wishes from THE FILM DAILY to the following on their birthdays: OCTOBER 24

Byron Morgan  Don J. Smolen
Gilda Gray  Arthur W. Stebbins
Josef Zilmanich

MAY ORGANIZE PHILLY ALLIED UNIT THURSDAY

(Continued from Page 1)

Sidney Samkin will come to Philadelphia next Thursday to attend a meeting of Philly area exhibitors to be held at the Broadmoor Hotel.

Delegation of 11 local exhibitors representing 37 theaters attended a session of the N. J. Allied convention last week. Allied at one time had the IEPA as an affiliate here.

N. J. and N. Y. Allied Wait on Parley Results

(Continued from Page 1)

parrelling conventions here Friday. Neither took any direct action on the questions discussed at the several business sessions, except that of games. New Jersey declared against them, with New York in favor. No plans were formulated to translate the approved New Jersey policy into action, however.

Closing sessions were devoted to discussion of the results of a pred- ict survey. No summary was made available for publication.

President Irving D’Lingner, de-scribing the New Jersey convention as “routine,” said that this course was dictated by the fact that trade reform parleys were now in progr ess. “We have no immediate plans, pending the result of the New York conferences,” he told THE FILM DAILY.

New York Allied will strive to effect a closely knit exhibitor or-ganization, representative of the entire state, President Max Cohen an-nounced as the New York convention adjourned. A regional meeting is planned for Buffalo next month; electrical sessions scheduled at the convention, was deferred until a state session in January.

Educational Stockholders Meet Adjourned to Nov. 15

Owing to the absence of a quorum, Educational stockholders were unable to elect officers for the year at a stockholders’ meeting Friday af- ternoon. The meeting was adjourned to Nov. 15.

Bernstein Joins Variety

Editorial Staff in N. Y.

Abraham Bernstein, for the last seven years New York managing editor of the Hollywood Reporter, has resigned to join the editorial staff of Variety here.

No Para. Changes

Vol 83, No 26 By THE FILM DAILY

(The rest of this page goes here to: Barney Balaban, Para. proxy, and other New York company execs, is not indicative of any change in Para. at this time, it is learned. Emphasis, however, is on economy, due to drop in foreign revenue.)
REVIEW OF THE NEW FILMS

“Angels With Dirty Faces”

with James Cagney, Pat O’Brien, Ann Sheridan

2:25 P.M. Feb 26, 1939

SEEN NEW MILESTONE IN GANGSTER DRAMA WITH POWERFUL HUMAN STORY CRAMMED WITH THRILLS AND EMOTION.

One of the clearest of the popular thrillers is “Angels With Dirty Faces,” directed by William A. Wellman. The film stars James Cagney, Pat O’Brien, Ann Sheridan, and a cast of thousands. The story is set in Chicago during the Prohibition era and revolves around the adventures of a group of young men who are trying to make it big in the world of organized crime.

The film opens with aboard of the story and quickly immerses the viewer into the world of gangsters and their activities. The cinematography is top-notch, with a lot of attention given to the details of the cityscape and the lives of the characters. The acting is excellent, with Cagney and O’Brien delivering powerful performances that are sure to leave a lasting impression on the audience.

The film is a thrilling and emotional experience that will keep you on the edge of your seat from start to finish. It’s a must-see for anyone who loves action-packed drama and well-told stories.

“Men With Wings”

with Fred MacMurray, Ray Milland, Louise Campbell, Andy Devine

10:50 A.M. Feb 26, 1939

DRAMATIC, THRILLING AND WARM WITH HUMAN APPEAL, SAGA OF AVIATION SHOULD BE TERRIFIC ATTRACTION FOR EVERY TYPE OF AUDIENCE.

The story of “Men With Wings” is set in the world of aviation during World War I. The film follows the lives of two pilots, one from the United States and one from France, who are determined to prove their worth on the battlefield.

The acting is superb, with Fred MacMurray and Ray Milland delivering outstanding performances. The film also includes a love interest, played by Louise Campbell, which adds an extra layer of depth to the story.

The cinematography is breathtaking, with beautiful shots of the planes flying over the sky. The film is a must-see for anyone who loves action-packed dramas and stories of love and adventure.

Shots “Jai-Alai” Short

Sam Martyo, veteran cameraman, has turned producer of short subjects and is currently shooting a one-reeler on “Jai-Alai.” He recently completed “All Girl Lifeguards” and is releasing it through Central Films.

M.P.T.O.A. CONVENTION

Oct. 30th to Nov. 2nd

Oklahoma City, Okla.

Cowboys! Indians! Oil fields! Rodeo! Scenic beauty! That's the background for an important meeting of leading showmen and their wives. Reservations: J.C. Rader, Biltmore Hotel, Oklahoma City. (Rates $2.50 up)

"You'll be Big Chief Sitting Pretty" for 4 Great Days!"
600 ATTENDANCE SEEN

Baltimore, Md., listed as follows, with several of the names reserved from three to six rooms for others, unnamed, whom they are bringing with them. The list follows:


J. G. Haney, Colorado Springs; O. B. Hunt, S. W. Hand, Kansas City; A. C. Hayman, Buffalo: Fenton Jones, Kansas City; George Hartman, North Kansas City; P. C. Henkel, Kansas City; E. A. Harris, Kansas City; E. T. Jones, Ralph Larned, Camden, N. J.; Edward G. Levy, New Haven; Harry Loevenstein, Ardmore; Sidney B. Lust, Washington; Jack London, June Metcalff, Kansas City; W. J. McKenna, Toppenish; Arthur Unger, Holland; C. L. McCoy, Dallas; Ben Marcus, Kansas City; A. A. Moul- ler, Sapulpa; S. F. Polite, Tulsa; H. H. Stoddard, Dallas; George Neacher, Valley Falls, Kan.; George K. O’Rourke, Dallas; C. C. Koontz, Dallas; Fred Pickrel, Ponca City; J. C. Pennington, Kansas City.

Dave Palfreyman, MPPDA, New York City; Lewen Pizor, Philadelphia; Ed Rolsky, Kansas City; J. T. Roberts and H. B. Robb, Dallas; Al Steen, FILM DAILY staff writer, New York City; A. J. Simmons, Lamar, Mo.; Langon, Mount Vernon, Sosma, Manhattan, S. Schwahn, Lawrence; H. J. Strowig, Abilene; W. E. Scott, New York City; O. F. Sullivan, Wichita; John C. Strong, Rockport; Wallace Walthall, Roy D. Thrash, Dallas; C. B. Akers, Dallas; Herman Weber, New York City; Chauncey Wharton, New York City; R. X. Williams, Oxford, Miss.; Warren Webber, Stafford, Kan.; C. E. Williams, Omaha; Judge and Mrs. Roy Walker, Lampsas, Tex.; Lincoln Wilson, Miami, E. Wagner, Chicago; R. F. Wilburn, Dun- can; W. Johnson, New Orleans; Sid- ners, Kansas City; Bradbach, A. B. Brylawski and

DOMESTIC

(Continued from Page 1)

Sears and Rodgers were active during the week, continuing the policy which has been followed by the Allied and MPTOA committees.

It was reported that accord had been reached between the groups on some points and general predictions followed, the parties feeling that some program would be formulated which would meet with ap- proval of all groups concerned.

Television will be here next April, David Sarnoff, RCA head, stated during the week. Following this, a flood of television stories and data filled the newspapers, and became a subject of importance in the film industry as speculation was made in all quarters on theater possibilities.

Prince Succeeds Bob Mochrie

As UA SO. Division Manager

(Continued from Page 1)

ern division manager, succeeding Robert Mochrie, who is leaving the company. Jeff Davis, UA sales manager in Philadelphia has been named to the branch management of the Atlanta office. The southern divi- sion, however, Athens, Atlanta, Augusta, Macon, Savannah, Charlotte, Dallas and New Orleans ter- ritories.

Other UA sales staff changes during the last two weeks include the shifting of Ben Robins, Detroit salesman, to St. Louis as branch manager, succeeding William Feld- stein, resigned, Clarence Eisen, Pittsburgh manager, was moved to New York in the same capacity.

A reduction in the home office sales department per- sonnel was reported over the week- end, with 10 persons being dropped.

Chick Lewis, New York City: George Weeks, salesmen manager; H. V. Harvey, California; Joe Lochen, Pittsburgh; Sam Abend and Rube Finkelson, Kansas City; L. W. Connor, W. E. Gregory, C. J. Zern, all of Kansas City; Phil Iley, of Tulsa; W. Johnson, President Motion Picture Advertising Service, Inc., New Orleans; J. Means, of Kansas City.

Morris Loevenstein, MPTOA con- vention chairman has asked that all mail on convention matters be ad- dressed to him at the Majestic The- ater.

Additional committee appoint- ments made include T. B. Noble, Jr., and C. B. Akers as co-chairmen of the traffic committee which will be composed of MPTOA board mem- bers dressed in cowboy regalia; Claude O. Oguma and Ernest Mol- ley as co-chairman of the transporta- tion committee; Bob Browning to the transportation committee and Low, Chalmers, as sergeant-at-arms for the convention.

Extensive discussion of television was expected at the fall convention of the SMPTE.

Sam Smith, British Lion head, arrived from England for conferences with Herbert J. Yates on Republic's English program to fill quota needs.

FOREIGN

(Continued from Page 1)

Argentinian legislature that would set up a censor board and tax distri- butions, for maintenance, but tax opposition seemed certain.

Settlement of the ABP-Ostrei suit was reported in London. From the same city came a report that Oscar Deen, head of the Osteeri circuit if the rumorer went through. The Italian situation re- mained in status quo, improvement in Canadian biz was reported.

Selznick, Whitney Arrive

With Huddles in Prospect

(Continued from Page 1)

one-day stay. He is accompanied by Mrs. Selznick.

John Hay Whitney, S.I. board chairman, was scheduled to arrive from the Coast over the week-end by plane. It is expected that Whit- ney and his assistants will inspect production plans today before Selznick leaves town to work on the GWTW script.

All Griffith Partners Will

Attend MPTOA’s Convention

Oklahoma City — The Griffith Amusement Co. has decided not to hold its managers meeting in con- junction with the MPTOA conven- tion here due to holiday interference occurred and withdrawal of per- sonnel from the organization for the meeting. All Griffith directors and partners, 26 in number, have signified intention of attending, however.

Richey, Moon May Announce

New Connections This Week

H. M. Richey, former Allied di- rector and officer of the Detroit Theaters of Michigan, may announce a new connection this week. Richey returned to Detroit over the week- end and will be back in New York tomorrow.

Ray Moon, also former Co-opera- tive leader, may make an announce- ment this week.

120,671 See "Suez" In Week

(Continued from Page 1)

The FILM DAILY learned authori- tatively from sources that (a) RCA salesmen are already soliciting established radio stations to pur- chase television equipment and RCA is offering to date, (b) RCA has licensed 50 receiving set manu- facturers and prospective set makers, and (c) as soon as FCC is con- vinced that several television sta- tions, operated by divergent and unaffiliated interests, can present programs of a satisfactory standard, it will permit programs to go under commercial sponsorship. Latter is likely to occur sooner than is generally expected.

Checkup by THE FILM DAILY, fol- lowing the Sarnoff announcement, discloses that more than 20 tele- vision stations are more or less ac- tively concerned 1) stations are op- erated by approximately 15 different companies, individuals and colleges; and thirdly, that stations are proposed for construction in New York State and others in northern New York and Connecticut.

The last station to include GE's proposed unit which will be in the Albany area; that authorized last week by FCC for construction of the Drummond Laboratories Inc., of Upper Montclair, N. J. and the rumored project calling for a RCA-built station for Stromberg- Carlson Telephone Mfg. Co., of Rochester, "somewhere in the Western New York territory."

In granting the license to Du- mont Laboratories, FCC declared the applicant's program of research and experimentation indicates "rea- sonable promise of substantial con- tribution to the development of the television broadcast art." DuMont plans to telescast from midnight to 9 a.m. Considerable interest was received by the applicant's application; the time to Dumont Laboratories, since that organization is financially linked up with Paramount.

Don Lee Broadcasting System, it is learned, has applied to FCC for a new station in the San Francisco area, and GE's application is not only for its unit in the Schenectady-Albany sector, but also for another station in Bridgeport, Conn. There is also before the Commission a GE application for a solely visual sta- tion in Schenectady.

List of stations which have re- ceived FCC licenses include, addi- tionally, CBS, New York; Don Lee Broadcasting System, Los Angeles; Parnsworth Television, Philadelphia; WCBS, New York City; KCWE, Kansas City; Kansas State College, Manhat- tan, Kansas; NBC, New York (two); Philco Television & Corp., Phila- delphia, Pa.; W2XCA, University of Michigan, Ann Arbor, Mich.; W2XCC, West Lafayette, Ind.; Radio Pictures, Inc., Long Island City; RCA, Camden, N. J.; University of Chicago, Chicago; and Zen- lith Radio Corp., Chicago.
Unaffiliated Units Open Trade Conferences Tomorrow

EXPECT TO NEGOTIATE NEW UA CONTRACT—SELZNICK

Announce MPTOA Convention Com. Heads, Program

Chairmanship Assignments for Oklahoma Meet Made by Kuykendall

By ERNEST W. FAIR
FILM DAILY Staff Correspondent
Oklahoma City—With a flood of reservations indicating that the week-end forecast of a 600 attendance was modest, tentative program for the MPTOA convention opening here next Sunday was made public yesterday. At the same time, appointment of special committee chairman by President Ed Kuykendall was announced.

Named to serve at the convention were:

PARA. PURCHASES
JOE MORRIS MUSIC CO.

Paramount has purchased the Joe Morris Music Co. and will combine it with the Paramount Music Corp., it was announced yesterday by Lou Diamond, head of the company's music subsidiaries. Deal was closed Friday and becomes effective on Nov. 1. Thus Paramount becomes (Continued on Page 5)

Hear Gulf Gas to Sponsor SAG Air Show from Coast

Gulf Gas will be the commercial sponsor of the projected SAG air show, it is reported.

Deal, it is understood, calls for 39 weeks, with options for two years (Continued on Page 4)

Star-Fitted Stories Help Box Office, Says Grainger

Strong showing made by Hollywood feature product thus far this season is attributable to four fac (Continued on Page 6)

Indies Hold Preliminary Meetings
At Astor, Allied to Resume Today

La. “Requests” Exchanges to Collect “Use” Tax

New Orleans—Film Row was puzzled as to what course to follow yesterday as the State Revenue Department “requested” all exchanges to collect “use” taxes on film rentals from exhibitors in the future and added that the state would inform the exhibitors accordingly as soon as the exchanges furnish (Continued on Page 5)

S-1 Prexy and Silverstone Start Talks; 6-8 Pix Annually Proposed

“Selznick International most likely will sign a new releasing pact with United Artists,” David O. Selznick, prexy of the company, stated yesterday morning when he arrived from the Coast on the Commodore V. A. ndebilt. S elznick said that preliminary discussions would be held with Murray Silverstone, UA general manager in charge of world affairs, yesterday and today, with further hudd (Continued on Page 4)

NO GB STOCK SALE, SCHENCKS DECLARE

Interests of 20th Century-Fox and Metro in GB are not for sale, reports to the contrary notwithstanding, according to Joseph M. Schenck, board chairman of the (Continued on Page 4)

“Manny” Silverstone Named To UA Board of Directors

Appointment of Emanuel Silverstone to the United Artists board of directors was announced yesterday (Continued on Page 5)

DuMont Laboratories May Tackle Color in Television

Major film companies evidenced yesterday considerable interest in the proposed experiments (Continued on Page 5)
Defense Contends Ascap Forms a Copyright Pool

Boston—Ascap was branded as a copyright pool in a court action today by George S. Ryan, defense counsel for the Repertory Theater in Federal Court here. The Repertory Theater is defending a suit brought by the society for alleged violation of copyright on music played in the theater. Other defendants include Newsreel, Inc.; the Holyoke Theater, Inc.; Fitchburg Amusement Co.; Hoyt Bruer Rotisserie, Inc.; Albert Leach Lachman, and Ernest Sevino and Hon. Loy Doo.

Louis D. Frohlich, of New York, attorney for the plaintiff, stated that the society had been upheld by the courts in its copyright suits all over the country for the last 20 years. Judge Ford took the case under advisement.

Withdrawal from Italy

Now “Contingency Step”

Reports that U. S. major film companies have instituted steps for withdrawal from the Italian market in a final protest against regulations of Paramount Newsreel Ltd. amount to placing all distribution under fascist monopolistic control, according to Paramount yesterday as “being contemplated as a contingency step.” No definite action has as yet been taken by such companies, however, with regard to Paramount and Warner, according to well-informed industry sources.

New Subjects Purchased

For Para. Short Series

Paramount has purchased three subjects for its Paraphrages series and another for its Paramount Pictorial group; Lou Diamond, short subjects head, stated yesterday. Diamond, who arrived from Hollywood, said that the trio of subjects for the Paraphrages series included “Life of the Stork,” “Life of the Swan” and “Circus Co-ed.” Three scientific reels were bought for the Pictorial series.

Para. News Pict Meet Today

Meeting between representatives of the Newsaper Guild and execs. of Paramount at the Guild headquarters today at 1 p.m. in the newsreel office, it was learned yesterday. A letter from Austin C. Keough, vice-president and general counsel of Paramount, stated that it was the hope of the company that an agreement could be reached with the Guild on terms of a contract covering the editorial workers on the newsreel.

N. O. Exchanges May Reach Compromise on Upper Tax

New Orleans — That exchanges may reach compromise with Orleans Parish (County) tax assessors which would result in a raise of their merchandise tax rates but which would still leave them paying less than the $50,000 yearly assessed each one regardless of business volume, seemed possible yesterday.

According to reliable sources, the exchanges are ready to offer a compromise half cent a foot on new film for six months, with further depreciation during other six-month periods. This would make the larger exchanges pay around $20,000 yearly on prints and advertising, compared with around $2,500 now. Small exchanges, however, who were arbitrarily raised on $50,000 basis, would get great relief.

Col. Stoopnagle Shorts

To Be Released by GN

Grand National has acquired the Col. Stoopnagle shorts, “Cavalcade of Stars” and will include the reelers on the current GN short subjects program. First of the series goes into the Rivoli, Broadway, next week. Action Pictures Corp. is making the shorts.

With the completion of four features, GN will release one picture a week until the first of the year. “Shadows Over Shanghai” and “Cincher Bureau” are the first to be distributed, the latter having been booked for the Criticism on Broadway.

Fairbanks, Jr., to Make Two for RKO, One for S-I

Douglas Fairbanks Jr., arrived yesterday morning on the Commodore Vanderbilt, stated that during the next 18 months he would make two pictures for RKO and one for S-I. He sails on the Queen Mary for a three-week vacation in England in two weeks’ time. He stated that he had conferred with David O. Selznick on the Chief of his way from California, but no role had been set yet for him in future Selznick release.

Momand Case Up Today

Oklahoma City—Federal Judge A. P. Murrah will dispose of the A. B. Momand anti-trust suit motions in U. S. District Court here today. Paramount yesterday withdrew its motion to dismiss and accepted appearance.

Will Take Depositions

Chicago—Taking of depositions of Edward Upton, B & K comptroller, and eight major exchange managers, subpoenaed by counsel for inquest will be held in the P & K clearance suit, will start before a Federal master in chancery Nov. 2.
It's hard to remember a livelier show!

It's hard to forget the laughs it's jammed with!

It's hard to get better entertainment anywhere!

DICK Powell

OLIVIA DeHavilland

(A new team—and a swell one!)

CHARLES WINNINGER • ALLEN JENKINS
BONITA GRANVILLE • MELVILLE COOPER

Directed by RAY ENRIGHT • Screen Play by Jerry Wald, Maurice Leo and Richard Macaulay • From an Original Story by Wally Klein and Joseph Schrank • Suggested by a Story by Stephen Morehouse Avery • Music and Lyrics by Harry Warren and Johnny Mercer

Get It Now! It's Ready for Release by WARNER BROS.
NO GB STOCK SALE, SCHENCKS DECLARE

(Continued from Page 1)
mer, and Nicholas M. Schenk, presy of the latter.
Schenck's position was clearly defined in reply to questions as 20th-Fox exec, last night entrained for Washington where today he will call at the White House. His brother was at the train to see him off, as were Mrs. Nicholas Schenck and Joseph Moskowitz.

"No plans to sell our interest in GB," said Joseph M.

"We're going to hold on to our GB interest" said Nicholas M.

Twentieth-Fox board chairman declared, further, that he has not been consulted about a reported GB-Odeon theater circuit merger, and his information was limited to what had been printed in the trades.

Metro's pressy expressed his optimism over the present trade reform parleys, and said that with time and thought as factors, they should prove successful.

Joseph M. goes to the Coast from Washington and will not return to New York before Jan. 1, he said. His White House call strictly concerns the paralyzis fund drive in Southern California.

Hear Gulf Gas to Sponsor SAG Air Show from Coast

(Continued from Page 1)
provided in the contract. SAG will collect $10,000 weekly, proceeds to be used for charity.

New Hollywood show, it is said, will replace John Nesbit's "Passing Parade," heard from 7:30 to 8 p.m. Sundays over CBS. If that is the case, Gulf Gas may change time as otherwise extended period would entail opposition with both the Jack Benny and Charlie McCarthy shows.

David Loew Defers Deal Plans Until December

(Continued from Page 1)
sail on the Santa Lucia Nov. 5 to meet his brother Arthur, Loew exec, in Panama, and would take a vacation trip to several South American cities before he returns here Dec. 27.

Loew stated that with his present Joe E. Brown picture his contract with Brown terminated. This picture is being released by M-G-M.

Metro Shooting 10
West Coast Ber., THE FILM DAILY

Hollywood—Thirty-nine pictures again will be booked into circuit contracts with M-G-M heading the list with 10. Twentieth Century-Fox is making six. RKO and Universal are making four each. Columbia, Paramount and Warner Bros. are a piece. Talkies are making two. Small, Monogram, Film Arts and Danzio are down for one each.

ALONG THE REAL

Phil M. Daly

OPENING . . . . of the New Movietone Studios . . . at 435 West 53rd St., today . . . here is a modern service studio . . . a new stage has been added to the production facilities . . . there are now four stages adaptable to any kind of production . . . including Technicolor . . . a permanent staff of cameramen, sound engineers, scenic artists, carpenters, prop men, electricians, palstres, grips will back up this centralized service . . .

GUESTS of Paramount at a special "Men With Wings" dinner and preview tote . . . over 200 leading lights in the nation's aviation, civil and military circles . . . the awarding of medals to the three air heroes who distinguished themselves in the plane crash near Montgomery, Alabama. will be the special feature of the occasion . . . the dinner will be held at the Hotel Astor . . . the special premiere of the picture will be held following the dinner at the Broadway Paramount theater . . .

BY WAY of wire congrats . . . Monroe Greenthall sent the following to Walter Wanger after listening to Joan Bennett sing the other nite on the Bing Crosby radio program . . . "Bewitching blonde Bennett booming ballads brightened Bing's Barcoola burdened broadcast. Bye-bye" . . . Wanger replied: . . . "Torn to tatters through tremendous tribute. Thanx terrifically." . . .

AT THE round table meeting of the ten young playwrights chosen by the Bureau of New Plays for its advanced practical course in playwriting today . . . John Hind, drama critic, will speak on playwriting problems from the critic's point of view . . .

TESTIMONIAL dinner to Dave Davidson at the Variety Club in Cleveland on November 4th . . . on the occasion of his retiring after 30 years in the film biz . . . twenty-one of which he spent with the old Fox Corporation and the present 20th Century-Fox . . . in charge of arrangements are M. B. Horwitz, Jack Shulman, Eddie Bergman and Sam Lichter . . .

ANTHOLOGY of the American Film . . . . conducted by the Museum of Modern Art in the form of four film programs . . . . in the auditorium of the Dalton School on East 99th St. starting tomorrow eve at 5:30, and one each Wednesday thereafter . . . the programs will cover the early film era, the silent era, the sound film, and the great actresses of the past, such as Bernhardt, Duse, Rejane and Mrs. Fiske in famous roles . . .

FIFTH annual performance of the "Night of Stars" at Madison Square Garden . . . Wednesday, Nov. 18th . . . embodying the contribution of all branches of the amusement industry toward the cause of refugee settlement in Palestine . . . . Eddie Cantor, Irving Berlin and Al Jolson will head the stars of stage, screen, radio and opera who will participate . . . National and regional leaders of Motion Pictures' Greatest Year will be guests at the 10th Annual Variety Club banquet . . . Sunday night, Oct. 30 at Pittsburgh . . they will be entertained over the week-end, with John H. Harris as host . . .

SELZNICK EXPECTS NEW UA CONTRACT

(Continued from Page 1)
dles to talk contract terms scheduled upon his return from Bermuda in three weeks' time.

Selznick, who was accompanied by Mrs. Selznick, expects to fly to Bermuda tomorrow night. However, he brought the GWTW script with him for additional polishing, and it is likely that he will work on it while in Bermuda.

Production on GWTW will start on Jan. 5, "come what may," Selznick said. He disclosed that the production budget has been set at $2,500,000, and shooting schedules call for four months' work, with preliminary work to begin immediately. Casting of the film has not been completed, but an unknown actress cannot be found to play Scarlett by the time production is scheduled to start, Scarlett will be selected from the people already tested, Selznick said.

Release of GWTW In Fall

GWTW will be ready for release by next Fall, and the picture will be roadshowed, Selznick said. "If a new UA releasing deal is closed, I will probably make six to eight pictures annually," Selznick said. "The company's production capacity has been stepped up, and with the signing of Merrill Balbard as an associate producer we can handle many pictures a year."

Selznick admitted that he might huddle with RKO execs, upon his return from Bermuda for possible discussions of a deal, but it was stated that he "certainly will not like to be responsible for a production program calling for 40-50 pictures a year."

It is pointed out by informed sources that John Hay Whitney, board chairman of S-I, is opposed to a change in the present arrangement, and with the signing of a new contract by Selznick, possibilities of an outside deal away from a straight releasing pact with UA are practically nil.

"Intermezzo" Starts In Dec.

Work will be started on "Intermezzo" during the last week of December, and it will be in production at the same time as GWTW, it was learned. With completion of "Made For Each Other," which he finished before he left the Coast, Selznick wound up his present UA pact.

Meeting Selznick at the station were Lynn Farnol, UA ad. and pub. director, Lowell V. Calvert of S-I and pioneer, and Ben Washker and Meyer Beck of UA.

WEDDING BELLS

Clarence J. Schneider, Foreign publicity director of Columbia Pictures, was married to Miss Diana Averly, Oct. 21, at the Spanish Portuguese Synagogue.
CHANGE TRUST LAW TO STOP BLOCK-BOOKING?

(Continued from Page 1) Los Angeles—Amendments designed to deal with the problem of block-book-
ing in the motion picture industry would obviously not point the way toward the res-
toration of competition in the aluminum industry. I submit that the particular problems in each industry which need legis-
lative attention cannot be solved by any blanket amend-
ment of the anti-trust laws."

Echoing earlier statements by At-
torney General Thurman Arnold, Berge called for "an enlarged and stream-lined anti-trust division" as "one of the first things we must have if our national need for a free competitive system is to be fulfilled.

With the anti-trust action brought against B & K by local indies now
holding the spotlight here, and block-booking one of the major
points of attack in the New York
equity suit, unusual significance was
attached to the mention of the film
situation in Berge's talk to the oil
men.

Abt Quits Federal Post: Out of Govt's Equity Suit

John J. Abt, special assistant to the U. S. Attorney General, yester-
day, moved to New Brunswick, N.J.,
here that he was severing his con-
nection with the Department of Justice and hence was withdrawing from the equity suit yesterday. His equity case against the majors.

Harry Cohn, Columbia prexy, filed
notice of appearance in the equity suit yesterday and directed that ser-
vice of all papers be made on his
counsel, Schwartz & Frohlich.

Converse Heads Filmex

West Coast Bureau of THE FILM DAILY

Hollywood—George Converse has
taken over the distribution of the Ge-
vaart professional 35 mm. motion
picture film. Jack Guerin, formerly of
International Cinema Laboratory in
Converse's employ, has been
sues, calling its distributing or-
ganization, Filmex, Inc. The firm is
introducing a new fast fine grain
film with special correction for red
and accurate sensitivity to all other
colors. It will also have a new fine
grain positive and duplicating film.

Converse expects to have these
new type emulsions ready for the
market within the next month. His
Hollywood quarters are at 6372
Santa Monica Blvd., and in New
York, 420 W. 56th St.

La. 'Requests' Exchanges to Collect the "Use" Tax

(Continued from Page 1) nish the department with a list of
theaters with which they did busi-
dness.
The "use" tax is a phase of the
sales tax by which the State at-
ttempts to collect on rentals, pur-
purchases of objects selected for
use, even if they are not brought in
without the state.

Inasmuch as the Saenger Theater
Corp., Loew, Singer and Saenger
affiliates have refused to pay the
taxe to the exchanges but are pay-
ing it directly to the state under
protest, the letter presented ex-
duces a problem. Most de-
cided not to force the issue with
the circuits but merely to comply
with state's request for notices of
theaters they are doing business with.

The circuits, headed by Saenger
attorneys, are suing the state reve-
 nue collected for the return of the
taxes already paid, claiming that the rental of films is actually royalty paid
under copyright laws and hence is
un-taxable by the state.

DuMont Laboratories May Tackle Color in Television

(Continued from Page 1) scheduled by Allen B. DuMont Laboratories, Inc., financial affiliate
of Western elec.

This aim indicates, it is pointed out,
that in addition to the current
usages of black-and-white films for
programs, the color is being eyed by
DuMont and other experimental
agencies as media through which television can some
day offer the same visual appeal and
advantages to the public which
is now the ease with color pix as
compared to black-and-white in the
motion picture exhibition trade it-
selves.

DuMont, to which was granted
last week an FCC license for the
establishment and operation of an
experimental telecast station in Up-
per Montclair, N. J., will not only
prove the possibilities of color trans-
mission, but, in addition, carry
along parallel tests directed at
solving the problems attending
three-dimensional effects in the
image, it is revealed.

Col. Asks Particulars Bill in Equity Action

(Continued from Page 1) bill of particulars in its action

The Col. against Columbia Picture
Indians and co-defendant in the anti-trust
action instituted against the film
industry.

The requested bill of particulars is
returnable Nov. 1, next, and it is
probable, that the motion will be argued on that date.

La. 'Requests' Exchanges to Collect the "Use" Tax

(Continued from Page 1) nish the department with a list of
theaters with which they did busi-
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of Western elec.

This aim indicates, it is pointed out,
that in addition to the current
usages of black-and-white films for
programs, the color is being eyed by
DuMont and other experimental
agencies as media through which television can some
day offer the same visual appeal and
advantages to the public which
is now the ease with color pix as
compared to black-and-white in the
motion picture exhibition trade it-
selves.

DuMont, to which was granted
last week an FCC license for the
establishment and operation of an
experimental telecast station in Up-
per Montclair, N. J., will not only
prove the possibilities of color trans-
mission, but, in addition, carry
along parallel tests directed at
solving the problems attending
three-dimensional effects in the
image, it is revealed.

Col. Asks Particulars Bill in Equity Action

(Continued from Page 1) bill of particulars in its action

The Col. against Columbia Picture
Indians and co-defendant in the anti-trust
action instituted against the film
industry.

The requested bill of particulars is
returnable Nov. 1, next, and it is
probable, that the motion will be argued on that date.

May Irwin Rites Held

Funeral services were held at 11
a.m. yesterday for May Irwin, 76,
valet stage actress, who died on
Saturday, last, in her apartment at
150 Riverside Drive. In private
life she was Mrs. Kurt Eisenfeld.
Interment was in Kensico Cemetery.
**UNAFFILIATED UNITS NEGOTIATE TOMORROW**

(Continued from Page 1)

The afternoon, was conducted by the unit representatives alone. At this meeting the delegates prepared a series of resolutions and concessions for which they would ask.

The entire distributors' negotiating committee is expected to sit in with the unaffiliated representatives. This group consists of W. F. Rodgers, Sidney R. Kent, Abe Montana, Ned Dopolin and Grad Sears.

Meanwhile, Allied's negotiating committee resumes its discussions today with the distributors. It is unlikely that an MPTOA committee will have further trade practice parleys until after the organization's annual convention which starts Sunday in Oklahoma City and continues through Wednesday.

**Star-Fitted Stories Help Box Office, Says Grainger**

(Continued from Page 1)

Majors, according to Edmund Grainger, Universal unit producer who arrived in New York yesterday from the Coast aboard the Broadway Limited, were using every trick locally combining a vacation with the viewing of Broadway plays.

The quartet of reasons why Coast studios have succeeded in making box-office winners currently, and will continue to do so in the season's coming months according to indications, are summed up as: (a) exercise of intelligent care in the selection of story properties; (b) the strategic "melting" of such story properties as are used; (c) generally expert casting; (d) greater and more meticulous preparations of productions, evidenced by some of the companies which have adopted policies of planning production much further in advance than has been the case formerly; and (e) the encouragement which has been given to producers through the alleviation to hitherto tense national economic conditions, and the spirit of co-operation which exists all along the line from studio to distribution agencies.

Grainger, whose "Service De Luxe" with Constance Bennett was recently released by Universal, and which RKO theaters have booked straight out of picture office, declared, dealt conditions to be excellent at Universal City, with plans already being formulated for 1939-40.

During the balance of the present release year, he expects to make "Sun Never Sets," a story picture, "Her Week with Love," and "Big Time Czar," an original by columnist Ed Sullivan. Contingent upon Grainger's acquisition of a new property, he expects to visit his scheduled plans may be augmented, he asserts.

**MP TOA Convention Com. Chairman, Speakers Announced by Kuykendall**

(Continued from Page 1)

And Exhibition" by William F. Rodgers; M-G-M general sales manager; "Utilizing The Show Window Of The Theater" by Charles L. Casali, president of the national management of National Screen Accessories, Inc. of New York City; "Public Relations For The Local Thea-

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<th>UNAFFILIATED UNITS NEGOTIATE TOMORROW</th>
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<td><strong>Gregory Adds Two More</strong></td>
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<td><strong>Henry J. Paradan Dead</strong></td>
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<td><strong>Mrs. Schomaker Dead</strong></td>
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<td><strong>11th for Harry Balaban</strong></td>
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Come on "Out Where The West Begins" for the grandest pow-wow that ever mixed fun and excitement with profit and business! Bring the missus—and plan for the time of your lives! ... Special hotel and travel rates ... Startling and sensational events against a background of Indians, Cowboys, Rodeos and Oil Fields! ... Not to forget the talk-fests with all the men you've always wanted to meet ... To get the best ... MAKE RESERVATIONS NOW!

EIGHTEENTH ANNUAL CONVENTION
Motion Picture Theatre Owners of America
OKLAHOMA CITY
NATIONAL HEADQUARTERS • 1600 BROADWAY • NEW YORK CITY

OCT. 30-31
NOV. 1-2
NATION READS OF "SUEZ" AS ROXY BUSINESS ZOOMS!

HELD FOR THIRD SMASH WEEK in New York, "Suez" opens in other important spots throughout country just as 20th's smash advertising campaign in magazines and newspapers smacks public!
Rule Against Extension of Movie Quiz Closing Date

INDIE GROUP IN ACCORD ON TRADE REFORM DEMANDS Studio Reps. See Andrews Friday on Wage-Hours Setup

Holman, Hastings, Glennan, Benjamin Heading East for Capitol Parley

West Coast Bureau of THE FILM DAILY

Hollywood — Clarification of the Fair Labor Standards Act insofar as its application to motion picture production is concerned is expected to follow a Washington conference Friday between representatives of the studios and Administrator Elmer F. Andrews. Acting for the producers will be William S. Holman, studio manager for Columbia; Ross Hastings of RKO legal department; Keith Glennan, (Continued on Page 3)

COLOR PIX TELECASTS ENTAIL NO ROYALTY

Announced experimental policy of DaMont Laboratories, Upper Montclair, N. J., to include research on both the televising of color films as well as the achievement of three-dimensional effects under its new station license issued by FCC is expected to make available to DaMont the color films in the archives of Paramount. Question as to the position of Technicolor and other film color

(Continued on Page 5)

Color Pix Telecasts Entail No Royalty

By RALPH WILK

Brit. Trade Treaty Reply Mentions Motion Pictures

Washington Bureau of THE FILM DAILY

Washington — Mentioning of motion pictures in Great Britain's reply regarding American proposals

(Continued on Page 8)

Record for "King" Fans' "If I Were King," which gave way to the same company's "Men With Wings," at the N. Y. Paramount last night, played to capacity during its four-week run, home office reported last night. Figure stands as a new record for the house, it was said.

The Movie Quiz will not be extended beyond Dec. 31, the original closing date, it was decided yesterday at a meeting of the Motion Pictures' Greatest Year committee at the Hotel Astor. Extension of the Quiz period was taken under consideration following requests from scattered areas.

George J. Schaefer, chairman of

(Continued on Page 9)

Japs Plan Exploitation of Sino Pix Mart

Shanghai (By Cable)—Exploitation of the Chinese film market is proposed by Japanese and Chinese interests through the medium of a subsidized $2,000,000 film company taking shape here.

The Reformed Government will subscribe $700,000 of the company's capital, the Provisional Government in Peking, $326,000, while Japan and the Manchurian Government will each subscribe $500,000.

With one office in Shanghai and another in Peking, the company will establish studios in six cities. The company also plans to import films from Japan, Germany and the U. S.

Withdrawal of U. S. Film Interests From Central Europe Held Possible

While foreign departments execs, here yesterday discounted reports that Poland shortly will emulate the Italian Government and establish a monopoly for foreign film distribution, there was frank admission that the situation in Central Europe was becoming increasingly grave.

Further, it was said in some interested quarters that it was not impossible that a complete withdrawal from Central Europe might be forced upon U. S. companies in the future through the exercise of economic pressure by the dictator nations.

Distribution of American pictures in Italy ends as of Dec. 31. Final notice has been sent to all

(Continued on Page 5)

Schenck Vice-Chairman of Warm Springs Drive

Washington Bureau of THE FILM DAILY

Washington — Fullest co-operation of the film industry in the new fund raising drive of the Warm Springs Foundation was pledged to President Roosevelt here yesterday by Joseph M. Schenck, 20th-Fox board chairman.

Coincidental with Schenck's White House call, it was announced that the film exec. would serve as vice-chairman of the national campaign committee, headed by Keith Morgan. Appointment was accepted as recognition of his services last year as chairman of the Foundation committee.

(Continued on Page 5)

Extension of Quiz Closing Date Held Violation of Faith With the Public

Previous Trust Case Enters Into Monand's Court Action

Oklahoma City—A previous and similar anti-trust suit was brought into the Monand action yesterday when Judge A. P. Murrat granted the plaintiffs 10 days in which to comply with orders of Judge Edgar

(Continued on Page 8)

Unaffiliated Units to Start Parleys with Dists. Committee Today

Representatives of unaffiliated exhibitor units yesterday completed their deliberations in connection with a fair trade practice program and today will present their requests to the distributors' negotiating committee. It was learned that after an all-day session the delegates were unanimous in approving the concessions for which they will ask.

First official parley between the indies and the distribs. is scheduled to get under way at 10 o'clock this

(Continued on Page 4)

ADJOURNS RKO REORG. HEARING TO NOV. 22

RKO reorg. hearing in Federal Court yesterday afternoon was adjourned for approximately four weeks by Judge William O. Bondy, apparently to the surprise of Hamilton C. Rickaby, counsel for the amended plan's proponents.

Although it was Rickaby himself who requested the court for a post-

(Continued on Page 8)

Will Huddle Again Jan. 9 on Musicians Employment

Huddle yesterday between major companies and the American Federation of Musicians to discuss ways and means whereby musician employment in theaters could be increased, was adjourned until Jan. 9 after an all-morning session.

(Continued on Page 4)

"U" at New High

Universal's preferred hit a new high for the year in the N. Y. Stock Exchange yesterday, closing at a 2½ point gain for the day. Old high was 59½.

(Continued on Page 4)
O'Loghlin Goes to Coast

James P. O'Loghlin, 20th-Fox Canadian division and The Drive chief, leaves for the Coast on Friday to spend a few days at the studio preparatory to starting his work here. O'Loghlin starts on the L. A. exchange on Nov. 4 and winds up at the New York exchange around Nov. 28. He will meet Herman Wobber, general manager of the studio, and Wobber will attend both the L. A. and San Francisco exchange meetings, returning to N. Y. from S. F.

William J. Clark, manager of short subject sales for 20th-Fox, will meet O'Loghlin on the Coast, and will accompany him on the complete trip. He will also be accompanied by division managers William J. Kupper, William C. Gehring and William Sussman in each manager's respective division. Kupper leaves for the Coast shortly.

Hicks Names Redding Para.
Ad-Publicity Head in Brit.

Tony Redding has been appointed advertising and publicity manager for Paramount in Great Britain and Ireland by John W. Hicks, head of the international department, former manager of George Hawkins, who formerly held this post, has reassumed his place as ad sales manager. Redding for-
merly managed the Capitol Theatres in Dublin.

Hicks has just completed a sales conference in London, southern and eastern Britain. Continental executives of Paramount were present: Fred W. Lange, general foreign representative; Henri Klassfeld, French manager; Andre Olsen, division manager of Germany and Central Euro-

pe, and Andre Ullman, in charge of the French theaters and the Par-

amount Joinville studio. "Men With Wines" and "Artists and Models Ahead" were screened during the sessions.

Irish Pix Opens Saturday
At Belmont for Indef. Run

"Irish and Proud of It," second of a series of six Irish productions to be distributed in the U. S. by M-G-M's Allied Pictures, Inc., opens at the Belmont Theater, New York, on Saturday for an indefinite run. Picture stars Richard Hayward who also is the producer.

Balaban Denies Any Deutsch Deal on Para. Brit. Houses

West Coast Bureau of THE FILM DAILY

Hollywood—Commenting on the report that Oscar Deutsch may acquire Paramount's British theaters, Barney Balaban, Para., president, yesterday denied there were any negotiations pending between Para. and Deutsch regarding theater holdings.

Para. to Ask Particulars
Bill in Gov't Equity Suit

Paramount will file a motion for a bill of particulars in connection with the Government's anti-trust suit against the majors. Papers are now being prepared.

30 States Endorse Drive

With the issuance of a proclamation by Philip F. LaFollette, Gover-

nor of Wisconsin, calling for the observance of the week of Nov. 15-19 as Motion Pictures Week in that state, governors of 30 states in the Union have endorsed the campaign of Motion Pictures Greatest Year. Proclamations have been issued also by mayors in 120 cities.

"Sizz" Set in 35 Keys

"For," the newest 20th-Fox release, has been set to open in 35 key cities throughout the country this Friday. Advance advertising campaigns are being undertaken in all the cities where the picture will open as well as a na-

tional ad, campaign being carried on in newspapers and magazines.

HAPPY BIRTHDAY

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

October 26
H. B. Wensley
Mark Sandrich
Ralph Rosencaft
Jackie Coogan
Buddy Messinger

COMING AND GOING

JOSEPH M. SCHENCK, chairman of the 20th-Century-Fox board, left Washington last night for Hollywood.

SALVADOR SELZINCK, president of Selznick International, and MRS. SELZINCK, fly to Ber-

muda today.

ARTHUR W. KELLY, United Artists vice-president in charge of foreign distribution, expects to sail for Europe this week.

CARL E. MILLIKEN, secretary of the MPDA, is leaving for Cleveland tomorrow night to ad-

dress the Northeastern Ohio Teachers Association meeting.

ARTHUR S. DICKINSON, MPDA conservation department head, left for Albany yesterday evening and will arrive in New York Saturday morning.

SAM FLAX, Republuc's Washington franchise holder, is in New York for conferences at the home office.

HARRY LAVINE, central district sales manager for Republic, arrived in New York on Monday night.

O. HENRY BRIGGS, president of Pathé films, arrived on the Coast yesterday after a cruise country trip by air.

SAM DEMBO, JR., son of Fashion & Marco, is in St. Louis.

FRANK CAPRA has returned to the Waldorf-Astoria after a short stay in Washington.

DAVE BURROFF returned to New York yesterday after a six months' illness in a hospital in Batavia, N. Y.

ALLEN JENKINS, Warner commissary, and his wife will fly back to the Coast today after a two weeks' visit in the Chicago area.

SAM JAFFE, having completed his role in RKO Radio's "Gunga Din," has returned to New York.

FLORA ROBSON, English actress, has sailed from London en route to Hollywood where she will play the role of Samuel Goldwyn's "Wuthering Heights."

JOHNNY JONES, of the Jones-Linick-Chashner business, and his wife are vacationing at White Sulphur Springs.

JACK SALTER, vice-president of Columbia Pictures Corporation, has left New York to attend several opening concerts in a number of cities.

ALLEN JENKINS, Warner comedian, and his wife, return to the Coast the latter part of this week after a vacation in New York.

JOHNNIE DAVIS, Warner player, returns to the Coast this week after six weeks' p.a.'s in the East.

FitzPatrick Back from S. A.

James A. FitzPatrick, producer of M-G-M's TravelTalks, is back from a trip to Venezuela, Colombia and Haiti where he shot material for future releases. He leaves in about two weeks for Florida and the South.

Wednesday, October 26, 1938
They’re Blazing Away Now!

GIRLS ON PROBATION

WARNERS’ NEW EXPLOITATION SENSATION!
HAYS ACCLAIMS PIX AS LIBERTY SYMBOL

Will H. Hays, MPPDA proxy, speaking on "Keeping the Mind of the Nation Young by Motion Pictures" at the New York Herald Tribune Forum in the Waldorf-Astoria yesterday, styled the U. S. motion picture "a symbol of that liberty upon which our democracy is founded."

Other highlights of the Hays address:

"The American motion picture demonstrates that there is opportunity in life; that the individual may succeed by initiative, industry, thrift and honesty; that life is still full of the magic of achievement; that youth may know that a Dick Whittington or an Abraham Lincoln may still happen."

I believe that such portrayal expresses the faith and aspirations of the American people. From the point of view of a pure Collectivist or a real Toititarian this theme of opportunity may mean nothing; but it simply does not make sense. We had better see that it does in America if Democracy is to survive."

Katharine Hepburn, described by Mrs. Ogden Reid, chairman, as the personal candidate of Margaret Mitchell for the Scarlett O'Hara role in Selznick's GWTW, followed Hays on the platform and assailed film censorship.

Hear GN Films Application to Withdraw Common Stock

Washington - Application of Grand National Films, Inc., to withdraw its common stock, $1 par value from listing and registration on the New York Carub Exchange was heard yesterday before SEC Examiner Robert P. Reeder.

Richard H. Wilmer, appeared as attorney for Grand National while Amsner Gladstone represented the SEC. Wilmer stated that the assets of Grand National have been sold to Educational Pictures for approximately $500,000 and trading in its common stock on the Carub Exchange has practically ceased.

James Fallon testified that he had examined the stock transactions of Grand National for the last year and submitted a report on his findings, which was accepted by the SEC.

Wilmer said that under the plan approved by the court in a 47b bankruptcy proceeding the GN stockholders would receive nothing unless all goodwill money has been paid off. If there is anything left stockholders will probably receive stock in the new company, he said.

Mitzi Green in Unit?

Detroit—Mitzi Green may appear in a touring unit show to be produced in this city, according to Dr. Fred Merrill, manager of the Zorine show for two seasons.

Along the Diagonal

With Phil M. Daly

- - - BEST SHOW in town...that is, for One Performance...the Cocktail Party of United Artists...a Five-Star Cocktail...with Ann Soberman, Bolaod Young, Faby Kelly, Doug Fishbanks, Jr. and Raymond Massey...with Zoeara as an Added Attraction...they had about the best turnout of the season in our social film set...there were actually some important Film People there...in fact, rafts of 'em...so it's no use mentioning names...because you can't fill a column with just names...it would look silly, don't you think...all the honored guests are presently appearing in pictures turned out by the UA producers...the Rainbow Room's Club Lounge at the RCA building was swarming in gusts of witty conversation, gay laughter and so forth and so we reluctantly dragged ourselves away from all--

- - - AMERICAN Technique...demonstrated by Allyn Butlerfield, editor of Pathe News, on his recent trip to London...Allyn wanted to get tickets for the Music Hall Variety Show that goes on the Saturday over the British Broadcasting System...his British friends told him it was impossible...that there was a waiting list of thousands, and he would have to take his turn with the rest....so Allyn called up from his hotel room on the phone as his British pals sat in awe...and asked to speak to Vice-President Clark whom he had never met...when the vice-prexy got on the phone he explained who he was, casually mentioned his connections with NBC, Aylesworth and Sarnoff...Mr. Clark then inquired about the health of Messrs Aylesworth and Sarnoff...Allyn says: "When I left New York they were fine!"...and the upshot of it was that the British official dispatched a messenger with reserved seats for the studio broadcast to the hotel...and the nerry American's British pals had to be revived with cocktails--

- - - OPENING of the Movietone Studios on West Fifty-Third Street yesterday evening was done with a dance orchestra, some of Vyvan Donner's fashion beauties, a special bar, a table of eats...the guests did the rest...as the fun grew with the evening, Don Doherty insisted on making a speech...but kind friends intervened...Lew Lehr did a "shortie" for his newspaper cutup...and one of the fashion beauties posed in a beautiful full-length silver fox coat...and when they finished taking the shot, they discovered that the $5,000 coat label showed...so all hands said 't'll with it, let's join the party...under these favorable auspices, the studio has opened for business as a Modern Service Studio in the Center of Everything...among those noted at the house-warming were: Truman Tolley, Jules Brulatour, William German, L. A. Bonn, Dick Brady, Irving Lesser, Paul Terry, William Weiss, Charles Muller, Harry Brown, Max Cohen, Ben Schwab, Jack Skinball, Beverly Jones, Vyvan Denner...and also David Bradshaw, Charles McCorley, Arch Reeves, Earl Wingart, Milton Schwarzwald, Charles Ross, James FitzPatrick, Harry Day, Ben Blake, James Smith, Morris Kentsel, Ralph Austen.--

- - - MASONIC Testimonial to Charles K. Stern, assistant treasurer of M-G-M...given by Prudence Lodge, 1068, at the Hotel Astor on Saturday night as a gala Hallow'en party with dinner, dancing and entertainment...over 600 guests will be there...including the big industry execs in the East, headed by the Loew delegation of district managers...a movie of the guests will be made--

INDIE GROUP AGREES ON REFORM PLATFORM

morning at the Union League Club, Representing the distributors, will be St. John, Kent, W. E. Rodgers, Abe Montague, Ned DePinho and Grad Sears.

A feeling of optimism appeared to prevail at the meeting yesterday, exhibs, indicating that they believed definite reforms would result. The unaffiliated groups represented in either the MPTOA or Allied confabs, it was pointed out yesterday.

Allied's representatives met yesterday with the distributors, committee and the sessions are to be resumed today.

Will Huddle Again Jan. 9 on Musicians Employment

(Continued from Page 1)

generally speaking, was held with the entire field covered, but no formal demands were made by the AFM, it was said. Meeting was held in the presence of Pat Casey, major's labor representative.


Lasky and Wrigley Deal for Air Show Not Closed

Chicago — Rumors notwithstanding, the William Wrigley Co., has not yet signed the much discussed Jesse Lasky-RKO Radio-film deal to replace the Laugh Liner series on CBS, it was ascertained here yesterday. Lasky and Harry Ommerich of the William Morris office, were here yesterday conferring with F. K. Wrigley, but no contract had yet arrived from the Coast.

Unless deal is clinched shortly Wrigley must vacate the 6:30 p.m. Sunday spot after Nov. 14, giving the Laugh Liner series three more shots. Strong possibility is that no new gum show will be initiated until around first of year.

Selznicks Flying to Bermuda

David O. Selznick and Mrs. Selznick fly to Bermuda today after a two-day stop in New York. Selznick conferred with John Hay Whitney, board chairman of Selznick International, while here, and also had a brief meeting with Murray Silverstone, United Artists head.

He will return in about three weeks, and it is expected that the Selznicks will discuss new contract terms with UA at that time.

Wednesday, October 26, 1938
U. S. DISTRIBS. MAY QUIT CENTRAL EUROPE

(Continued from Page 1)
employees of companies to this effect. "Eleventh hour" negotiations with the Hollywood unions, in an attempt to reach some compromise were described in cables yesterday, as being "hopeless failures.

Vast majority of the employees of the American companies in Italy, numbering hundreds, are Italians. THE FILM DAILY learned that liquidation of assets by American companies will be carried out as expeditiously as possible.

Arthur Kelly, United Artists vice-president in charge of foreign distribution, expects to leave for Italy the latter part of this week. Sam E. Harris, Warner's foreign head, Phil Reisman, RKO foreign chief, and Joe Mountford, Jr., Paramount foreign head, all are in Europe at the present time watching the foreign situation closely. Walter J. Houghton, 20th-Fox director of foreign distribution, is in South Africa at the present time, but he will leave for Europe the latter part of next month.

Schneck Named V.-Chairman of Nat'l Warm Springs Drive

(Continued from Page 1)
mittee for Southern California.

Further recognition of the industry's aid last week was reflected by additions of film notables to the new executive committee of the Foundation. Appointed were Nicholas M. Schneck, prexy of loew's Ed Kaykendall, president of the MPTOA, and Eddie Cantor. Photographic, Projection Goods Exports Show Drop

Washington—Exports of photographic and projection goods showed a decline of $586,000 for September, 1938, compared to September, 1937. It was reported yesterday by the Commerce Department. Exports for September, 1938, amounted to $1,266,000 compared to $1,872,000 for the same month of the preceding year.

The nine-month ending in September also showed a decrease of $2,170,000 for 1938, compared to the nine-month period of 1937. Exports for this period of 1938 were reported at $10,000,000 as compared to $17,081,000 for the same period of 1937.

Players for Ball

Oklahoma City—MPTOA convention

Movie Ball in Civic Center Auditorium next Tuesday, with Austin film players: Brian Donnelly, Marjorie Weaver, etc. Other possibilities include Judy Garland, Gene Autry, Roy Rogers, Smiley Burnette.

SHORT SHOTS FROM EASTERN STUDIOS

By SID WEISS

ONE glance at any of the sets in Bill Howard’s “Home Town” and you’re not surprised that art director, Gordon Wiles, coped an Academy Award for his work this year. Wiles is the only art technician and more than anything else, strives for reality in his sets. He plowed through crops and had Eddie Bagley, see man, hop out to Ohio for authentic locale shots. Which were subsequently blown up for photographic backgrounds. Even the brook built on one of the stages was a real one. Wiles’ talent is not confined only to art work. He has directed more than a few pictures himself—among them, “Women of Glamour,” which turned out to be the second biggest money-maker of its year. He recently directed and produced “Payment,” which introduces several new twists to the usual Hollywood treatments.

Curiously enough, three Academy Award winners are connected with “Home Town” unit. Bill Howard, the director, Gordon Wiles, art director, and Hal Mohr, cameraman. They make a great working team together and they bring in the picture even under schedule. Mohr has also branched out into directing and last year he directed “Phase Voyage,” Hal Wills, meanwhile, is lining up his next production—“Cafe New York.” with Patricia Ellis so far as is known so far.

Speaking of beautiful sets as we were a moment or so ago, Walley Fontana rates a low bow for Walter Street in “One third of a nation.” It’s a honey Chris Beall, who used to assist his Christie in Educational comedies, is out on the Coast directing features.

Will Organize Philly’s Allied Unit on Friday

Philadelphia—Meeting to organize Philadephia’s Allied Unit has been scheduled for tomorrow, is now set for Friday, as announced last night.

Session will be open to all exhibs. Abram F. Myers, Col. H. A. Cole and Sid Samuelson are expected to attend and speak. Latter may function as organizer, it is reported.

Sad Life in Film

West Coast Bureau of THE FILM DAILY

Hollywood — Lyle Talbot, actor, saved a guest, Franklin D. Parker, actor, from death in a fire that destroyed his Beverly Hills residence. Talbot was critically burned on his hands and face and his hair was burned off.

Hoffberg-Sonotone Deal

Deal has been closed by J. H. Hoffberg with Sonotone in the Los Angeles area, for a first-run engagement of “The Volga Boatman,” it was learned yesterday. Hoffberg is distributing the French picture in this country.

COLOR PIX TELECasts ENTAIL NO ROYALTY

(Continued from Page 1)
processes should Paramount decide to give DuMont access to its facilities and exports for experimental purposes brought from industry sources the declaration was there would be no barriers raised to such a step.

Contracts effected by producing companies with Technicolor to date have no limitation clauses other than those which require credit on titles and the agreement that no Technicolor prints will be made available to any source other than the contracting producing organization unless it is with the latter’s permission. Thus, insofar as color productions to date are concerned, their use for telecasts will entail no royalty payments to Technicolor, it was pointed out.

A similar situation exists as far as Technicolor’s Union, a new and as yet unasserted. Paramount has used this process in numerous short subjects. It is additionally pointed out that NBC in all probability will have access to RKO’s film archives for television experimentation.

Freeman Presides as Para. Honors Plane Crash Heroes

With Y. Frank Freeman, Para. theater head, presiding and William A. Wellman, producer-director, as toastmaster, Paramount and the Association of Men With Wings tendered a dinner at the Astor last night to honor Capt. David Hisson, Pilot Clyde R. Russell and Flight Steward Frank Gibbs of Eastern Air Lines, heroes of the Oct. 18 air crash near Montgomery.

Dinner, which was followed by a special showing of a new release of Para., “Men With Wings” at the New York Paramount, brought together one of the largest assemblages of aviation stars ever to assemble. Dozens of honor guests were presented with “Men With Wings” medals, presentation being made by Joseph V. Can- non, Hearst exec., who was on the crashed plane.

Among those in attendance were Louise Campbell, femme lead in the Para. pix; J. J. Unger, Floyd B. Odlum and Austin C. Keough.

Engages M. P. Process Corp.

West Coast Bureau of THE FILM DAILY

Hollywood — The Motion Pictures Process Corp. has been engaged to do the special effects on “The Duke of West Point,” which is being produced by Edward Small Productions.

Patriotic Gesture

London (By Cable) — As a patriotic gesture, 20th-Fox and British Movie stars in these media for several weeks now, joined the Territorial Army or similar volunteer group for field training and additionally will be entitled to the normal Summer holidays with pay.
"Cipher Bureau"

with Leon Ames, Charlotte Wynters, Don Dilaway

GN-Fine Arts 70 mins. (HOLLYWOOD PREVIEW)

SUSPENSEFUL ACTION AND MANY NOVEL ANGLES MARK THIS SPY STORY.

As a spy story, this picture is well constructed and has a number of exciting and suspenseful elements. The plot revolves around a group of spies who are trying to protect a valuable secret from falling into enemy hands. The action is fast-paced and the performances of the actors are well-suited to their roles. Overall, "Cipher Bureau" is a well-crafted spy thriller that will keep audiences on the edge of their seats.

Wednesday, October 26, 1938

"Prison Train"

with Fred Keating, Linda Winters, Clarence Muse

Equity 66 mins. (HOLLYWOOD PREVIEW)

SUSPENSEFUL ACTION MELODRAMA RATES AS ONE OF THE BETTER INDIES.

In this independent field of action melodrama, "Prison Train" rates as one of the better productions. Suspense is its keynote, and that quality keeps the picture interesting throughout. As the prison train rolls on its way from New York to Alcatraz, just how, when, and where Keating is going to get his due keeps one wondering. Besides, there's well-interlaced action. Fred Keating turns in a good performance as a genuine gangster in a nonchalant and slowly fearfully awaiting death, and a new fellow, John Pearson, works over the action as the lead. Fred Keating gets some good laughs. The Mathew Bonden story, which was sympathetically handled by the former Bonden producer, is effective in a number of ways. The picture goes on trial as the power behind the prison racks, a great virtue which is being done to Keating's benefit. The whole picture is a show that ought to be more. It is by no means a perfect picture, but it is well worth seeing. The performances are very strong, and the picture as a whole is a good one. It is recommended for general circulation.
Circuits Take “Monastery”

Cleveland — Harry Thomas has closed a deal with Independent Film Service, operated by Harry Lande and Nate Gerson, for Ohio and Kentucky distribution of “Monastery.” The picture, according to Lande, was directed by Walter Warner and the Sheba houses throughout the territory.

REVIEWS OF THE NEW FILMS

“Tarnished Angel”
with Sally Elters, Lee Bowman
RKO
67 Mins. (HOLLYWOOD PREVIEW)

“Outside the Law”
with Jack Holt, Beverly Roberts
Columbia-Darmon
66 Mins. (HOLLYWOOD PREVIEW)

“Nostrodus”
(Anonymous Mystery)
M-G-M
11 Mins. (Amazing Prophecy)

This subject ignores the point of the idea of the series, which purports to show the hidden facts behind the Nostradamus legends of a false prophet. In this one there is nothing but the straight recounting of the life of Michael de Nostrodamus, a sixteenth century doctor who discovered many medical theories and the socalled “nostrum” in medical parlance.

The film shows the life of the prophet, his theories and his life as a hermit. The story is well told, but it is not a very interesting story.

“Dude Ranch”
RKO Pathé News
9 min. (Swell Outdoor Number)

Ho is for the wide open spaces of the West, and “Dude Ranch” takes Ho to the outside. One of the most beautiful sections of the western part of the U. S. Montana. Filmed around Livingston, Montana, a country that is noted for its cows and ranches, and not to mention the well known dude ranches, this reel unveil to the splendid scenery of the West in effective fashion. The life of a guest on a dude ranch provides the material for the picture, but it is the country itself that holds your interest. Towering mountains, shimmering lakes, and the open wide plains that were once covered with buffalo herds present an enthralling picture as the camera takes you from one spot to another. Andre Baruch gives an interesting commentary. Frederic Dicker, Paul Hurst and Frank Donovan supervised.

“Rube Goldberg’s Travelag”
Paramount
9 min. (Weak and None Too Funny)

The famous cartoonist’s conception of what is to be seen in a trip around the world is effectively made by Goldberg. He is seen giving the narration in his own peculiar style of humor. He manages to work in several of his specialties in a way that is entertaining to the audience. The same cannot be said for the rest of the material, that, as a whole, is rather dull and uninteresting. Taking a crack at New Yorkers, for instance, as a lot of chisellers, is not a very good idea. Overall, this film is not very good, but it is not bad either.

“Stranger Than Fiction”
(Parody)
Universal
9½ Mins. (Fairly Divergent)

Of the eight topics presented, the most novel is the climax footage depicting the bird that pulls up a tiny basket to his cage in order to eat the tidbits placed therein by visitors to the Parrot Jungle at Miami. Women in drag will enjoy the scenes of artificial flower-making by Paris artisans; the lady blackmail of West Memphis, Ark.; and the growing of silk-worms in a New York attic.

Remaining views include the earliest known cases of infantile paralyzis victims from old auto parts by a Seattle garage man; the making of special mud essential for oil well drilling; the making of special mud essential for oil well drilling; the music surveyed via rubber glove, auto inner tubes and balloons by Terry Lane of New York City. From this is somewhat run-of-the-crop, but it has its appealing moments.

“Raising Canines”
(Paragaphes)
Paramount
10 mins. (Good Dog Reel)

The proper training of a pup, demonstrated by an expert. Here is a fine subject that will exercise universal interest, for it deals with the teaching of all the elementary tricks that most people want to teach their dogs, is very informative and amusing. The dogs being trained for motion picture work. The finale is that of a police dog being taught to disarm a man with a gun. The narration is by Alois Havill.

“The City of Little Men”
(A Miniature)
M-G-M
11 mins. (Fine Pastic Story)

An afterthought of the company’s “Boys’ Town” feature, this is a very interesting presentation of the activities of the boys’ city under the direction of Father Flanagan. The work of the homeless boys in this Omaha community is very humanly presented. They are seen at their daily occupations, each boy being assigned to a task and many of them are taught trades that fit them to go out and take care of themselves when they come of age. The young men govern themselves, and reward and punish their members, carrying on the functions of a regular city’s council chamber, police department, etc.

(Additional Shorts Reviews on Page 8)
REVIEWS OF NEW FILMS

"Side Show Farci"  (Monten Brevity No. 68)

Universal  20 mins.  Above Par Vaude Reel

As usual, Monten digs down into a bag of远方 ideas to produce a suitable mood and mode for presenting its vaude with logical conclusion. It is in harmonious agreement, with Clydes Hager as the narrator. Latter acts as m.c., for the Negro quartet, the charioteers, who are as splendid in their screen renditions as before on the microphones of Mutual and NBC. A good deal of pep is injected by the pleasing warblings of Mildred Fenlon; the tap dancing of seven-year-old Sugar Nichols who appears with the lute and rhythmic Harry Bernie as her adult partner; and the prairie melodics of the Royal Rangers, cowboy Hardie Parry and his acrobatic dancers, are a lively addition, and so is Bobby Leonard, comedian. All in all this short is decidedly above par.

"Trans America"  RKO Pathe News  10 mins.

See America first, and do it via the airways, might be the catchword of this reel as you travel across the continent in an airliner. Narrated by Andre Baruch, there is sustained interest throughout the film for audiences. Reel starts at Newark Airport and then goes West and North. The camera work is fine, and there are numerous excellent shots of the most picturesque sections of the country. Interior shots in the planes also show, with meals being served and sleepers being made up for the night. The western scenery, particularly shots of the high ranges in Wyoming and Oregon are very effective. A night landing at the Chicago field is also shown. Frederic Ullman, Jr., produced and Frank Donovan supervised.

"Not Guilty Enough"  with Andy Clyde Columbia  17 mins.

Comedy Amusing

Shemp Howard, brother of two of the Three Stooges, assists Andy Clyde in this new Columbia comedy and the effects of his assistance are devastating. Andy is first seen before a judge and found not guilty on an assault and battery charge. However, he asks the judge to judge him on his own account of what happened which precipitates the efforts of brother-in-law Shemp to raise vegetables in Andy’s back yard with a lawnmower and a few other gadgets, and the judge lets him off to finish his assault and battery job.

Philadelphia Variety Club
Names Clark Clark Barker

Philadelphia—William J. Clark, president of the State Motor Truck Association and secretary and treasurer of the Horlacher Delivery Service, and Walter H. Barker of the Variety Club of Philadelphia, at the first meeting of the newly elected board of directors, announced the resignation of Al Davis, 20th Century-Fox Film Company, secretary, Earle W. Siewert, Philadelphia, manager Paramount Pictures, was reappointed chairman of the membership committee for 1938, with Ben Fertel, theater exhibitor retaining chairmanship of the House committee for another year.

The newly elected board of directors is composed of Messrs. Clark, Schlegler, Al Davis, Siewert, Lewen Pizor, president of the Motion Picture Theater Owners, David E. Weshner of the Stanley-Warner Company; Al Fischer and Leo Pose, theater executives; David Supowitz, theater architect; E. M. Owczerski, attorney; and Frank L. Clark, president, Horlacher Film Service; present Chief Barker Jack Berean and ex-Chief Barker Ben Amsterdam of Atlantic Theaters of New Jersey.

Glorious Shorts Fatal

Okahoma City—Fred Cross, assistant manager of the Griffith Amusement Co. theaters at Hobart, has just been gunshot wound as received as a result of a duck-hunting accident.

BRIT. TRADE TREATY REPLY MENTIONS MOTION Pictures

(Continued from Page 1)

in the long-pending British-American reciprocal trade treaty was unoffically admitted at the State Department during the night. Sir Ronald Lindsay, British Ambassador, formally delivered the British note on the treaty last Tuesday, but the State Department officially declined to disclose the content until the note had been given through.

Harry C. Hawkins, chief of the Department's Division of Trade Agreement, admitted to THE FILM DAILY that he had heard the report that the treaty, if successfully negotiated, would mean a 50 to 75 per cent American film sale increase with Great Britain. He added, however, that no actual details would be given out at this time pending a notification from London. There is no indication as to a final negotiation date.

Fate of U.S.-British Trade Treaty in the Balance

London (By Cable)—Great Britain has rejected the latest American demands for tariff concessions, and, unless Washington has counter-proposals to make that are acceptable to the British Cabinet, the prospect is for a committee break-down in negotiations, it is stated here.

The campaign committee, stated, following meetings held in view of the fact that it has been publicly stated that the committee to end on Dec. 31, the executive committee feels that it will not be keeping faith with the public to extend the contest beyond that date. As reported by John Schafer, the majority opinion was against extending the time. He pointed out that the 30,000,000 Quiz booklets specifically state that the contest would close Dec. 31 and "to keep faith with these millions of patrons, the industry must adhere strictly to its original commitment."

Previous Trust Case Enters Into Mondon's Court Action

(Continued from Page 1)

S. Vaught, his colleague in the previous action (Momand vs. Paramount Publix in 1934) and passed consideration of the defendants' motion to strike on the understanding that there would be no argument at a hearing scheduled for Nov. 5. Judge Murrah said he would strike from the files any pleadings contrary to the previous court rulings. It was said unofficially that the matter in the current petition had been tried and previously settled.

An important precedent was set in Judge Murrah's overruling of motions by Vitagraph, Vitaphone and Warner Bros. to strike which now gives opportunity for one and all to secure service on Warners in any Federal district court. He also overruled motions to quash of Pathe, Publix and Educational.

A. C. L. S. Policy for Oriental

Chicago—Johnny Jones, managing director of Jones, Linick & Schafer, said yesterday that the circuit is taking over the Oriental Theater on a 25-year lease. Opening is set for early November with a stage and film policy. The circuit will also continue operation of the State Theatre with Balaban & Katz partnership. Rental for the Oriental is said to be considerably under the $4,000 per week that B & K was paying.

"Bomba" Stories for Pix

Robert Mintz and Louis Weiss will film a series of stories based on the Ray Rockwood "Bomba" books. Film rights have been acquired and Mintz leaves for the Coast shortly to confer with Weiss. According to Mintz, the series will be released by a major company.
Southwestern Circuit-Owned Film Theaters Show Gains

Expect Indie Units to End Trade Parleys Today

Majors Look to Reopening of Fertile Spanish Market

Foreign Dept. Execs. Believe It Will Partially Offset Italian Loss

With indications that the Civil War in Spain may be terminated within a few months, foreign department executives are understood to be preparing for the reopening of a fertile market. Before hostilities broke out, Spain represented almost 40% of the revenue derived by American companies from Spanish-speaking countries. Even though reconstruction after the war may be a long and costly task, it is believed that motion pictures will be one of the chief demands by the populace. Despite the war, American companies

(Continued on Page 4)

GB WILL DISTRIBUTE SCHOOL PIX ON OWN

Distribution of Gaumont British Instructional Films' program in this country will be handled here through the company's own facilities, with GB salesmen handling the bulk of the work. Arthur A. Lee, vice-president and general manager, told The Film Daily that while the Philadelphia—Exhibitors of the South Philadelphia area threw down a challenge to exchanges yesterday to force them to ban premiums in that area as well as everywhere. The exhibitors of this section of Philadelphia voted to advise all exchanges here that henceforth instead of being forced into premiums that would cut the women's admission on certain days 10 cents the ex-

(Continued on Page 4)

Indestructible Metal Alloy Film Said Nearly Ready

"With research and engineering work completed, the Taylor-Sloane Corp. is ready to start production of a metal alloy film that is non-inflamm-

(Continued on Page 5)

822 Out of 2,134 Theaters in Six Southwestern States Circuit-Owned

Hoffberg Sees Slim Market For French Film Imports

Chicago—Outlook for the absorption by the U. S. market of the increased number of French pix being imported this year is none too bright, in the opinion of J. H. Hoffberg, currently here on a nation-wide survey of the foreign film market. If the French pix are to get anywhere on this side, there must be

(Continued on Page 4)

Deny D of J Criminal Crackdown Threat

Washington Bureau of THE FILM DAILY

Washington—Published reports that the Justice Department had handed the majors an "ultimatum" to stop the industry criminal indictments if a case centered in the New York anti-trust suit is not promptly effected were scouted at the Department yesterday. It was said the Department is concentrating on its equity action and could be pre-

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(Continued on Page 5)
Postal Officials Probe Quiz “Tipster” Sheets

Post office authorities of Richmond, Va., have submitted circulars picked up locally, purporting to furnish hints to the Movie Quiz contest, to the postal inspectors of New York City to determine whether these “tipster” sheets are fraudu-

Action of the local officials was taken following complaints from Richmond residents who have been receiving the circulars in the mails. The circulars were sent out by a “Contest Service,” operators unknown, with a return address of a post-office box in Brooklyn.

Headquarters of Motion Pictures’ Greatest Year, sponsors of the contest, pointed out that errors had been discovered in all so-called “tip-sheets” on the contest, and might be made the basis for action against the tipsters.

Neb. Anti-Scap Test Case Coming Up After Election

Lincoln, Neb. — Anti-scab test case in Federal Court will lie dormant until after election, so advises the Attorney-General’s office. Bill passed in 1937 uncanonical legislature, says all music combinations are illegal in Nebraska, and subject to $5,000 fine in each violation. Injunction holds up enforcement, and some doubt exists as to the circulars in the mails. Judge Mungar, when filed, when he said he had “grave doubts” of the bill’s constitutionality. Ascap bar-

GTEC 3 Months’ Profit Reported at $218,524

General Theaters Equipment Corp. has distributed $218,524 to stockholders of the Tullen-Schaefer and the Paramount Theatre Equipment Co., $218,524 to stockholders of the Paramount Theatre Equipment Co., respectively, as an indication of the firm’s success in handling the business of the last three months.

Lab. Pacts Nearly Set

Contracts presented to Ace and H.R. Laboratories by Local 702, workers union, are expected to be signed in the near future, possibly by the end of this week, was learned yesterday. Negotiations were said to have reached a final stage. It is expected that all points still to be agreed upon. Contract with Du Art Laboratory was signed recently following lengthy negotia-

Ark. ITO Meets Nov. 20-21

Little Rock, Ark.—ITO will hold its semi-annual convention here Nov. 20-21.

Paramount will distribute the Chicago Laughton stresses “Stay”,expérience of “Cashiers,” throughout the Western Hemisphere, Neil Agnew, vice-president of Paramount in charge of distribution, an Englishman, American representative of the May-

Oriental Deal Terms

Chicago — Terms of the lease through which Jones, Linnick & Schaefer will acquire the Oriental theater provide, it is reported, for $150,000 annual rental, plus 15 per cent out of net receipts.
"STABLEMATES"  
2nd Week  
CAPITOL

"YOUNG DR. KILDARE"  
Starts Today  
RADIO CITY MUSIC HALL

"BOYS TOWN"  
MAYFAIR

"TOO HOT TO HANDLE"  
STATE

"VACATION FROM LOVE"  
Next Week  
CRITERION

"MARIE ANTOINETTE"  
3rd Month at S2  
ASTOR

M.G.M. puts the "A" in

BROADWAY
EXPECT REOPENING OF SPANISH MARKET

(Continued from Page 1)

Ones have been enjoying relatively good business from Spain. New pictures have been taken into the country for more than a year, but according to reports, the people have been content to see the same pictures over and over again. Distributing branches are operating and occasionally Spanish representatives reach Paris for business conferences.

It is believed that the market, when it is again open in Spain, will offset some degree the revenue lost through the withdrawal of operations in Italy. In any event, the Spanish problem will remain a factor in the crop of pictures released during the last two years.

Hoffberg Sees Slim Market

For French Film Imports

(Continued from Page 1)

additional theater outlets for them, plus an "educational campaign" for the public, says Hoffberg. Lacking both, the situation promises a severe headache not a push-over for the distributors, he feels.

Hoffberg finds the present market for French pix practically restricted to New York's East Side and a few Coast cities in the West. This city absorbs only a few French films yearly.

"Average midwestern idea of a French picture is something naughty that is bought from a sailor," Hoffberg remarked.

He cited the fact that the faster additional pictures have been bought in France by New York groups, the faster the prices have risen accordingly, with expectations of the buyers pinned on the showings that have been made by a few exceptional films. Hoffberg feels that there are a few, not too far between, with profits an uncertainty," he said.

Formation of Special Attractions, new firm, has been completed by Hoffberg and Archer Spencer to distribute foreign films imported by Hoffberg throughout the midwest territory.

Hoffberg, who left for Minneapolis yesterday, closed a deal here with the Essences Woods Theater in the Loop for a first-run for "Crimson Circle," "Forbidden Territory" and "Secret Of Samboul." These pictures and a number of others, including "School For Husbands" and "Trailing The Jaguar" will be handled here by Special Attractions.

Local Quiz Short

Rock Hill, S. C.—Robert E. Bryant, owner of the Bryant Theater, has produced his own Movie Quiz short, the story of a Movie Quiz price winner. Running a little more than eight minutes, short's cast consists of Winners College co-eds from the state's "best families." Bryant is shooting for a campaign exploitation award.

Along the Ration

with PHIL M. DALY

• • • THE EDITORS of the nation's newspapers are now generally pulling for the motion picture industry....whereas for years the attitude of many of them toward the cinema had been critical, patronizing and even downright antagonistic.....but today the story is different....and one of the editors of a leading upstate journal tells why.....in a grand editorial dedicated to the industry and its current drive.....

• • • THIS EDITORIAL in the Syracuse Herald notes that the "greatest Year" campaign has not only helped the picture business tremendously, but stimulated the general business machine of the nation.....the editorial states....."That the example thus set by the motion picture industry has been heartening to business generally and has played a part in improving the national economic picture may be accepted as factual. 'Trade follows the motion picture' applies domestically as well as abroad. So the American people actually are indebted to the movies for far more than entertainment......'.....and that, we think, is as fine a compliment as can be paid to the industry at this critical economic period......

• • • REMEMBER......today is the first luncheon of AMPA......be on hand to help launch the new season's activities.....at the Hotel Astor Grill.....the organization will have its headquarters here with its own clubroom.....Murray Silverstone of United Artists will be the honor guest.....Hugh Herbert will be there.....and Ruth Texas, the "Texas Nightingale," only femme member of the state Rangers.....Chelle Janis, that clever lady who brought a lot of glory to Loew's Ziegfeld as its recent manager, is in the market for another good job.....W. G. Van Schmus heads the Motion Picture Group for the Red Cross Drive......

• • • THIS AFTERNOON at the Museum of Modern Art Film Library......in their projection room at the Grand Central Palace......John Hay Whitney, president of the organization, will sign the charter of the International Federation of Film Archives......thus completing the co-operative arrangement between the Cinematheque Francaise, Paris.....The National Film Library, London.....The Reichsfilmarchiv, Berlin.....and the New York member of the Federation......

• • • ADDRESS.....by Nathan D. Golden, chief of the film division of the U. S. Dept of Commerce......before the motion picture class of the School of Education of N. Y. University on Friday.....Nate will talk on "The American Motion Picture Abroad"......

• • • SQUAWK......from Lillian Nadel, a smart publicity girl, who handles publicity for the Filmarte Theater......Lil says she was responsible for that grand break on "Grand Illusion" in the form of a spread in Life mag......which two other guys claimed as their very own......so......fight it out.....we're just in between......but we DO love a fight......

• • • APPROPRIATE souvenir.....that Technicolor pencil Billy Ferguson is posing out on the Jomesto MacDonald-Nelson Eddy "Sweethearts".....also a Technicolor production.....the pencil writes in four colors.....a surefire niche......

• • • TONITE William K. Howard will talk on the Film Forum of the National Board of Review on WNYC on the topic, "Shooting the Script".....also Hal Mohr, the ace cameraman will talk......
**“Dangerous Secrets”**

with Paul Lukas, Linden Travers

**“Where the Buffalo Roam”**

with Tex Ritter, Louise Massey and the Westerners

**“The Mad Miss Manton”**

with Barbara Stanwyck, Henry Fonda

**“Law of the Texan”**

with Buck Jones

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**Conn. MPTO Wants Action on Clearance and Zoning**

New Haven—Clearance and zoning problems predominate in this territory, Edward Levy, MPTO executive secretary reported, as did all of the MPTO members before the national convention. Majority of exhibitors, believe they could be dealt with by means of conciliation boards of either six or three members, Levy asserted. A 20 per cent cancellation privilege would also cure manyills, exhibitors believe. Edward Levy and Arthur Lockwood of Middlesex, will represent Connecticut at the MPTO convention.

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**M. P. Associates Dinner Will Aid Charity Fund**

Motion Picture Associates, Inc., organized 18 years ago as a social and charitable group, holds its annual dinner and dance Nov. 26 at the Hotel Astor, on the date of founding.

Originally known as Motion Picture Salesmen, Inc., membership has steadily grown until it now totals 225, representative of all companies.

Charitable work has been increased year by year. The purpose of revenue for the benefit fund is the annual dinner and dance, with the MPA Journal, issued once a year, another major source.

Headed by Jack Ellis, of RKO, president, the association has had its executive personnel drawn from the fans, who want their big-screen roles at different times. Joseph Lee, 20th-Fox, Joseph Felder, Monogram, William Wolf, RKO, and Joseph Weinberg, an exhibitor, are a few of the past presidents.

Present executive slate of the organization includes: Jack Ellis, president; Jerry Wilson, vice-president, and Moe Fraun, secretary; Charles Peniser, financial secretary; Matthew Cahan, 2nd vice-president, and Syd Spector, treasurer and chairman of the entertainment committee.

The executive board includes: Joseph Lee, Nathan Bole, Leo Abrams, Joseph Cahan, Harry Brown, John Spector, Sol Trauner and Seymour Schussel are the trustees.
Incredible Metal Alloy Film Said Nearly Ready

(Continued from Page 4)

mable, indestructible and can be used on a commercial scale. Dr. Carter, head of the Research Engineering Corporation, told THE FILM DAILY yesterday.

Fruitful. Dr. Carter is being woken up now, Dr. Carter said, and the corporation hopes to start production of the film in both 35 and 16 mm. sizes within the next 60 to 90 days. Industry execs are reporting displaying a lively interest in the Taylor-Sloane film.

Dr. Carter said that the film costs around 40 to 50 cents a pound to produce, a pound being equivalent to 900 feet of film. Developed, and ready to be projected, it is said by Dr. Carter that the film would stand a distributor approximately $3.50 a reel for raw stock, printing and developing costs. The film can be used on both sides and it can be bathed and used again, it is said.

Mr. Carter told THE FILM DAILY that to date there had been more interest in the new film in France, England and Russia than in this country, with several foreign groups coming here for conferences.

The film is grainless, and tests have established a light reflection strength on the screen 12 points higher than the cellulose type, Dr. Carter asserted.

Dr. Carter now is working on a 3-color process which he expects to have ready in the next few months. This process would be especially adapted for metal film.

Asked about adapting projectors now in theaters, Dr. Carter estimated that at the maximum cost would be $75. Installation of a new sound head, special lighting and mirrors comprise the changes that would have to be made. A modified projector arrangement is used to project the image on the screen. A camera equipped with these changes could be used to project both cellulose and metal film, he asserted.

Harry Buck Jones, vice-president of Advertising Projectors, Inc., has lent the corporation his aid in the development of the process, designing the original projector and working on aspects of the film itself.

Indestructible Metal Alloy Film Said Nearly Ready

“Flight Into Darkness” with Annabella, Charles Vanel, Jean-Pierre Aumont

Frank Kaspar, 83 Min.

DRAMATIC STORY FAILS TO CARRY ITS PUNCH THROUGH FAULTY PLOT STRUCTURE

This new foreign release will undoubtedly appeal to the French audiences and the dyed in the wool foreign fans, but plot structure fails to give it the pace the average U.S. audience looks for. The acting of the principals is good, with Charles Vanel overshadowing the rest of the cast with a superlative performance. Vanel, Annabella, Jean-Pierre Aumont and Jean Murat head the cast. The film was directed by Anatole Litvak, and was made 18 months ago. Litvak is going to Hollywood when he completed this picture to do the same story under a different title. Using the triangle theme, it tells the story of two French war refugees, a pilot and an observer, both in love with the same girl, the wife of one.

CAST: Annabella, Charles Vanel, Jean Murat, Jean-Pierre Aumont, Serge Grav. Suzanne Despres.

CREDITS: Produced by Pathe-Pathet, Director, Anatole Litvak, Screenplay, Anatole Litvak and Joseph Kessel, Story, Joseph Kessel.

DIRECTION, GOOD. PHOTOGRAPHY, GOOD.

Jones on Rogers Program; Bob Burns to Play Comic?

Oklahoma City — Jesse Jones, chairman of the RTC, will be the principal speaker at the dedication ceremonies for the $200,000 Will Rogers State Memorial to be held here tomorrow. The ceremonies will be broadcast by NBC 2 to 2:45 p.m. Fred Stone, Eddie Cantor, George M. Cohan and Irvin S. Cobb will be “cut in.” Mrs. Rogers will be present for the all-day ceremonies.

Paramount, it is understood, is negotiating with the Rogers family with a view to doing a biographical pix with Bob Burns as Rogers.

SAG to Talk Contracts With Steele and Oroff

Meetings between Mrs. Florence B. Steele, head of the Screen Actors Guild and Harold J. Steele, president of Odesco, and Harold Oroff, president of Triple-A, will be held here tomorrow to work out an agreement, terms of a modification agreement. A Sag contract has been signed by Chicago Film Laboratories, Inc., and several film companies have agreed to use the process

West Coast Bureau of THE FILM DAILY

Burbank — Most important and vital thing in motion picture production is “eye-value.” That’s the thesis of Hal B. Wallis, associate executive in charge of production for Dore Schary and Paramount. Asked his opinion on “eye-value is not essentially spectacular, however.” Wallis points out, “A pretty woman, a laughing child, a delicately embroidered dress or tense scene can be eye-satisfying as well as a Charge of the Light Brigade.”

“There is also a great difference in the effects of a good sound effect can even successfully replace beautiful photography or screen spectacle. It was not intended that they should.”

Wallis Says “Eye-Value” Vital Production Factor

MacKenna Stays on Coast

Ken MacKenna, M-G-M Eastern story editor who has been on the Coast since last September, will remain here to succeed the late Kate Corbaley, studio story chief. No successor to MacKenna in New York will be named for some time, it was said at the home office yesterday.

Sisters’ to Stay Third

N. Y. Strand is holding Warners’ “The Sisters” for a second week. Pix additionally is being held over or moved over in Rochester, Syracuse, Louisville, Hartford and Los Angeles. Warner home office said yesterday.

“Sally Swing” (Betty Boop) 7 mins.

Paramount SWING Fun 7 mins.

The discovery of a femme swing sensation by Betty Boop is the subject. Betty finds a little girl who wants to be a swing leader and, after intensive training and beautifying puts her at the head of a girls’ dance band. In spite of a crony old professor in charge, the Swing gets under the students skin, and everybody loosens up, including the professor. A Max Fleischer cartoon.

“Community Sing” Columbia 10 mins.

Whoa! Pleasing Musical Number Gene Morgan and his Columbiaians are back again to lead audiences in another community sing, choosing a South Sea locale this time. Selection of numbers is good, with the tuneful “Blue Hawaii,” “This Side of the Ocean,” “Gonna Light Baloo,” “Sara Lee,” “Beach at Bali Ball” and “My Tape” featured.

Miller Gets Franchise

Trailer-Made, Inc., has closed a 10-year franchise deal for the Kansas City territory with Beverly Miller, who has organized Trailer-Made Service in the city. Miller formerly was with National Screen.

GB Will Distribute School Pix Through Own Org'n

Previously, there had been contact in different cities and a number of “excellent” distribution deals had already been closed. Program will be pushed throughout territories now sold by GB, and all sources of out-let will be thoroughly covered, Lee said. He expects the actual distribution of the films to go under way almost immediately. Program being sold offers a total of 250 visual education shorts in the company’s catalogue and offers selection from the 900 shorts on the company’s program for production this season.

Approved yesterday of report that GB might cease company operations in this country, and instead sell through U.S. majors, Lee stated that just as long as GB produced, the company would maintain operations here.

Lee added the company will release a larger number of pictures that surpass last year’s product, and that returns from the eight pictures released since April were encouraging.

Roger Graham Dead

Chicago — Roger Graham, one-time popular jazz composer and former head of the Roger Graham Music Publishing company, is dead here at the age of 53.
**S. W. Circuit-Owned Theaters Show Gains**

(Continued from Page 1)

percentage has grown during the last year from approximately 35 per cent to the present 38.5 per cent.

Figures for the individual states compiled from available estimates show the following comparative holdings for circuits: in Arizona, 102 of 98 houses; in New Mexico, 25 of 82 houses; in Texas, 417 of 449 houses; in Oklahoma, 325 of 432 houses; in Arkansas, 367 of 193 houses and in Louisiana, 96 of 264 houses. These holdings of circuits in terms of per cent are as follows: Arizona, 41.5 per cent; Texas, 40.3 per cent; Louisiana, 38.9 per cent; Oklahoma, 28.9 per cent; New Mexico, 27.1 per cent and Arizona, 21.4 per cent.

Distribution of circuit holdings and approximate number of houses of each circuit used in this survey are as follows: Arizona: Louis F. Long Circuit, 5; Lyric Amusement Co., 7; Paramount Pictures, Inc., 7; Principal Theaters Corporation of America, 1; Imperial; Arkansas: Arkansas Amusement Co., 4; Bijou Amusement Co., 1; Chas. C. Jenkins Circuit, 5; Haynes Circuit, 3; Imperial; 5; Malco; Paramount, 18; Robb & Rowley United, 12; R. W. Brown & Son; and Strand Enterprises, Inc., 4.

Louisiana: Affiliated Theaters Corp., 27; Bijou, 5; Heed Circuit, 1; Joeg Towu, Inc.; 17; Levey, Inc., 1; W. E. Page Circuit, 6; Paramount, 17 and United Theaters, Inc., 96 out of 264 houses. New Mexico: Griffith Circuit, 19; Interstate, 8; Oklahoma: Bijou, 2; Griffith, 89; Robb & Rowley, 11; Southwestern Theaters, Inc., 12 and Standard Theaters Corp., 11.

Texas: Bishop; C&O Theaters, 8; Crow Circuit, 4; Dillion Circuit, 5; Frels Theaters, 5; Fry Theaters, 6; Griffith, 60; Imperial, 2; Interstate, 114; Jefferson, 62; Lilly Circuit, 7; Loew's, Inc., 1; J. G. Long Circuit, 20; D. F. Luckie Circuit, 21; E. L. Lutz Circuit, 8; O. K. Theaters, Inc., 15; Paramount, 5; Robb & Rowley, 67 and Talley Enterprises, 8.

These figures do not take into consideration certain recent shifts in circuit ownership, i.e., acquisition of minor circuits by major circuits, but the picture remains the same as the chief acquisitions by circuits during

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**HOLLYWOOD**

Sons to Meet WB “Daughters”

HAL B. WALLIS is planning to give several promising young Warner players another big break in “Four Sons Meet Four Daughters,” to be filmed early this winter.

George Brent, Eddie Albert, Jeffrey Lynn, and John Payne will have the leading male roles. Opposition them will play Priscilla, Rosemary and Lola Lane and Gale Page, the “four daughters” of the picture by that name. Michael Curtiz will direct.

**Briefs Asked by FCC on A T & T Probe Report**

(Continued from Page 1)

port on the telephone company investigation sent to Congress last April. Proposed report turned the spotlight on film activities of A & T and Erpi.

FCC said that if A & T & T so requested, an opportunity for argument will be granted within 10 days from the filing date.

Commissioner Walker, responsible for the report, pointed out that the FCC as a whole has not acted on the report. It is unlikely that the report will become other than “proposed” until mid-January or February.

A & T & T is expected to go into the Western Electric situation in its briefs, but the extent it will touch upon the Erpi angle is problematical.

**Spitz Says RKO Has Okayed the Lasky Airways Show**

Chicago—Leo Spitz, RKO special counsel who is in charge here shortly for Hollywood, stated yesterday that RKO had okayed the “Gateway to Hollywood” contest which Jesse L. Lasky is planning for the airwaves. He also said that the movie quiz campaign is helping the film business.

**Mrs. W. A. Cassidy Dead**

Detroit—Mrs. William A. Cassidy, wife of one of Michigan’s best known circuit owners, with houses in Alna, Midland, and Saginaw, died from peritonitis following an operation. Mrs. Cassidy was from all parts of Michigan attended the funeral at Saginaw.

the last 90 days have been in absorption of minor circuits of five to ten houses although a larger number of independent circuits of from two to four houses in a single location have been made.

A careful check reveals that only from two to four per cent of these circuit holdings are at present dark houses and check of independent owned houses will reveal a much larger figure.

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**Use Frame Line Area for Foreign Version Titles**

West Coast Bureau of THE FILM DAILY

Hollywood—New method of titling foreign versions which utilizes the area between the frame lines is being used on some current releases for overseas, according to W. E. Pohl of Technicolor. Method eliminates some of the objectionable features of the conventional method of placing the titles in a black tab which goes in and out with the title at the bottom of the picture.

When the pin aperture size was reduced to permit the proper projection proportions with sound track at the edge of the film, an area was left vacant between the frame lines. This new method of titling foreign prints makes use of this otherwise wasted space and permits the use of titles without the loss of any of the picture or action on the screen and without the confusion of the title tab popping in and out.

By using an aperture mask in the projector, that corresponds in height to the old silent aperture and additionally to the sound film aperture, it is possible to frame the picture on the screen to include the upper and lower frame lines, which, with the frameline method, is used for the titles,” Pohl says. “For simplex projectors this changing of the aperture requires only a suitable aperture mask which may be slipped in or out at will. In projectors where a screw-in aperture is used, it is, of course, also necessary to provide an aperture which can be placed in the projection machine properly. However, such an aperture plate is easily made and can be readily installed by the projectionist.

Depending upon the size of the screen used as compared to the normal picture size, it may be necessary to add a suitable flip at the bottom of the screen to accommodate the titles. This is easily done with a piece of painted board or canvas.

The frameline method of titling has all the flexibility of the conventional superimposed method and the reading time can be made the same, or any one or two lines of a title are used at a time.”

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**INDIE UNITS FINISH TRADE TALKS TODAY**

deliberations with the distributors but it was not revealed as to what progress was made. It is believed, however, that the conferences will not be finished by this afternoon and probably will continue tomorrow, or until an understanding is reached.

All the meetings have been closed with a certain amount of secrecy, but the opinion prevails that a system of conciliation boards probably will be set up when and if, all parties concerned are in accord.

**Picture Problem Stands Alone, Thurman Arnold Holds**

(Continued from Page 1)

need no new theory of government; we need only skill in taking up one industrial problem at a time in light of its particular problem.”

Continuing, Arnold said, “Solution of the distribution of steel does not solve the moving picture problem. Adequate management of the moving picture industry does not give us the key to the distribution of milk. Particularly problems may be predicted the wage-hour law would bring the U. S. "permanent improvement."

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**150 Orks to Participate In Drive’s “Music Week”**

Motion Pictures’ Greatest Year “Music Week” will be celebrated by more than 150 of the foremost orch leaders in the country when it begins on Monday in theaters and night clubs and over radio stations. Special programs will be composed of song hits associated with pictures of the past two decades.

**SB Pix Set for Rialto**

“Man With 100 Faces,” new Gau- mont British film, has been set to open at the Rialto following the current “Dracula” - “Frankenstein” program there. It was announced yesterday.

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**Let George Do It**

Toldeo—to reduce public and pri- vate property damage by juvenile Hal- loween trick-or-treaters, local police asked local theaters to admit children under 14 free to night performances Monday if accompanied by their parents.

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**Power Line Tunes In**

Harrisburg, Pa.—When commercial announcements and musical programs suddenly were heard in the Paxon Theater, Manager C. G. Doebler said he had installed a concealed radio. None being un- covered. C. G. Doebler, the station engineer who found that a new, sensitive type of radio receiver which was only on the stage was picking up the broadcasts. Power line running from the projection tower was put in to the station’s frequency. Installation of condensers solved the prob- lem.

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**Thursday, October 27, 1938**

**A "Little" from "Lots"**

By RALPH WILK

**Passes Calif. Law Exam**

Deputy court clerk, daughter of Fred S. Meyer, former general manager of Universal Studios, and exhibitor looks to pass the California bar examination held two months ago. She will be formerly sworn in to practice law in California within the next two months.

From Hogg to Baker

Republic has changed the name of 15-year-old Charles Hogg to Buddy Baker. Buddy is under contract to Republic and is currently appearing in "Orphans of the Street."
THE RETURNS ARE COMING IN—
'SUEZ' IS SWEEPING THE NATION!

BULLETIN
ROXY, NEW YORK
-Terrific pace une
barated as it enters
THIRD WEEK!

BULLETIN
STANLEY, PHILA.—
One of the biggest
opening days in
entire history of
theatre!

BULLETIN
NEW, BALTIMORE—
Opening day run
ning way ahead
of sensational "In
Old Chicago"!

20th CENTURY FOX
THE KEYSONE OF YOUR FUTURE
Italian Gov't May Block Monogram and Republic Deals

KAO NET $994,140; B. F. KEITH CORP., $754,363

750 Attendance Indicated for MPTOA Convention

First Delegates Due to Arrive in Oklahoma City

By ERNEST W. FAIR

FILM DAILY New York City—Attendance mark of at least 750 for the MPTOA convention opening at the Biltmore Hotel here Sunday was confidently predicted last night by Morris Loewenstein, convention chairman.

First convention visitors are due to arrive during the day and by tomorrow night, it is expected that several hundred theater men will be in town. Proxy Ed Kuykendall will be one of those training in tomorrow from his Columbus, Miss., home.

At least a full Pullman of delegates are expected.

WARNERS, SHEA SET UA PRODUCT DEALS

United Artists yesterday announced the closing of two important circuit deals for the company's entire lineup of 1938-39 releases. The new pacts were made with the Warner Bros., and Mort Shea circuits.

The Warner deal calls for the following:

Pittsburgh Variety Club

Pittsburgh — Annual banquet of the local Variety Club at the William Penn Hotel Sunday will attract the largest delegation of New York industry leaders and execs, in history, it was predicted yesterday by John H. Harris, general chairman. James Crowley, head coach of the Yankees, gave the keynote address.

McConville Nabs Nov. 4 to Discuss Foreign Setup

J. A. McConville, general foreign manager for Columbia, sails for Europe Nov. 4 on the Queen Mary to confer with the company's foreign exchange department.

Italian Exit to Cost U. S. Majors Plenty

American film companies will have to pay an indemnity to its employees in Italy when, and if, the distributors disband their Italian branches. Under Italian law, each employee must be paid one month's salary for every year he has been employed.

In some cases these indemnities will run into large amounts of money inasmuch as many of the Italian representatives have been in the employ of a single American company for years.

Trade Stand Against Punitive Foreign Practices Probably Justified — Golden

While the U.S. picture industry conforms readily to rational and moderate foreign requirements, "it may be justified in taking a positive stand against merely narrow-minded or punitive practices abroad," Nathan D. Golden, chief of the MP Division of the Bureau of Foreign and Domestic Commerce, told a New York University audience yesterday.

Due to the existing Italian situation especially, Golden's statement aroused lively interest in foreign department circles yesterday.

Appeal in 20th-Fox Copyright Case is Authorized

London (By Cable) — The Privy Council has granted the music publishing house of Francis Day and Hunter special leave to appeal a decision of the Ontario, Canada, Court of Appeals which favored 20th Century-Fox Corp. and Famous Players Canadian Corp.

The appeal raised the point whether the title of the song "The Man Who Broke the Bank at Monte Carlo" was original and distinctive and whether the use of that title for a motion picture constituted an infringement of copyright.

Lord Atkin asked if "Keep the Home Fires Burning" (the great war 1914-18) could be claimed as the author's own.

Republic and Monogram Italian Deals Imperiled as Permits Are Withheld

Italy to Purchase Pix in London, Paris, Berlin

Rome (By Cable) — A film commission has been appointed by the Italian Government to buy films in London, Paris and Berlin to fill the gap that will be left in theater programs by the complete withdrawal of the foreign companies.

Following recent edict of the Italian government setting up a film monopoly it is unlikely that Republic and Monogram will fulfill recent contracts made with independent Italian distributors for release of their product in that country, it was learned yesterday.

Republic has signed a contract.
Industry Reps to Washington For Wage-Hours Conference

Among those from the industry going to Washington to confer today with Elmer P. Andrews are from the wage-hours law are Victor Clarke, assistant to Pat Casey, producers labor contact, Ross Hastings of RKO Radio's legal department, William Holman of Columbia, Keith Glennen of Paramount, and Maurice Benjamin. It is expected that a representative of the Hays office will also attend the conference.

Wage-Hours Rule Infraction May Lead to Suit—Andrews

Washington—On the eve of today's scheduled conference here between industry reps and Administration Elmer P. Andrews on the wage-hours setup, there was lively interest in Andrews' statement that employers who fail to abide by the new FLSA provisions would find it impossible to suit themselves open to suits for double indemnity and to possible fines. All rulings by Andrews, it was stated, will be retranscribed to Monday when the law became effective.

First Movie Quiz Replies Reach Drive Headquarters

First replies in the Movie Quiz have reached campaign headquarters here, it was announced yesterday.

The 50-word statements required of participants in the Quiz Contest, are expected to furnish a valuable index to current public tastes in motion pictures, and will be subjected to analysis for that purpose when the contest closes Dec. 31.

The Slocum-Warner Book and Picture Library, in association with the Exhibitor's News Monthly of India, in a letter to Harold B. Franklin, at drive headquarters, requests that the contest be extended for the benefit of the campaign, which has aroused considerable interest, he writes, in Indian film circles. Inquiries from Egypt, Australia and South Africa have also been received.

Win Extension in Taking B & K Clearance Depositions

Chicago—Defendants' counsels won extension to Nov. 9 for the taking of depositions in the B & K clearance suit in Federal Judge Willershon's court yesterday but failed to win an extension of time for filing suit answers by Nov. 19 unless the depositions are delayed.

In that event, the defendants will request the court's extension beyond Nov. 19.

Counsels for B & K and the manufacturer indicated that Dec. 15 be designated as the deadline for answers to the suit, filed recently by Indians, largely affiliated with Allied of Illinois.

Hal Horne Sailing Today For Disney Talks Abroad

Hal Horne, executive for Walt Disney, sails on the Ille de France today for Europe where he will confer with RKO foreign department heads concerning the distribution of the new Disney product. He will be gone from five to seven weeks and is scheduled to visit England, Sweden, Poland, Ireland, Switzerland, and Italy.

Horne will be in England next week by Phil Reisman, RKO's foreign department representative, who is expected to return to the U. S. in mid-November.

Disney product conferences will be centered on the six specials which include "Little Tailor," "Mother Goose Goes Hollywood," "The Practical Pig," "The Ugly Duckling" and "The Autograph Hound.

Rep.-British Lion Talks Progressing Satisfactorily

Negotiations between Herbert J. Yates and Sam Smith, managing directors of British Lion, regarding the new distributing and producing pact to cover Republic's quota needs in the United Kingdom, were described yesterday as "progressing satisfactorily." There are only a few details remaining to be worked out, it was said.

British Lion expects to produce between eight and 10 pictures budgeted from $125,000 to $250,000 during the coming year to cover Republic's quota needs. At the same time the English company will distribute about 45 Republic titles. Current Republic-British Lion deal expires next July after a four-year period.

Coast Guild's Air Show for Gulf Starts Dec. 18

West Coast Bureau of THE FILM DAILY

Hollywood—Definite decision by Board of Directors of Picture Relief Fund to produce an air show using Screen Actors Guild members was made at meeting of board. Air show is to be staged with Disney and Oil, and present plans call for 13 weeks with options. Program goes on the air Dec. 18. Huntley Gordon has been appointed contact for the Fund. Actors, Writers and Directors Guilds are involved in setup. Deal calls for SAG to supply two feature players for each show with Music Corp. of America furnishing music and special acts.

U. S.-Canadian Trade Pact Completed, Ottawa Hears

Ottawa—New U. S.-Canadian Trade Pact has been completed and will be signed as soon as the associated Anglo-American pact is set, it is reported here.

V. C. to Hear Mich. Gov

Detroit—Gov. Frank Murphy is slated to speak at Variety Club luncheon on Monday.
Along the Trail

With Phil M. Daly

- **OFF to an auspicious start...** the first AMPA luncheon of the season... in the Hotel Astor grill had an attendance of almost 100 guests... the honor guest was Murray Silverstone of United Artists... who spoke impressively on the responsibilities of the advertising fraternity in keeping alive the traditions of our democracy... freedom of thought and of speech... as expressed in the printed word through the medium of the motion picture art reaching the American public.

- **A JESTER was also present at the luncheon...** Hugh Herbert... who told the story of a bit player who had been out of work for a long time... and finally he got a call to a studio... after passing through a third-degree and several cross-examinations and giving his entire biographical background, he was finally hired for a part, and instructed by the assistant director... "All you've got to do," said the assistant director, "is to come on the set and answer one question"... the actor felt slightly let down, but decided that this was his big opportunity to put that line over strongly... "Fine! What do I say?"

- "When the director asks you if you saw the murder, you say: 'I did'... so the bit player rehearsed for several hours saying 'I did' in a dozen different inflections till he figured he had just the right dramatic tone... Then he goes in to see the director, who asks him if he saw the murder... "DID I!" yells the highly nervous gent... another good yarn that Hugh told was about the faithful manservant who told his employer he was going to marry... so the boss did the handsome thing and said he could use his closed country house for the honeymoon... the servant thanked him gratefully... "Oh, by the way," said the employer, "how long will you want to occupy the house?"... the guy chirps: "About twenty minutes."... Ruth Texas sang a cowboy song, she being the only lady Texas Ranger... Paul Lazarus, Jr. was the toastmaster.

- **TONITE the Showman's Club of Philly will hold a Hallo-we'en Party... a number of local vaude celebs will entertain... prizes will be given for the best costumes... each Friday the gang holds some sort of shindig in the clubrooms... the Club in no way conflicts with the Variety Club... they now have 223 members."

- **BACHELOR dinner... to be given Leonard Schlesinger, Warner theater executive... at the Ritz Tower on Wednesday, Nov. 2, by his home office associates... he will hop on the marriage merry-go-round on Nov. 4 in the company of Rose Cogli of Philly."

- **UNIQUE trailer stunt... devised by Branch Manager C. W. Allen of RKO Radio's Dallas office... he had National Screen make up a special trailer for the territory on "A Man to Remember"... the trailer in the name of the management announces the production as a heart-warming saga of a country doctor, and offers any dissatisfied customer his money back if the picture isn't all they claim.**

- Dinner for Consolidated Film Industries' baseball team, winners in the M. P. League this season, was held last nite at Charfia's Grill, Little Ferry, N. J. **Premier of the Yiddish film, "The Singing Blacksmith" at the Continental Theater on Nov. 1... starring Malina Oyshe, produced by Collective Films.**

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750 Attendance Mark Expected by MPTOA

(Continued from Page 1)

Gates are assured from the Chicago area. W. M. Moore of Jacksonville, Fla., has also advised that a special Pullman is being arranged to start from Atlanta tomorrow at 7:10 p.m. to arrive in Oklahoma City at 12:40 noon Sunday.

The Dallas Variety Club has reserved three suites and four rooms at Convention headquarters to hold open house for all Variety Club members and will have the nationally famous entertainer members of the club, Walter and Edgar, on hand.

Tad Screen Advertising Service of Dallas has announced that their "Dog House" tried at state conventions for the first time last year will be used this year. Two cameramen will be on the job, one snapping pictures of delegates at all times from arrival to convention sessions and the other working in a dark room at the hotel which will permit showing of the pictures one hour after they have been snapped in the Tad booth where those in the pictures may claim them for their private collections.

Arrangements have been made for a comprehensive lighting display by Westinghouse and the Oklahoma Gas & Electric Co. as part of the convention program. This will feature front and interior lighting designed by a Philadelphia Bureau of Justice, Oklahoma City, manager, Walter C. Bair, and Walter L. Metcalfe of O G & E as well as a high voltage demonstration by G & E.

The Skirvin Hotel management has taken over the Ladies' Style Show for presentation in its new Silhouette room and will have the MCA orchestra playing at the hotel at the time for the meeting. Arrangements will be made with local women's wear store to conduct the showings to be modeled by sorority girls from the University of Oklahoma.

To Attend MPTOA Conclave

Chicago—Sheldon F. Myers, manager of air conditioning sales for the Westinghouse Electric and Manufacturing Co., Robert Kroeschel, Chicago executive and Bob Buchanon, manager of the B & K maintenance department will attend the MPTOA convention at Oklahoma City.

Horrors!

Milwaukee, Wis.—Fox's Strand and the Alhambra, which reopened yesterday, are waging terrific competition. Former spot is advertising "Horseless hor- ror boys, Boris Karloff in "The Walking Dead" and Bela Lugosi in "White Zombie"", while latter is urging the public to "wait for the real McCay" horror show. Strands will play "Frankenstein" and "Dracula."
EVER SINCE "MY MAN HAS BEEN WAITING"

...A FEMME WHO MANAGED MEN FOR A CAREER...PRAYING FOR FAILURE BECAUSE SHE KNEW IT WOULD MEAN LOVE...HER HEART FLIPPED WHEN BUSINESS FLOPPED!

"A Gay and Flip Fun Film...Lots of Sparkle..." —Los Angeles Express

"Novel Story Comedy..." —Variety

CONSTANCE BENNETT

VINCENT PRICE

THE BALKY MALE OF "VICTORIA REGINA", THE HELEN HAYES STAGE SUCCESS...AS THE GUY WHO COULDN'T BE WOMAN-HANDLED...UNTIL HE DOUBLE-CROSSED HIMSELF!

AS THE TRACTOR TYCOON WITH THE CONFUSED AP-PROACH AND THE TREMBLING PROFILE...THE BOY WHO ONLY NEEDED THE RIGHT GAL—T0 BAT ZERO EVERY TIME!

"Plenty of Entertainment...Should Click Easily..." —Film Daily

CHARLIE RUGGLES
The NEW UNIVERSAL presents

CONSTANCE BENNETT in

ERMICE DE LUXE

with

VINCENT PRICE

CHARLIE

HELEN

MISCHA

RUGGLES • BRODERICK • AUER

JOY HODGES

Screenplay by GERTRUDE PURCELL and LEONARD SPIEGELGASS

A ROWLAND V. LEE Production

Original story by Bruce Manning & Vera Caspary

Directed by Rowland V. Lee

Associate Producer: Edmund Grainger
KAO AND B. F. KEITH PROFFITS SHOW DROP

(Continued from Page 1)

122.65 under that of last year when the company reported a 53-week profit of $1,219,486.06.

For the 53 weeks ended Oct. 1, K-A-O reported a net profit after all charges of $596,049.83, equal to $2.36 per share on the 7 p.c. cumulative convertible preferred, compared with a profit of $914,672.15 for the corresponding period ended Oct. 2, 1937, when the figure represented $14.32 per share.

B. F. Keith’s 59-week ended Oct. 1, was $368,281.46, compared with $663,946.42 for the corresponding period ended Oct. 2.

SAENGER AFFILIIATE GETS 2 DEVOTO YAZOO CITY HOUSES

New Orleans—Circuit control of Gulf States’ best possibilities came nearer reality yesterday with the sale of Mrs. B. J. Devoto’s Devoto and Yazoo theaters at Yazoo City, Miss., to A. J. (Slim) Higgenbotham’s Dixie Theaters, a Saenger Theaters affiliate.

The sale was confirmed to FILM DAILY correspondent in New Orleans over the long distance phone by the veteran showwoman while New Orleans sources were expressing surprise and doubt.

Mrs. Devoto, who entered the business 21 years ago, sold out once before and was a dogged fighter. Said the new operator would take over next week but refused to discuss the purchase price. Latter is reliably reported as $6,000 yearly during the life of her leases. Dixie probably will take the smaller house within six months when the lease expires, work out a deal for equipment and run the larger house with the theater it now has there.

To Show Chinese Picture at Met. for China Relief

Metropolitan Opera House will show a picture on Nov. 18 for the first time in its history. The Met. will be wired for sound. The picture will be “Sable Cinders,” a Chinese film sponsored by the Associated Boards for Christian Colleges in China, and the Church Committee for China relief. Henry R. Luce is chairman of the sponsoring committee. Produced in Shanghai with Chinese actors, the film will have Chinese dialogue and music.

NEW DALLAS HOUSE OPENS

Dallas—New Interstate Lakewood Theater opened yesterday. Dick Foy, son of the famous stage comedian, Eddie Foy, manages the theater. “Love Finds Andy Hardy” is the opening picture.

REVIEWS OF NEW FILMS

“STARER THAN FICTION” (Number 53)

Universal

9 1/3 mins.

Sustained Entertainment

Seven oddities are soled together to make this reel diverting, and each has its particular appeal. Paul Bekker made arrears in a railroad accident, refused to let this misfortune deter him from his ambition to become an artist, and the opening shots show him as an instructor in painting at the Delgado Trades School, and amusing palettes and brushes with extraordinary skill. Intermediate subjects depict a Seneca Indian who has mastered the bow and arrow of his forefathers; a pool of ravenous fish which bob to the surface to feed enthusiastically from the hands of a Patawomeck; the gathering of sea mussels at low tide on an Oregon coastal rock; and A. L. Tooters’ mastery of “typewriter painting” which he does handle. Bob Murray’s pet duck in Memphis wins up the footage which is consistently entertaining.

“DAELECARIA”

Swedish Film

Sanders Films

10 mins.

Very Interesting

Like other hidden corners that thrilling scenes of beauty, Daelecaria has been shown from its inception by those modern currents that tend to obliterate all that is picturesque in life. The scenes here show old traditions that still survive, homesteads that have been preserved and against this setting quaint native costumes that are still in use. The community farms, where men and women share equally in the work, including farming, spinning, weaving and the making of grind stones are particularly interesting because of the unusual modern co-operative methods and regulations, although their primitive farm implements and customs have been unchanged for centuries.

Take Schenck’s Testimony

Deposition of Nicholas M. Schenck, president of Loew’s, Inc., was taken yesterday in connection with a suit to prevent a profit-sharing plan from being put into effect. Testimony was taken in the presence of E. K. Ellis, attorney for the stockholders involved in the action.

UNAFFILIATED GROUPS FINISH REFORM TALKS

(Continued from Page 1)

will remain in New York for a few days to carry on informal discussions.

Allied’s committee continues to huddle with the distrbs, yesterday and the deliberations probably will be resumed today.

Each party is remaining mum as to what has transpired at the sessions and, although progress has been reported, the extent of the progress has not been revealed.

WARNERS, SHEA SET DEALS FOR UNITED ARTISTS PICTURES

(Continued from Page 1)

playing of UA product in the circuit’s 400 houses and was set by Joseph Bernhard and Clayton Bond, of Warners, and Harry Gold, representing UA.

The Shear chain has contracted for the UA program in all its situations in New England, Ohio and Pennsylvania. Deal was set by Ed Grainger and A. J. Kearney for Shear and Gold for AU.

Stockholder’s Right to Sue

Columbia Upheld by Court

Application of Columbia Pictures et al for dismissal of the suit brought by Betty Davis, holder of 162 shares of voting trust certificates, was denied by Supreme Court Justice Charles B. McLaughlin here yesterday.

Plaintiff, who is asking for an accounting since 1929, charges that the company has paid excessive bonuses to Frank Lazar, Louis B. Mayer, Joe Brandt and further claims that certain options to purchase stock were illegally transferred.

Justices McLaughlin ruled the plaintiff had a legal right to sue and that her action was not barred by the statute of limitations.

Dunlap’s Mother-In-Law Dies

Death of Mrs. Frank Lewis, mother-in-law of Scott Dunlap, vice-president in charge of Monogram’s production, was learned in New York yesterday. Mrs. Lewis died at the Hollywood hospital following a heart attack. Funeral services were held at the Church of the Blessed Sacrament and burial at the Hollywood Cemetery.

GETS DEVIL’S ISLAND Pxe

National Pictures Corp. has acquired U.S. rights to “Cheri Bibi,” said to be the only authentic French talking picture of Devil’s Island, Edward Fadiman announced yesterday. Deal, effected via Films Red Star of Paris, was made timely by the producer’s announcement, France will resume convict shipments to the penal colony Nov. 20.
A "Little" from Hollywood "Lots"

By RALPH WILK

HOLLYWOOD

Cukor on "Wizard of Oz"

GEORGE CUKOR will direct "The Wizard of Oz" for Metro. This Technicolor production is based on Frank Baum's story of the same name. Mervyn LeRoy is producer, and the cast is headed by Judy Garland, Frank Morgan, Bert Lahr, Billie Burke, Ray Bolger and Buddy Ebsen.

Maxie in "Broadway Cavalier"

Maxie Rosenbloom has been assigned to one of the featured roles in Warners "Broadway Cavalier." The picture, which is being headed by Pat O'Brien, Wayne Morris, Jean Blondell and May Robson, is scheduled to go into production later this month.

"Hot Piano" for Metro

Metro has acquired motion picture rights to "Hot Piano," by Richard English.

Jean and June Signed

Jean Parker and June Lang have been signed for leading female roles in RKO's "It's Spring Again," new Oliver Hardy-Harry Langdon comedy.

Col. Registers Stock Reserved for Options (Continued from Page 1)

mation stock. The shares are to be reserved for outstanding options, which are held by Samuel J. Briskin, Abraham Schneider and Abraham Montague. Briskin holds options on 10,250 shares and Schneider and Montague each hold options for 7,687.5 shares.

Of the 37,500 shares 25,625 are reserved for the option holders at $13.5366 per share for resale at a market price of $15.00 per share. The other 11,875 shares are reserved for issuance in event of increase in the number of shares which may be taken by the options. They also will be for resale at a market price of $15 per share.

The registration states that all the shares will be represented by voting trust certificates if the options are exercised prior to April 1, 1946.

Income from the stock sale is to be used for working capital it is stated. The option holders may be the underwriters, the registration states.

Clicks In Australia

"Marie Antoinette" was enthusiastically received in its Australian premiere Wednesday at the St. James Theater, Sydney, according to a cable received here by M-G-M yesterday.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 201

Bert Gilroy. Producer. Born in Arizona and studied to be a mining engineer at the University of Arizona. Was in the U.S. Navy during the war, and on being mustered out, went to work for Paramount as a prop man. That was in 1919. Worked as assistant director and production manager at Paramount. Following that went to Metropolitan Studios as production manager for Producers Distributing Corp. Worked with Fred Thompson and then Pathe where he became associated with short subjects. When RKO and Pathe merged he became assistant to Lou Brock, and later to Lee Marcus. Three years ago became producer of RKO shorts, and when in 1938 RKO took over the George O'Brien westerns, he became producer of those too. His only outside interest is his 98,000 acre cattle ranch in Arizona.

Farahg On Rep. Special

Republic has signed Francis Farahg to do the final screenplay for "Doctors Don't Tell." This will be Republic's first anniversary special for the 1938-39 season.

Carr Starts Baker Western

Trem Carr has started production on "Ghost Town Riders," starring Bob Baker with Fay Shannon playing opposite. George Waggner is directing.

Bickford In Metro Pix

Metro has added Charles Bickford to the cast of "Stand Up and Fight," in which Robert Taylor and Wallace Beery are starring.

Lesser Signs Young, Meyer

Sol Lesser has signed Victor Young as musical director on "Peck's Bad Boy At The Circus," and Abe Meyer as musical supervisor.

Hudson, Taylor As Leads

Universal has signed Virginia Hudson and Kent Taylor for the leads in "Sky Police" which will be directed by Joe McDonough. Picture is based on an original story by Lester Cole. Ben Grauman Kohn wrote the screenplay.

Harry Webb Leases Ranch

Harry Webb has leased a 25 acre ranch outside of Newhall where he will shoot his Western series starring Bob Steele. It adjoins the Angelus forest reserve.

Webb has just contracted with Nat Saland and Bill Steiner to furnish six action melodramas which he will make as the Metropolitan Pictures Corp.

Plans Kit Carson Pix

Betty Laidlaw and Robert Lively have been signed by Edward Small Productions to develop a story on the life of Kit Carson. The title will be "Kit Carson—Avenger." Production is scheduled for early Spring.

Col. Registers Stock Reserved for Options (Continued from Page 1)

managers on the European situation, it was learned yesterday, Jack Seagal, assistant to McConville, accompanied him.

An outline of new operating policies for the European territories affected by recent changes will be given to the company's foreign managers by the Columbia foreign chief.

New W. 43rd St. House

Plans have been filed with the Department of Housing and Buildings by Freya, Inc., for the construction of an 86-seat theater to be built at 118-122 W. 43rd St., New York City, it was disclosed yesterday. Alexander S. Andews and C. Z. McDonough are president and secretary, respectively, of Freya.

Reopen Pact Negotiations

Meeting between representatives of the Paramount News Unit of the Newspaper Guild and the newsreel company was held last night to reopen contract negotiations. Minimum wage scales was the principal issue discussed last night. Al Rich represented Paramount News.

160 In Illinois Allied

Chicago—President Kirsch of the Allied Theaters reports more than 100 members now enrolled.

Penn Newsreel, Picketed, Enters Counter-Picket

Picketing of the Pennsylvania News Reel Theater by two members of the Theatrical Protective Union, Local 1, was upset yesterday when the managers of the theater entered the picketing field with their own man. Dressed as William Penn, the theater picker carried a sign telling the theater's side of the story. He then told the picker to hire two of his men to replace burned out bulbs in the theater marquee, now being done by the porter. The theater states that it does not need any additional employees beyond its present staff.

Henie Tour Opens Nov. 2

West Coast Bureau of THE FILM DAILY

Hollywood—Sonja Henie and her Hollywood ice revue will start their Nov. 2 at the Polar Palace, Hollywood, and will play important cities until the middle of January. "Allee In Wonderland" will be one of the outstanding numbers. The ballet consists of 60 members, while 100 people are used in the revue.

Sam Gould Hospitalized

Pittsburgh—Sam Gould, who has been operating the Arcadia and Gould Theaters for over 20 years, has been confined to the Mercy Hospital here for the past four weeks with a very serious rheumatic condition.

RKO Reports Good Business
On Revival of "King Kong"

Following the successful revival of "horror" pictures, RKO reports a number of first-run bookings on "King Kong," with the South leading in thenumber of engagements. The picture also has been playing to reported good business in the Philadelphia, Boston and New York territories.

Several showings of "King Kong" in first-run theaters include Albany, Atlanta, Buffalo, Charlotte, Cincinnati, Dallas, New Orleans, Oklahoma City, Omaha, Pittsburgh and St. Louis.

New prints and a complete new campaign book have been issued.

T-M in Three Deals

Trailer-Made, Inc., has closed new franchise deals in three territories. Trailer-Made Service of Iowa and Nebraska has been formed to operate at 1615 Davenport St., Omaha. Beverly Miller has organized Trailer-Made Service of Kansas City, Inc., while Ben Wienski is opening offices in Boston to serve New England. All deals are for 10 years.

No Successor to Richey

Detroit—Co-operative Theaters of Michigan is giving up the offices formerly used by H. M. Richy, recently resigned from the organization, definitely indicating that no successor will be appointed.
Trade Stand Against Punitive Foreign Practices Probably Justified—Golden

Commerce official predicted that excessive anti-british propaganda pix abroad would surfeit theatregoers and foresee "a striking reversion" as possible "in the near future." Golden suggested that if possible, "The aff prioritarily out of patriotic motives.
During the first nine months of the present year, he said, not less than 145 million feet of U. S. pix were seen to foreign countries—Europe being by far the market in point of dollars-and-cents receipts and Latin-America the best if measured just by footage consumption. But the profit picture today, in Golden's view, are foreign governmental restrictions, high taxes, exchange control, tightening censorship, and declining patriotism tendency to eschew feeble local film industries abroad.

Golden left New York last night for the MPTOA convention at Oklahoma City. Before returning to his Washington office on Nov. 9, he will visit Cleveland and Chicago. Because of conflict of dates, he has cancelled his scheduled appearance before the SMPE convention in Detroit next week.

Pittsburgh Variety Club Dinner Calls Film Execs.

Fordham University will be one of the speakers at the banquet Sunday; Also U. S. Senator Joseph Gaffney, Ringmaster will be Jay C. Flippen, the entertainers Fred Bartholomew, Borah Minovicth's Racekels, Eila Logan, and the Lawrence Welch and Jerry Mayhall Orchestra among many others. The affair is a sellout; over 900 will attend.

Expected to arrive tomorrow and Sunday from New York for the gala affair which will honor the tent's retiring officers are:


Others scheduled to arrive include:
Jack Beresin, Philadelphia; Rudy Berger, Washington; Bill Carlson, Detroit; Duke Clark, Cleveland; Jay Emmerling, William Eames, Jack Flynn, Detroit; J. E. Fontaine, Washington; Sam Galanty, Washington; Jack Holland, Athens; L. E. Lebow, Pittsburgh; E. A. Lichtman, Washington; Edgar Moss, Philadelphia; Bob O'Donnell, Dallas; J. J.

Report SAG Concessions To Independent Producers

West Coast Branch of THE FILM DAILY

It would seem that Screen Actors Guild has agreed to grant a 54-hour week and a 10-hour day with straight time for overtime on independent western costs under $30,000, and that Republic and Monogram have agreed to accept these concessions. There would be no reductions in wage scales or any change in the 300-mile Guild zone.

It is reported that the Independent Motion Picture Association will hold a meeting today to consider the concessions. The meeting of the arbitration board which has been considering the proposed working agreement between the Guild and independent producers has been postponed until Monday.

Ouabache, Cincinnati; Lou Reno, Baltimore; J. Myer Schine, Gloversville; Ted Schlanger, Philadelphia; Leonani Schlesinger, Philadelphia; Izzy Schmertz, Cleveland; Carl Schmidt, Baltimore; Bob Smeltzer, Washington; Earl Swigert, Philadelphia.

Norman Fressco will act as toastmaster. At the speakers' table will be Cornelius D. Seely, Mayor of Pittsburgh; David Lawrence, secretary of the Commonwealth of Pennsylvania; James J. Davis, U. S. Senator, Senator Alben Burkle of Kentucky; Ex-Governor Joseph Hoffman of New Jersey; Charles Margiotti, former Attorney-General of the State of Pennsylvania; Ex-Senator Frank J. Harris, chairman of Allegheny County Republican Committee; Ex-Senator Arthur James; the Hon. Frank Patterson; Rev. Dr. Herman Halperin; Rev. Dr. Homer Flint; Rev. Father James Gierak; Dr. Jack Sutherland, coach of the Pitt football team; Marshall Goldberg, football star; "Babe" Ruth; Roy Acuff; Roscoe Arbuckle, and "The Great Gatsby." The announcement was made by J. T. McDowell, chief Barker of Tent No. 1, and Irma H. Davis, local treasurer.

Mike Cullen, district manager of Loew's theaters in this territory, is in charge of the entertainment.

ITALY MAY BLOCK MONO-, REP. DEALS

(Continued from Page 1)

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Italy to Purchase Pix in London, Paris, Berlin

(Continued from Page 1)

of American pictures from the Italian market, as of Dec. 31, it was learned yesterday. No change in the Fascist Government's monopoly program is foreseen.

Rosenberg Again Named Prexy of W. Pa. MPTO

Pittsburgh—A. D. Rosenberg was re-elected president of the MPTOA of Western Pennsylvania at the ex-

Rosenberg again named prexy of W. Pa. MPTO

PALE YOUNG

FILMS

(Continued from Page 1)

were: Cornelius D. Seely, Mayor of Pittsburgh; David Lawrence, secretary of the Commonwealth of Pennsylvania; James J. Davis, U. S. Senator, Senator Alben Burkle of Kentucky; Ex-Governor Joseph Hoffman of New Jersey; Charles Margiotti, former Attorney-General of the State of Pennsylvania; Ex-Senator Frank J. Harris, chairman of Allegheny County Republican Committee; Ex-Senator Arthur James; the Hon. Frank Patterson; Rev. Dr. Herman Halperin; Rev. Dr. Homer Flint; Rev. Father James Gierak; Dr. Jack Sutherland, coach of the Pitt football team; Marshall Goldberg, football star; "Babe" Ruth; Roy Acuff; Roscoe Arbuckle, and "The Great Gatsby." The announcement was made by J. T. McDowell, chief Barker of Tent No. 1, and Irma H. Davis, local treasurer.

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**Pix Wage-Hours Rulings Must Wait, Industry is Told**

(See Column 3 Below)

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The Daily Newspaper Of Motion Pictures
Now Twenty Years Old

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**Allied and Distrbs Resume Talks in Chicago Thurs.**

**TRADE REFORMS HOLD SPOTLIGHT AS MPTOA MEETS**

**Selznick Making No Deals at Present Time—Whitney**

**MPTOA, 1938**

... as a tip-off

By CHESTER B. BAHN

IT is a traditional practice on the part of the trade press to publish the opening speeches of each succeeding MPTOA national convention as if it will prove to be "the most important ever held."

However appropriate the use in the past, the phraseology applies with telling effect to the Oklahoma City convention, the first session of which starts today. From the industry standpoint, certainly, these are history-making days. The future of this business is being charted, and the decisions now being formulated within the industry in all probability will determine whether that future shall be marked by its past freedom or an exercise of supervision or control by outside forces.

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**WHAT is disclosed at Oklahoma City reasonably may be the tip-off. The first clue will be found in the annual report of Presy Ed Kuykendall, proponent of the "10-point" program, to be read this morning. As important, perhaps more important, will be tomorrow's appearance before the convention of William F. Rodgers, Metron's sales chief, who will discuss "Trade Relations in Distribution and Exhibition." Kuykendall, for the MPTOA, and Rodgers, for the distributors' negotiating committee, have been key men in the present trade reform parleys here. "Definite progress," it has been announced, was made at the early conferences; exactly what that constitutes undoubtedly will be defined in Oklahoma City today.

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IT is true, of course, that there are other parties to the reform negotiations, each group with its own agenda. Yet, basically, these programs have much in common, and their reconciliation to provide an industry Magna Carta should not be an impossible task. Essentially, this is a trading industry, with all that implies. The formula devised at the parleys in progress here (and which, insofar as the MPTOA is concerned, are expected to continue)

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**PHILLY EXHIBITORS FORM ALLIED UNIT**

Philadelphia—A new Allied unit came into being here Friday when a large group of territory exhibitors met and formed an organizing committee.

Assembled exhibitors were urged (Continued on Page 12)

**Wobber Says "Alexander" U. S. Gross at 2 Million**

Domestic gross of "Alexander's Ragtime Band" already has reached $2,100,000, Herman Wobber, general (Continued on Page 7)

**Summary of Trade Practice Parleys To Be Submitted to Allied's Board**

Pittsburgh Variety Club Dinner Attracts Over 900

Pittsburgh—More than 500 guests and members attended the Variety Club banquet held under the Big Tent in the ball room of the William Penn Hotel last night. John H. Harris, national president of Variety Clubs and general chairman of

(Continued on Page 7)

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**FLSA RULINGS REFUSED**

Consult Labor, Cut Classes, Administrator Advises

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—Advising the majors to get together with labor first before the House Administration to rule on over 60 separate classifications of the motion picture employees under the Wage and Hour law, administration officials on Friday told representatives of the industry that the classifications would have to be handled in the same manner as all others, and no ruling could be made without the industry's agreement.

Those attending the conference (Continued on Page 21)

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**Kuykendall's Annual Report Today Will Touch on Concessions**

By AL STEEN

FILM DAILY Staff Writer

Oklahoma City—Developments at the trade reform conferences under way in New York during the last two weeks will hold the spotlight at the MPTOA's 18th annual convention, it was indicated as the sessions officially opened at the Biltmore Hotel here this morning.

Results of the parleys were un

(Continued on Page 18)

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**TO ADJOURN HEARING ON GOV. EQUITY SUIT**

Hearing scheduled for tomorrow on the major distributors' motion for a bill of particulars in the government's equity suit probably will be set back as it is understood that the Department of Justice is

(Continued on Page 22)

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**FOREIGN COMPLICATIONS CALL JACOBS abroad**

That Columbia's large stake in the European film market will not be left to the vagaries of economic and political conditions, nor to the individual judgments of Continental managers, was evidenced on Friday

(Continued on Page 22)

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**PREVENTION OF FIRE HOLDS INTEREST AT SMPE MEETING**

Detroit—Sound recording both film and disc, lighting problems of theaters and studios, 16-mm. recording and reproduction, and miscellaneous applications of cinematography

(Continued on Page 20)
The Broadway Parade

Picture and Distributor

The Sinners (Warner Bros. Pictures)—3rd week...
Strand
The Devil's Own (M-G-M)—2nd week...
Capitol
Suez (20th Century-Fox)—2nd week...
Roxy
Young Dr. Kidder (Metro-Goldwyn-Mayer)...
Paramount
Men With Wings (Paramount Pictures).......
Paramount
The Street (Universal Pictures)...
Globe
Touchdown Army (Paramount Pictures)...
Central
Five of a Kind (20th Century-Fox).......
Globe
The Main Street (United Artists Pictures)...
Boland
Colorado Trail (Paramount Pictures)...
Palace
Hidden Flame (United Artists Pictures)
Secrets of an Actress (Warner Bros. Pictures) (a)
Palace

TWO-A-DAY RUN

Marie Antoinec (Metro-Goldwyn-Mayer)—10th week.
Astor

FOREIGN LANGUAGE FEATURES

Grand Illusion (World Pictures)—7th week.
Filmarte
The Story of a Ghost (Gaetil Films)—6th week.
Music Hall, 5th Ave.
Liberty of Killarney (William Alexander)—2nd week.
Belmont
Irish and Proud of It (Guaranteed Pictures)...
Belmont
Thick'll Make You Whistle (C & M Pictures..
Belmont
Rose of Tralee (Dublin Film Co.)...
Belmont
Danton (Hoe Film Co.)...
Rivoli
The Singing Blacksmith (Yiddish picture)...
Continental
Life Dances On (Empire Pictures) (a-b)...
Palace
The Adventures of Mark Twain (Wooded Production)...
Palace

FUTURE FEATURES

The Citadel (Metro-Goldwyn-Mayer)—Nov. 3...
Criterion
Girls' School (Columbia Pictures)—Nov. 3...
Toddy
That Certain Age (Universal Pictures)—Nov.
Roxy
Ballaratina (Mayor Burstyn)—Nov. 14...
Belmont
Little Caesars (Warner Bros. Pictures)—Nov. 14...
Belmont
Compliments of Mr. Flow (Mothophil Pictures)—Nov. 14...
Belmont
39th St. Playhouse (a)
Boland
Professor Membrell (Amico (b))...
Criterion
Arkansas Traveller (Paramount Pictures) (c).
Central
Angels With Dirty Faces (Warner Bros. Pictures) (d)...
Palace
The Pure in Heart (United Artists Pictures)...
Palace
Room Service (KKO Radio Pictures)—Nov. 3 (a-b)...
Palace
Always in Trouble (KKO Radio Pictures)—Nov. 3 (a-b)...
Palace

MPTOA, 1938

... as a tip-off

(Continued from Page 1)

true after the convention) cannot be con-
fidently anticipated as it was last year. It is not going
never. Here again the nature of the indus-
try is a factor—a deciding factor. Few
industries are as sensitive to the law of
change as the movie biz. It is not going
to be too far, perhaps, to point out that it is the
seeming failure of some leaders to under-
stand this which has given rise to existing
trade irritants.

Einfeld Will Head East
for Home Office Huddles

S. Charles Einfeld, Warners' na-
tional head of publicity-advertising
exploitation, leaves Burbank to-
night bound for New York where he
will confer with Maj. Albert War-
ner, Gradwell L. Sears, and Mort
Blumenstock on campaign for five
pix, namely, "Angels with Dirty
Faces"; "Dawn Patrol"; "Wings of
the Navy"; "Dodge City"; and
"Hearts of the North," latter in
Technicolor.

"Body by Bronson" to be
Picturized by Murphy

Dudley Murphy, currently direct-
ing Sylvia Sidney in "Something
of a Nation," at the Astoria
studios, has purchased "Body by Bron-
son" by Helen Meinnardi, who author-
ed "Let Me Be," in Paris. Produc-
tion is expected to begin in Janu-
ary with an all-star cast.

Wilcox and Anna Neagle
Sail for U. S. Saturday

London (By Cable)—Herbert Wil-
cox, accompanied by Anna Neagle,
star of Wilcox's "Sixty Glorious
Years," sails for the U. S. on the
Normandie next Saturday. Trip in
connection with the forthcoming
U. S. and Canadian premieres of the
pix which RKO will distribute.

Insist on Forest

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Specialists for 23 years in the storage of valuable film.

FINANCIAL

(QUOTATIONS AS OF FRIDAY)

NEW YORK STOCK MARKET

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<tr>
<th>Stock</th>
<th>Bids</th>
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<tr>
<td>Met. Playhouse, Inc. 56 41</td>
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<tr>
<td>RKO Thea. Bldg. 645 1st. 41</td>
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</table>
How long have you been married?...

Not long enough, we bet, to have forgotten those first amazing years of married life... The times when you first learned it was a crime to sprinkle ashes on the broadloom or use a guest towel for brightening up the tips of a pair of shoes. Yes, and when you first made the brilliant discovery that the little darling you led so meekly to the altar has a very, very stubborn streak in her and a way of misunderstanding a fellow when he's trying his best to do and say the right thing. The times when life shifted hour after hour from sheer and positive bliss to what would have looked to an unknowing or bachelor eye mighty like a battle to the finish... We note that understanding look. Okay... then, brothers, listen... For the millions and millions of married folk, yes, and especially young married folks, and most especially about to be married folk, Paramount has got THE PERFECT PICTURE. Remember the song hit, "Thanks for the Memory." Sure, we know you're still whistling it... you and the rest of the U.S.A. All right. We've taken the lyrics from this hit song of all hit songs. We've taken the sort of bitter-sweet half laugh, half sob which was in those lyrics and we've made the grandest picture of young married life you've ever had the chance to see and hear and tell others to see and hear. It's as funny as young married life is funny. It's as... well... you're going to find yourself swallowing that lump in the throat plenty. But, you get the idea, here's a human picture that you and your wife and your family are going to like... because it's got that certain something which hits are made of... realness and human nature.

And speaking of business? Well, look at it! Tell people how you feel about it and the results will speak for themselves.

The hit song of the year... is now the hit picture of the year!...

"THANKS FOR THE MEMORY"

with Bob Hope • Shirley Ross
Chas. Butterworth • Otto Kruger

A Paramount Picture • Directed by George Archainbaud • Screen Play by Lynn Starling, Based on a Play by Albert Hackett and Frances Goodrich
THE POLICY OF "THE FRIENDLY COMPANY"

IT IS neither fitting nor becoming for Metro-Goldwyn-Mayer to parade in the public prints the kindly and complimentary words which are being showered upon it in communications from our customers, and editorially in the trade press.

THE PURPOSE of this advertisement is to register deep gratitude to our exhibitor friends for their faith and support.

AS THIS new season proceeds on its way it has been convincingly demonstrated by early renewal of contracts that our customers of the past year were more than satisfied with our merchandise and our methods.

TO THEM and to new M-G-M exhibitors we re-affirm our belief that successful operation is built on the confidence and support of happy customers! That is the essential of a profitable partnership and our appreciation of it is expressed in the fair policy of a friendly company.

(continued above)
YOUR FAITH in M-G-M’s product has been answered again this season by a consistent supply of splendid entertainments.

YOUR FAITH in M-G-M’s sincere selling methods has been fulfilled this year too, as it was last season, in a reasonable and fair allocation of pictures.

YOUR FAITH in a rosy future for your theatre is amply fortified by M-G-M’s Fall and Winter production activities.

MONTHS AGO Metro-Goldwyn-Mayer set its plans for a 1938-39 season that would entail the largest outlay of production money which this company has ever expended.

ONLY M-G-M with its vast reservoir of talents and story materials and its ability to take chances could do this.

WITH BOOM conditions evident in America, the foresight of M-G-M in being prepared with “A” attractions for “A” times is added confirmation to customers of many years that true security rests in an M-G-M contract.

IN A sentimental business we take the liberty of a heartfelt salutation:

“WE ARE grateful to you who have made our success possible.”
S-I MAKING NO DEALS AT PRESENT--WHITNEY

(Continued from Page 1) until Whitney returns from Europe the latter part of November and David O. Selznick returns from Bermuda around the same time. Authority for the information, John Hay Whitney, S-I board chairman.

Whitney, who sails on the Queen Mary this week, has not been buying RKO stock and has no plans to do so at this time, it was learned.

The company is stronger today that at any time since it was organized, Whitney said. He pointed out that the production staff has been bolstered, notably by the addition of Merritt Hurlburd, the company owns a number of excellent story properties, and the product turned out during the past year has had a fine reception everywhere it has played.

Whitney described his European trip as a personal business trip to take care of certain matters that needed his attention at this time and said that naturally he would spend some time at the S-I London office.

He was non-committal about the possibility of signing another deal with United Artists. "Naturally, we want the best distribution deal we can find for our product, but what or where that deal will be can't be determined at this time. We have always been willing to listen to any propositions presented at the proper time," he said.

He pointed out that there was no hurry on the part of S-I to sign a new pact as production of GWTW would keep Selznick busy until next summer, and an arrangement for the release of "Intermezzo" would not be difficult.

Fred Kohler Dies
West Coast Bureau of THE FILM DAILY

Hollywood—Fred Kohler, 49, veteran character actor, died suddenly Friday of a heart attack. He was scheduled to work on the day of his death in "The Pure in Mind" which went into production at RKO a few days ago.

Happy Birthday

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

OCTOBER 31
Lawrence Grant 
Albert O. Levin

ALONG THE RIALTO

WITH PHIL. M. DALY

- - - ANAPOLIS Preview.....of the 20th Century-Fox 'Submarine Patrol'......before the entire regiment of Middles numbering 2100.......attended by Rear Admiral Wilson Brown and staff.....chaperoned by Earl Wingate of the office ad and pub dept., a bevy of 14 members of the trade press journeyed down to the Naval Capital Saturday......and Sunday more after an old fashioned Academy breakfast of corn pone, hardtack and beans, toured the grounds......in the afternoon the preview disclosed a stirring story of the famous sub patrol.....the party trained back to New York after the performance......on Navy Day (last Friday) the picture was shown to an audience of over 1,000 government officials, Navy officers and diplomatic attaches at the National Press Club in Washington......the film marks the debut of Nancy Kelly......John Ford directed......

- - - SHOWMAN Ballyhoo.....one of the most striking stunts ever to hit the theater......Kute Kris Kringle......put out as a special Holiday attraction for the theater with the slogan: "The living, breathing, 3-inch high Santa Claus"......and it is exactly that......saw it with our own eyes......we came to scoff, and stayed to cheer......Ed Pesakay has the novelty, and showed it to us in his offices in the RKO building......it is an inside-theater attraction, for the foyer or mezzanine......it should jam your house from Thanksgiving to Christmas......for that's the time the attraction is to be shown......it consists of a toy house 3/4 feet high and 3/4 feet long......you sit down in front of the toy house with its Holiday snow atmosphere outside, lift up a phone, and talk to Kris Kringle......he appears through a window, coming through a door as you phone him......he lifts a receiver, waves to you and you start talking to him......he answers all your questions and asks you what you expect from Santa Claus......he is HUMAN......only three inches high......he waves at you through the window, walks, talks, laughs and starts fixing the toys around the Xmas tree, where a toy train is running around on the floor......a complete publicity and exploitation campaign goes with the stunt, and it can be tied up locally to get back some of the rental if not all......about the best Xmas stunt ever pulled in the film biz......

- - - NOTEWORTHY stage production.....that of the Glendora Alvino show, "Knights of Song"......an impressive presentation of the fascinating lives of Gilbert and Sullivan......their collaboration, ups and downs, the whole kaleidoscopic drama of their brilliant careers in the theater......a pity the show had to close, due to the financial handicap of such a lavish production......under auspicious surroundings it could have run indefinitely in a more modest theater than the Fifty-First Street......Schwab-Hammerstein were the producers of Alvino's work, on which he did a craftsman job of playwriting......Glen has to his credit such b.o. moneymakers as "Midshipman Jack." "We're Rich Again," "Silver Streak," from the RKO Radio studios.....those who saw the show will long remember the really great performance of Nigel Bruce as Gilbert......

- - - SUMMARY of the editorial comment on the Industry Drive......a 14-page booklet has been prepared under direction of Howard Dietz......containing excerpts from newspaper editorials......the booklets will be distributed to exhibitors through the Drive's exchanges to give them first-hand evidence of the newspaper support of the industry......Premiere of the Jack Buchanan film musical, "This'll Make You Whistle," at the 59th St. Playhouse this eve......

DATE BOOK

Today: MPTO national convention, Oklahoma City.

Today: SMPA fall convention, Starler Hotel, Detroit.

Nov. 1: Independent Theater Owners of South Carolina, Holiday Inn, Charleston.

Nov. 1-2: Associated Theater Owners of Indiana convention, Antlers Hotel, Indianapolis.

Nov. 4-5: ITO of Ohio convention and Central Regional Conference, Delmon-Wallace Hotel, Columbus.

Nov. 15: MPTO of the Northwest convention, Washington Hotel, Seattle.

Nov. 20-21: Arkansas ITO. Little Rock.


Dec. 4-5: Theater Owners of North and South Carolina convention, Hotel Astor, Charlotte.


UA Closes Product Deals With Four Western Circuits

Four new United Artists product deals with leading western circuits were announced over the week-end by J. C. Schaeffer, western general sales manager. Facts call for the entire 1938-39 lineup.

A deal with the Black Hills Amusement Co. was closed by Ben Fish, Far West district manager, and Al Hoffman, manager of the Denver exchange.

Fish and R. J. Cadman, manager of the Salt Lake City branch, closed the Publix Intermountain circuit for all situations.

Blank Tri-States and Central States circuits have contracted for UA product in all situations, a deal closed by Jack Goldberg, district manager, and D. V. McLucas, Omaha exchange manager.

Booth Law Concession Requested in Ontario

Toronto—Waiting on O. J. Silverthorne, head of the theater inspection and film censor departments of the Ontario government, an industry committee requested amendment of the law so that theaters with under 750 seating capacity could operate with only one qualified projectionist. At present, such theaters must also have an apprentice employed as well as a regular projectionist.
A "Little" from Hollywood "Lots"

By RALPH WILK

WARNERS Sign ZaSu Pitts, the greatest director of this year's "A Little" from Hollywood "Lots." ZaSu Pitts, has been signed for an important featured role in "The Little Colonel," directed by Dick Powell, Warners' next picture for Warners. The production of the picture, which Gale Page has the feminine lead, will start this week with Busby Berkeley directing.

Join Cast of "Ambush"

Bryant Washburn, Lew Kelly, Robert Homans and Allen Fox have been added to the cast of Paramount's "Ambush," the cast of which headed by Gladys Swarthout, Lloyd Nolan and William Henry, Kurt Neumann is directing.

In "Darling Daughter"

Roland Young and Ian Hunter have been awarded top featured roles in Warners' forthcoming "Yes, My Darling Daughter" headed by Gladys George, as "Suzie," the cast of which is headed by Gladys Swarthout, Lloyd Nolan and William Henry. Kurt Neumann is directing.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 202


Hartmann on "Surgery"

Edmund L. Hartmann has been signed by Irving Starr of Crime Club Productions to write the screen play on "Murder in the Surgery," a novel by Dr. James Edwards, which will serve as the next Crime Club release. Hartmann previously did the screenplay on "The Last Express" and "The Dead Don't Care" for Start.

Small Signs D. C. Werner

Edward Small, has announced the appointment of David C. Werner as casting director.

Pittsburgh Variety Club

Dinner Attracts Over 900

(Continued from Page 1)

the banquet presided. Dinner began at 6:30 p.m. with the Rev. Dr. Homer Flint pronouncing the invocation and Father James Garahan the benediction after which motion pictures of the departed members were shown.

Presentation of the baby adopted by the club as a symbol of its charity was made by Retiring Chief Barber J. F. McGreevey to his successor, Ira H. Cohn, and the sound truck purchased by the club for the showing of motion pictures to shut-ins was also formally presented.

The toastmaster, Norman Frescott, then introduced the Ring Master Jay C. Flippen who presented the various acts, headed by Freddie Bartholomew, Boris Minnetch's Rascals, Ella Logan, Harry Jane Walsh of the Broadway Hit, "Sing Out the News," Marjorie Gainsworth, The Three Sailors, and the Lawrence Wells, Jerry Mayhall and Tommy Tucker orchestras.

The Urban and Silver rooms of the hotel were transformed into a manegere effect where the freak sides shows were staged.

Rosey Rosewell presented Retiring Chief Barker McGreevey with a Philco radio and each of the retiring officers and board of directors with a Variety Club ring. Rosewell also introduced the newly elected Chief Barker, Ira H. Cohn.

Skouras Credits Drive for Pix's Present Prosperity

Although quality product emanating from Hollywood is responsible to a great extent for the current national prosperity of motion pictures, the Motion Pictures' Greatest Year campaign must, according to Spyros Skouras, be credited with playing a vital part.

Skouras asserted that the drive was responsible above all else for effectuating a co-operative renaissance among production, distribution and exhibition branches; and, further, that it was the channel through which industry good-will and optimism were restored, at a time when something more than just product was needed.

He added that the expenditure of every dollar on the promotional drive was justified, and that this option he found to be shared by responsible sources the country over.

Skouras declared that there is no way on earth of determining how much the campaign has helped box-office. Conversely, he contends, "no one knows where we would be today if it were not for the great activity surrounding the campaign."

"Rat" At Strand Friday

WARNER'S "Brother Rat," open an extended engagement Friday at the New York Strand. Stage show was headed by Al Donohue and his Rainbow Room orchestra, plus Hugh Herbert, comedy star, making a personal appearance.

ANDREA LEEDS Injures Foot

Andrea Leeds, who will play opposite Gary Cooper in Sam Goldwyn's "Dark Valley," was unable to answer early calls for the picture due to an injury to her foot. In California, Leeds was playing badminton and broke the phalanges bone of her right foot. She will be confined to bed with a plaster cast until the injured foot for the next three weeks.

HOPTON, "Hopalong Heavy"

Producer Harry Sherman's search for an actor to portray the "heavy" role in "Arizona Bracelets," final production of the series of the current season, ended when Russell Hopton was signed for the part.

LESLEY SOLANDER will direct the film for Paramount release.

Herscher's Gillis Folio

Louis Herscher has completed the words and music to a folio dedicated to Al Jolson's upcoming picture, "Orphan Annie." The music of several of the songs will be used in the score for the Paramount picture of the same title, under the musical direction of Lou Forbes.

Expect Quebec to Modify Ban on Junior Admire

Quebec—Marking a definite step towards modification of the ban on admission of Juveniles to pit theaters in Quebec province, the provincial government, represented by two Cabinet Ministers, Albiny Paquette and Thomas J. Cooman, invited Quebec clergy, educationists and social workers to a showing of "Boys Town" in the Chateau Frontenac. Cardinal Villeneuve, unable to be present, sent a representative to the cimematograph performances in colleges, convents or other educational institutions.

Frisco Climax

West Coast sex, THE FILM DAILY

Hollywood—Adding 11 scenes to the script and having the story reach its climax at San Francisco, the idea of the silent film "Rat" has been completed. Making the new scenes required four days, with Fredric March, the leading man, the co-stars, and Ralph Bellamy and Ann Sothern, who head the supporting cast, returning to the studios for these "shots."
It has a meaning all its own!

THE DICTIONARY says
Broth' er Rat means
A term of address used by students at Virginia Military Institute—something similar to use of 'Plebe' at West Point.

FILM DAILY says
BROTHER RAT means
'A box-office honey!'

Variety says
BROTHER RAT means
'Exhibs will hit pay dirt!'
I M. P. HERALD says
BROTHER RAT means
'A service comedy that is like no specimen that has ever been offered the public before.'

M. P. DAILY says
BROTHER RAT means
'The utmost in comedy!'

HOLLYWOOD REPORTER says
BROTHER RAT means
"Rat' takes the cake... will send audiences out talking so much they'll send other audiences in!"

You'll see what all this means to you, brother, when WARNER BROS.' 'Brother Rat' opens nationally AT SELECT HOUSES THIS WEEK
29 FIRMS EXHIBITING AT MPTOA CONVENTION

Oklahoma City—Display booths exhibitors at the MPTOA convention here comprise 29 firms as follows:

Wagner Sign Service Co., Chicago; two; Tad Screen Advertising Service, Dallas, one; American Screening, Co., Grand Rapids, one; Modograph, Chicago, one; American Deck Temple, one; RCA, Camden, N. J., two; Burch Manufacturing Co., Kansas City, one; Kroehler Manufacturing Co., Chicago, one; Government Air Co., Oklahoma City, one; National Carbon Co., Cleveland, two; Betz Air Conditioning Co., Kansas City, one; Adler Sign Letter Service, Chicago, one; Nap-Ads, Eastland, Texas, one; National Theater Supply Co., Dallas, two; International Screen Corp., Dallas, two; National Screen Service, three; Oklahoma Theater Supply Co., Oklahoma City, three; New Line, Omaha, one; Consolidated Book Publishers, Chicago, one; She-Ball, Inc., Los Angeles, one; Magic Eye Co., Dallas, one; Westinghouse Electric Co., one.

11 Local Committees Serve At Oklahoma City Conclave

Oklahoma City—Local committees for the MPTOA convention functioning under the general direction of Morris Loewenstein, convention chairman, embraced:

Reception—L. C. Griffith; with T. B. Noble and C. B. Akers as associates.

Housing—J. C. Rader, Display—Morris Loewenstein, Entertainment—Dusty Moore, Ladies' Af


Michigan Officials Will Attend V.C. Murphy Dinner

Detroit—Detroit Variety Club will have practically all top State officials as well as Wayne County officers present today in tribute to Gov. Frank Murphy. Edmund C. Shields, vice-president of the Butterfield Circuit, and Democratic National Committee chairman, will be present.

Variety will honor Gus Sun, veteran booking agent, on his fiftieth anniversary in the business, on November 19. Next Saturday will be United Artists Night, with Jack Goldhar, district manager, and Moe Dudelson, branch manager, as hosts.

OKLAHOMA THEATERS WILL INCREASE RADIO TIME

Oklahoma City—More extensive use of radio time than in the past is on the advertising schedule of major theaters in this state for the forthcoming Fall and Winter season.

T. B. Noble's State Theater here has inaugurated a series of weekly Sunday afternoon radio programs built around the act at current in the theater each week. Standard theaters are carrying from the stage of their Criterion Theater, a radio derby with WKY and will probably use considerable time on the smaller local stations, KOXY for commercials, transcription and minor contests.

The Cozy and Gem theaters at Tulsa have a complete radio contract with KTUL for five 30-minute broadcasts per week from the theaters using the program at 3 p.m. as a cofter with movies, recording.

It is known that similar plans are being considered with theater operators in other cities over the state where radio stations are located.

Cadillac House, Dark Eight Years, to Open With Pix

Detroit—Butterfield Circuit plans to open the old McGinn Theatre in Cadillac in early November as the Center. This will be the first use of this house for sound films, as it has been closed about eight years. Seating capacity is being increased from 400 to 700 seats and house is being completely remodeled and equipped with Western Electric Microrophonic Sound. Butterfield Circuit also has the Lyric, 817 seat house, in Cadillac.

Moss and Graetz Financing French Pix; Col. Releasing

Starting with "Carnet de Bal," Columbia will distribute the program of foreign pictures heretofore announced for release by Empress Pictures, Inc. B. S. Moss and Paul Graetz, members of Empress, have decided to discard their distribution plans and confine their activities to the marketing of productions for world-wide distribution.

Graetz sailed Friday on the Ile D' France for Paris where he will be representing filmmakers, has negotiated the financing of several new pictures. Moss is scheduled to sail on the Queen Mary this week.

Wins Right to Amend

Albany—The Court of Appeals has granted a motion of the New York State Motion Picture Theaters, Inc., appellant, vs. City of Newburgh and others, respondents, to amend notice of appeal nunc pro tunc as of Sept. 12.

Monday, October 31, 1938
A New Face Brightens the Screen!

at the Radio City Music Hall
starting Thursday Nov. 3rd

Paulette Goddard

Scintillating new star . . . center of the most concentrated public interest in years. Millions of fans are waiting to see her in her first role since Chaplin’s “Modern Times” . . . millions are waiting to hear her speak for the first time on the screen!

SELZNICK INTERNATIONAL Presents

JANET GAYNOR
DOUGLAS FAIRBANKS JR.
PAULETTE GODDARD

in

THE YOUNG IN HEART

with

ROLAND YOUNG
BILLIE BURKE

HENRY STEPHENSON and introducing RICHARD CARLSON directed by RICHARD WALLACE

Based on the SAT. EVENING POST Series “THE SAT. BANDIT” by J. L. RYMDE

Produced by DAVID O. SELZNICK . . . . .

and Released thru

UNITED ARTISTS
Film Biz Prospects in Michigan are Definitely Brighter

Sharp Recovery Brings Pix Attendance Back to 90% of Normal

By H. F. REVES

FILM DAILY Staff Correspondent

Detroit—Industry picture in Michigan is definitely brighter, and exhibitors are much more optimistic than a month ago when the year’s final quarter began.

The drop in summer business was greater than in several seasons because of generally critical industrial conditions, but the recovery is all the sharper as a result. To date, it appears to be about 25 per cent over the business done three or four months ago, but not quite up to last Fall, when the recession was just beginning to hit the local trade. This would bring business back to 85 per cent of normal. However, smash-hit pictures will bring grosses to the top, as proved by the records of “Alexander’s Ragtime Band,” which has grossing about double the normal business of good times at local houses.

Construction pace has been maintained, although most of the work has been the completion of houses started a few months ago. One major new house, the Empire on the East Side, has just been started by George W. Sampson, and various upstate building projects are underway, chiefly by Butterfield Theaters Circuit.

Remodeling has been more important in the past few months, many operators taking advantage of the drop in business to complete their schemes of modernization.

Prices have shown a slight downward tendency, but only in exceptional situations. Usually only one or two houses on the house schedule have been dropped, as the matinee prices for weekdays, while night and weekend prices remained stationary. Exhibitors have evidently learned the lesson of two years ago when they found that price cuts of sometime previous could not be successfully restored.

Premiums are coming more and more into demand, but giveaways have been practically stopped. An unusual number of operators are going in for novelties in this field.

Dual bill situation remains stationary, with practically every house in Detroit playing two features, while more upstate houses have only single bills, except on one or two larger locations where competitive situations make the dual bill policy necessary. Slight tendency to one or more days of vaudeville as a substitute for the double feature bill is more pronounced than in the past few seasons.

E. W. Butcher Quits S-I

West Coast Bureau of THE FILM DAILY

Hollywood: E. W. Butcher has resigned as production manager for Selznick International. Before going Selznick he was with 20th Century-Fox.

Chicago—Will Langdon, manager of Grand Theater at Blue Island, has been transferred to Kankakee, Ill., as city manager there for the Greater States circuit, succeeding George Rice, who resigned to go into theater business on his own in Houston, Texas.

Detroit—Ownership of the Martha Washington Theater in Hamtramck passes to Mrs. Max Mantuelli, following the recent death of her husband. Frank Struckel remains as manager. The house is being remodelled at a cost of $15,000, to be completed soon.

Chicago—Frank Marshall Company, 228 North LaSalle Street, has been formed by Frank Marshall, C. B. Parker, and J. Barrett to operate movie houses. Ray Braunbarger has learned the legal details for the new company.

Oklahoma City—Miss Dorothy Wood, former secretary to C. B. Parker, division manager for the Griffith Amusement Co., has been named secretary to L. C. Griffith, to succeed Mary O’Donnell, resigned following her marriage to Harry McKenna, booker for K. Lee Williams Film Exchange here.

Springfield, Ill. — C. B. Atkins, former manager of the circuit’s Tivoli in Aurora, Ill., has been named general manager of the Greater States Theaters in Blue Island, Ill., succeeding William Langdon.

Denmark, Wis.—Sanford Vincent is planning general repairs to his Lyric Theater here for which has been approved by the state.

Wauapaca, Wis. — J. P. Adler, pioneer Marshfield exhibitor, has purchased the Palace Theater here from the A. M. Penny estate. Adler has been leasing the theater and now plans renovation of the house.

Chicago—Nate Wolf of the Lane Court Theater has been named chairman of the employment committee of CAPA, which was recently formed by the film organization.

Chicago—Ted Shaw has been appointed assistant manager of the B & K Garrick Theater.

Philadelphia Exhibitors Form New Allied Unit

(Continued from Page 1)

to form the unit by Sidney Samuelson, former Allied president, and Col. H. A. Cole, Allied leader of Texas. Abraham counsel, was unable to attend because of business which detained him in New York. Samuelson, in addressing the group, characterized the Philadelphia area as a “sap territory and luscious pickings for the exchanges.” He cited specific cases where benefits of organization had been achieved. Col. Cole stated that an organization “lacked by dynamic leadership and a full treasury was the best insurance against distributor oppression.”

Acting as chairman, Morris Wax appointed an organizing committee which included David Shapiro, David E. Milgram, Luke Gring, Louis Rovner, Harry Fried, Milton Rosner, Columbus Stamper, Benjamin Fertel, Charles Stiefel, Harry Berkson, Raymond Schwartz, Norman Lewis and Wax.

The UMPIA was censured for its MPTDA activities and its alleged support of the producers.

Schine Circuit Takes Mono.

George W. Weeks, Monogram sales manager, announces that Harry Berkson, Buffalo branch manager, has closed a seasonal product deal with the Schine circuit.

Words and Wisdom

PUBLIC: It is the film that first hired me, and it is the film that can fire me.—MYRNA LOY.

HOLLYWOOD: I don’t ever intend to make American films in England. It’s insane for us to try to ape Hollywood. Why, they can even make British pictures in Hollywood as well as we can.—MICHAEL BALCON.

STAR-WEIGHT: Being a star, carrying the whole weight, or most of the weight, is a terrible responsibility, and I feel I am not yet ready for it. I don’t want to be billed as bi- personality, because so far I haven’t seen myself in that light.—OLIVIA DE HAVILLAND.

FLABBERGASTING: It’s flabbergasting when you first discover that, in trying to make a character natural, you’ve given people the idea that you’re really playing your- self.—WILLIAM POWELL.

HATLESS: Hollywood is the best place in the world to develop a swelled head. It’s no wonder so few people wear hats.—ASTRID ALL-WYN.
And

This is the picture that reflects the new optimistic spirit.
JUST WHAT THE WORLD WANTS TODAY!

... Shirley's great big beaming picture that turns the sunshine on!

A STORY of this very minute! Whose THEME AND TITLE TIE RIGHT IN with the buoyant headlines of today! And in that same mood of BUSINESS-UPSWING, 20th backs it with a SMASH NATIONAL CO-OPERATIVE NEWSPAPER AD CAMPAIGN! For plus exploitation it's a natural for your LOCAL GOOD-TIMES-ARE-HERE promotions! This in a picture that is probably SHIRLEY'S BEST in appealing cast and ENTERTAINMENT! EVERYONE in your theatre will love it...and TELL THEIR FRIENDS to hurry and get happy, too!

Shirley TEMPLE in
JUST AROUND THE CORNER

with
CHARLES FARRELL • JOAN DAVIS
AMANDA DUFF • BERT LAHR
BILL ROBINSON • Franklin Pangborn
Cora Witherspoon • Bennie Bartlett

Directed by Irving Cummings


Darryl F. Zanuck in Charge of Production

THE KEYSTONE OF YOUR FUTURE

Printed in U.S.A.
1.

A

Calender o$ J-tdkuM JleUaws

An

alphabetical

months and

^^^

together with pctures scheduled for release during the next few
Dates after titles are distributor
indicates date of FILM DAILY review. Names after review dates are the principal players in the cast. Complete casts
and production credits are included with FILM DAILY reviews. * Indicates Technicolor production.

English-speaking features released since July

of

list

release dates:

FD:

Title

Date

Release

Adventure

Sahara (Col.)
Paul Kelly, Lorna Gray

11-15-38

(RKO)

9-9-3S

Affairs

in

Annabel

of

FD: 7-13-38; Jack

Oakie, Lucille Ball

8-19-38
Faye,
Don

"jer's

V/

(UA)
FD: 6-28-38; Charles Boyer,
Trouble

in

FD:

8-19-38;

Jean

Rogers

8-5-38
Sigrid

(20th-Fox)
Jane Withers,

Gurie

(

Robert

Para.)

Richard Stanley

Dirty Faces (WB)
11-24-38
FD: 10-24-38; James Cagney, Pat O'Brien

(RKO)

Jack

Oakie,

Ball

Lucille

Arizona
Wildcat
Jane Withers

11-11-38

(20th-Fox)

Prod.

In

Arkansas Traveler, The
(Para.)
FD: 10-4-38; Bob Burns, Fay Bainter

10-14-38

Army

Girl (Rep.)
7-15-38
FD: 7-19-38; Madge Evans, Preston Foster

Arrest

Drummond

Bulldog

John

Howard,

1-6-39

(Para.)
Angel

Heather

and Models Abroad
(Para.) ... .12-30-38
Jack Benny, Joan Bennett, Yacht Club Boys
for

Jessie

Boy (Mono.)
FD: 9-1-38; Jackie Moran,

In

8-5-38
The (M-G-M)
FD: 8-2-38; R. Taylor, M. O'Sullivan, H. Arnold

Claire

Kay Francis,

In

Kid

the

Returns

Patrol
(WB)
Flynn, Melville

FD: 8-6-38;
Destry

Gail

Reynolds

(WB)

Prod.

In

John Garfield, Rosemary Lane

(MGM)

8-19-38

FD: 8-19-38; Stan
Blondie

Penny

Laurel,

Hardy

Oliver

Arthur

Lake

Bloom on the Sage (Rep.)
In Prod.
Gene Autry, Smiley Burnette, Jean Rouverol
Booloo

(Para.)
7-22-38
FD: 8-1-38; Colin Tapley, Suratna Asmara

Boy Meets Girl (WB)
9-3-38
FD: 7-22-38; James Cagney, Marie Wilson
Boys'

Town

(M-G-M)

FD: 9-6-38; Spencer Tracy,
Breaking

FD:

the

Mickey

(RKO)

Ice

Bobby

9-1-38;
Ruggles

Chas.

9-9-38
Rooney

8-26-38
Dolores

Breen,

Costello,

Luise

A.

10-8-38
M.

Sheridan,

Wilson

(WB)

10-29-38

FD: 10-17-38; Wayne

Morris,

Priscilla

Lane

Drummond in Africa (Para.)
8-19-38
FD: 8-1-38; John Howard, Heather Angel
By the Dawn's Early Light (20th-Fox) .. .11-25-38
Alice Faye, Warner Baxter, C. Winninger
Campus Confessions (Para.)
9-23-38
FD: 9-19-38; Hank Luisetti, Betty Grable, EleaBulldog

nore
Carefree

Whitney

Chan in
Warner Oland

Charlie

Chaser,

The

9-2-38
Fred

Astaire,

Honolulu

Ginger

Rogers

11-18-38

(20th-Fox)

7-29-38

Dennis

O'Keefe,

Florence

Christmas Carol (MGM)
Reginald Owen, Terry Kilburne, Gene
Lockhart

Rice

12-23-38

&

Katherine

Bureau (GN)
11-4-38
FD: 10-26-38; Joan Woodbury, Leon Ames

Cipher

Citadel,

The

(MGM)

10-28-38

FD: 10-25-38; Robert Donat, Rosalind
Clown Must Laugh, A (GB)
FD: 10-17-38; Richard Tauber,
Colorado Sunset
Roy Rogers

Alan

Sabu,

Raymond

Massey,

Duke of West Point (UA)
Louis Hayward, Joan Fontaine

Valerie

In

Prod.

Marjorie

Empire of the West
George Houston

Heroes of the

Nova

(GN)

FD:

V.

11-5-38
Havilland

de

Olivia

Hills

In

Prod.

In

Prod.

8-1-38

(Rep.)

The (Rep.)
James Gleason,

Family,

9-7-38;

Command

8-29-38
Lucille

Hold

(GN)

11-11-38

That Co-ed (20th-Fox)
9-16-38; John Barrymore,
Weaver

9-16-38
Murphy,

George

8-29-38
I

(Para.)
Ford, Patricia

10-19-38

Duna
I

a Kind (20th-Fox)
10-14-38
FD: 10-14-38; Dionne Quintuplets, Jean Hersholt

11-25-38
Basil

Rathbone,

Give a

FD: 7-18-38; Warner

10-12-38

Peter

Farrell

Four

Daughters

(WB)

FD: 8-10-38; Lane
*Four Feathers ( U A)

9-24-38
Sisters,

Claude

Rains
In

Prod.

Robinson,

Wendy

King

FD: 10-12-38;

10-21-38
Helen Mack

7-22-38

Baxter,

(Rep.)

Colorado Trail, The
Charles Starrett.

(Col.)
Iris

Meredith

Russell

Four's

FD:

Crowd
8-12-38;

a

Duna
11-11-38
9-8-38

E.

9-3-38

Flynn-Olivia

deHavilland,

Delight
Clark Gable,

Illegal

9-2-38

(U)
Dixie

The (GB)
Noah Beery, Gordon

Dunbar,

Ernest

Harker

In

10-20-38

Frontier

Houston,

Beth

Marion

(RKO)

9-23-38
Albertson, Eleanor Lynn
Gangster's Boy (Mono.)
11-9-38
Jackie Cooper, Lucy Gilman, Robert Warwick
Night
FD: 10-6-38; Frank
for

a

Gang Bullets (Mono.)
Anne Nagel, Robert Kent

11-16-38

Traffic

Carroll

J.

In

11-15-38

Frog,

Scout (GN)
FD: 9-16-38; George

Truex

In

James Stewart,

In

(Para.)
Naish, Mary

Arizona

Gordon

Elliott,

Old Mexico (Para.)
FD: 8-2-38; William

Lady

in

Frieda

Lady

Objects,

11-4-38

Prod.

9-19-38

(Col)

Jack Randall

10-28-38

Last Ride, The (Para.)
A. Tamiroff-F. Farmer-L.

Erikson

10-24-38
Law of the Texan (Col.)
FD: 10-27-38; Buck Jones, Dorothy Fay
Lawless Valley (RKO)
George O'Brien, Kay Sutton
Letter

8-5-38
Andrea

(U)

Introduction

of

Prod.

In

FD: 7-30-38; Adolphe Menjou
Life

Bergen,

E.

Cheap

Is

(Col.)

Russell

Prod.

In

Betty Furness, James Craig
Carson

Rides

FD: 10-17-38; Tim

Again (Prin.)
McCoy, Joan Barclay

(MGM)

Darling

10-21-38

FD: 10-18-38; Freddie
land, Mary Astor

Bartholomew,

10-24-38

Miss Broadway (20th-Fox)
FD: 7-9-38; Shirley Temple, Geo.
Robinson
Miss

Roughneck

FD: 7-1-38; Edith
Princess,

7-29-38
Murphy, Bill

(Col.)
To Be Set
Fellows, Leo Carrillo

The (20th-Fox)

Shirley Temple,

Tenderfoot

Gar-

Judy

Adventuress, The (Col.)
Edith Fellows, Richard Fiske

Little

Richard

Prod.

In

Greene,

Anita Louise

11-23-38

(Mono.)

Tex Ritter
Little

Tough Guys

7-22-38

(U)

FD: 7-11-38; "Dead End"

Kids,

Helen

Parrish,

Robert Wilcox

The

Tough Guys in Society (U)
Little Tough Guys-M. Boland-M.

11-25-38
Auer
In

Prod.

1-15-39
Tullio

Carminati

7-22-38
Hardy (M-G-M
FD: 7-13-38; Mickey Rooney, Lewis Stone, Judy
Finds Andy

Garland

11-2-38

Love

9-9-38
Hayden, Geo.

Love

Gulliver

Affair (RKO)
Irene Dunne, Charles

Spy (Col.)
Ralph Bellamy

Invitation to the Waltz (J. H. Hoffberg)
FD: 7-9-38; Lillian Harvey, Carl Esmond

In

Prod.

In

Prod.

Boyer

Bites Man (WB)
Pat O'Brien, Joan Blondell

Made

(20th-Fox)
FD: 10-20-38; Michael Whalen, Jean Rogers
Fay Wray,

The

Look Out for Love (GB)
FD: 5-27-38; Anna Neagle,

Story

International

(Rep.)

FD: 10-12-38; Lanny Ross, Gloria Stuart
11-1-38
Lady Vanishes, The (GB)
FD: 10-5-36; Margaret Lockwood, Paul Lukas
10-28-38
Last Express, The (U)
FD: 10-14-38; Preston Foster, Adrienne Ames
12-21-38
Last
Outlaw (Mono.)

Carlisle

Boyd,

the News
Inescort

In

Prod.

Hayes
Inside

11-1-38

Lady and the Cowboy (UA-G)
Gary Cooper, Merle Oberon

Love

(Col.)

Dorothy

(Para.)

Prod.

Norma Shearer

Early

10-21-38

Long Shot (GN)
Marsha Hunt

Lew Ayres

(MGM)

Idiot's

R.

Russell

Freshman
Year
FD: 8-23-38;

Fugitives

Steffi

(WB)

Patrick

May Wong, Lloyd Nolan

Anna

Weaver,

Marjorie

(MGM)

Crawford,

9-30-38
Gail

In Prod.
King of the Underworld (WB)
Kay Francis, James Stephenson, H. Bogart

Lorre

Follies

Joan

Chinatown

of

12-30-38

(Para.)
Lloyd Nolan,

Alcatraz

of

Greene

Richard

Loretta Young,

Barrie

I'm from the City (RKO)
8-5-38
FD: 7-28-38; Joe Penner, Lorraine Krueger
Ice

8-12-38
Stuart

G.

(20th-Fox)

*Kentucky

Little

9-2-38
G.

(20th-Fox)

Million

9-15-38
Heyworth
12-16-38

Rita

Smiling (20th-Fox)
Jane Withers, H. Wilcoxon,

Little

12-7-38

Stand Accused (Rep.)
FD: 10-19-38; Robert Cummings,

I'll

11-11-38
Robinson

Keep

Little

of

Spring

Deane,

Little

Prod.

In

(Mono.)

Am the Law (Col.)
FD: 8-24-38; Edward

I

(Col.)
Paul Kelly,

Katharine the Last (MGM)
Franchot Tone, Franciska Gaal

Listen,

King (Para.)
9-19-38; Ronald Colman,
Frances Dee

a Criminal
Jackie
Moran

12-2-38

Prod.

In

Ellis

Were

Am

Kruger

Court
FD: 9-15-38;

Lightning

Honolulu (M-G-M)
Eleanor Powell, Allan Jones
I

Shirley

Leeds

Marjorie

11-4-38

Flight to Fame (Col.)
Jacqueline Wells, Charles

Gleason

His Exciting Night (U)
Charles Ruggles, Ona Munson

Gleason

Flirting with Fate (MGM)
Joe E. Brown, Leo Carrillo, Steffi

Prod.

In

FD:
Russeli

McLaglen, Sabu

7-15-38
FD: 7-28-38; Lionel Atwill, Lucy Mannheim

If

Exposed
(U)
Glenda Farrell, Otto

Five

Jr.,

Homicide Bureau (Col.)
Bruce Cabot, Rita Heyworth

Chrystall

Belle

Happens to Us (Rep.)
Gleason,

12-23-38

Fairbanks,

Home Town

Pillbeam

Everything

11-9-38

FD: 7-29-38; Three Mesquiteers

8-15-38

(GB)

World

Reynolds

(WB)

Get
Powell,

Wallace

Edge of the World (Pax)
FD: 9-9-38; John Laurie,

.

Weidler

Virginia

(RKO)
D.

Prod.

In

Holden,

10-21-38

(U)

to

FD:

Durango Valley Raiders (Rep.)
Bob Steele, Louise Stanley

11-4-38

(RKO)

Peter

Baker,

Dick

9-30-38

7-20-38;
Hobson

Louise

The

Votes,

Din
Grant,

High

Marshal

.

Numbers (20th-Fox)
9-9-38

in

Prouty,

Just Around the Corner (20th-Fox)
Shirley Temple, Charles Farrell, Bill

King
Prod.

In

Anita

*Heart of the North (WB)
Dick Foran, Margaret Lindsay

John Clements, R. Richardson, June Dupres

(MGM)

FD: 8-8-38;

Goddard,

Jones Family in Safety

Little

(RKO)

FD: 8-30-38;

C.

12-9-38

Paulette

Jones Family in "Everybody's Baby" (20th-Fox)
Jed Prouty, Shirley Deane, Spring Byington

June Travis

(WB)

Trails

Higgins

Ralph Byrd

8-15-38
Brown,

E.

Packer (Mono.)
Jack Randall

9-30-38
Elviry,

(UA)

Lucille

Rat

Brother

Prod.
Bick-

In
C.

Bogart,

H.

(MGM)

School
Rainer,

Drums
FD:

Empty

Broadway Musketeers (WB)
FD: 10-20-38; M. Lindsay,

Bancroft,

Down in Arkansaw (Rep.)
FD: 10-7-38; Weaver Bros.
Dramatic

11-30-38

(Col.)
Singleton,

Geo.

Betty

Hope,

Gun

Hard

(WB)

City

Bob

Raye,

(Col.)

Barrymore,

Bob

1-20-39

Randolph Scott

Errol Flynn,
ford

Man

Gunga

(Para.)

Patrick,

Byington

Spring

Prouty,

FD: 6-13-38
8-5-38

Martha

Waltz, The (M-G-M)
Rainer, Fernand Gravet

John

10-15-38

9-4-38

Bromley,

Sheila

Luise

Prod.

In

Karloff

Dodge

Blockheads

Marian

(WB)

Island

Bob

Island

Novarro,

(U)

Bryan,

(Para.)

Sailor

Places
Powell,

Dick

Guilty

James Stewart

Prod.

a

7-26-38;

Great

8-15-38
Marsh

(Rep.)

Ramon

Rides Again

Disbarred

Blackwell's

A

Adventure,

10-22-38

Jane

FD: S-S-3S; Joe

Prod.

In

Ralph

Grey,

Grable

Great

Rathbone

Basil

Nan

Shirley,

(WB)

10-26-38;

Me

Give

11-11-38
Cooper,

(20th-Fox)

Farm

12-16-38

Juvenile

9-30-38

Anne

Probation

Prod.

In

Ronald Reagan

Going

Vera Lewis

Karloff,

FD: 9-16-38; Lyn Roberts, Smiley Burnette
Bandit
(U)
9-16-38
Marjorie

on

Girls

Prod.

In

(WB)

Island

Devil's

Devil's

(Rep.)

9-27-38;
Bellamy

H.

Linden Travers

Victory (WB)
Bette Davis, George Brent

Walter Brennan

the

on

Byington
Carminati

Tullio

(Col.)

FD:

Gladiator, The

Dark

Errol

School

Girls'

9-23-38

Dangerous Secrets (GN)
FD: 10-27-38; Paul Lukas,

Black

Baker,

Ford,

Down

in

FD: 9-9-38: Jed

Lockwood

Margaret

Palmer,

FD:

Wallace

Lyle

11-25-38

Brooklyn, The (20th-Fox)
Faye, Warner Baxter

FD:
Robeson,

Whelan,

Arleen

the Street (GB)
In
FD: 5-27-38; Anna Neagle,
Girl
Must Live, A (GB)

Rapture

Dark Sands ( Record)
FD: 7-22-38; Paul
Wilcoxon

Family

Jones

Girl

Hunter, John Litel

Ian

8-26-38
(U)
FD: 10-11-38; Denis- Roosevelt Congo Picture

Dark

Boris
Billy

Prod.

In

Prod.

8-3-38
Windsor

Beauty and the Beach (Para.)
Charles Butterworth, Betty Grable

(WB)

Curtain Call

Don Ameche,

from

Girl

Lilli

Roars,

Desperate

Barefoot

10-5-38

Crime Takes a Holiday (Col.)
FD: 5-9-38; Jack Holt, Marcia Ralston

Boris

Trouble (GB)
Matthews, Kent Taylor

Asking

8-15-38
London (GB)
FD: 8-3-38; Margot Grahame, Paul Cavanaugh

12-30-38

Talbot
Alice

Over

Dawn

Artists

8-13-38

8-5-38

(20th-Fox)

Date

Release

FD: 10-11-38; Jed

FD: 8-2-38;

Lane

Priscilla

10-1-38
Marga-

Powell,

Dick

Lindsay

Gateway

10-28-38

Gary Cooper, Merle Oberon

Crowd

^^^

Title

*Jesse James (20th-Fox)
Tyrone Power, Henry Fonda,

Garden of the Moon (WB)
FD: 9-16-38; Pat O'Brien,

at

Crime

Angels with

Annabel Takes a Tour

Large (Record)
Ralph Forbes, Paula Stone

Convicts

Date

Release

Title

Gang, The (Record)
Gina Malo, Ralph Reader

ret

Kellerd,

Prod.

Quigley

Charles

Hayworth,

Rita

Cowboy from Brooklyn (WB)
FD: 6-14-38; Dick Powell,

In

Gladys Swarthout,

8-18-38

(Col.)

8-24-38;

11-4-38

Amazing Dr. Clitterhouse, The (WB)
7-30-38
FD: 6-21-38; Edward G. Robinson, Claire Trevor

Ambush

8-8-38
Marsha Hunt

Cowboy and the Lady (UA)

Algiers

Always

Convicted

FD:

Ragtime Band (20th-Fox)
5-28-38; Tyrone Power, Alice
Ameche.

Ale,

Date

Release

Title

Come On, Leathernecks (Rep.)
FD: 8-23-38; Richard Cromwell,

15. 1938.

which no release dates have been scheduled.

pictures, either in production or completed, for

for

Carole

Each Other (UA)
Lombard, James Stewart

Mad Miss Manton, The (RKO)
FD: 10-27-38; Barbara Stanwyck,

J.l-15-38
In

Prod.

Henry Fonda

8-8-38
Man from Music Mountain (Rep.)
FD: 8-13-38; Carol Hughes, Smiley Burnette
(Continued on Next Page)


"GIRLS' SCHOOL"

"Might be a page from the life of every woman." . . . IRENE DUNNE

"Pulls at the heart-strings of all America." . . . JEAN ARTHUR

"True in its portrayal of the spirit of youth." . . . JAMES STEWART

"Outstanding entertainment.
A picture to be loved." . . . MELVYN DOUGLAS

"A picture filled with dramatic moments, romantic dreams." LIONEL BARRYMORE

The year's surprise hit, proving itself in countless key spots! If you haven't seen it, have it screened for you now... at your local Columbia exchange!

"GIRLS' SCHOOL"
ANNE SHIRLEY - NAN GREY - RALPH BELLAMY
Gloria Holden - Margaret Tallichet - Noah Beery, Jr. and 50 BEAUTIFUL STARS OF TOMORROW - Story by Tess Slesinger - Screen play by Tess Slesinger and Richard Sherman - Directed by JOHN BRAHM - A COLUMBIA PICTURE
Trade Reforms to the Fore as MPTOA Convention Opens

KUYKENDALL RENAMED AS MPTOA PRESIDENT

By ERNEST FAIR
FILM DAILY Staff Correspondent

Oklahoma City — Ed Kuykendall was re-elected president of the MPTOA at the Board of Directors meeting held here last night.

Other officers named were:


Wolfson is a new face on the executive staff.

New board members named were S. S. Stevenson, Frank Cassill and C. J. Mere Jr.

The directors endorsed the trade reform conference results, as outlined by Kuykendall, and approved the plan, which will be outlined in Kuykendall’s message today.

It is understood that Kuykendall told the board that the reform conferences would be productive of results.

Local 306 Asking 48 P. C. Wage Boost in ITOA Houses

Wage scale increase of 4 per cent is being asked of the ITOA by Local 306, projectionists’ union, in an attempt to bring the projectionists’ pay in the houses owned by ITOA members up to the level of the larger circuits, it was disclosed over the week-end. Several meetings have already been held and further meetings are scheduled for this week.

Whatever agreement is reached will be submitted to the projectionists for ratification, it was learned. It is expected that the ITOA will agree to a scale increase, but it is not likely that they will meet the 48 per cent demand of the union, it was said.

Compromise Ascap Suit

Clarksdale, Miss.—Compromise of a suit filed against Wllie Eills and Paul Morris, owners of the Regent Theater at Clarksdale, Miss., and the Regent Theater at Indiana, Ill., was announced here today by Ascap. The suit, which was filed through Ascap attorney J. Studebaker Lucas, was filed over alleged performance of copyrighted music. Each claim was for $500 but the compromise was for $520 on one claim and $183 on another.

MPTOA’s Bright Skies

Oklahoma City—Indications are that bookings were at a temperature of 54 to 60 degrees will prevail here for the MPTOA convention.

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JIMMIE FIDLER

Says

"A lusty peal for little Republic's 'I Stand Accused', proving good pictures can be made for less than a million."

or LAWYER - CRIMINAL?

STAND

ACCUSED

ROBERT CUMMINGS • HELEN MACK
LYLE TALBOT • THOMAS BECK

Associate producer and director JOHN H. AUER

"Cummings is splendid as a young lawyer who becomes a hoodlum's mouthpiece." • Film Daily
ALLIED BOARD HEARS TRADE REPORT THURS.

DOMESTIC

Indie units concluded a week of negotiations with representatives of distributors, with both sides dedicated to reaching accord on the exhibitors’ trade reform demands. Discussions involved individual problems of the regional units, as well as national issues. As the week waned, it was indicated that the unaffiliated groups had temporarily, at least, completed the reform talks, but that further talks would develop at a later date. Allied’s committee took prominent part in the discussions, while the distrib. committee members consisted of W. P. Rodgers, Sidney R. Kent, A. Montague, New Depinet and Grad Sears.

Filmland representatives prepared to move on Oklahoma City for the current MPTOA convention, at the Biltmore Hotel there. Before the gavel sounded yesterday an attendance of at least 750 was indicated by Morris Loewenstein, conclave’s chairman.

Arriving in New York early last week from the Coast, David O. Selznick told of his expectation that negotiations currently under way may result in new pact between S-I and UA.

Pix circles were apprised officially of the election of George J. Schaefer to presidency, board chairmanship, and directorate of RKO Corp., its trio of subsidiaries—B. F. Keith Corp., K-A-O, and RKO-Radio Pictures. The committee indicated that he would ascend to corresponding posts in RKO Corp., as and when that company emerges from reorganization.

K-A-O’s net for 52 weeks ended Oct. 1 was announced as $494,140, and B. F. Keith and subsidiaries for same period at $754,363. Profits for both organizations dipped below the figures registered for prior year.

Announced “arrival” of television David Sarnoff failed to ruffle the ocean. It was viewed in the declaration a motive chiefly of “help the World’s Fair.” However, the actual commencement did have the result of revealing and stimulating television activity. Checkup showed that 50 makers of television receivers for home use, including ABC, WABC, and some 20 stations are active.

Committee of Motion Pictures’ Greatest Year ruled emphatically that Movie Quiz will not be extended beyond Dec. 31. Action otherwise, it was pointed out, would not be keeping faith with public. Studios’ representatives had had conversation with Government officials re application for Fair Labor Standards Act to pax industry. Circuit-owned houses in the Southwest reported as on increase, with 822 out of 2,134 in six states so owned.

FOREIGN

U. S. majors kept keen weather eyes on Italy to note any modification of that country’s stand regarding the establishment of a national film monopoly. While vague hope is still held out that the vital question of U. S. film status will be settled favorably, American producers-distributors were reported refusing bookings after Dec. 31, 1938, indicating that, should Italy not recant, contracts issued from home offices to U. S. branches, if in branches, situation is held to hold unusual consequences for Republic and Monogram, both of whom are imperiled along with the majors.

While optimism appears lacking in the U. S.-Italian impasse, American pic interests held the outlook bright for their product’s welfare should the present presidency be settled within the next few months. Steps are already being taken to drive ahead of the end of hostilities. Country once represented 40 per cent of gross from Spanish-speaking nations.

THE WEEK IN REVIEW

Trade Reform Parleys—Italian Situation

—By GEORGE H. MORRIS

MADE FOR EACH OTHER

The floor of your theatre and Alexander Smith Carpet would seem to be made for each other . . . judging by the fact that Alexander Smith Carpet is used in most of the country’s successful theatres.

ALEXANDER SMITH CARPET

PREVENTION OF FIRE HOLDS SMPE INTEREST

(Continued from Page 1)

phy lend variety to the subjects to be presented and discussed by the engineers at the SMPE’s Fall convention, which opens today at the Hotel Statler, with 350 attending.

The question of fire prevention is receiving close attention of the engineers, with particular respect to the report of the Projection F. & M. Committee, which deals with a proposed revision of the NFPA “Regulations for Handling Nitrocellulose Motion Picture Film.”

S. K. W. J. Hashbrouck, RCA; G. G. Albin will describe a silent wind machine and J. E. Robbins a silent variable-speed treadmill.


Election of officers is scheduled at the opening business session today.

At the informal luncheon at noon, addresses will be made by Jamison Handy, presy of Jam Handy Corp.; George W. Tredwell, presy, United Detroit Theaters Corp.; and Dr. C. F. Kettering, General Motors research director.

While the afternoon sound recording program are appearances by R. O. Strock, Eastern Service Studios; H. H. Anderson, RCA; F. H. South, International Projector; W. H. Offenbauer, Jr., and J. J. Israel, Berndt-Maurer Co.; and J. P. Lively, Columbia Pictures, and M. Rettiger, RCA.

W. Va. ITO Votes on Allied Affiliation Proposal Nov. 1

Pittsburgh—The newly organized Independent Theater Owners of West Virginia will hold its second meeting in the American Room of the Waldo Hotel in Charleston, W. Va., Tuesday, at which time a definite decision will be reached whether to join Allied or remain independent, according to Vice-Pres. Richard D. Marks.

STORKS!

Carl Kreuger of Paramount’s exploitation department was handing out the cigars Friday. Reason: Mrs. Kreuger presented him with an 8-pound baby boy on Thursday.

Pittsburgh—A 6½-pound daughter was born to Dr. and Mrs. C. E. Herring. The couple owns and operates all five theaters in Carnegie, Pa., and is an officer of the MPTO of Western Pennsylvania.

GIRL MANUFACTURING CO.

BOY MANUFACTURING C.
"GIVE THE KID A BREAK ... HE'S NOT A KILLER!"

"DON'T MAKE HIM TAKE THE RAP ... BECAUSE HIS DAD'S A GANGSTER!"

JACKIE COOPER
The All-American Boy Star in
"GANGSTER'S BOY"
WITH
ROBERT WARWICK • LUCY GILMAN • LOUISE LORIMER

Screenplay by ROBERT D. ANDREWS
Story by KARL BROWN and ROBERT D. ANDREWS
Directed by WILLIAM NIGH

A MONOGRAM PICTURE
TO ADJOURN HEARING ON GOV. EQUITY SUIT

(Continued from Page 1)

preparing to ask for an adjournment.
It is understood that a 2-week adjournment is being talked.

Reported reason for the government's advocacy for an adjournment was assumed to be motion picture legal circles on the week-end to have been induced primarily by the magnitude of the action itself, and the feeling on the part of the attorney-general and his staff that time should be taken to comprehensively study the government's own course of action in light of the lengthy briefs already


West Coast Bureau of THE FILM DAILY

Hollywood — Regarding reported negotiations by Myron Selznick for release of productions made by the Myron Selznick unit, spokesmen for Selznick admitted that Nat Deverich conferred in New York with RKO Radio regarding release of the Selznick unit productions, but added that Deverich also conferred with other companies. They further stated that nothing definite has yet been consummated with any company.

Harrisburg, Pa.—John F. Rogers, manager of the State Theater, is on the verge of advancing objections to what he considers unfair competition by drugstores.

"Talk about theaters with bank nights and dish nights!" Johnny says. "They're really beginning to look like pikes compared to Harrisburg drugstores.

Several Harrisburg drugstores have placed hundreds of articles in show windows with a prize to the person finding two objects exactly alike. In addition, one pharmacy offers patrons the privilege of asking Mme. Anitra, a psychic, two questions with a 50-cent purchase; four with a $1 purchase, and a complete reading for a purchase of $2 or more. Mme. Anitra has been "held over," for the second week.

"Next thing you know," says Johnny, "they'll start using the slogan, 'Drugstores Are Your Best Entertainment.'"

Chi. Fact Meeting Today

Chicago—Chicago operators union and theater owners will confer this day, object, the negotiation of a new contract.

Foreign Complications Call Jack Cohn Abroad

(Continued from Page 1)

at the home office via the announcement that Jack Cohn, company's vice-president, will sail on Nov. 4 from New York aboard the Queen Mary, accompanied to Europe by both J. A. McConville, general foreign manager, and Jack Segal, latter's assistant.

The Cohns were billed as an annual visit, and stress also placed on his proposed jaunt to Denham to look over the company's British quota setup, the first feature of which, "O Pianes," has been completed, New York's Film Row pointed to as far more vital matters which Columbia is facing on the Continent.

Not only is Columbia, like all the majors and larger indies, facing with a loss of the Italian market, but the company's setup in Czechoslovakia and Middle Europe is extremely complicated for the reason that negative representation has been used, without direct branches. Further, Columbia's interests in Poland, the Balkans, France and other countries, if not already affected, are subject to the need of clarification and solidification as the result of kaleidoscopic conditions.

Sources close to Columbia declared on the week-end that no definite time has been fixed for Cohn's return. Conferences have been planned between Cohn, McConville, and Segal, with all of the companies representatives on both the Continent and the U.K.

Schaefer Plans Early Visit to Coast Studios

(Continued from Page 1)

lems at the Hollywood studios that require my attention at this time and therefore there is no need for such a visit," Schaefer told TRIB FILM DAILY Friday.

Schaefer, who attended the Pittsburgh Variety Club's opening of the Smoky City today for Oklahoma City where tomorrow afternoon he is scheduled to address the MPTOA convention.

Leo Spitz, RKO president and former president of RKO Radio, will not attend the Oklahoma City meeting. Spitz has been forced to cancel by Chicago engagements.

IMPPA to Sign SAG 54-Hour Wk., 10-Hour Day Agreement

West Coast Bureau of THE FILM DAILY

Hollywood—Members of the Independent Producers' Guild will follow the lead of Monogram and Republic in signing agreement with the Screen Actors' Guild which will expire in September to have a 54-hour week and a 10-hour day with straight time for overtime on weekends and serials costing less than $30,000.

Producers and the Guild have agreed that at the end of the awards arbitration will be held on the agreement if the lower bracket producers ask for arbitration

NO FLA RULINGS TILL LABOR IS CONSULTED

(Continued from Page 1)

with Administrator Elmer F. Andrews, Calvert MacGruder, chief of the wage-hour legal division; and Paul Sifton, Deputy Administrator included Ross Hastings, RK0 legal department; William S. Homan, general manager of Columbia; Keith Glennen, operations manager of Paramount; Maurice B. Benjamin, of Loeb & Loeb, counselors for Metro, Universal and other majors; Victor H. Clark, Pat Casey, labor representatives of the studios and Austin C. Keough, of Paramount.

Apparently no clarification of the application of the Fair Labor Stand- act or any reply resulted from the conference. The industry representatives asked the officials to hold it at a later time in order to have clarification for the 600 different positions but MacGrunder told report- ers after the conference that the question was too complicated to get any decision now. He said that labor would have to be heard first and the Administration could not issue any opinions on the classifica- tions now, as they might be wrong and be changed by the courts. He pointed out that the courts must ultimately rule on which employees are to be covered by the Act.

He strongly advised the industry representatives to return to their headquarters and there get together with labor in an attempt to reduce the number of classifications which must be clarified.

The industry representatives cited two examples of the type of rulings which must be made. Whether or not a gaffer, in charge of electrical work with electricians under him and who received well over the minimum 25 cents an hour, is exempted as a professional was one of the questions put to Andrews and MacGrunder. The representatives pointed out that while there is no dispute over the gaffer's minimum salary, which is covered by union agree- ment, it is sometimes necessary for him to work over the 44-hour week, provided by the Act.

Another example given was that of a mixer, who is vital to the sound recording and who brings up the same problems.

Actors and actresses are profes- sional and thus exempted, the indus- try spokesmen declared, but An- dwers did not discuss the point.

It was stated that the question of theaters and particularly of circuit theaters was not discussed. The principal question here is whether or not circuit theaters are in interstate commerce.

No further meetings are sched- uled, it was stated, and it is antici- pated that the industry will boil its list down before asking clarification will be needed.
THE ORDER OF BUSINESS

At M. P. T. O. A. Convention

SUNDAY

Registration of delegates, Biltmore Hotel.

6:00 P.M.—Directors' meeting.

8:00 P.M.—President's Reception in the Civic Room. Hors d'Oeuvres—Cocktails, East Room. Dancing, Civic Room.

MONDAY


12:45 P.M.—Luncheon in the Main Dining Room of the Biltmore. Ladies' Luncheon in the Crystal Room of the Skirvin Hotel.

2:30 P.M.—Ladies' Auto Tour of the city with chauffeurs, to visit principal points of interest and oil fields.

2:30 P.M.—Business session in Convention Hall. "The Exhibitors Interest in the Foreign Market," by N. D. Golden, Chief, Motion Picture Division, U. S. Department of Commerce, Washington; "Your Industry" by Leo Spitz, President, RKO; "Importance of the Exhibitor in the Industry" by M. A. Lightman, Malco Theaters, Inc., Memphis; "Trade Relations in Distribution and Exhibition" by William F. Rodgers, G.S.M., Metro-Goldwyn-Mayer Pictures, New York City; "Utilizing the Show Window of the Theater" by Charles L. Casanave, V.P.—National Screen Accessories, Inc., New York City; "Public Relations for the Local Theater Operator" by Fred Wehrenberg, Chairman, MPTOA Board of Directors, St. Louis, Mo.

Evening—Men's Party in the Civic Room of the Oklahoma Biltmore. Ladies' Party at the Oklahoma Club. Joint Hallowe'en Party following in the Civic Room.

TUESDAY

10:30 A.M.—Military Assembly, Invocation and "America."

Addresses by: "Contractual Relations Between Distributor and Exhibitor" by Lewen Pizar, President, United MPTO of E. Pa., So. N. J. and Del., Philadelphia; "Self-Regulation vs. Government Regulation" by Edward Golden, V.P., Monogram Pictures, New York City; "The Problem of Deferred Allocation of Film Prices" by H. B. Harvey, Pres., Independent Theater Owners of Northern Cal., San Francisco; "On the Fence Pictures" by Harry Goldberg, Warner Bros. Theaters, New York City; "The Will Rogers Memorial Fund" by Harold Rodner, New York City.

12:45 P.M.—Luncheon in the Main Dining Room, Biltmore Hotel. Ladies' luncheon, style show, entertainment in the Silver Glade of the Skirvin Tower Hotel.

2:30 P.M.—"The Newspaper and the Motion Picture" by Walter M. Harrison, Editor, The Daily Oklahoman; "From the Producers Point of View" by Hal Roach, Hal Roach Studios, Inc., Los Angeles; Address by George J. Schaefer, President, RKO Radio Pictures, New York City; "Important Court Decisions of 1938" by Edward G. Levy, General President, MPTOA, New Haven; "Value of Short Subjects to Theaters" by R. J. O'Donnell, Interstate Theaters, Dal'as; "First-Run Theater Problems" by Ralph Talbot, Tulsa, Okla.

Evening—Public Movie Ball, Civic Center Auditorium.

WEDNESDAY

10:30 A.M.—Military Assembly, Invocation and "America." A special feature, "Are You An American." Reports of Special Convention Committees. Open forum discussions will be led by the Committee Chairman.

12:45 P.M.—Luncheon in the Main Dining Room, Biltmore Hotel.

12:00 P.M.—Ladies luncheon and bridge party at "The Dankia."

Afternoon—Open forum on exhibitor problems. Unfinished business.

Evening—Dinner dance, Oklahoma City Golf and Country Club.
Oklahoma City

THE CITY WHICH BEGAN WITH A "GATHERING OF
FOLKS", HOLDS TO ITS TRADITIONS OF "HOWDY,
NEIGHBOR—TIE UP AND SPEND A SPELL WITH US."

By ERNEST W. FAIR
FILM DAILY Oklahoma City Representative

"Howdy!"
Don't be surprised if a perfect stranger says
that to you on your first day in Oklahoma City
for people here are just friendly by nature and
would rather smile at a man than pass him by, even
if they have never seen him before.

For many weeks the people of this city have been
talking about the M.P.T.O.A. convention and are looking
forward to playing host to you and you and you. The
local film boys and girls have spent many weeks planning
the entertainment schedules and have attempted to
provide something for everyone. Oklahoma City itself
offers every type of entertainment and amusement for
any individual; no matter what his or her requirements
may be, it can be found here.

This is a city that sprung up over night; something
that never happened before except in the fairy tales of
old. One night as the sun slipped below the horizon it
was a rolling prairie then on the next it was a city of
hundreds of people.

That happened so recently as 1889; stroll about the
city and you will still see those old landmarks, the old
buildings and even some of the old signs of those days.
The same type of people that founded this metropolis
of the plains are here today; happy, cheerful, pleasant
people who get a great kick out of life and enjoy seeing
other folks happy.

We know that the M.P.T.O.A. delegates can not stay
with us; we wish that they could. There are over two
hundred thousand people residing here, everyone of
whom will do his and her best to make you glad you
came and sorry to leave when the convention is over.

The reputation of Oklahoma City folks for hospitality
is known throughout the South; and our film folks are
no exception. Every man and woman in the film trade
here will have but one thought in mind; to make your
stay a pleasant one. Let them know how they can help
you at any time.

The convention program is packed with entertainment
of every kind; the very event you may miss will be the
one the boys talk about the next day. And the same
thing holds for the business sessions.

We of Oklahoma City are proud to have you; we are
thrilled at the honor you have paid us by choosing our
city as the spot for the M.P.T.O.A. convention this year.
We will prove it to you during your stay here.
WHERE TO GO
WHAT TO SEE
IN THE CITY THAT SPRANG UP OVER NIGHT

WHILE the conventional Oklahoma City Guide Books admittedly provide many pointers on the city's recreational possibilities, this summary, prepared by The Film Daily's staff correspondent, is designed to meet any special needs of MPTOA conventioneers. However, should anything have been missed, you have only to ask your hotel clerk, bellboy or local taxi driver for additional unusual places.

NIGHT LIFE

There are night clubs of almost every sort from Blossom Heath, on Northwest 39th Street to the "tea cent mug of beer" type scattered on the edges of the city. There is no formality anywhere and the only attention anyone pays to anyone else is when one gets in someone else's way. Visit Blossom Heath if you have time and, also drop in at one of the oil field dance halls on Southeast 29th St. if you're strong enough. But don't go unless you're this side of 60.

GAMBLING: There is no open gambling due to legal restrictions. However, the usual channels of information can probably provide any type of play one may desire.

LIQUOR: This is one of those "dry" states as all delegates probably know, but the dryness pertains essentially to the state of the statute books.

SLUMMING: If you don't expect too much drop in at one of the "beer and dance halls" one and two blocks south of the hotel or around the edges of the city. You'll see some very amateurish floor shows and get a bigger kick out of the audiences. Don't try it on Monday night though, things are pretty dull. There's a joint South about three miles on U. S. Highway 77 that may provide some excitement if you can duck a beer bottle safely.

THE OIL FIELDS

If you can find time make a thorough tour of the oil fields which come right up into the heart of Oklahoma City and stop in to see how they work and how the refineries work. There are approximately 1,600 wells in the field which extends for a distance of some 12 miles along the eastern boundaries of the city. You'll find the large steel derricks right in people's backyards. Drive south on Robinson Ave, to 29th St. and then go east into the very heart of the field. Along this latter street you'll see all the supply houses and machine shops that go to make up a busy oil field. Keep going past Fair Park where the wells are right up into the park and don't turn off Eastern Avenue until you come to Twenty-Third Street, then turn west until you reach the state capitol where the derricks completely surround the state buildings as well as the Governor's mansion. Turn south at the capitol onto Lincoln Boulevard, see the derricks at mansion back steps and keep going south into the colored district where you'll see the same wells planted in the negro folks' back yards as well. While you're doing all this keep in mind that since discovery of the Oklahoma City field in 1928 over 400,000,000 barrels of oil have been taken from it alone.

FOR SPORTING BLOODS: The perfect panacea for forgetting six problems lies just to the northwest of Oklahoma City. 'Tis Lake Overholser, where, allegedly the fish are as numerous as trade reform suggestions, the water free from emission for swimming, and the wind for sailing is fiercer than any speech of a film salesman.
Lincoln Park

The park itself is the largest of Oklahoma City's 71 public parks and contains over 625 acres of land. There is a lake there, two fine golf courses, a playground, bridle paths, picnic grounds, etc., but the star attraction is the municipal zoo containing 349 animals, birds and reptiles of almost as many species. Each type of animal is housed in a pit or cage built to fit its own environment and habitat and everything is arranged so that you may follow a straight line through the zoo layout and not miss a single thing. Don't rush by the elephant grotto, the alligator swamp or the enormous fly cage for birds.

Civic Center

We are rather proud of the group of civic buildings set right down in the center of Oklahoma City a block north of the convention headquarters. In the municipal auditorium of this group the MPTOA's Movie Ball is to be held but take time out to visit the other buildings. This strip of land was once occupied by a railroad which cut through the heart of the city. This project, which has just been completed, is ranked as one of the most outstanding civic developments undertaken by any city in recent years. Visit it at night to really appreciate the beauty of these buildings as well as the whole plan.

State Capitol Grounds

The unusual feature to our guests will probably be the oil wells all about our state buildings. By all means visit the state historical building and museum; that's the one just south of the capitol. In it you'll find everything of the old west not only as used by the pioneers but the Indians as well. The museum contains one of the most complete collections of Indian relics to be found in America.

Lake Overholser

This lake is located ten miles west of the city on U. S. Highway 66 but it is easily accessible. If you drive out Thirty-ninth St., stop off at Radio Station WKY's transmitter. At the lake itself you will find facilities for sailboat rides as well as motorboat rides and other water sports and of course there is fishing also. There are picnic grounds there also.

Golf

The more interesting courses are the Oklahoma Golf and Country Club, Lincoln Park and Twin Hills. Woodlawn is close to the city and has an oil well right at your elbow. On southwest Twenty-ninth St., there's a fine little nine-hole course if you want to spend only an hour or so at the game. Contact the members of the convention golf committee who have some interesting plans for delegates who brought their "sticks" along.

Other Amusements

Elsewhere in this book there is a list of suggested "places to play" of all types. There are others here but we believe you will find these most enjoyable. Telephone numbers are listed so that you may secure definite details of interest. There are no particularly fine fishing spots within easy distance of the city but if you would care to try some of Oklahoma's fishing places may we suggest that you get in touch with T. B. Noble of the State Theater here.

For the Ladies

The ladies' entertainment committee has arranged so many special events and visits to places of interest for members of the fair sex that any suggestions we might have would find no takers.

Where Birds Sing: Filmland's existing legion who like to go divot digging will discover the ideal links in their chain of convention entertainment to be Oklahoma City's picturesque golf courses,—the local public course being the finest in the Southwest. It's a swell chance to strike while the iron is hot.
MEET MPTOA HOSTS

ED KUYKENDALL is of course the grand Old Southern host of them all and has made numerous special trips to Oklahoma to aid in planning this convention. Ed's been doing some tall batting for the MPTOA in the trade conference and should have a lot to tell the convention delegates about that affair. But wherever Kuykendall may be he has something interesting to say.

MORRIS LOEWENSTEIN rates topnotch among hosts to the delegation here for the MPTOA in the trade conference and weeks in advance of this affair. As secretary of the MPTOA he has done a great job and has taken personal pride in seeing that nothing has been left undone. Morris has been proxy of the Oklahoma state association for so many years he's forgotten the number; that's what his own boys think of him. He has one of the larger houses in the city on Grand Ave.

L. C. GRIFFITH is the white-hairred president of that independent circuit which has a place in the front ranks of motion picture exhibition. Griffith is as good a picture of the human dynamo as can be found anywhere. Much of the success of this affair will be due to his ideas and personal efforts to see them fulfilled.

DINTY MOORE could be listed as Byron Moore but then no one would know whom we meant. He's boss of the Standard Theaters organization here and a great deal of the entertainment features have been his responsibility. In Oklahoma City about two months from New York and all ready a member of the board of directors of the state association; not bad for a newcomer!

T. B. NOBLE, JR., is Moore's sparring partner. Noble used to be g.m. for Lester Dent's enterprises but right now he has about as big a job with two houses in Oklahoma City and a handful in Lincoln, Neb., under his direction. Still he's too busy to find time to let his numbers fall until Noble can come. Now it's a scrap between the boys, but a friendly one.

FRED WEHRENBEG, who is chairman of the MPTOA board and top man of the MPTOA whose headquarters are in St. Louis, has contributed a good deal to the planning of this 18th annual affair. His record as one of the organization's most dependable leaders stands out in the yearbooks.

M. A. LIGHTMAN, past proxy of the MPTOA and head man of the Malco circuit, has contributed his share. His record as one of the topnotch industry men grows every year and we understand he will have something very interesting to discuss at the convention.

Y. FRANK FREEMAN may be a New Yorker to the folks in the Times Square sector but down here he's a sure enough Southerner. Head of Paramount's far-flung theater operations and MPTOA board member, Freeman was Georgia born and raised.

ALONG THE BRAT

with PHIL M. DALY

• • • HOWDY!....that's the greeting of the Southwest to all those visiting motion picture folk assembled here in Oklahoma City for the MPTOA Convention....they are milling in and around the convention headquarters at the Bimbo Hotel....hundreds of 'em.....you meet faces you haven't seen in years....and faces you've never seen before.....never realized this biz was quite so far-flung and extensive......theater men are here from all the corners of the country.....the old-time convention enthusiasm is back......like it used to be in the Old Days.......

• • • A LOT of territory to be covered....starting this morning......to get around and see all the people on the memo list......and that's about the way the exhibitors feel......chances are if they attend all the events scheduled they will see all their old pals......for everyone who means anything in the theater end seems to be here.......

• • • THERE ARE those Griffith boys, for instance.......they have around 200 houses in the Southwest, all their very own, with no outside jack needed......must talk to L. C. about that swell partnership arrangement they offer, which means a lot of top-line theater men want to hook up with the Griffith organization.......

• • • ANOTHER theater chap we must not overlook is T. N. Noble.......his State Theater they tell us has stayed over the nut for a long spell.......wonder what his system is.......we also have a date to meet Dinty Moore, who settled in Oklahoma City a few weeks ago and is now looked upon as an Old Citizen.......

• • • MUST BE sure to look up Bill Rader.......manager of the convention headquarters' hotel.......to inquire about the Embassy, new thirst-quenching emporium he has just opened.......also in a date-book is a visit to Morris Loewenstein's new staff members.......five daughters.......Morris is the general chairman of the convention and a very busy gent, as you can appreciate.......

• • • A VISIT to the Oklahoma City film row is a “must”......so we'll trundle down to Grand and Lee to look it over......all clustered around one corner.....just four blocks west from convention headquarters.....another event of interest will be that exhibit of lighting tricks for the home as well as the theater, to be staged by A. E. Warner, the electrical man......

• • • NOT OVERLOOKING a visit to M. A. Lightman in the penthouse atop the Black Hotel.......and that fast-stepping showman, Claude Exell, sponsor of Bank Night, has a new one, they say called Magic Eye.......so......what with one thing and another, and a full program of interesting events, all hands will be set for the grand wind-up.......the Movie Ball.......Wednesday night, in the new civic auditorium.......they expect about 10,000 local folks there.......but meanwhile it is only Monday and tonite is a swell Supper affair.......one for the gent, and one for the ladies.....fair enuf.
THE CITY THAT GREW UP OVER NIGHT

When dawn came to the fertile valley of the Canadian River, April 22, 1889, Oklahoma City was just a tank stop on a prairie railroad. At noon of that day the crack of a cavalryman's pistol sent ten thousand hardy homeseekers over the borders of the territory which is now Oklahoma and by nightfall those people had driven their stakes here and proclaimed this new city as their home. A city had been born between the rising and the setting of the sun.

From every state in the union these people had come, drawn by the magic lure of a new country and homes that were theirs for the asking. These were hardy, empire-building pioneers inspired by the city of the new West and though 50 years have almost passed, their spirit still remains in the hearts of their descendants.

Strangers still become neighbors in Oklahoma City within a single day just as they did back there in 1889. The convention delegate who stays a day or two after the convention will find his time well repaid if he will just stroll about the city or drive through its beautiful residential areas.

For he will not only see the new and modern Oklahoma City of more than 200,000 residents, but many landmarks of the historic days that are only preserved today in the industry's famous "Western Thrillers."

SPECIAL TELEPHONE DIRECTORY FOR MPTOA CONVENTION VISITORS

AUTOMOBILE RENTAL
Hub's, 113 NW 2nd, 2-9111, four and five cents per mile. U-Drive-It System, 225 NW 2nd, 3-5311, same prices.

BILLIARDS
Emmitt's, 124½ West Main, upstairs, 3-0111. Empire, Grand and Robinson, upstairs, 3-0085.

BOWLING
Bentley's, 219 NW 6th, 12 alleys, 3-1039. Playmore, 415 North Broadway, 12 alleys, 3-0262.

BRIDGE PARLOR
Empire, Grand and Robinson, upstairs, 7-6111.

GOLF COURSES
Capitol Hill, 501 SW 44, 2-2745, nine holes grass greens, public. Fairview, 2602 N. Eastern, 8-3476, nine holes sand greens, public. Lakeside, see map, Bethany 291, 18 holes grass greens, public. Lincoln, see map, 8-3411, two 18-hole grass greens courses, public. Oklahoma City Golf and Country Club, 4-8177, 18 holes grass greens, private.

Twin Hills, see map, 5-2228, 18 holes grass greens, private. Woodlawn, 3401 North Lincoln, 4-0203, 18 holes grass greens, public. Southwest, 3000 SW 29th St, 7-7021, nine holes grass greens, public.

LIBRARIES
Carnegie, 131 NW 3rd, 3-2627. Oklahoma State, Room 139, State Capitol, 5-3141.

NIGHT CLUBS
Abe Halas, 4½ miles on NW 10th St, 4-4542. Blossom Height, 3600 NW 39th, 4-1137, recommended. Friendly Oaks, 4311 Lincoln, 4-0184. Frontier, 2600 NW 39th, 5-3020. Mitchell's Oak Cliff, 1226 NE 63rd, 4-0041.

RADIO STATIONS
Call for times of local studio programs) KOCY, independent, 1108 Classen Blvd, 3-1666. KMCA, CBS, in Biltmore Hotel, 2-3291. KTKG, NBC-MCBS, 1800 West Main, 3-0582. WKY, NBC, Skirvin Tower Hotel, 1st and Broadway, 3-4306.

RIDING ACADEMIES
Barn and Saddles, NW 29th and Grand Blvd, 5-6525. John P. Hopkins, 2610 NE Grand Blvd, 5-9066. Lincoln Park, NE Eastern and Grand Blvd, 8-1821. Nichols Hills, NW Whirlwind and May Ave, 7-4711.

THEATERS
— MAJOR HOUSES—

— OTHERS—
Albridge (Bijou), 303 NE 2nd, 7-2410, Negro house. Blue Moon (Avenue Waldron), 2221 Exchange, 7-5354, nabe house.


Majestic (Kerweinstein), 111 West Grand, 2-0904, the MPTOA secretary's pioneer house. Mayflower (Caporal), 1133 NW 23rd, 4-2900, new nabe house. Pix (Noble), 206 W. Reno, 7-2227, new modern house. Plaza (Standard), 1725 NW 16th, 5-4110, northwest part of city. Reno (Griffith), 121 W. Reno, 7-4477, double-bills. Rialto (Griffith), 131 W. Grand, 2-8556, double-bills. Ritz (Standard), 1020 NE 12th, 2-7726, northeast part of city. Victoria (Standard), 1901 Classen, 4-5282, comfortable nabe house. Warner (Standard), 213 West Grand, 7-1482, former Orpheum house. Yale (Caporal), 227 SW 25th, 3-4650, built from an airdrome.
EASTMAN FILM
AND
J. E. Brulatour
EXTEND GREETINGS
to the
M.P.T.O.A.
The GANG is HERE!

A REALLY DIFFERENT MUSICAL COMEDY
SPARKLING—SWIFT-PACED—SONG-STUDDED
WITH THE IRREPRESSIBLE GANG-LEADERS

RALPH READER
GINA MALO

THERE WAS METHOD TO THEIR MADNESS
AND MADNESS IN THEIR METHODS!

A HERBERT WILCOX PRODUCTION

SIX SMASHING SONG SUCCESSES

"WITH A TWINKLE IN YOUR EYE" "THAT SONG IN MY HEART"
"ON THE CREST OF A WAVE" "MEXICO"
"CHILDREN OF THE NEW REGIME" "BIRDS OF A FEATHER"

Introducing the screen's newest sensation.
DYLWYN THOMAS
the boy soprano, singing
"MOTHER MACHREE" "DANNY BOY"

Distributed by RECORD PICTURES CORP.
1501 BROADWAY • FRED. M'CONNELL, PRESIDENT • NEW YORK, N.Y.
“Rose of Tralee”  
with Binkie Stuart, Kathleen O’Ragan, Fred Conyngham
Dublin Film Co.  78 Mins.

MELODRAMATIC STORY INTEPLY PRODUCED HAS FEW SAVING GRACES.
Although drey-in-the-wool Irishmen might possibly enjoy this film, it ranks below par on all counts, with little exhibitor value. The star of the film, Binkie Stuart, a charming little girl of four, has the plot of the picture hung on her youthful shoulders. Her mother and father are Separated and Binkie affects her reunion secretly and photography do not help. Kathleen O’Ragan as the child’s mother some scenes Conyngham as the father. Right Conyngham sings several ballads pleasingly.


CREDITS: A Butcher Hope Production; Directed by Oswald Mitchell. Presented at the Irish Theater.

DIRECTION, Poor. PHOTOGRAPHY, Poor.

“Spiders Web”  
Columbia  19 mins. per episode
Rousing Mystery Thriller
Based on story from the Spider Magazine, this new Columbia serial has all the thrills, chills and action that the serial fans expect, and then some. There is murder in whole lots, fights all over the place, and a mysterious character called the octopus. The plot is intricately woven, and the direction is tight. Ray Taylor and James W. Horne get credit for the direction. With a number of people killed in the first few reels, bridges and buildings blown up, and a few other minor mysterious renditions, not to mention the omnipresent threat of the dreaded octopus, this serial should draw ‘em into the theaters.

Chisnall succeeds Scott
London (By Cable)—Appointment of Frank Chisnall as editor of British Movietone News was made known here last week. Chisnall, who has been connected with Paramount News and the London Daily Mail, replaces Ivan Scott, who resigned.

Auto Kills Alice Shessler
Toledo, O.—Miss Alice Shessler, 28, cashier of the Pantheon Theater, was mortally struck by an auto as she was crossing a street.

“Maid a Zsuzsi”  
(Girls of Today)  
with Lia Szeps, Margaret Dayka, Jeno Pataky
Danubia Pictures  91 Mins.

AMUSING COMEDY WITH ABLE CAST WILL ENTERTAIN MAGYAR FANS.
Basing the story on the old theme of marriage for convenience, the authors of this new Hungarian film have concocted an amusing comedy. Lia Szeps, the wife, and Jeno Pataky, the husband, are an attractive and capable pair of players. Margaret Dayka assists in the general fun and the rest of the cast is helpful. Lia is married to Jeno so that she can get hold of an inheritance in order to go into business, and he is married for reasons of his own. However, after they are married, each discover they are married to a very attractive person. There is some good music in the film.

CAST: Lia Szeps, Margaret Dayka, Madga Kun, Jeno Pataky, Istvan Gyergyai, Joseph Juhaza.

CREDITS: Produced by Budapest Films; Director, Bela Gaal; Screenplay, John Yasz, and Istvan Mihaly. Presented at the Modern Playhouse with Hungarian dialogue and no English titles.

DIRECTION, Good. PHOTOGRAPHY, Good.

National Co-op Newspaper Campaigns for Para. Films

Paramount has launched a series of national co-operative newspaper campaigns in connection with the local releases of three of the company’s outstanding pictures—“If We Were King,” “The Arkansas Traveler” and “Men With Wings.” Approximately $30,000 additional has been appropriated for each campaign on these three pictures, with 52 cities benefiting.

As a result of the success of the campaigns, plans are now underway for similar campaigns on “Thanks for the Memory,” co-starring Bob Hope and Shirley Ross, and “Say It in French” with Ray Milland and Olympe Brada.

Cobian to Start First 20th-Fox Spanish Pix

Production on the first of four Spanish pictures to be made during the coming season for 20th-Fox by Cobian Productions will get under way around Nov. 15, it was learned over the week-end. Film has been entitled “Los Fillos de la Manana.” The pictures will be heavily exploited in the Latin American countries by the company’s newly reorganized department, with press books and a complete line of accessories being made available.

“Champion Airhoppers”  
(Sportlight)
Paramount  10 min.

Air Thrills
Very fine review of the glider development. Lucretia Busey, a beautiful American chandelier glider, is featured. The national soaring championships at Elmira, New York, are very thrilling, as the different contestants are seen in flight. Close-ups also of the take-offs, and the shots high in the air as they maneuver dangerously, are fine examples of expert photography done under very difficult conditions. The piloting of the thrill of the course is good and Stevens, the stunt glider, doing his stuff. Ted Huxling handles the narration.

“Fishing in the Fiords”  
Sanders Films  10 min.

Interesting and Educational
This little short, produced in Sweden, takes us to the North Cape in the fiords, where we see deep in the overhung by precipitous cliffs, and the sea penetrates far inland. The film is a picture of thousands of fishing boats, of the models, under the strict supervision of the government, engaged in fishing. The scenes showing the many ways in which codfish is caught, how cod liver oil is obtained and how various other parts of the fish are utilized are most interesting and definitely educational.

“Suez,” Opening in Keys, Maintains Fast B. O. Pac

“Suez,” which has played to 250,000 people in two smash weeks in the Roxy in New York City, is maintaining its b.o. record in key throughout the country. At the Stanley Theater, Philadelphia, opening day surpassed that of “Old Chicago” and was topped by “Alexander’s Ragtime Band.” Picture also set record grosses, with the exception of “Alexander’s Ragtime Band” at the New Theater in Baltimore and at the Paramount in Toledo in its pre-release engagements.

The picture opened in 30 keys Friday and week-end reports to the 20th-Century-Fox home office indicate outstanding grosses.

WEDDING BELLS

Doris Kenyon, actress, widow of the late Milton Sills, was married Friday in New York to Albert Lascher, 28, president of Loew’s Theatres. They sailed Friday on the Ile de France for a European honeymoon.
Style—AT A PRICE!

That's what you get when you buy Heywood Streamline Theatre Chairs. Smart style... and plenty of it... at a popular price. Heywood Streamline Chairs give you a choice of three swell backs including the new protective Extra-Wear back shown in the lower left corner. Heywood Streamline Chairs give you many other exclusive construction features, too. Ask your nearest H-W Sales Office for complete information on the O. C. 992, shown above, and other big selling styles.

Heywood-Wakefield
Established 1826
Gardner, Mass.

Sponsors of Streamline Theatre Seating
Tops for Photographic Quality

~ Reputation for top photographic quality is no accident. Superior Pan comes by its good name, because of its proven ability to produce a good negative. It picks up the detail in shadows, and records highlights brilliantly without plugging. Its pleasing gradation gives middle and quarter tones their full value. And its color sensitivity is balanced to approach closely that of the eye.

~ For superb photography in your next production, rely on Du Pont Superior Pan.

Du Pont Film Manufacturing Corporation
9 Rockefeller Plaza
New York . . . N. Y.
Plant . . . Parlin, N. J.

SMITH & ALLER, LTD.
6656 Santa Monica Blvd.
Hollywood . . . California

BETTER THINGS for BETTER LIVING through CHEMISTRY
Ed Kuykendall to the MPTOA:

Oklahoma City—Key sentences from the report by President Ed Kuykendall to the MPTOA convention here yesterday:

"If we ever needed understanding among us, if there was ever a time when all of us collectively should put our efforts into whatever is necessary to unite us for the common good, now is the time. Those who would burn down their own houses to merely scorch their neighbors must be stopped."

"I am convinced that we are coming into a fair understanding of our relationship as it applies to production, distribution and exhibition. We as exhibitors will not in all probability get all the things we feel should prevail. But both sides must make concessions."

"Some of the demands of the government seem impossible to comply with. This of course will be determined by the courts. It probably will be a long drawn out affair unless those involved enter into some sort of a consent decree, which seems unlikely."

"Regardless of the outcome of the government suits, we are faced with legislation, both national and state, that would be destructive to our interest, though sponsored by those who may be sincere in their motives. Again I repeat, those of us who have investments in this business must make a determined effort to bring about understanding within the industry. It can be done—it must be done."

"Every major company for the first time is united in the thought that we can work out our problems out within the industry."

Rodgers' Address Postponed Until Today's Session

By AL STEEN

FILM DAILY Staff Correspondent

Oklahoma City—First indication of what is expected to result from the trade practice parleys may be revealed today when William F. Rodgers addresses the MPTOA convention. It is believed that Rodgers will throw some light on what has transpired during the discussions, even to the extent of what the exhibitors are willing to concede. Expected clarification on the conference failed to materialize yesterday, except for the outlining of 10 points asked of the distributors by the MPTOA convention and mentioned in Ed Kuykendall's annual report as of yesterday.

THEATERS UNAFFECTED BY WAGE & HOURS LAW

Oklahoma City—Wages and Hours law is not expected to have any effect on motion picture theaters, it was revealed yesterday by A. Julian Brylawski, MPTOA vice-president, and Nathan D. Golden, MPTOA Convention Coms.

Kuykendall Announces MPTOA Convention Coms.

Oklahoma City—Members of committee for the MPTOA convention, announced yesterday by Presy Ed Kuykendall, are as follows: Credentials and Rules: Edward (Continued on Page 6)

Conciliation for Industry Urged by Nathan D. Golden

Oklahoma City—Seriousness of the foreign situation and its effect on exhibitors were brought to the attention of the MPTOA convention (Continued on Page 5)
Tuesday, November 1, 1938

W. RAY JOHNSTON, president of Monogram Pictures, received word yesterday from the Coast via St. Louis and Cincinnati.

J. H. SEIDELMAN, vice-president and general counsel, pointed out to Mr. Johnston that plans were in hand to leave New York within the next several days for Hollywood route.

HENRY GINSBERG, vice-president and general counsel, will fly back to Hollywood over the weekend.

RALPH CLARK, Jr., manager of Warners' Sydney office, is scheduled to leave New York November 15, for the next several days for Hollywood.

COMING AND GOING

NORMAN HARRINGTON, manager of National Transports Travel Bureau, sailed on the Queen Mary Saturday from London for New York. He will step at the Waldorf-Astoria and sail for home on the Normandie Nov. 12.

JOHN B. NATHAN, managing director to Paramount in the Argentine, sailed Saturday in the Argentina for Buenos Aires.

WILLIAM ROWLAND left by plane yesterday from Mexico City taking a trip of his recently completed Spanish musical comedy, "Perez." He was accompanied by his friend, Mr. Moore, and Mr. Ralph Peck accompanied him.

LUISE RAINER arrived in New York Sunday night from New York and will take his vacation tomorrow.

TYRONE POWER, following completion of "Jesse James," will make an airplane tour of the country.

LUCIUS REESE, New York columnist, writer, left Sunday for Hollywood to assume duties for the Times-Dispatch and to expeditiously for his new picture, "Dark Rapture."

DAVID POLLACK, formerly a member of WELF's service department in Great Britain, has sailed from Boston on the S.S. Lucy Nelson on route to Port-of-Spain, Trinidad, as WELF's representative in Cuba.

HARRY LA VINE, Republic's central district sales manager, returned to Philly last night after returning to Los Angeles from a vacation.

GROVER PARSONS, Western sales manager for Republic, left New York last night for plans for San Francisco.

S. SAGALL, managing director of Scophony arrives Thursday on the Queen Mary from Strange. Finally he will make up his mind on choice of winner for one of the comparisons for some of Walt Disney's musical cartoons. The American is moving to New York with his wife to board the Pan American Pacific liner, City of San Francisco.

JO SWERLING, scenarist, and his wife, were others arriving on the same boat.

JANE BRYAN, Warner player, is expected to arrive from the Coast tomorrow.

SCOTT R. DUHAN, Monogram studio head, arrives in New York tomorrow from the Coast.

GENE AUTRY has left the Coast for p.a.'s in Kansas City and Chicago.

JIMMY BURNETTE is on a p.a. tour which will include Detroit, Flint and Columbus.

STANLEY JACQUES has returned to the KODAK Corporation from a trip to the Gulf and Southwestern British cities.

EMIL MACH, national exploitation manager for 20th Century-Fox, returned to the Coast after yesterday after a trip to Minneapolis and Washington where he attended for showings of "Submarine Patrol."

WANTED

Salesmen now selling Eastern Theaters. Good non-competitive sideline. Box 1070. The Film Daily, 1501 Broadway, New York City.
JAPAN MAY ADMIT
OVER 80 U. S. PIX

(Continued from Page 1)
ment than that recently predicted unofficially each year.
Under discussion currently, it is declared, is a proposal which may lead to many more than 80 U. S. features coming into this country annually. What the boost will be is yet determinable, however.

Griffith Circuit Employes
Retirement Plan Approved

(Continued from Page 1)
ors and partners of the Griffith companies after more than a week of discussions. The plan will allow employees to quit at the age of 65 years on two-thirds of their salaries.
Employees will pay in 3% of their salary, with the Griffith companies contributing the difference necessary for the John Hancock and Phoenix-Mutual insurance companies to guarantee the payments.
The retirement fund is provided for men only, since the women em-
ployees of the theaters usually work such a short time that it could not be applied to them, stated Claude O. Fulgum, division manager.
An employee may retire at the end of five years of operation of the new system and receive about 17½ of his salary, or one-fourth of the accrued benefits. At the end of 20 years’ service, the employee would receive the entire accrued benefit.

Richey Joins RKO: Will
Direct Exhib. Relations

(Continued from Page 1)
trout, to the post of Director of Ex-
hibitor Relations for the Company. Appointment becomes effective next week, with Richey headquartered at the Home Office in New York.
Richey, one of the best known contact men in exhib. circles, re-
cently quit as director of public re-
lations for the Co-operative The-
ers of Michigan.
Richey has been in practically every contract drafting committee including that drafting the motion picture code. In 1924 he organized the exhibitors of the United States for the purpose of doing away with the amusement tax. He is a past chief Barker of the Variety Club.

ALONG THE
BILTOH
WITH PHIL M. DALY

• • • OVERLOOKED . . . . a pre-sold audience of several million fans . . . . book fans . . . . who read these Big Little Books . . . . sold in the five-and-ten throughout the nation . . . . there are 25 million of these little 10-cent books sold yearly . . . . each book averages 300,000 circu-
lation . . . . there are dozens of titles in the library . . . . the youngsters eat ’em up, boys as well as girls . . . . and the publisher’s survey shows that 30 per cent of the customers are male adults . . . . who go for the adventure series such as “International Spy,” “State Trooper,” and “Mack of the Marines” . . . . then there is another series . . . . Fast Action . . . . sold exclusively on the newstands . . . . mostly to adults . . . . which is building an enormous following . . . .

• • • THE POINT is that the Hollywood producers are
suckers for a so-called popular book that sells a few thousand . . . . or a Broadway play that has a sensational run of three weeks to pass-loaded audiences . . . . for which properties they pay heavy jack . . . . and so far this fertile field of the heavy-selling little books in the nickelodineries has been passed up . . . . why? . . . . they only print 100,000 of each book to start with . . . . and common report has it that these five-and-ten merchant princes don’t order 100,000 of anything unless they know they are going to sell it . . . .

• • • IT is really wonderful what you can learn about our biz by
talking to some gent who isn’t in it . . . . we were as dumb about this fertile field as you probably are until the talk of Stephen Ainger over in his offices on Park Avenue . . . . each of these books is printed with a special “visual” technique to catch the eye with pictures as well as with the printed word . . . . words on the left-hand page . . . . illustration on the right . . . . if you rifle the pages quickly you get an entire movie as the picture pages on the right flash by the eye . . . . if you read the book (about 17 minutes actual reading time) you have read the complete scripts of as actionful and exciting a story as any producer in Hollywood would have to turn to celluloid . . . . a lot of jokes are probably sitting home ruffling their movie entertainment because Holly-
wood doesn’t give ’em the type of pictures they really want to see . . . .

• • • ANOTHER item of interest that we knew little of is the comic and action-strip in the newspapers . . . . Steilinger handles the strips of NEA service . . . . we learned that “Major Hoople” is the record-holder on newspaper circulation . . . .
by the way, there is a natural for W. C. Fields . . . . nose ‘n everythin’ . . . . it circulates 15 million every day of the week . . . . how’s that for a pre-sold audience? . . . . in 750 newspapers . . . . coming along as a new strip . . . . the first NEA has put out in five years . . . . so it must be good . . . . their serials have an average life of 15 years . . . . they are scientifically built up before any attempt is made to sell them to the newspapers . . . . this new one . . . . “Red Ryder,” is a western action work . . . . drawn by a real cow-
boy . . . . Fred Harmon . . . . we predict that when it starts to get going among the Western fans, it will revolutionize the making of the horse operas . . . . boy, this Red Ryder MOVES . . . . what we mean, Real Action . . . . with a lot of cowboy slants that the routine Western films never touch . . . .

• • • GUEST . . . . Nate Blumberg, the Universal proxy, will be the spotlighted figure at a business meeting and luncheon of Motion Picture Associates at the Astor on Thursday.
A REVIEW
by
Film Daily

Angels with Dirty Faces

Warners  97 mins.

One of the cleverest concoctions of pulse-pounding excitement, heart-stopping thrills and throat-catching emotional human touches ever to hit the screen. It sets a new milestone in gangster dramas with a powerful human story. Large praise, but this Warner whirlwind of power-drama is something to let your hair down about and give it the ole showman gun on all counts. (Any exhibitor who can't knock off recent box-office records with this b. o. baby is simply asleep at the turnstile switch. Look what you've got to play with: Names—Jimmy Cagney, Pat O'Brien, 'Dead End' Kids, Humphrey Bogart, George Bancroft. And what a line-up of tough-egg talent that is! (Story—this story has never been topped
in its theme-field for downright excitement, close-knit driving punch, glamour of gangsterism contrasted with the finer things in life building to a great emotional climax with the humanities triumphing. It extracts every last ounce of entertainment value out of the thrills, menace, danger and suspense. (Warners have done a great service to the industry in pointing the way to the proper handling of the gangster theme so that not even the narrowest-minded reactionary can find material to quibble with. (Director Curtiz has done one of the finest heart-stopping dramas of the day. So, exhibitors, give it all you can on a doubled ballyhoo budget, and you won't regret it! (CAST: James Cagney, Pat O'Brien, Humphrey Bogart, Ann Sheridan, George Bancroft, Billy Halop, Bobby Jordan, Leo Gorcey, Gabriel Dell, Huntz Hall, Bernard Punsley, Joe Downing, Edward Pawley, Frankie Burke, William Tracy. (CREDITS: In Charge, Hal Wallis; Producer, Sam Bischoff; Director, Michael Curtiz; Author, Rowland Brown; Screenplay, John Wexley, Warren Duff; Music, Max Steiner. (DIRECTION: Excellent. PHOTOGRAPHY: Grade A.
Stars in Flight
West Coast Bar., THEFILMDAILY
ResumEd — continues Tuesday
convention and Movie Hall in Oklahoma
City, Comics or Raviland, Margaret
Lindia, in character at premiere of
Mario Wilson. Jane Bryan, Anita Louise,
Mrs. G. K. Bauris,2 and Lindsey’s mother,
Virginia Wood, 2F publisher, and Ruby
Foster, all have appeared on special Ameri-
can Airlines plane. Arthur Edy, also of
Warner studio press department,
preceded.

(Continued from Page 1)

by how far the conferences had gone in
reaching an agreement but he added that
"we have gone far enough for now." He
said the Wilson committee has been most
definite and conclusive benefits for the exhibitors
will come out of it.

Kuykendall, in addressing the delegates said:
"Much has been said about the government suit.
It is not the purpose of this organization to
regulate. The regulation in most in-
stances would be those by which know
nothing about the public. Some of the
organizations have been prevented from
refusing to use the public. There will be no
becoming of the courts unless those involved enter
into somewhat of a consent decree, which
seems unlikely.

"The MPTOA committee is con-
vishing of the zieness of Mr. Stringer,
Mr. Mt. N. Deptin. Every major
committee, for the first time, is
comitted to the program. The MPTOA
was always considered to be the prin-
ciple that we can work our problems
out within the industry."

The following is an outline of
MPTOA’s demands upon the distri-
butors:

(1) asks for a 20 per cent can-
celation without restrictions, ex-
cluding re-issues, series, Westerns, and
shorts.

(2) Complete abolition of score
charge applicable to all existing
contracts.

(3) Asks for cancellation boards
voluntarily to mediate all clearance
problems.

(4) Asks that distributors defini-
tively divorce the sale of features
from shorts.

(5) Asks for the opposition of
to buying.

(6) Asks for the protection of
independent exhibitors from chains.

(7) Asks for the reinstatement of
existing non-delivery conditions.

(8) Asks for arbitrary designa-
tion.

(9) Asks complete co-operation of
the distributor in elimination of
non-theatrical competition.

(10) Asks for a simplified, un-
derstandable equitable uniform con-
tract.

Board Problem
"Mr. Kent and Mr. Deptin are in
accord that we give thought to the
matter of non-exclusive runs. At
the present time the distributors
will not sell subsequent runs in some
instances, but they indicated that
this should be a problem for the board of
compliance to handle on the theory that
any amounts of subsequent runs
be granted, provided that they are
not competitive.

"Ten years ago ill-considered agi-
tion and some high-handed abuses
that resulted in a spasm of motion picture
litigation. The court decisions were
interpreted by the lawyers as forbid-
dng the MPTOA to the industry for the solution
of our problems in this field. These deci-
sions confuse rather than clarify.

"The exhibitor organization founds
a few years ago for the purpose of
opposing MPTOA to its effort to
judge and defend the business
of the more responsible independent
exhibitors who have whole-
hearted support to the producers
in this position of refusing to con-
sider exhibitors’ complaints because
of the risk of anti-trust prosecution.
They have had to constantly
be on their toes. They have
agitated for pressure organizations
who have introduced their legis-
lation attack the industry. They have
tried to place the whole business
under the thumb of government
control.

Co-operation Refused
"Aid and abetted by this agita-
tion, the distributors who do not
want to give up the practices about
which exhibitors complained were
enabled to flitly refuse the neces-
sary clearances and grounds that they were constantly
menaced with the risk of anti-trust
penetration if they participated in
any constructive program.

"Sooner or later a show-down was
inevitable. It came last week when
public pressure for the Neeley Bill
reached its peak but failed to put
over. The defeat of this legisla-
tion, the exposure of theater divorce
legislation has shown us that the whole
industry is far from
and completely devoid of any benefit to in-
dependent exhibitors.

"Everyone, even the sponsors,
realizes that the motion picture
legislation that has been introduced
will damage the producers and dis-
tributors. None of this has been
drafted by their own owners with
the background of experience in prac-
tical and successful theater opera-
tion.

"Regarding Ascap, I continue to
advise the payment of this levy by
exhibitors, though they have been
legislated out of some states. Ex-
hibitors should protect themselves
by paying the music tax, or offer-
ing to give it until it is worked out
by the courts or legislation. It is
an unfair enactment which they are
still hopeful of legislating out of
business.

"Double features are still a
menace to the industry.

Tribute to Trade Press
"I extend deep appreciation to the trade press for the whole-
hearted and impartial manner in
which they have publicized matters of deep concern to
the exhibitors of this country.
Many of them are here at this con-
ference. They have followed
in an effort to inform those
who are not here as to what we are
doing and saying on national issues. They have not always agreed
with me but I find them fair.
They could well be called the co-ordina-
ators of the co-operative. They are
necessary part of us.

"We look with apprehension on
many new inventions and ideas. As a principle I cannot see how
we are going to effectively and fairly
work out wages and hours by legis-
lation. This will help a few and discriminate
against many.

THEATERS UNAFFECTED
by WAGE & HOURS LAW

(Continued from Page 1)

who read to the convention a letter
written by MacGruder, general counsel of the
U. S. Department of Labor, Wage and
Hours Division.

"In our opinion, it is very doubtful
whether on the basis of the facts
submitted orally by you, employees
of the motion picture industry
connected with interstate distribution of
films can be regarded as engaged in trade or commerce of goods for commerce,
unless the work which they are performing falls un-
der one of these two categories, which
would be affected by the wage and
hours provisions of the law, even
though we were to assume the com-
merce fact. It is our opinion that the
provisions of Section 13(a) (12)
an employee engaged in a retail serv-
ce establishment the greater part of
those selling or servicing, is not
intra-state commerce.

This opinion is ventured with the caution noted
above.

Grover Parsons Left New York
last night by plane for San Fran-
cisco, and Harry La Vine returns
to Philadelphia by train. Remaining
sales managers will stay on, it was
declared, for several more days of
meetings with home office officials
to further outline plans and de-
tails for the Grainger Drive.

Aerial Exploitation Tour
Armand Denis, producer of "Dark
Rapture," which is being distributed
by Universal, and his wife, Leslie
Roosevelt, will spend four weeks
in Africa. They will leave Newark Airport last night for
a two months’ flying trip around the
country to exploit the pic.
'SUEZ' OPENED OVER THE WEEK-END IN 35 IMPORTANT SPOTS, AND IN EVERY ONE OF THEM IT
SURPASSED THE RECORD OF 'IN OLD CHICAGO'!

THE KEystone OF YOUR FUTURE
Detroit Convention Will Hear Papers on Television Today

By H. F. REVES
FILM DAILY Staff Correspondent

Detroit—Election of E. Allan Wilber, manager of the carbon sales div. of the National Carbon Co., as president of the SMPE was formally announced as the Society's Fall convention swung under way with 160 members registered in set to open "Angels With Dirty Faces" day and date on Thanksgiving Day will drop duals for the engagement. Sears has set no hard and fast single feature rate for the pix, but has "recommended" the policy. Situations in New York, Los Angeles, Boston, Chicago, Philadelphia, Dallas, Houston, Fort Worth, Baltimore and Memphis have definitely decided to play the pix as a single.

Key Theaters to Single Feature WB "Dirty Faces"

Grad Sears, Warners sales chief, expects that a "substantial majority" of the approximately 500 houses in set to open "Angels With Dirty Faces" day and date on Thanksgiving Day will drop duals for the engagement. Sears has set no hard and fast single feature rate for the pix, but has "recommended" the policy. Situations in New York, Los Angeles, Boston, Chicago, Philadelphia, Dallas, Houston, Fort Worth, Baltimore and Memphis have definitely decided to play the pix as a single.

Majors' Attorneys Meet on Wage-Hour Situation

(Continued from Page 1)

Gov't to Ask for Nov. 10 Hearing in Anti-Trust Suit

(Continued from Page 1)

paticulars hearing in the Government's anti-trust action against the film industry can be equitably held. The Government's lawyers will ask that today's scheduled hearing in Federal Court, Room 506, at 10:30 a.m. before Judge William O. Bondy be postponed until Nov. 10.

United Artists yesterday filed its note of issue in Federal Court, Southern District, New York, for a bill of particulars. Company also asked the Justice Department for a more definite statement of its charges, and, in addition, requested the court to strike out certain portions of the complaint on the grounds that they are inapplicable to United Artists because of the latter's unique position in the motion picture business.

Technical Advances Hold Interest of Detroit Convention with a high degree of fidelity, or "realism" and makes an extremely durable record. Playback without processing is a distinct advance.

Newest developments in underwater cinematography were described by E. Fenimore Johnson, son of the founder of the Victor Talking Machine Co.

F. J. Herman, of Jam Handy Pictures, envisaged a great future of steady growth for commercial pix in the U. S.

Prof R. R. McMath of McMath-Hulbert observatory at the Universe, described the methods he uses to take motion pic- tures of solar bodies with a tower telescope and an apparatus he calls a "spectroholokinematograph."

Television programs from the motion picture standpoint will come into for extensive discussion this morning, in a joint paper presented by E. W. Engstrum, G. L. Beers, and L. G. Maloff of RCA, and by L. J. Kaar of General Electric. Dr. H. T. Kalmus, Technicolor proxy, speaks on "Technicolor" for the future. The banquet tonight will be the occasion for making the SMPE's annual presentation to winners of the Progress Medal and the Journal Award.

"Men With Wings" Running 10-60% Ahead, Para, Says

Paramount's "Men With Wings" is running from 10 to 60 per cent above average weekly business in its first 10 key city engagements, week-end reports the company's home office revealed yesterday. At the Metro Theater in "Men With Wings" was 60 per cent above average weekly business; at the Metrotone in "Men With Wings" was 45 per cent above average; while the showing of "Men With Wings" at the Michigan Theater in Detroit revealed better than 45 per cent above average.

On the strength of the "Men With Wings" first week's business it will stay in the New York Paramount for two more weeks.

To Resumee Pact Talks

Adjourned meeting of the Paramount News unit of the Newspaper Guild and the newsies is expected to be resumed today. Negotiations will be conducted with Austin C. Keough, Paramount vice-president and general counsel, it was said.

MPTOA May Hear Distributors' Concessions Today

Monday's Sessions Devoted to Addresses by Film Personalities (Continued from Page 1)

The 10-point plan reported in this week's column were substantially the same as the MPTOA's 10-point plan, worded slightly differently.

No business was transacted by the delegates at the opening meetings yesterday, the entire day being given over to addresses. Rodgers arrived late in the afternoon and his scheduled speech was postponed until today.

A man's party was held at 8 o'clock and a big Hallow'en party was staged later in the evening.

Sessions yesterday afternoon were devoted entirely to addresses by prominent personalities, including Harry Sherman, S. A. Lightman, Charles L. Wehrenberg, Chairman; Fred Wehrenberg, Charles L. Casanave, President, National Screen Accessory Corporation.

Production costs were discussed by Sherman who pointed out that increased labor costs would necessitate more showmanship to boost box-office grosses in order to pay the increased rentals that are going to come because of these rising costs. He pointed out that cost increases are coming not from actors' salaries but from Guild labor rates which are now $2.50 per day to $11. If the new Wages and Hours law goes into effect, Sherman stated, production costs will rise fully 40 per cent.

More producers should get out and visit cities of from 10 to 100,000 and learn about the people who make up the audiences, he suggested, pointing out that he had learned from his frequent trips to hundreds of cities and towns over the United States that the National President of Malco Theaters, stressed the need of the exhibition branch of the industry realizing its own position and selling the community's Fortune invested in motion pictures and bringing home to the public how motion pictures fetch the wonders of the world to the doorsteps for only 25 cents. Too many of us, Lightman pointed out, are prone to agree with such bankers and insurance men who find fault with and abuse our industry.

Terry Ransmay, editor of Motion Picture Herald, spoke of his historical and amusing incidents in the history of the industry presenting in excellent style the story of Biograph, the nation's first pictures, the Motion Picture Patents Co., Mutual Film Co., and the people who made history in the industry.

"I don't think the industry would be on the high plane it holds today if it were not for the better film exhibitions.

Side Glances at MPTOA

By ERNEST W. FAIR

Oklahoma City

From the standpoint of color, the current MPTOA convention has had no equal during the 18 years of its existence. Most of the Western exhibitors are dressed in typical cowboy regalia and the six-shooters they carry are not strictly ornamental. When one cowboy fires into the air from one part of the hotel lobby, others start shooting from all over the hotel. Guns barked all during yesterday's luncheon.

Strolling Western musicians amble through the hotel serenading anybody who looks as if he wants to be serenaded. Indians in full regalia add to the atmosphere in the lobby.

Appel, Smith Win Awards

Prize winners for the best showmanship campaign conducted by theater managers and advertising and publicity directors in the U. S. and Canada in connection with the showing of Articinema Associates' short picture, "Son of the Shell," were Clarence Appel, pub. for Shera's Theater, Toronto, first, and W. W. Smith, manager of the Capitol Theater, Amarillo, second. Judges for the contest were Jack Alcatoce, publisher of THE DAILY MAIL; Red Kann, A. Mike Vogel, Epes Sargent and Charles E. Moyer.

Houston House Reopens

Houston— Palace Theater, renovated, opens today with vaudeville.

"Our policy and viewpoint, councils," Fred Wehrenberg told the delegates. He pointed out that these groups, if encouraged, will go out and boost pictures and make patrons of people who have never seen a motion picture. Speaking on the union effect on theaters, he said, to small town exhibitors, Wehrenberg warned that theater owners everywhere must organize themselves against strong unionization in order to protect themselves from the political position attained by the strength of the unions. He predicted that if exhibitors everywhere did not protect themselves in this way something was going to come about that would organize all exhibitors regardless of size of their houses.

"We must pay a living wage to every person we employ," he warned. "Under the present organization quicken than we can realize.

"One of his experiences in the field of advertising, of the industry's delay in changing its advertising technique and the necessity of the industry and the advertising advertising principles that were used in the early days, was stressed throughout the address of Casanave.

Convention's special social attraction is T. B. Noble, Jr., managing director State Theater, Oklahoma City, who expressed in his Western regalia 500 blank cartridges for his six-shooters and a trio of Western songsters constantly at his heels to drum up a tune whenever needed.

The elected officers for delegates generally stick to a Western note with local reception committee dressed as cowboys, six-guns and all. And the drinks were loaded—with blanks—but the noise was there. Oxcarts were at the station to carry many of the delegate to the convention hotel where the first show that met their eyes was a real Indian Tepee, complete with redskins in full tribal regalia, planted squarely in the lobby of the Biltmore.

Kuykendall Announces MPTOA Convention Comms.

(Continued from Page 1)

G. Levy, chairman; Joseph R. Denniston, Detroit, Morris Lowenstein.


Entertainment Values: A. C. Hayman, Buffalo, chairman; E. F. Fay, Providence, B. P. McCormick, Canonsburg, Okla.


Clearance and Zoning: Irving C. Jacocks, Jr., Branford, Conn., chairman; Phil Isley, Oklahoma City, R. R. Biechele, Kansas City, Kan.


Public Relations and Community Affairs: Mitchell Wolfson, Miami, Fla., chairman; M. A. Wolf, Memphis, B. J. Gooden, Sparkville, Miss.

Film License Relations: Fred Wehrenberg, St. Louis, chairman; Ben Pitts, Fredericksburg, Va., C. B. Akers, Dallas.
Television Must be Born Full-Fledged, SMPE is Told

TRADE REFORMS NEAR AND CERTAIN, SAYS RODGERS

Technicolor by Standard Cameras in 2 Years—Kalmus

Speedier Negative Will Be Made Available in Two Months

by H. F. BEVES

FILM DAILY Staff Correspondent

Detroit—Speaking before the SMPE convention at the Statler Hotel here yesterday, Dr. Herbert T. Kalmus, predicted:

1. "Within two years, Technicolor will have done away with special cameras and be regularly employing single strips of negative by any standard motion picture camera."

2. "Within two months for special purposes and within six months in any standard motion picture camera." (Continued on Page 13)

PARA. ECONOMY WON'T REDUCE PIX BUDGETS

"Certain economies will be effected by President Barney Balaban and Stanton Griggs, Paramount executive committee chairman, while the time-saving鲍

Caribbean Film Outlook Generally Satisfactory

Film business in the Caribbean territory is generally satisfactory, with promise of further advances in the future. (Continued on Page 3)

ATO of Ind. Elects 20 Members to the Board

Indianapolis—Members of ATO, yesterday heard the discussion of tax reforms, measures to regulate (Continued on Page 4)

Universal Hears Opportunity's Knock

Universal heard Opportunity's knock at the door, and, as a result, announced last night that today it will release "Make Love to the World," a feature film shot simultaneously with the "Flash Gordon" serial. Story is similar to that of the Orson Welles-H. C. Wallis broadcast, "War of the Worlds," which caused excitement last night. Feature is in two versions, six and nine reels, and has been in assembly for the greater part of a year. "Buster" Crabbe and Jean Rogers are the leads in the picture, described as "as elaboration of the serial." (Continued on Page 3)

SCHAEFER PLEDGES MPTOA RKO'S CO-OP

by ERNEST W. FAIR

FILM DAILY Staff Correspondent

Oklahoma City—Expressing the hope that a system of conciliation would result from the trade practice parleys, George J. Schaefer, RKO Radio, yesterday told the MPTOA convention that he would pledge RKO's co-operation in bringing about pleasant relations. (Continued on Page 5)

Pizor, Stricken at O. C. Meet, Rushed to Hospital

Oklahoma City—Lawton Pizor, of Philadelphia, proxy of the UMPTOA, was rushed to a hospital yesterday for medical treatment. Stricken first on Monday, Pizor is believed to be suffering from ulcers. (Continued on Page 13)

TEST OF DIVORCE AGREED BY GOLDEN

by AL STEIN

FILM DAILY Staff Correspondent

Oklahoma City—A "guinea pig" anti-block booking and theater divorce experiment was recommended to the Government and the picture industry here yesterday by Edward A. Golden, Monogram vice-president. Golden, who told the convention (Continued on Page 5)

Hearing in Equity Suit Goes Over Till Nov. 10

Judge William O. Bondy yesterday morning adjourned until Nov. 10 at 10:30 a.m. in Federal Court, Room 506, the scheduled hearing on the bill of particulars sought by the film company. (Continued on Page 13)

Tele Must be Born Full-Fledged, G E Executive Tells SMPE Meet

ITO of W. Va. Postpones Vote on Joining Allied

Pittsburgh—At a meeting of the Independent Theater Owners of West Virginia held yesterday in the Waldorf Hotel, Clarksburg, which was attended by all officials in attendance, it was decided to postpose voting on whether or not to join Allied or remain independent until Nov. 29 when a special meet-

(Continued on Page 13)

"Program Ready if MPTOA Convention Had Been Held a Week Later"

by AL STEIN

FILM DAILY Staff Correspondent

Oklahoma City—A program of trade practices that will set up a new milestone in the industry was assured by William F. Rodgers yesterday when the M-G-M General Sales Manager addressed the afternoon session of the MPTOA convention. Although the delegates expected him to reveal details of the trade practice conference in New York, Rodgers said he could not be specific on the points under discussion until the proposed plans had been approved by all parties concerned. That a solution to the problems is near was (Continued on Page 16)

STANDARD CONTRACT ASSAILED BY PIZOR

Oklahoma City—The standard exhibition contract was bitterly attacked by Lewton Pizor, UMPTOA president, in a speech read by Ed Levy yesterday at the morning session of the MPTOA convention. Because of (Continued on Page 13)

Exhibitors Fall Down, Says Warner Executive

Oklahoma City—While in the past 10 years production has advanced, exhibition has failed to show like progress, Harry Goldberg, director (Continued on Page 16)
May Be Required to Change Proposed Cameramen’s Pact

Contracts submitted recently by Local 644, cameramen’s union, to New York Newspaper Press Association may have to be withdrawn for revision due to clauses which do not follow possible rulings that may be made by the FLSA, it was learned yesterday. Present contracts call for a 40-hour week. Spread over an eight-week period, but FLSA ruling stipulates a 40-hour week for a one-week period. In the event changes have to be made the contracts will be revised and resubmitted, it was said.

Col. Execs to Europe to Set Premières of Capra Pix

Following the arrival in London of Jack Cohn, Columbia president, and J. A. McConville, company’s foreman, who both sailed for England from New York Friday aboard the Queen Mary, conferences will be held by them with Joe Friedman the head of which will be for the European premières and general distribution of “You Can’t Take It With You.”

Premiere dates are to be set for Paris, London, Stockholm, Copenhagen, and Oslo, and an attending campaign will be arranged in each of these stands.

Twin City Buying Strike by Twin City Exhibs. Off

Minneapolis — Twin City buying strike by subsequent run operators against percentage deals appears to be quietly fading out. Metro, Warners and 20th-Fox are said to be "pretty well set" in all situations, RKO, Columbia and Universal are continuing deals.

Kirsch Ill, Farley Off

Chicago—Illness of Jack Kirsch, Ill, director of pressing, caused a postponement of yesterday's scheduled contract meeting with the operators’ union.

H. and S. Sonn Sue RKO Companies for $200,000

Suit was filed yesterday in New York Supreme Court against KTK Film Company Corp., RKO Service Corp., and White Plains Hamilton Corp., by counsel representing H. and S. Sonn, Inc., which seeks via the action $200,000 from the co-accused in connection with the operation of the RKO White Plains Theatre.

Claimant, claiming to be the landlord under a lease made in 1925, by terms of which the lessor agreed to pay $40,000 annually and scaled up to $45,000, plus 5% of the net profits accruing, from year-to-year operation of the house, contends that the lessees boosted expenses through excessive charges on film rentals, and ordering more film than could be exhibited, thus cutting down net profit. It was additionally charged that the White Plains Hamilton Corp., refused to submit its books as the lease made obligatory.

Wage-Hour Act Application Discussed by Jersey Allied

New Jersey Allied at its meeting yesterday at the Hotel Lincoln discussed the Fair Labor Standards Act’s effect on theater operation. Unit further decided to change the present schedule of the organization’s meetings which in the future will be held monthly in different communities in the Greater Jersey area. The next meeting will take place in Newton, N. J., on Nov. 29.

Report on the recent Atlantic City convention was presented.

Local 702 Signs Pact with Ace Laboratory

Contract with Ace Laboratory was signed yesterday by Local 702 lab workers union, following negotiation period of about three weeks. It was learned last night. Pact, which runs for one year, brings about a wage scale increase of 10 to 17 per cent for the employees of the Lab, and also stipulates vacations with pay and a closed shop. It is expected that a contract with HER Laboratory will be closed within a few days.

Woolsey Rites Friday

West Coast Bureau of THE FILM DAILY

Malibu Beach — Funeral services will be held on Friday in the Little Flower’s Grove in Forest Lawn Cemetery for Robert Woolsey, 49, screen and stage comedian, who died at his home here on Monday, last, from a protracted illness. Service will be conducted by Bert Wheeler, an association which began in Fio Segfield’s “Flora Rita,” Woolsey entered films in 1929. Woolsey is survived by his wife, the former Mignon Reed; her mother, Mrs. Mary Reid; a brother, Mr. Roy Woolsey of Herod, Ill.; and a brother, Charles Woolsey of San Francisco.

COMING AND GOING

GEORGE J. SCHAFER is due in New York today from Dallas by plane.
they are on the Coast, but picture butts will not be cut nor will anything be done that will in any way impair the quality of the company's product," Neil F. Agnew, Paramount vice-president and distribution head, told THE FILM DAILY yesterday.

Agnew was optimistic about the company's business outlook, stating that the studio had encountered fewer production problems this year than in the past, while returns on recently released pictures had been more than satisfactory. "Business is considerably improved as compared with last year," he said.

He credited the industry drive with helping sales and grosses since an inception, and asserted that from opinions he had heard expressed it appeared that exhibitors in general had benefited.

Agnew returned to the home office last week after a trip to the studio. Agnew said that an announcement regarding next year's product plans would probably be ready in three or four weeks after further studio conferences.

Agnew said the Balaban and Grills would probably remain on the Coast for another two weeks or so.

Caribbean Film Outlook

Generally Satisfactory

(Continued from Page 1)

revenue when the strong features showing currently in the U. S. reach those outlets, it is declared by Karl Macdonald, Warner supervisor for Latin-America, who returned to New York yesterday, following an 18-day trip which took him to Cuba, Puerto Rico and Trinidad, in each of which locales Warners have a branch office, and to Venezuela and Curacao, where company has representation.

In the instance of WB's outlook for the new releasing year in the territory, which corresponds closely with the calendar year, Macdonald expressed the conviction that, with action pictures in great demand among Caribbean audiences, the 1938-39 lineup should evoke unusually large grosses.

Most of his trip was made by plane, including the final stage which brought him to New York via Miami.

UA Set to Cash In

Set to cash in on the future created by the Orson Welles Mercury Theater of the Air broadcast of "Heart's Delight," "War of the Worlds," last Sunday, Korda's "Things to Come!" also a Welles fantasy, bow in Friday at the Sam Fox screening at the New York Variety Theater for a 10-week run. Other bookings are being arranged in New York and New Jersey and a nation-wide revival is in prospect.

UA releases the pic.

SCHAEFER PLEDGES MPTO'S RKO'S CO-OP

(Continued from Page 1)

relationships between his company and exhibitors.

Schaefner based his speech primarily on the industry business drive, outlining its purpose and the progress it has made. He said that the contributions by indie exhibitors were only a few thousand dollars short of the pledged $250,000 and that the entire goal was expected to be reached before the end of the contest. Schaefner explained that cost of printing the 37,000,000 movie quiz booklets amounted to $150,000 and that the fee of the contest company for conducting the quiz was $75,000.

The drive, he said, has resulted in a finer relationship between the press and the industry and that the country's dailies were taking a new and more favorable slant on the motion picture business. Schaefner defended high salaries in the industry on the grounds that the keen competition for all types of talent made it necessary to bid high for desirable services.

Schaefner left for Dallas yesterday afternoon and intends to fly back to New York today.

70 Delegates to Attend Columbia Chi. Sessions

Columbia will hold the first of a series of divisional sales meetings at the Blackstone Hotel, Chicago, on Saturday and Sunday, with more than 70 delegates slated to attend from the Midwestern, Central and Mid-East divisions.

Following sales execs from the home office, the two-day meet: A. Montague, Rube Jackter, Louis Astor, Louis Weinberg, Max Weifeld, Hank Kaufman, George Jones, Milton Hannock and Maurice Grad.

Montague leaves today to attend the trade practice conference in Chicago and will remain in Chicago to preside at the divisional meetings. The remainder of the home office contingent takes the Century on Friday. Division Managers Sam Galanter, Phil Dunas and Carl Shubert will head the delegates from the field.

Meetings will be devoted to discussion of production schedules for early release as well as to the carry-over runs on "You Can't Take It With You." Pic, in Los Angeles, goes into its seventh seven-day week at the Pantages and Hill Street for a record.

Six for a Quarter

Omaha - Local exhibit is playing six plays on a single program for 25 cents for 24 hours. . . Rock Row suspects he wants to clean up his act in a hurry before those holdovers Marlowe's Rambas reach Kansas from Jersey.
"Just Around the Corner"
with Shirley Temple, Joan Davis, Charles Farrell
20th Century Fox, 220 Min.

(HOLLYWOOD PREVIEW)
GRAND PIECE OF ENTERTAINMENT SHOULD REGISTER BIG AT THE BOX OFFICE.

The test of the Shirley Temple picture is a grand piece of entertainment with a load of laughter. It ranks with the better things she has done, and therefore it should register big at the box-office. Shirley's charming personality is put to capital use throughout, she sings and dances in grand style, and in every sense she is a swell little girl. Spellman is an old and experienced Darrell Ware contributed a screenplay from Paul Gerard Smith's original that fits Shirley's talent. It has the romance that has won Shirley qualities, a smattering of emotion, and some splendid new ideas. An innovation is Shirley's romantic moments which come when she is wearing a pensive smile as a prosperity note in the affair which should get a lot of applause. Irving Cummings directed the picture and there is a lot of planning, humor and a charm that is delightful. Walter Bullock and Harold Spina have a couple of very catchy songs in the production which should prove popular. Charles Farrell turns in some nice work, and a new girl, Amanda Duff, is both beautiful and talented, has a lot of personality, and is worth watching. Anderson, a "T" outsider, has been on the screen a lot, he is good, but not great, and this made-for-the-atmosphere role is too short, but the song and dance she does with Shirley, is done very well. Bill Robinson puts over a couple of dance routines for good returns, and Bert Lahr's singing gets some strong laughs. Bennett Bartlett has a large sized role in which he is very good, and Franklin Pangborn, Cora Witherspoon, Claude Gillingwater and Eddy Conrad furnish their share of laughs. As associate producer, Paul Gerard Smith, is making a mighty good show to his credit. Shirley's father, once a wealthy architect living in a penthouse of a swanky apartment house, has been shunted down to the basement as the apartment engineer. With him went his social standing. Shirley becomes an outsider and her antics nearly lose her father his job. In the course of the picture, he has shown her a cartoon of Uncle Sam, and when she hears Claude Gillingwater called Uncle Sam, she thinks he is the fellow she saw in the cartoon. Her father told her that Uncle Sam needed everyone's assistance rather than their being a drain on the country. She commits him to the proposition, and every boy can give his father the job he wants. Shirley converts Gillingwater to her way of thinking and signs up for the project which will put her father to work and which will help spread prosperity.


CREDITS: Directed by Charles Barton; Written by Frank Craven, Jack McDonald; Score by Eddy Conrad; Songs by T. F. Haggard. 

"Illegal Traffic"
with J. Carroll Naish, Mary Carlisle, Robert Preston
Paramount, 67 Min.

(HOLLYWOOD PREVIEW) RACKET-TWEERING "FASHION WITH NEW SLANT"
PRODUCES PROMISING "FIND" IN ROBERT PRESTON.

Besides presenting another angle in the way of racketeering, that of the business of transporting criminals who must make quick getaways, this picture is distinguished by the presence of Robert Preston, a boy who has what it takes for the screen. One is immediately impressed with the distinctive quality of his voice; his personality is attractive and his physique robust, and with all he does very well on this end. Paramount has a find in this boy and should groom him for big things. As better opportunities arise for him he should rapidly, for it has a lot of action, a plot that is interesting and suspenseful, and a capable cast to enact the roles. J. Carroll Naish's brother is, however, too thick and must monotonous. As for the rest of the players there is a couple of boys like Richard Denning and William Tabbert. Shirley Temple, who is impressive in lesser parts, and Mary Carlisle, Judith Barrett, Pierce Watkin, Larry Crabbie, George McKay and Roger Toomey, capably handle the other roles. Louis King directed the picture with a lot of snap and forcefulness, and the picture is beautifully photographed. Stuart Anthony is a slyly developed idea, something different in the way of police and crook yarns. William C. Thomas, the associate producer, supervised this highly creditable affair. J. Carroll Naish, a foreigner from steerage, has become a power in the underworld as transporter of his criminals. He considers himself a dandy and his ego makes him go as far as to perform his own killings. To get the good criminals, he draws his evil agent into his employ, but Naish discovered the fellow's identity and murdered him. He even kills his own partner. Robert Preston is working for Naish as an airplane pilot, but Naish learns that he, too, is a special agent, but this time the special agent comes out the bad guy. His airplane crashes into the guns battle, although wounded, mas a machine gun while flying a plane, killing Naish, on the ground, who is trying to escape.


CREDITS: Associate producer, William C. Thomas; Director, Louis King; Authors, Robert Yost, Lewis Foster and Stuart Anthony; Screenplay, same; Cameraman, Henry Sharpe, ASC; Art Directors, Hans Dreier and J. Howard Harvey; Art Director, John Johnston; Sound, Harold Lewis, Roland Olson; Musical Director, Boris Moros. 

DIRECTION, SNAPPY. PHOTOGRAPHY, GOOD. 

"Artists and Models Abroad"
with Jack Benny and Joan Bennett
Paramount, 90 Min.

(HOLLYWOOD PREVIEW) WATCH THIS CLEAN UP AT THE BOX OFFICE WITH ITS APPEAL BOTH TO THE FEMMES AND THE MEN.

In a part tailored to suit his "fall-guy" characterization, Jack Benny, has a field day and scores many laughs. Joan Bennett is decorative and capable as a rich girl heroine, whom Benny believes is penniless. Mitchell Leisen has guided the comedy effectively and made the picture a veritable feast for the eye, with French fashions to boot. There is a good cast and funny patter to indicate the names of the male patrons. Arthur Hornblow, Jr., rates much credit as the producer; Charles Graupen is excellent as the Polish millionaire, while Mary Boland, Fritz Feld and Monty Woolley are among the capable principals. The Yacht Club Boys are in "Some Dope," which they wrote with Jack Rock, and "What Have You Got That Gets Me," by Ralph Rainger and Leo Robin. Howard Lindsay, Russel Crouse and Ken Englund wrote the screenplay and Lindsay and Crouse the original story based on an idea of J. P. McGovern. Ted Tetzlaff was responsible for the high-grade photography. Benny and his troupe are stranded in Paris, but Benny manages to bluff the proprietor of the Hotel de Navare into furnishing accommodations for his troupe, but the proprietor's wife locks them out. In his search for funds, Benny meets Joan, fourth richest girl in the United States, whom he believes is penniless. Joan joins his troupe on a lark. Her father also pretends he is a member of the troupe. Through some clever chicanery, Benny gets jobs for his troupe as models at the Palace of Feminine Arts at the Paris Exposition. She afterwards repudiously borrows the priceless Napoleon necklace to have it copied for Joan. Benny believes Graupen has stolen it and demands that he return it. Benny is amazed to learn that Graupen is a millionaire and Joan an heiress.

CAST: Jack Benny, Joan Bennett, Mary Boland, Charles Graupen, The Yacht Club Boys, Fritz Feld, Phyllis Kennedy, Monty Woolley, George P. Hantley, Joyce Compton, Adrienne d'Ambricourt, Andrew C. Sharpe, Jules Raucourt, Georges Renavent, Chester Clute, Alex Melesh, Dolores Casey, Sheila Darcy, Yvonne Duval, Marie De Fancis, Gwen Kenyon, Joyce Mathews, Mary Parker. 

CREDITS: Producer, Arthur Hornblow, Jr.; Director, Mitchell Leisen; Authors, Howard Lindsay and Russel Crouse; Based on an idea by J. P. McGovern; Screenplay, Howard Lindsay, Russel Crouse and Ken Englund; Cameraman, Ted Tatofall; Special Photography, Frank Dorsau; Art Directors, Hans Dreier and Ernst Fegte; Editor, Dwayne Harrison; Musical Numbers Staged by Lefty Prina; Musical Supervisor, Horacey Logan; Lyrics, Ralph Rainger and Leo Robin; "You're Broke You Dope," by the Yacht Club Boys; Musical Director, Arthur Franklin; Vocal ensembles, Max Terr. 

DIRECTION, Effective. PHOTOGRAPHY, Very Good. 

Principal Injunction Plea Will Be Argued Today

An injunction order signed by Justice Valente of Supreme Court, New York County, on Saturday, was served Monday on Principal Film Exchange, Inc., of 630 Ninth Ave. Papers asked appointment of a receiver, taking possession of all monies allegedly due Superior Talking Pictures and Stage and Screen Attractions, plaintiffs on 12,000,000. The papers were released and distributed by Principal.

The injunction papers, filed by Ethel Sprague & Partner of 11 Broadway, attorneys for the plaintiffs, allege that Principal failed to account for monies due and received, and failed to open its books to inspection so that amounts due them could be determined.

Injunction is scheduled for argument in Supreme Court, New York County, today before Justice Hofstadter.
SAMUEL GOLDWYN'S FIRST IS ON THE WAY
THE SPIRIT OF THE WEST...THE ROMANCE OF THE PRAIRIE
**SAYS TELE MUST BE BORN FULL-FLEDDED**

*(Continued from Page 1)*

Road Ahead: A question of empha-
sis was that "Who shall pay for the television programs?" was "the big problem ahead of television today," added抉

It's warmed up, and I'm educated to expect a high degree of excellence in radio programs, and it is doubtful whether mediocre pro-

gram material in television would be acceptable."

Listing out that the size of the television picture is limited by the size of the cathode ray receiving tube, Kaar said that a 12-inch tube, giving a picture 7½ by 10 inches, is all that the tube is "capable of use in a home cabinet" at pres-

ent. "Interesting future develop-
ments in the picture size."

The future as well, Kaar said, will bring a great reduction in the costs of relaying programs in tele-

network systems.

Aspects of television that have counterparts in film practice were also discussed yesterday by Profes-
sors E. W. Engstrom and I. G. Malef of RCA. Comparisons of techniques of both were presented. Among the advantages expected to be derived from this program of mutual ex-

change of information is a more effective "matching" of programs. The system of relaying program of film by television, and for pos-

sible future application of television devices to the pix field.

Among the phases touched upon were the relationship of the size of a television picture to the distance from which it will be viewed, the number of "frames" per second nec-

essary to produce the best illusion of continuous motion to the eye and the ability of a television system to convert the light reflected from objects of varying color into cor-

responding values of light and shade.

E. M. Lovrey and K. S. Weaver of Eastman Kodak disclosed a method for taking the temperature of color, while M. Rettinger of RCA and D. J. Bregman of Republic described the precise acoustical de-

scription and technical equipment of a dubbing and scoring stage.

Kenneth Rock Dead

Denver—Kenneth Rock, 34, pro-

jectionist at the Paramount ex-

change, died at a Denver hospital from the effects of a fall in his home.

Piling It On

Kenosha, Wis.—Kenosha Theater here has raised the ante on the horror pro-

gram by now offering two shows daily. Attractions included "Dracula," "Franken-


Milwaukee, Wis.—Horror show cease has hit its stride here with the Al-

ton Theater offering "The Pack" showing the pictures as well as a half dozen or more ones. Programs include selections of a wide variety of shockers.

**SHORT SHOTS FROM EASTERN STUDIOS**

**By SID WEISS**

**PRODUCTION on the Dudley Mur-

phy-Harold Leiber pix "Once in a third of a nation..." starring Syli-

via Sidney will wind up this week at the Eastern Television studios, under the ap-

propriation. This marks the first

English dialogue feature to be pro-

duced in Chicago and is expected to mar-

days of Hecht and MacArthur. It also

marks the innovation of the produc-

tion's system of production here, an idea

which Murphy has been nursing for two years or more and which is now

rapidly gaining in favor on the Coast. Murphy, Sylvia Sidney and Oliver H. P. Garrett will all share in the produc-

tion. Walter Kelley was in charge of the art work.

On and off the sets... Harold

Orloff, a veteran in the legit, the-

ater, may do a stage play before produc-

ing another another... Tom_sys-

Chapman, Audio director, was badly

hurt several weeks ago while shoot-

ing sequences in Detroit—but is

back on the job now and as Charlie

Glets' assistant... Bill Howard's

current picture, "Frankie," is his

47th—and he's convinced it's going to

be one of his finest... Princi-

pally all the numbers of Dudley

Murphy's cast in "... one-third of a

nation..." are either appear-

ting together now or are about to

open in one... Good to see

Charlie Harten recovering so nicely

from his long siege of illness... He'll

spend the Winter in Florida... Look-

Alikes: Harold Orloff and Walter

Keller... Rumored around that Roszie has left Kendor Produc-

tions... Ray wrote and directed "Flight" at the Rockridge Theater

saying he's consultant on plays at the Ex-

perimental Theater at Vassar.

Among the extras in "Frankle" was a

Dracula," former leading lady who

worked for Stu Erwin's father years

ago in California. Needless to say,

Stu gave the chap a stake and is try-

ing to arrange a steady job for him.

Familiar faces at the Casa Mana-

na... Lanny Ross and Frank Libuse

were"The Game of the Century"... In-

terest in television is greater than ever and there's no reason why the films

shouldn't take it as fondly as did radio... His recent picture, "Bill Rose's nitespot comes under the

head of tremendous... As for Libuse, he's going around it... the fellow is screamingly funny... Meanwhile Sam Sax has him under

contract for at least one more War-

ner short..."

Brag Named Chairman

of Toronto Film Section

Toronto, Ont. — At the annual

meeting yesterday of film section of

the Toronto Board of Trade Thomas

Bragg, of Famous Players Canadian

Corp. was elected chairman succeed-

ing N. A. Taylor.

Committee on "Go to the Movies

Week" reported it had merged with

the general industry campaign. The

special two-reel campaign film will

be made available to all theaters

in the area after it has been shown in

houses participating in the Movie

Quiz contest.

**Television Won't Hurt

Pix, Hollis Baird View**

Boston—"Television will be com-

mercial, just as radio is and that

have no more effect on movie atten-

dance than radio had," in the opinion of Hollis Baird, presxy of General

Television Corp. General

will transmit tele shows three daily from WIXO at the World of

Science exposition opening here

Nov. 12.

Says M-B Has Worked Out

a New Distribution Setup

A wholly new distribution setup

designed to help the indie produc-

er, has been worked out by Malcolm

Browne Pictures Corp. John E.

Browne, president of M-B, told THE

FILM DAILY yesterday.

Browne stated that it was possible

the number of pictures M-B will

produce to run well under the 20 the company will produce itself.

A feature length film that will be

commercially sponsored will be distri-

buted by M-B. Browne dis-

closed. It was stated that the cost

of the film would approximate the

budget on major studio productions

with only commercial aspect a cred-

it line for the sponsoring company.

**TEST OF DIVORCEMENT

ADVOCATED BY GOLDEN**

*(Continued from Page 1)*

that neither self-regulation nor Gov-

ernment regulation offered a per-

manent solution to the industry's

ills, specifically urged:

"Let us all agree to the selection of a representative state in the

Union to be used as a testing ground for pictures to be exhibited with the op-

erations of the people in our in-

dustry operation divorced from distri-

bution for a definite period of time.

In the result, I believe, our answer

9 will be...

Gordon was critical of the failure to

invite Monogram to participate in

the present trade reform negoti-

ations.

"No interest has been shown in the solution of problems which we also

have," he charged, adding "This is

very much too important a matter for us to permit others to represent us

in our having a voice in the discussions."

"The fallacy of self-regulation," said Gordon, "is that the regulators rep-

resent various vested interests in the motion picture industry and that

must operate so that their own

interests are protected, even to the
detriment of others involved. We

had an opportunity to observe self-

regulation, such as it was, under the

NRA... I saw too much of the area

of the industry during my association with the Code Authority ever to agree

to a continuation of the methods

employed in self-regulation as they proposed it. ..."

We now find that exhibitors are requesting concessions from the pro-

ducers and their sole interest seems to be themselves. One of their re-

quests is the inclusion of a 20 per-

cent cancellation clause in their con-

tracts. As a practical person and

realist, I would like to inform you that the 20 per cent cancellation clause will only enable

affiliated theaters to buy 20 per cent more product to take care of the extra-

uation; the individual exhibitor will find himself with a larger cancella-

tion and will be much worse off than

he is now. More cancellation means
giving affiliated theaters more right to buy those pictures which an in-

dividual exhibitor has the right to-

cancel out."

**Now It's Salary Night**

Seward, Neb.—Although all manner of giveaways were outlawed in Nebras-

ka by State Senator E. C. Kuhl, man-

ager of the Rivoli, has a salary night are coming up. The post to a person to be good willambassador for the movie industry. He ap-

plied for and if present when their "application" is presented. If they're not on hand, the

job is declared vacant, and in order to fill the position an unpaid is added onto the next week's

salary night. It's claimed unmatchable by law.
NOW! Show it!

UNIVERSAL presents THE MOST SECRET LENGTH FEATURE IN FILM-THE

MARS AT THE W

with LARRY "BUSTER" CRABBE
JEAN ROGERS • CHARLES MIDDLETON
FRANK SHANNON • BEATRICE ROBERTS
Original story and screen play by Ray Trampe,
Norman S. Hall, Wyndham Gittens
FILM DAILY YEAR BOOK
OF
MOTION PICTURES

TWENTY FIRST EDITION
NOW IN PREPARATION

January Release

Published by

1501 Broadway
New York City
TECH. BY STANDARD CAMERAS IN 2 YEARS

(Continued from Page 1)

months for more general purposes, and, be offering, was a negative for use in its present cameras with from three to four times the speed of its present negative.

Dr. Kalms, Technicolor's pressy, was presented the 1938 SMPE Progress Award medal at the semi-annual banquet last night, and was its fourth recipient. At the same time, the annual SMPE Journal Award was bestowed on K. S. Gibson of the Bureau of Standards, U. S. Department of Commerce.

In his convention appearance yesterday afternoon, Gibson presented a paper, "Technicolor Adventures in Cinemaland," in which the organization's activities from the production, in 1917, of "The Gulf Between" until today which finds Technicolor holding contracts for approximately 26 films. $15,000,000 for 18 Pix

The 18 features to be produced in Technicolor during the last part of 1938 and the first half of 1939 will probably represent a $15,000,000 investment, Dr. Kalms said. The plant expansion program dictated by the increase in business is "well on its way to completion," he added.

Turning to the foreign situation, Dr. Kalms said:

"The foreign situation is becoming increasingly difficult. Sales to Germany, Spain, Japan and China have practically ceased, and in many cases are being replaced by other foreign countries below normal. The Italian Government controls the entire distribution of films in Italy, which probably means that everything possible will be done to distribute Italian-made pictures at the expense of American-made pictures.

"To cope with the various regulations of censorship, the various languages requiring either superimposed titles or dubbing with new sound track, has for years been difficult enough, but with the more recent quota laws, import duties, exchange difficulties, and especially in the face of the impossibility of getting money out of several foreign countries, to continue in the motion picture business there means advantages in other businesses, such as banking and politics. "The establishment of Technicolor laboratories at various points over the world is a practical necessity.

Weddings

Cleveland—Miss Edith Lyon, secretary to P. L. Tanner of the Film Transit Co, and Al Myers, film messenger, will wed Nov. 12.

STOCKS!

Kenneth Codof of March of Time's production staff, and his wife, Kay, have a son, born Oct. 28 at the Jamaica Hospital.

N. J., Tenn., Pa., Towns to Vote on Sunday Pix Shows

Montclair, N. J.—Sunday pix proposition will come up at the general election Nov. 8 for the save the cost of a possible special referendum, as the Town Commission explains it. Sunday pix lost out by a narrow margin in 1938.

Knoxville, Tenn.—This city will vote on Sunday films at the Nov. 8 election.

City council of Lebanon is also moving for a referendum. Latter city has been having Sunday pix for the last three months under a governmental experiment, with 25 per cent of receipts going to a philanthropic cause.

Pittsburgh—Mt. Lebanon will vote on Sunday movies Nov. 8.

"Brother Rat" Runs Ahead

Warners' "Brother Rat" is running ahead of the company's "Four Daughters," "Three Men on a Horse" and "Boy Meets Girl!" Dr. Kalms estimated that the box office receipts for these films were $15,000,000, which the company's business is "increasing very rapidly." Plans for new foreign labs. remain unsettled, he continued, adding that he plans to go to Europe in January. Dr. Kalms stated.

Overtures for the opening of a plant in Italy have been made by Dr. Kalms confirmed, but Technicolor has no lab plans for Russia.

The proxy told this correspondent that there were no further details concerning Kodak's simplified color process, now available for announcement.

Discussing the domestic business, Dr. Kalms said:

"Contracts with major companies all call for several more features, with schedules showing present contracts running out in 1941, and others still, with no new contracts or renewals required now.

Convention voted to raise dues of associate members from $6 to $7.50, actives from $10 to $15, and reduce fellow's dues from $20 to $15, all annually. New amendment admits active members to holding office for the first time; this formerly was restricted to its custom. Membership increased 100 in the past year, it was announced.

The next spring convention will be held at the Hollywood-Roosevelt Hotel, Hollywood, April 17-21. The fall convention was set for the Hotel Pennsylvania, New York City, Oct. 18-19.

German Dye Trust Develops New 3-Color Film Process

Berlin (By Cable)—A new three-color film process, known as Arfa PANICHROMATIC and developed in the laboratories of I. G. Farbenindustrie (German Dye Trust), is attracting intense interest in film circles here.

According to well-informed sources, prints made by this process are immediately ready for display in theaters on standard projectors, without any extra apparatus or punched-up lightening. Requirements are said to be identical as for black-and-white projection, and the prints carry sound tracks like their non-color footage.

Technical experts locally have voiced their favor of the process, following demonstrations here.

Illness Pizar was unable to appear in person.

An extremely pessimistic attitude toward present contractual relations was expressed by Pizar; he stated that the exhibitor must work under the terms of the distributor since the former has nothing to say as to the contents of the contracts. Pizar said he doubted that the present contract is the contract in the fullest sense. Distributors demand and receive exhorbitant and unfair prices by holding up product and forcing exhibitors to conceal everything in order to operate, he charged.

Pizar advocated a contract that would call for the distributor furnishing a certain number of pictures at certain terms. The present contract, he said, permits distributors to defer release date until the contract with the exhibitor runs out and the distributor then has the right to relocate pictures to different classifications as to rental.

The trade practice conferences thus far have failed to produce complete understanding on contractual relations, Pizar said, adding that the short sightedness of producers and distributors should be blamed for the present deluge of law suits.

Previous MPTA conferences have not produced results, Pizar declared, but he asserted from now on the organization would become a fighting, militant organization.

Hearing in Equity Suit Goes Over Till Nov. 10

(Continued from Page 1)

industry in the anti-trust action brought against it by the Justice Department.

The request for postponement was made by Assistant U. S. Attorney Miles Lane who told the court that the Government needed more time to answer the demand for a lengthy bill entered by the defendant.

Col. William J. Donovan, with Otto Doering, Jr., represented the defendants at yesterday's deferred hearing. The anti-trust action was characterized by the court clerk as "The People of the United States vs. Paramount Pictures, et al.

H. L. Booth Hospitalized

Cincinnati — H. L. Booth, GB's manager, is confined to the hospital here for a week of rest and observation.

(Continued from Page 1)
Backed by the most extensive campaign any short feature has ever received.

WALT DISNEY’S PRODUCTION OF FERDINAN

IN TECHNICOLOR

Distributed by RKO RADIO PICTURES

THANKSGIVING WEEK ATTRACTION A
PROMOTIONAL

ever received!

EVER IN ALL MOTION PICTURE HISTORY HAVE ANY
BUT THE MOST IMPORTANT FEATURE ATTRACTIONS
BEEN GIVEN SUCH NATION-WIDE PLUGGING!...
STORIES, ARTICLES, ART AND PICTORIAL LAYOUTS,
EDITORIALS AND FASHION ANNOUNCEMENTS IN MAG-
AZINES WHOSE NET PAID CIRCULATIONS TOTAL
5,542,945! LOOK AT THE LIST ALREADY COMMITTED:
LIFE...PHOTOPLAY...CUE...SCREEN GUIDE...
VOGUE...MICKEY MOUSE MAGAZINE...LOOK...
MCCALLS...HARPER'S BAZAAR...STAGE...YOUNG
AMERICA...MOVIE LIFE...LIBERTY...WOMAN'S
DAY...MOVIE STORY...THEATRE ARTS...
SCHOLASTIC...ROCKEFELLER CENTER WEEKLY.
ADD TO THIS A TOTAL OF SIXTY-FOUR LICENSEES
SIGNED UP FOR ONE HUNDRED AND TWO SEPARATE
ARTICLES OF MERCHANDISE. BIG WINDOW
DISPLAYS EVERYWHERE. BIG FASHION PARADES
IN DEPARTMENT STORES. A PROMOTIONAL
CAMPAIGN THAT CAN BE COMPARED
ONLY WITH "SNOW WHITE."

LEADING FIRST RUNS EVERYWHERE!

NEXT DISNEY RELEASES
MERBABIES
Release Date,
December 9
MOTHER GOOSE GOES
HOLLYWOOD
Release Date,
December 23
Trade Problems Solution Ready in Week, Rodgers Hints

Metro Sales Head Attacks Gov't Interference With the Industry

(Continued from Page 1)

indicated when Rodgers said that if the present convention had been held last week a new proposal for a professional practice program would have been announced—a program which could be considered as a yardstick "by which we might govern our future operations."

Hits Gov't Regulation

In discussing industry problems in general, Rodgers aimed his attack on government interference or regulation of the industry.

"That we have created some causes for misunderstanding is admitted," Rodgers said, "but our industry has rapidly grown and it is, therefore, not strange that some irregularities will exist. We want to cooperate with the authorities to justify outside agencies cutting a pattern fashioned to destroy the very principles of our business which has caused all of us to prosper with the development of our industry."

In commenting on the Neely and Pettingill bills, Rodgers declared there was not one company of importance which could or would successfully operate under their provisions. Rodgers said that the few injustices that may have resulted from block booking have been magnified and that little of its virtues have been presented. Selling of pictures in groups, he said, would prove economically unsound for anyone who has millions invested in product to sell in "any such fantastically described manner."

Asks Self-Regulation

Under the provisions of the Neely and Pettingill bills, every producer would be forced to place his individual product on the auction block, it was pointed out, and this would necessarily increase the price of the merchandise. He stressed the importance of self-regulation and asked that every exhibitor support this principle.

Rodgers paid tribute to Ed Kuykendall for his efforts in stimulating the promotion of the trade parleys and to the organization for its support.

Rodgers left last night for Chicago where he will convene tomorrow with the Allied trade practice committee. He stated that many of the issues involved have been mutually agreed upon in principle.

H. V. Harvey of San Francisco

It's Col. Golden

Oklahoma City—That William F. Rodgers would be chief Barker of a proposed New York Variety Club were emphatically denied yesterday by Rodgers who told THE FILM DAILY that if such an organization was started, he more than likely would not support it, but that he had no time to sponsor or head it.

Following its usual custom, M-G-M has two pretty girls, in military costumes, strolling through the lobby with candy kisses.

The Oasis for munchers is the Burch popcorn machine display where free corn is supplied at any hotel, that of course doesn't help make any sales for Burch!

The Indians got Ed Kuykendall, too, presenting him with a mammoth beer mug suitably inscribed and feathered to boot, not to mention the title of "Chief of the Moving Shadows."

The Dallas Variety Club has set up a suite of rooms in the Biltmore and is host to all Variety men attending the convention. Mickey Rooney was made a member with appropriate ceremonies.

The radio stations are on the job, ROMA met all planes of visitors and held a studio party for the visiting stars and delegates while WKY met Mickey Rooney at the station and broadcast the parade for him.

The wires are hot with telephone messages, the boys calling Hollywood, New York City and what have you—

Great Crowds Welcome Warner Bros. Stars at O.C. n

Oklahoma City—More than 2,500 Oklahomans drove 10 miles to the American Line airport yesterday morning to welcome five Warner Bros. players as they arrived to participate in the MPTOA convention program. A radio hookup and newspapers thoroughly covered the event. A band added to the festive atmosphere. Another great crowd lined the streets of Oklahoma City and congested the area around the Little Biltmore Hotel to enthusiastically greet Oliva De Havilland, Margaret Lindsay, Jane Bryan, John Payne and Marie Wilson who made personal appearances at the MPTOA Chamber of Commerce and Rotary Club luncheons. Later they took part in a national broadcast from the MPTOA convention hall, and were guests at the annual MPTOA ball last night.

Murphy in Circuit Post

William P. "Bill" Murphy, for nine years with Erpi, yesterday became general manager of the Lockwood and Gordon circuit, operating theaters in Massachusetts, Rhode Island and Connecticut. Murphy will maintain headquarters in Boston.

Side Glances at MPTOA

By ERNEST W. FAIR


Among those to face the mike were Gene Austin, Marie Wilson, Olivia de Havilland, Margaret Lindsay, Jane Bryan, and Mickey Rooney.

Princess Wat-as-wanoa, in native costume, addressed the MPTOA convention yesterday in the name of the American Indians. The Princess is a Harvard alumna.Yep, plenty of Western color at this convention.

National Screen Service is issuing a mimoographed daily bulletin called "The N.S.S. Scoop" to exhibition giving the low down on the high-ups, its copy includes informative information such as the following: "Special phone numbers, tel. 2-2538 and ask for May. If May answers, hang up."

M. A. Lightman and film stars attending the convention were the hosts at an exclusive press party in the Ritz house of the Hotel Black yesterday.

spoke on delayed allocation, recommending seven days time after first runs be established in key spots to give exhibitors a chance to book them correctly and exchanges an opinion that there must be a sufficient number of prints.

This allocation setup, Harvey pointed out, should be for each key center as a single national setup would be unfair to the distributors.

At the morning session, Harold Rodiner, of New York, Chairman of the Will Rogers Memorial Fund explained the operating setup of the Saranac Lake project and told exhibitors they should not hesitate to send any underprivileged employee to Saranac. The exhibitor in making application, however, must guarantee that a Job will be waiting for the employee upon his discharge from the sanatorium.

Rodgers Denies Report He'll Head Variety Club

Oklahoma City—Reports that William F. Rodgers would be chief Barker of a proposed New York Variety Club were emphatically denied yesterday by Rodgers who told THE FILM DAILY that if such an organization was started, he more than likely would not support it, but that he had no time to sponsor or head it.
Protest Against Film Stars on Air Voted by MPTOA

MPTOA LOOKING FOR NATIONAL EXHIBITOR UNITY

$1,000,000 for Construction, Equipment in New England

Post Mortem

... on MPTOA meet

By CHESTER B. BANN

IT's a matter of industry history today, the 18th annual convention of the MPTOA.

In the light of the morning after—the Oklahoma City sessions concluded last night with a dinner-dance—it would seem that the anticipated importance of the convention was approximated at least.

If there was no disclosure of specific concessions offered by the distributors in the continuing trade reform parleys, there was the assurance by William F. Rodgers, on behalf of the Kent committee, that a program is taking shape and may be ready for announcement within the week.

That assurance was worth going to Oklahoma City, yes, or any other spot that might have been chosen, to hear. It may be accepted as fact that if Rodgers did not feel that he was in a position to say so, the statement would not have been made.

Thus, unless within the next week someone elected to throw a monkey wrench into the negotiations, this industry, insofar as distributor-exhibitor relations are concerned, is finally headed for peace. And not a Munich peace, either.

FOR the rest, the MPTOA convention sessions largely served as a national sounding board for the re-statement of industry criticism and a re-examination of industry issues and practices. That necessarily is the way of all conventions, regardless of trade, and this commentator admits slight patience with those who regard such procedure with either cynicism or condescension.

However familiar the ground covered, periodic stock-taking is invaluable. Not only does it serve to clear the air, but it further guarantees that neither the forest nor the trees will be obscured—if you'll pardon two figures of speech in a single sentence.

Exhibition, for instance, needs to be reminded that it, too, has its faults... and in this connection, Harry Goldberg of War...
Post Mortem

...on MPTOA meet

(Continued from Page 1)

ners told ‘em plenty at Oklahoma City. That’s that.

FIGURE this out: Horror on the radio
panics the nation; horror on the screen
is an ace box-office bit concurrently.

Chase National Reports

Sales of 20-Fox Common

Washington Bureau of THE FILM DAILY

Washington — Disposal by Chase
National Bank of New York City
of 5,500 shares of 20th Century-Fox
Film common stock is revealed in the SEC
semi-monthly report of security
transactions and holdings. The 5,500
shares were disposed of in three separate transactions.

Chase National Bank now holds 337,358
shares of American stock and 1,676
shares of 20th-Fox’s $1.50 cumulative preferred

Edward A. Schiller of New York City reported
he has disposed of 200 shares of Loew’s, Inc., common stock
and now holds 600 shares.

Pathe Film Corp. reports revealed
Gurdon W. Wattles of New York City
disposed of 200 shares of common stock
and now holds 600 shares.

Majors’ Foreign Language
Pix to be Released Here

As a result of film production’s expansion abroad during recent
weeks, Leo Selzmann, head of
headquarters at 729 Seventh Ave.,
has been enabled to close releasing
deals for a group of eight foreign
language features which will com-
prise the first phase of his 1938-39
lineup, it was announced yesterday.

Films are Polish, Hungarian, Italian
and Spanish dialogue or origin, and
arrangements for their U. S.
release was made by Pathe with
three American majors. Three of
the productions are from Universal,
one from M-G-M, and four from
Columbia.

“Sixty Glorious Years”

at Music Hall Nov. 17?

“Sixty Glorious Years,” new Herbert
Wilcox production starring
Anna Neagle, will open at the
Music Hall either on Nov. 17 or 24, it
was learned yesterday. Pix is being
distributed by RKO.

New Wage Scale Offer

A new set of minimum wage
scales for employees of the Para-
mount Exchange, and the
demand is expected to continue
until it includes practically every
house in the New York area.

FINANCIAL

NEW YORK STOCK MARKET

Net

High Low Close Chg.

Am. Stat. 20 19 1/4 0

Columbia Picts. 26 25 1/2 1/4

Cons. Fm. Ind. 2 2 1 1/4

Cont. Fm. Ind. 2 2 1 1/4

East. Kodak 181 1/4 181 1/4 1/4

do pfd. 16 16 1/4 1/4

Gen. Th. Eq. 15 15 1/4 1/4

Loew’s, Inc. 59 58 1/2 1/4

do pfd. 12 1/4 12 1/4

Paramount 117 117 1/4 1/4

Paramount 1st pfd. 99 97 1/4 2

Paramount 2nd pfd. 12 11 1/2 1/4

Pathe Film 137 1/4 136 3/8 3/8

RKO 7 7 1/4 1/4

RKO Releasing 33 33 1/4 1/4

20th Century-Fox pfd. 31 31 1/4 1/4

Univ. Pict. 58 58 1/4 1/4

do pfd. 40 40 1/4 1/4

NEW YORK BOND MARKET

Loew 6s 102 102 1/2 1/4

Para. 5% 3/4 61 61 1/2 1/4

Patent. Co. 3 3/4 86 86 3/8 1/4

RKO 6% 79 79 1/4 1/4

Warner’s 5% 60 60 1/4 1/4

NEW YORK CURVE MARKET

Grand National 29 29 1/2 1/4

Schenectady Corp. 14 14 1/4

Technicolor 22 22 1/4 1/4

SAFEY LLOYS

FILM STORAGE CORP.
Storage by Red or Vault
729 Seventh Ave.
New York City
(212) 505-5500

COMING AND GOING

O. HENRY BRIGGS, president of Pathé Films, Ltd., returned to New York after a trip to the
Coast.

EARLE W. HAMMOND, president of Grand National Pictures, Inc., is in New York.

GELL, Pathé Pictures exec. ARTHUR LEVY, European representative of Monogram, MONTE
BANKS, director and producer, and AL SHENK, of Columbia, arrive today on the Queen
Mary.

CLINTON M. WHITE, Gaumont British as-
istant general manager, has left the home house for a few days.

JACK MERSEREAU, writer, arrived on the
Coast yesterday after a short stay in New
York.

CARY COOPER arrives in New York this
morning from the Coast. He expects to
be in Europe tomorrow on the Queen
Mary.

IRVING DOLLINGER, Allied of New Jersey
president, and SALTUS, the company’s
director, N. J. Allied and a member of the national
executive committee, left New York last night for
Chicago.

RALPH ETTINSON, representative of Pathé
Film Ltd., at Monogram’s Coast studio, arrived in New York yesterday on the Century.

GEORGE W. WEERS, general sales manager
for Monogram, returned to New York yesterday from a brief visit to Pittsburgh and Cleveland.

S. BARRET MCCORMICK, director of adver-
tising and publicity for RKO, returned to New York yesterday from the Coast.

EARL CARROLL left last night on the
United Airlines Continental for Hollywood.

WILL VIDO, who directed “The Citadel”
of M-G-M in England, arrives tomorrow on the
Nieuw Amsterdam.

Mark Jules Llevy Weeks

Announcement was made yesterday at RKO Radio’s office home that company’s district managers
have designated a series of Jules Llevy Weeks to honor that executive. Walter Branson’s Mid-Western territory is being treated this week and
next Friday. Western District, under H. C. Cohen, will celebrate the Llevy drive from Nov. 11 to
18; M. Lyon’s Southeastern district; Nov. 12 to 18; Sol M. Sachs’ Southwestern, Dec. 3-9; Herb Mac-
Intyre’s Northeastern, Dec. 10-16. Series will conclude with the East Central district, under Nat Levy,
paying tribute Dec. 10-16.

Happy Birthday

Best wishes from THE FILM DAILY on their birthdays:

NOVEMBER 3

James Dunn Ford
Paul Panzer
“YOUNG DR. KILDARE”, the first Metro-Goldwyn-Mayer production to bow into New York via Radio City Music Hall screen, is a product worthy of both its studio and the theatre.

Kate Cameron — N.Y. DAILY NEWS

“The Radio City Music Hall, ordinarily dedicated to the presentation of the most stupendously elaborate, this week presents a refreshing modest and winning story. In its simple humanity the film packs its strongest appeal. ‘YOUNG DR. KILDARE’ captures your interest and holds it.”

Bland Johaneson — N.Y. DAILY MIRROR

“Credit it, too, with cementing the comeback of Lew Ayres. ‘YOUNG DR. KILDARE’ has refreshing simplicity of story, honesty of characterization and naturalness of presentation.”

Frank S. Nugent — N.Y. TIMES

“Encouraged by the success of its ‘Judge Hardy’ pictures, M-G-M is launching another film series. The first opened yesterday at the Radio City Music Hall and, judging by the initial entry, the series should become a popular one. Like the films in the Hardy list, ‘YOUNG DR. KILDARE’ is warmly, likably human.”

Rose Pelswick — N.Y. JOURNAL AND AMERICAN

“‘YOUNG DR. KILDARE’ at the Music Hall is as entertaining and pleasant a film as you will see in a month of looking. In fact, if the same people make the next one, this department will positively look forward to it.”

Archer Winsten — N.Y. EVE. POST

“Leo, the Metro-Goldwyn-Mayer lion, growled for the first time from the screen of the Radio City Music Hall yesterday and a healthy growl it was. Leo may well count his debut a success.”

Herbert Cohn — BROOKLYN EAGLE

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Herbert Cohn — BROOKLYN EAGLE
FROM COAST TO COAST THEY CALL

Naval Academy midshipmen cheer "Submarine Patrol" as only middies can! From Washington, Commander James Compton is quoted: "A wow of a picture. True in depicting experiences of splinter boats." While Commander G. B. Kelly says: "A thrilling romantic story."

Mr. and Mrs. Don Ameche in famed Chinese Theatre forecourt. In far-off Washington Paul McGahan, Phila. Inquirer, says: "One of the most important pictures of the year," And Robert Henderson, Central Press Association, says: "Hits the mark! Worthwhile in every respect."

Richard Greene is happy. No wonder—for Hollywood Reporter says: "What good news this one is for exhibitors! A honey!"—and Film Daily cheers: "One of the best of new pix crop!"

Attorney-General and Mrs. Homer S. Cummings arrive for screening in nation's capital. Ethel Mrs. Cummings: "The picture is first rate entertainment. Nancy Kelly is fine." Mr. Cummings adds: "A swell picture—very stirring."

"THE BIG PARADE OF THE NAVY"!

The risk involved in showing a Navy picture to Navy men was bravely taken by 20th Century-Fox when previews were held for audiences including high-ranking Navy officers at Washington's Press Club, the Chinese Theatre in Hollywood and right in the beating heart of the Navy itself, the U.S. Naval Academy's Mahan Hall, Annapolis.

And 20th's faith was justified, when the Navy out-cheered stars, important Government officials, press representatives of national standing and others who called SUBMARINE PATROL "The Big Parade of the Navy."

Midshipmen and their dates hurry to Mahan Hall. While at Washington, Mrs. John J. Hughes, wife of commander of U.S. S. Panay, says: "Such a thrilling picture. The romantic interest was beautifully sustained."

Midshipmen serve as ushers at Annapolis. Their enthusiasm is equalled in Washington, where Earl Berkley, A.P., says: "Stands at the top of the list." Seconds George Dorno, I.N.S.: "More than swell—it is great!"

Constance Bennett in time-honored Hollywood premiere custom of talking through mike. While 3,000 miles away Earl Godwin, President, White House Correspondents Assoc. says: "A smashing good picture!" and Constantine Brown, Wash. Star Syndicate cheers: "Kept me thoroughly engrossed!"

Randolph Flinn, Director, National Press Club, Arthur Hachten, Vice-Pres., Mrs. Hachten, Frederick Simplex, feature writer enjoy Washington showing. Says Mr. Hachten: "Thrilling! Richard Greene, Nancy Kelly real discoveries!"

Rear Admiral Wilson Brown, superintendent of U.S. Naval Academy, and staff discuss the picture. At the same time in Washington Commander Leland P. Lovette remarks: "A first rate picture. The service is proud to have been of help!"

Jack Benny, one of hundreds of screen favorites at Hollywood premiere. Their reaction is reflected by Daily Variety: "A smash entry in the new b.o. upswing"—and by Boxoffice. "As loaded with boxoffice TNT as a depth bomb!"

NEW ENG. TO SPEND MILLION ON THEATERS

(Continued from Page 1)
in part to better theater grosses and expansion on the part of several circuits. The F. E. Lieberman circuit, for example, reopened several theaters after thorough remodelling and redecorating. Lieberman estimates circuit’s expenditures at $150,000.

The Interstate circuit has spent over $100,000 according to E. Harold Stoneman, treasurer of the circuit. Over $75,000 was spent in Hyannis alone.

E. M. Loew has completed new theaters in Framingham and North Adams. Trans-Lux remodeled the old Park Theater to make its first entry into New England. Many other theaters have been modernized with new marquees, carpeting, seating and equipment.

The recent flood and hurricane also tended to increase expenditures, with theater supply houses working at full speed to supply theaters. With grosses improving, the outlook for the equipment business continues bright.

William Mellen Dead

Zanesville, O. — William Russell Mellen, 57, former Chicago newsreel cameraman, died in a hospital here after a brief illness. His widow survives. Burial was locally.

Hull Hotels

IN HOLLYWOOD

HOLLYWOOD ROOSEVELT HOTEL
“Home of the Stars”
Convenient to motion picture and broadcasting studios.
Rates from $3.50 Single

HOLLYWOOD PLAZA HOTEL
“Aviation Headquarters”
Featuring “IT” Cafe, Hollywood’s Swankest Night Spot.
Rates from $3.00 Single

IN LOS ANGELES

HOTEL MAYFAIR
“In the Heart of the City”
Free Garage Adjoining Hotel for Transients.
Rates from $2.50 Single

IN SACRAMENTO

HOTEL SENATOR
Overlooking the famous Capitol Park.
Rates from $3.00 Single

NAT’L EXHIB. UNIT

MPTOA LOOKING FOR

(Continued from Page 1)
associations than there is for two rival telephone companies operating in the same city.

Ed Kuykendall, MPTOA president, replied to Denniston’s statement with the declaration that he had no ill feeling toward Allied and that he had met with representatives of both bodies, expressing that both were working toward the same goal but that the MPTOA was not interested in any of Allied’s methods of approach. He, too, said that he hoped for a merger of the two organizations.

Kuykendall said that he invited Allied to have representatives at the Oklahoma City conventions and that all the bids issued only two sent replies expressing inability to be present. Denniston said that Ray Branch of Michigan Allied had planned to come and had made reservations on a plane but had to cancel at the last minute.

A reported practice by distributors of divulging to each other the prices paid for film by independent theaters was attacked by the delegates at the closing session of the convention and a resolution demanding that the practice be stopped was adopted.

It was pointed out that the exchange of such confidential information was increasing at a time when distributors were proclaiming their intentions to develop fair trade practices. Such unethical practices, it was said, were detrimental to the independent exhibitor and the industry as a whole.

The resolution demands that steps be taken by all distributors to terminate the exchange of information as to film contracts in every exchange territory and that the executives begin their exchange of ideas and phases in writing that the practice be stopped immediately.

A silver service set was first presented by the MPTOA convention delegates at the banquet and dance at the Oklahoma City Country Club. The gift was given in recognition of Kuykendall’s service to the organization. The banquet was strictly a convention affair with no outsiders present.

Warner stars, representing the largest player contingent participating in the MPTOA convention, concluded a whirlwind personal appearance and radio tour yesterday and departed for Hollywood to resume work at the Warner studio.

Pizor’s Condition Fair

Oklahoma City — Condition of Lewen Pizor, who was taken ill while attending the MPTOA convention and taken to a hospital was reported as fair but still serious last night.
Move-Over Policy

Harrisburg, Pa.—Willmar & Vincent's old Majestic Theater opens today after extensive remodeling with the name changed to the Rio Theater and a move-over policy adopted. First picture will be "You Can't Take It With You," which just completed a week's run at the State Theater. House will get the best slot shown at one of the other Willmar & Vincent houses for a second week.

Noise-Proof Wind Machine

Disclosed at SMPE Parley

Detroit—Invention of a "noise proof" wind machine which permits studio technicians to record authentic sounds without contending with the noise heretofore inherent in the machines themselves was announced before the SMPE convention at the Statler Hotel here yesterday.

Paper was prepared by F. G. Albin of UA and read in his absence. The wind and appropriate sound effects may be recorded as the scene is photographed where heretofore it was necessary to photograph the scene without sound and provide synchronized sound later on.

Closing sessions of the convention yesterday largely were devoted to studio-lighting and a 16 mm. symposium, with the addresses and papers essentially technical.

Summing up the convention, the new President, E. Allan Williford, said: "Highlight of the convention was talk by Dr. Kalmus describing the struggles incident to the development and exploitation of color processes. Continual lowering of costs will mean more color pictures in future."

"The significant thing about television is that regular interchange of information of motion picture and television engineers will keep us abreast of all developments. Engineers feel there is room for both pictures and television, and we should have nothing to fear from television."

"New technique of direct disk playback opened new possibilities of production economies. Other addresses showed possibilities of greater realism in sound effects by mechanical creation of definite effects in artificial reverberation and unidirectional microphone technique."

ITOA Pledges Support to Gov't Equity Suit

(Continued from Page 1)

The report of L. O. Lukas' music tax committee followed the anti-Ascap trend previously noted.

Oriental Reopens Nov. 18

Chicago — Oriental theater will open under J-L-S management Nov. 18.

Impossible!

Not at all

The coming 1939

Film Daily

Will be BIGGER

• and better

than ever before

(21st Edition Out in January)
DISTS; AND ALLIED TALK REFORMS IN CH.

(Continued from Page 1)
headed by Col. H. A. Cole, of Texas. Nathan Yamin's, President, and E. E. Stoneman arrived here last night for the meeting which opens tomorrow.

Acting for the distributes, will be William F. Rodgers of Metro, who came on from Oklahoma City; A. Montgomery of Columbia and Grad Sears of Warners. Sitting in will be, notably, Abram F. Myers, Nathan Yamin's, Sidney Samuelson, Ray Branch and M. A. Rosenberg.

The huddle will be preceded by a meeting of Allied's board at which Myers will preside. The board convenes at the Congress Hotel at 10 a.m. and will receive a full report on the progress made to date. Whether the negotiating committee will receive additional instructions is a matter of speculation.

It was uncertain last night whether the conference would wind up today; a further parole here tomorrow or another meeting in the East next week is possible.

Allied, it was reported may elect to formally announce its position at the forthcoming Central Regional Conference set for Columbus, Pete Wood's bailiwick, on Nov. 14-16; the latter will be held in conjunction with the ITO of Ohio's annual convention.

Fleischer Employees Drop CIO as Bargaining Agent

Employes of the Fleischer Studios voted at a meeting in the new Florida headquarters on Monday against their representation by the United American Artists, a CIO affiliate which has systematically courted the workers during the past year. Rejection was by a 66 to 58 count. Louis Nicer, counsel for the Fleischer Studios, who announced the ballot result yesterday at his offices in the Paramount Building, declared that although this vote excluded the union as the exclusive bargaining agent, Max Fleischer would continue the same hours and salary provisions as existed the preceding year.

For Further Control

Sydney (By Cable) — The Committee of Three set up under the Australian Cinematograph Films Act 1937, has made its report, accompanied by the draft of a new act for further government control of the industry in the Commonwealth. Under the 1937 Act building of new cinemas was entirely prohibited, a special license being required for such projects as were permitted.

The committee was called upon to investigate standards for accommodation, quantity of film to be required of cinemas, amount of license fees, general quality of film shown, method of control of running and safety requirements. Draft of a new act embodies findings on these matters.

MPTOA AGAINST RADIO APPEARANCE OF STARS

(Continued from Page 1)

and their appearance in cheap sketches, poorly directed, sharply reduces their value on the screen, weakens their box office and thus logical and entertaining.

The picture industry appreciates the value of radio as entertainment and as an advertising medium for motion pictures, the resolution stated, but “We strongly protest against the drammatisation of current motion pictures on the radio, which, if effective, makes the performance in the theater a twice-told tale, or which is poorly presented on the radio convinces the listener that the motion picture version cannot possibly be good entertainment, although the picture may be outstanding.”

Para. Drops Morris Deal; Fletcher Will Purchase

(Continued from Page 1)

Corp, subsidiary of Paramount Pictures, Inc., relinquished his option when Archie Fletcher, long associated with Morris, asked to buy the business.

Terms of the Fletcher offer are said to be the payment of a portion of the purchase price now, and the balance at a future date.

Block-Booking Hearings

By Congress Are Assured

(Continued from Page 1)

the Neely bill was reported out and went to a vote without the formality of new hearings.

Brylawski told the convention that the support for the measure was largely due to the fact that exhibitors ran pit they knew offed and then, when squawks poured in, blamed the situation on block-booking.

Para. Rushes Burns Pix

To capitalize on the bid done by “The Arkansas Traveler” in key, Para. was rushing “Two From Missouri” into production as Bob Burns’ second starrer.

WEDDING BELLS

Cincinnati — Harold Bernstein, owner of the Plaza Theater, Norwood, and president of the Greater Cincinnati Exhibitors’ League, is leaving town Monday to marry Miss Gladys Horvitz of that city. The newlyweds will honeymoon in Honolulu.

Omaha — Corinne Riley, Brandeis Theater cashier, was married this week to Ted M. Dwyer. Couple will live in Omaha.
20th Cent.-Fox Reports $4,622,091 Net for 39 Weeks

(See Column 2 Below)

The Film Daily

Intimate in Character
International in Scope
Independent in Thought

New York, Friday, November 4, 1938

TEN CENTS

Scophony Planning $10,000,000 U.S. Tele Division

ZUKOR TO EUROPE FOR PARA.; LEBARON, STUDIO HEAD

Grand National in 5-Year British Distribution Deal

Provision Made for Quota
Needs; GN May Also
Produce in UK

By ROLLS KENNAR

Film Daily Staff Writer

Grand National has closed a five-year commitment for the distribution of its product in the United Kingdom, Enrle W. Hammons told THE
Film Daily yesterday when he arrived from London on the Queen
Mary.

Identity of the British company, however, will not be disclosed, (Continued on Page 2)

DISTRIBUTOR-ALLIED
STATEMENT AWAITED

Chicago — Meeting of the Allied board of directors got under way
here yesterday, adjourning at 5 o'clock. No statement was given
out, but it was learned that the (Continued on Page 3)

McConville to Head New
Col. Foreign Films Dept.

Columbia will institute a new department devoted to the distribution
in the U. S., and other fields (Continued on Page 3)

Erpi Names C. W. Smith
West Coast Gen’l Mgr.

Erpi yesterday announced that, effective immediately, Clifford W.
Smith, formerly general foreign (Continued on Page 3)

$3,000,000 Production Budget for GN

Grand National's 1938-39 production budget has been tentatively set at $3,000,000.
Earle W. Hammons, pres, said yesterday on his return from England.
GN's production in the East may get under way within 30 days, Hammons said.
Several features and the bulk of the company's planned shorts will be made in
New York.

Realignment Makes Freeman
Company's Rep. in
Hollywood

By RALPH WILK

West Coast Bureau of The Film Daily

Hollywood—Paramount executive realignment which sends Adolph
Zukor, board chairman, to Europe, Places Wil-
liam Le Baron in full charge of all Coast
production and designates Y. Frank Free-
man, vice-prexy in charge of theaters, as the
company's rep. at the studio, was announced here yester-
day. (Continued on Page 5)

$3,500,000 BUDGET
FOR WB BRIT. FILMS

Warners' foreign bit for the fiscal
year ending Dec. 31 will be well
ahead of last year's, Sam E. Morris,
WB foreign chief, told THE Film Daily
yesterday when he returned
from Europe on the Queen Mary
(Continued on Page 7)

Gell to Talk Extension
of Pathe-Monogram Pact

Plan of renewal of the present Monogram-
Pathé Pictures, Ltd., deal on a long
term basis is one of the objectives
(Continued on Page 7)

RKO-Pathé News Closes
Deal for Sam Fox Music

A deal has just been closed by
Sam Fox, head of the Sam Fox Publish-
ing Co., and Frederick Ullman,
(Continued on Page 2)
Friday, November 4, 1938

BARNEY BALABAN, Para, pres., STANTON CRIBBS, board chairman, and RUSSELL HOGART, play director, announced today that they had left the Coast to visit New York Town.

JACK COHN, Columbia vice-president, and DEAN W. FAHEY, his assistant, are planning a trip to Europe for the Queen Victoria event.

S. CHARLES EINFELD, Warner publicity director, who arrived from the Coast last night, pledged to work on the coming of "Just Ann." to the Coast and then to the Czech studios.

MARC LAMCHAR, 20th-Fox exploitation manager, leaves today for Washington to prepare speaking before the "Just Ann" Committee and then goes to the Czech studio conferences. He returns in two weeks.

HAMILTON C. RICKABY, consul general of the British Film representation, arrived in New York to consult with M. RICKABY, sales manager, and to talk with the British Film representation, a Cariba and Latin America service.

DR. HERBERT KALMUS, Technical director for the Chicago Film Exchange, was in Chicago where he expects to remain for a month.

ANDRE KOSTELANETZ, conductor, left the Coast last night for New York.

IEZETTE COURTNEY, RKO dancing wonder arrives from the Coast Monday for a Paramount appearance in the New York Palladium.

C. L. CARRINGTON, vice-president of Allied Artists, was in Chicago where he attended the SMPE meeting.

SAM BERKOWITZ of Fine Arts returned from the Coast yesterday, arriving here last night for a few days in New York.

JERRY WARD, Warner writer, returns to the Coast after attending the funeral of his mother in L.A.

ROBERT SLEZETZ, central district manager for WB, was in New York yesterday.


HUNTER PERRY of Publicis, Chicago, was in town yesterday.

CHRISTY WILBERT, and RODNEY RUSH, 20th-Fox, left New York last night for Hollywood, where they plan to remain for a few weeks.

ERIE GARS, young stage stage under contract to MGM, which recently arrived here, is active next week in the play, the feminine lead opposite Robert Don in "Good-Bye, Mr. Chips."

EPHRAIM HAWKINS, a former Chicagoan who recently arrived from the Coast to visit New York, has been set to play the part of John in the play, "The Greek Slave."
OTHE-FOX $4,622,901 NET IS $276,802 DROP

(Continued from Page 1)

entals. Operating expense totalled $36,972,611.44, with amortization of production costs accounting for $21,065,063.55.

For the third quarter ended Sept. 30, the consolidated net operating income after all charges was $1,205,853, compared with the second quarter profit of $1,788,121 and a profit of $1,148,410 for the third quarter of 1937.

No dividends were received from National Theaters during the first 39 weeks of either year, it was stated. After allowing for the Preferred dividends for the 39 weeks, there remained a profit for the period equivalent to $0.04 per share on the 1,741,982 shares of Common stock outstanding. At Sept. 30, the quarter ended Sept. 24, after allowing for the Preferred dividend, profit amounted to $0.18 per share on the 1,741,982 shares of Common stock outstanding at Sept. 24.

The 20th-Fox board at its meeting yesterday declared a cash dividend of 37¼¢ per share for the fourth quarter of 1938 on the outstanding preferred stock of the corporation, payable Dec. 15, to stockholders of record at the close of business Dec. 1. The Board also declared a cash dividend of 5¢ per share on the outstanding common stock, similarly payable.

McConville to Head New Col. Foreign Films Dept.

(Continued from Page 1)

of foreign films and possibly non-theatrical releases, it was learned yesterday. The announcement will be made by A. Montague at tomorrow's Chicago divisional managers meeting.

As McConville, Columbia's foreign department head who is sailing for Europe today with Jack Cloum, organization's vice-president, on the Queen Mary, will head the new department.

It was further confirmed that Bud Rogers, vice-president and general manager of Alliance Films Corp., and a member of Universal's board of directors, will be made an executive of the new Columbia department.

The association of Rogers with Columbia, it is declared, will in no way affect his activities in those enterprises in which he is now engaged.

TOA Labor Committee Will Meet Monday on 306 Demand

(Continued from Page 1)

Harry Brandt, TOA proxy, stated yesterday.

It is expected that a meeting may be held the same day with the negotiating committee of the Local.

ALONG THE RAILROAD

WITH PHIL M. DALY

- Hollywood's Own Story — told by the studios in that all-industry short — "The World Is Ours." It is one of the best Glamour Beals ever produced. It tells the story of the makers of glamour in a way that is entirely new and novel and the millions of film fans who find in Hollywood and its product stars their best entertainment, will certainly want to see this picture when you show it in your theater. Mr. Exhib. —

- WITH THIS thought in mind — National Screen Service has turned out two special service trailers on this novelty short — one is an advance announcement trailer which stresses the fact that this film is "Hollywood's own story" — and lists the names of the 62 stars with a clever montage effect — the second is a tie-in trailer, which runs right after "The World Is Ours," advising that many of the big coming attractions highlighted in the film will be shown at your theater — here, Shawnen, is a splendid combination of direct audience appeal both in the screen attraction and the trailer build-up — offering an exceptional opportunity to sell the big pictures that are on the way to your screen.

- STAROUST Sundays an innovation at Billy Rose's Casa Manana — commencing Sunday nite, Nov. 13 — to be offered in co-operation with the producing companies, broadcasters and booking offices — Stardust Sundays will consist of a specially staged presentation of new and talented artists heretofore unseen on Broadway — the idea being to afford the Broadway and Hollywood talent scouts opportunity to look over these new performers who have been unable to show their acts in a suitable Broadway setting — the first of the series will have Lou Holtz as master of ceremonies — artists will be auditioned by Rose, Charles Freeman and John Murray Anderson — they will be selected and rehearsed so that they will appear under the best professional conditions — invites have been sent out to representatives of the producers, broadcasters and bookers — sounds like a grand idea to give a lot of hidden talent a real break — and Billy Rose emphasizes that this venture is not to be classed in any sense with the amateur night type of show.

- FIRST-RUN houses which will soon complete their schedule of movie picture quizzes — are urged in a bulletin sent out by Regional Chairman Harold Franklin to continue the use of campaign slogans in their advertising — without quiz pictures, he points out, the need for the Movie Quiz seal disappears — but theater managers can still put the popularized slogans to work to good advantage in their newspaper ads and lobby displays.

- YOU CAN'T Take It With You — but you can adapt it to your own requirements — that was the fact that was demonstrated by LaVerne Carlston, manager of the General Printing Company of Oklahoma City — he was invited along with other local business men to see a special screening of the picture at T. B. Noble's State Theater in that city — and Carlston was so impressed, that he ran a big ad for his company in the local papers, which was an out and out plug for the production in question.

SCOPHONY PLANS U. S. TELEVISION DIVISION

(Continued from Page 1)

law, Joseph Metzger, had conferred with him several times during their recent visit to England, to lay the groundwork.

Several major film companies were also expected to be interested in the plan, and might join the group headed by Cantor that will participate. Cantor has conferred with banking interests now since his return, Sagall said.

Scophony is working on a licensing agreement with the English government which will enable it to equip all the theaters in the Odeon circuit with the receiving sets, it was learned. Sagall stated that greater financial returns will probably be realized from theaters than other source in the near future, with long-range television taking its turn away to make mass production of receiving sets feasible.

However, he expressed the opinion that within five years' time television would be perfected to the extent that it would be possible to transmit the entire width of the North American continent. At the present time, the radius for receiving is restricted to about 50 miles from the transmitting station. He stated that the company would probably build a station in New York and establish American headquarters if the deal goes through.

"Our system is different from any now in use, and we own world-wide patent rights to this system and our equipment, making Scophony television advantageously situated for marketing purposes," Sagall asserted.

When asked if he would be interested in an affiliation with any American establishment, Sagall said, "our purpose is to establish an entirely independent organization in this country." Negotiations will be held into next week with the New York World's Fair for a Scophony exhibit there during the Fair's duration, Sagall said.

Sagall said that the company could market its television sets at around $200 apiece if produced on a mass scale. He expects this price to be cut sharply in the next few years.

Scophony is capitalized to the extent of $1,250,000 in England, with an expansion program being planned now, it was learned. Oscar Deutsch, Odeon executive, is associated with Scophony, giving it valuable theater affiliations. The London and Yorkshire Trust is the principal underwriter of the company.

It was revealed by Sagall that Scophony engineers are also working on a telephone transmission device, which could be used for transmission by telephone all over the world. Scophony equipment was recently sold to the Russian government, and the company will send engineers to Russia to install the equipment and instruct the Russians in its use.
THEATERS

SEATING
- AIR CONDITIONING
- LIGHTING

NEW CERAMIC TILE
BY JOHNS-MANVILLE

To meet the long-felt need for an acoustical product that fulfills every requisite of acoustical quality and at the same time is distinguished in appearance and character, the Johns-Manville Acoustical Research Laboratory has developed a new ceramic tile known as “Permacoustic.”

Formed from a combination of rock wool and clay, which is baked at an extremely high temperature, Permacoustic, is said to possess a warm, pleasing light cream color with a finely-grained toughened texture that provides a character not readily found in most acoustical products, and which lends an inviting softness to areas which would otherwise appear hard and flat.

Permacoustic is not only a utilitarian type material, but is also especially adaptable in monumental buildings where a high degree of sound absorption and insulation is required. In stone-like properties fit admirably into the various architectural designs where masonry interior surfaces form the room finish, as in theaters.

Recent tests made by the official laboratory of the Acoustical Materials Association show that Permacoustic has excellent sound absorption characteristics.

The new product is furnished one inch thick in sizes 12 x 12 inches, 9 x 9 inches and 9 x 18 inches, combinations of which permit a wide variety of patterns. The 9 x 18 inch size is particularly applicable for wall work in the creation of stone effects. The exposed edges of each size have a one-eighth inch ledge, though square-edged tile is available on special order.

Equipped By Midwest
Cincinnati—John Blackes, former manager of the Elin Theater, has opened a new house, the State at Harrison, O. The theater was equipped by Midwest Theater Supplies, including projection equipment.

THEATER CHANGES

For complete and latest list of Theater Changes, including houses changed, renovations, additions, openings and ownership transfers, see next Tuesday’s edition of THE FILM DAILY.

Kroehler PushBak Seats
Based Upon Hale Patents

Chicago—B. B. Buchanon, former maintenance chief for the B & K circuit, is now in charge of the theater seat department of the Kroehler Mfg. Co. with factories at Naper.

The company has taken over the Hale patents, and renamed the line Kroehler PushBak seats. The Esquire Theater has a complete installation of the new line, others are going in at the Plaisance Theater in Austin, the Wilshire Theater, Indianapolis, and the Ritzy Theater in Mansfield. H. W. Peterson, is handling the publicity for the new line.

Met. O. H. Installation
By Ruby Camera Exchange

Ruby Camera Exchange has been engaged to install the necessary sound projection equipment at the Metropolitan Opera House for the showing of the Chinese film, “Sable Cieada,” Nov. 18. The equipment to be installed will be the most elaborate ever made for one evening’s projection, it is claimed. Two booths housing three sound projectors will be utilized, and from eight to 10 loudspeakers will be used for reproduction.

Ray Cudmore With H-W

Cleveland—Ray Cudmore, manager of the local Superior Theater Supply branch until it was discontinued by Arthur Morroone, has been appointed northern Ohio sales representative for Hoywood-Wakefield theater chairs and Hoywood-Wakefield school equipment. Cudmore’s headquarters are at Chagrin Falls.

20TH-FOX INSTALLS
FLUORESCENT SYSTEM

West Coast Bureau of THE FILM DAILY

Los Angeles—Providing 150 foot-candles of glareless illumination, with a heat reduction of 80 per cent over conventional tungsten lighting, a new all-fluorescent lighting system has been installed in the head-up department of the 20th Century-Fox studios.

The new fluorescent lighting system, first of its kind to be installed in the motion picture studios, employs 28 of the new daylight-color fluorescent lamps developed by General Electric’s incandescent lamp department. It was designed and constructed by W. T. Strom, chief engineer of the film company.

The elimination of glare as well as increased efficiency of fluorescent lighting are two outstanding virtues of the new fluorescent system which contribute greatly to the comfort of the make-up man and film artist, say studio officials. In addition, the color quality of the fluorescent light—near the closest approach to natural daylight ever achieved directly by any artificial illuminant—has proved ideal for both Technicolor and black-and-white picture make-up.

Newsreel House Carpet
Contract to Rosenheim

J. Rosenheim & Co. has been awarded the contract to do the carpeting for the new newsreel theater being erected in Radio City. Firm is also doing two new houses. Century is opening in Brooklyn. Recent jobs include a Loew house in San Juan, Porto Rico, and the Metro Cinema in Bombay, where Rosenheim installed the furniture as well as the carpets.

Nine Colors in Neon

St. Charles, Ill. — St. Charles Technical Laboratories have developed nine color combinations for neon signs, using Warren’s power tubing.

SPECIAL BANNERS

For MOVIE QUIZ, GREATEST SHOW SEASON now ready. Lowest prices — newest designs.

Ask for free catalogue.

LIBERMAN FLAG & VALANCE CO.
247 W. 46th St., New York City

SIGHT, SO

Keynotes of the
By H. S.
Chief of Theater

Man and varied are the themes embodied in the design, construction and appointment of the new Warner Theater in Leicester Square, London, but especially interesting to exhibitors gene is the incorporation into the structure of the most forward step made in the correlated field of sound, sight and comfort.

On the premise that the eye, and sense of well-being in pleasant surroundings are essentials to the film-going public, and play an imminently important role towards attracting, consolidating and increasing patronage, this particular theater was built.

During the past several years the science of sound has rapidly developed, particularly as regards recog and reproduction. A decade ago the producer was, for example, able to record high frequency with any marked degree of fidelity; nor was the film theater in ways sound to be dispensed care of affording the patron clarity of oral reception. Even today there are relatively few cinemas which can be said to approach an acoustical ideal, together with fine scenic image and attendant sound. This was the challenge when the new Warner Theater was being planned.

Solution of the problem preventing sound be “bounced around” the walls of the ceiling of the theater to the comfort of the audience sought, — mindful of the fact today with the new equipment is possible to record as high as 10 cycles, — and the decision made to apply to the auditorium surface absorptive blanket made of fireproofing.
COMFORT

Theater, London

for Warner Bros.

Material which would eliminate for practical purposes echoes and pleasant overtones.

The lower portion of the walls lined with teal flex wood, and ve is the absorbent rock wool skel, covered with a pale gold tape cloth, buttoned and braid to give a quilted effect. The ceiling of the auditorium is arranged a series of planks, the center of which carries the requisite amount of fresh washed air, heated, course, in the colder months.

'One carry out the anti-echo and l-o-n-e-r one program, the theater entirely carpeted in a special velvet wool carpet, colored to match the general wall and ceiling decorations.

The seating also has been chosen both comfort and silence, the risers have spring-back seats and backs. In construction they followually identical design and ideas relaying the manufacture of seats the modern automobile. They are contour-conforming; spaced 34 inches back to back, and allow ample leg room and passage way.

There are 1,100 seats in the stalls section and 640 in the upper and rear circles. The total house capacity is 1,775.

THRE highlights in the installed equipment for sight and sound satisfaction are the thorough-consciousness measuring 24 ft. 18 ft., giving as big and clear a view as the most discriminating demand.

The picture booth contains three aero projectors, one effects machine and two spot lamps. The RCA sound has been installed, in addition there is a public address system.

10 WESTERN ELECTRIC SOUND INSTALLATIONS

Detroit—Work is being completed on 10 installations of Western Electric sound equipment in the territory, according to Fred C. Dickely, manager of the Allee Service Corp. Houses included are: Dairy, Indianapolis, Ind.; Mystic, Harrison, O.; Four Star, Grand Rapids, Mich.; Main, Cincinnati, O.; Lyric, Bowling Green, O.; Del-Lu, Gibsonburg, O.; Fort Sackville, Vincennes, Ind.; Ohio, Madison, Ind.; Lyric, Lancaster, O.; and Jewel, Mt. Clemens, Mich.

Special touch is being made of the installation of National Theater Supply Four Star sound in the Four Star at Grand Rapids.

Thurston in Memphis

Robert S. Thurston, head of the sales engineering section of the General Electric air conditioning department for the past five years, has resigned his position to become general manager of the General Air Conditioning Co., GE distributor in Memphis, Tenn.

S.O.S. Catalog Ready

S.O.S. Cinema Supply Corp. of 636 Eleventh Ave., New York, has completed compilation of its 1939 catalogue comprising 96 pages and cover for distribution to the film industry both here and abroad.

 Installs Elliott System

Detroit—Otto Marx, general manager of the Europa Theater, only German house in Detroit, has installed a new Elliott Addressograph System for use in mailing weekly programs.

Open North Adams House


HURLEY PRESENTING FIVE SCREEN TYPES

Five distinct types of film theater screens are set forth in the 1939 line manufactured by Hurley Screen Co., Belleville, N.J., descriptive litterature on which is obtainable currently from that organization.

Classifications are the W.S. 15; Even-Lite; New Standard; Silverlite; and Fleslite.

Recent installations reported are for the Radio City Music Hall, Roxy, Strand and Paramount theaters, New York; Albee, Brooklyn; Earle, Washington; Paramount, Miami; Paramount, Cincinnati; Rhodes, Chicago; and Loew's State, Los Angeles.

Action Theater Sign Booklet Is Available

Chicago—The General Scientific Corp. has issued a new booklet on action in theater sign design, showing sketches in colors, with wiring diagrams. The book is available to the theater trade, on request.
A. ZUKOR TO EUROPE; LEBARON STUDIO HEAD

(Continued from Page 1)

terday by President Barney Balaban.

Balaban stated he would not name the successor to Freeman till after his return to New York next week. Zukor, it was stated, would shortly sail for London to "co-ordinate and develop" Paramount's production, distribution and theater activities in "Great Britain and the Continent." Zukor originally organized the British production, distribution and theater companies.

Exact effect of the Zukor assignment on the Paramount British setup was not immediately ascertainable. John B. Hicks, Paramount vice-president in charge of the foreign department, recently has been doubling in brass in London as the company's U. K. managing director.

Balaban, who with Stanton Griffis, chairman of the executive committee, and Russell Holman, Paramount's New York production head, plans to return to New York Tuesday, termed Zukor's departure an effort to take over in Europe "fortuitous" for the company.

Balaban said that the studio was farther along in its annual feature program than in years and has piled up a substantial backlog of completed pictures which it is expected will be produced by the studio as part of this year's 56-pix program. 27 are completed or shooting and 11 more will go before the cameras between now and the first of the year, leaving only 10 more to go to complete the program. These 10 are in preparation.

REVIEWS OF NEW FILMS

"The Young in Heart" with Janet Gaynor, Douglas Fairbanks, Jr., Paulette Goddard, UA Selznick, 90 mins, refreshing entertainment should please all types of film patrons. Here is refreshing entertainment which is not only entertaining to all types of individuals, but has been well handled in all departments and introduces two newcomers to the screen, Minnie Dupree and Richard Carlson, who do splendid work. Janet Gaynor, Douglas Fairbanks, Jr., Paullette Goddard, Roland Young, Billie Burke, Henry Stephenson and Lawrence Grant are ideally cast. Miss Dupree has a large estate and sells her plans to take it from her. They accept her invitation to live with her. Slowly and quietly, the exquisitely good influence of the young woman is felt and she shows her genuine affection. Young and Fairbanks, Jr., get jobs, the former selling automobiles and the latter doing legal work and cleaning up the chattering past, her faith is rewarded when her estate dwindles and she goes to the country to live at the home they have established.

CAST: Janet Gaynor, Douglas Fairbanks, Jr., Paullette Goddard, Roland Young, Billie Burke, Richard Carlson, Minnie Dupree, Henry Stephenson, Lawrence Grant, Charles ~~

"The Great Waltz" with Luisa Rainer, Fernand Gravet, Miliza Korjus, M-G-M, 102 mins. Romantic Drama combines Strauss music with touching story of three tremendous wide box-office appeal. A very skillful showman blending of great classic music with the popular entertainment values as expressed in romance and drama. It was not an easy task to take the musical and dramatic elements out of this story and make a pleasing story with the material to be furnished by the life of the composer in a period of interest in that modern swing age. For here is the Waltz era brought to life again to compete with the swing that holds you in occupying the attention of the younger generation whenever it has something to do, but it looks as if it will get by successfully, for the musical score, the lyrics, the acting of the three-year-old维也纳, and a swiftly moving romantic all fit in to form a great piece of bubbling, sparkling entertainment that is irresistible. Besides, there is Metro's continuing great exploitation campaign to "Bring Back the Waltz" which should give this production a tremendous boost everywhere. Luise Rainer is as always Luise Rainer, the youngest Strauss and his operatic genius to the screen, is Carla Donner, the princess of the Viennese Opera who exerts her charms to win Strauss away from his wife. Jules Duvivier, the French director, has contrived the compositions of the great Strauss into the story structure so that they seem to "belong," and never impress you as a forced addition. The second element is the really poignant love story of Luise Rainer for her tempestuous genius of a husband being led astray by her rival. The third element is the rare new screen attraction in Miliza Korjus, who is sparkling, filled with intoxicating vitality, and gifted with a gorgeous coloratura soprano which she employs effectively throughout the picture. The atmosphere of early Vienna has been magically recreated. You feel that you are actually there, in the glamorous world with its pleasure-loving people. Luise Rainer is superb. In a dozen emotional scenes she shows her amazing coloratura ability. There is one really great scene where she meets Lionel Atwill in the role of Count Hohenfied, in love with the opera singer. This has come to be known that her husband is infatuated with the singer. This scene has been beautifully handled, both directorially and pictorially. The film shows the two close-ups with their faces in turn occupying practically the full screen, and shooting from one to the other as they register emotional reactions. Comedy, too, has been cunningly injected throughout, especially with Hugh Herbert as Hofstamer, the publisher as he shows music to Strauss where Strauss is vienna off its feet. Nothing but the highest praise for the original story and management, becomes company's general manager, West Coast, a newly created post in which he will have jurisdiction over all the organization's Hollywood activities.

C. W. Smith replaces Smith as general manager, Fernand Gravet, West Coast, succeeds Gompell as comptroller, continuing in charge of the treasury department.

Smith has been associated with Erpi since 1929, then as commercial manager at the Paris office, and later Continental manager in London, where he was closely identified with British production and studios and supervised Erpi's relationship with its licensees. In 1938 he returned to New York as assistant foreign manager, and became general foreign manager, the position he has just relinquished for his new duties.

He leaves New York for the Coast later this month to headquarter there.

screenplay, the gorgeous music adapted and arranged by Dmitri Tiomkin, and the musical direction of Arthur Gutman is beyond anything ever produced before. Rottenberg places him in line for the Academy award. It is camera art at its zenith. Lastly, a competent cast, even in the minor roles, with characterizations of the Viennese type that are a treat to behold. Director Duvivier has wrought a masterful contribution in providing classical music with such an emotionally appealing drama that tells a powerful romance of a ma~tura between two great loves. This combination creates the production a tremendous wide appeal to the pop elements as well as the lovers of classical music.


CREDITS: Producer, Producer, Metro-Goldwyn-Mayer; Director, Julien Duvivier; Original story, Conn Hartford, Screenplay, Samuel Hoffenstein and Walter Reisch; Music of Johann Strauss II adapted and arranged by Dmitri Tiomkin; Lyrics, Oscar Hammerstein II; Musical production by Alfred Gottman; Dances and Ensembles, Albertina Rasch; Recording Director, Douglas Shearer; Art Director, Cedric Gibbons; Associate, Paul Groesse, Edwin B. Willis; Cameraman, Joseph Rottenberg, ASC; Editor, Tom Held.

DIRECTION. Splendid. PHOTOGRAPHY. The Best.

STORKS!

West Coast Bureau of THE FILM DAILY
Culver City—It's a boy for the Robert M. Saunderses. Makes Edward M. Saunders, Metro's Western Studio head, a grandpa for the first time. Dad is employed at Metro's studio.
Hammons said, until the GN board meets to hear his report next Wednesday or Thursday. Hammons declined to discuss current reports that John Maxwell's company was under British private control. If so, he said, were being drawn for formal execution.

Gell Arrives to Discuss Extension of Pathe-Monogram British Contract

of his present visit to the U. S., William J. Gell, managing director of the British company, told The Film Daily yesterday on his arrival on the Queen Mary. Present commitment has two years to run.

Additionally, Gell is here to discuss Monogram's proposed plan to produce a minimum of four pictures in England and the further Monogram project contemplation U. S. distribution of British pictures. The British production would be jointly financed, and GN properties as well as players would be made available, Hammons said. The pictures produced by the English company to cover quota needs will be completely financed by the company with no participation by GN, he stated.

No decision has been made whether or not GN will increase its interest in the GN affiliate's product in this country, but it is likely that any jointly financed pictures produced there will be distributed here, it was learned.

Hammons stated that there would be no new stock issue by the company at this time. He asserted that financing was all set, and that no English pictures had been invested in the company. It was learned that Louis Jackson, English financier, had offered $500,000 to Hammons for a participatory interest in the company, in return for which he would get distribution rights abroad, at 10% of the gross of the deal. However, Hammons revealed that he had made a deal whereby Jackson would distribute 40 releases of Educational shorts, but everything on the new program will be handled by the GN affiliate in Great Britain.

Gell stated that the new stock issue will be handled by the GN affiliate in Great Britain.

Gell stated that the new stock issue will be handled by the GN affiliate in Great Britain.

No business will be done by GN in Italy, Hammons said. He stated that further deals for foreign distribution are being negotiated. He asserted that three pictures which he took with him had received favorable reception, and he thought the company's product lineup would go over in England.

One foreign player was signed by Hammons while he was in England, Wall St. on Pix

Wall Street, casting a weather eye at pix biz, expects that profits for the winter season will be about $3,500,000, or possibly better than a year ago. In financial and production terms, Loew's and 20th-Fox will lead off last year.

U. S. Distributors: Solving French Problem?

Paris (By Cable)—U. S. distributors, may have found a solution to the troublossome French dubbing problem arising from the fact that licenses to 94 foreign pictures are granted semi-annually. To avoid waiting until next July for renewals, visas on important productions for the first six months of 1939 not yet ready or in work. U. S. majors have dubbed and registered important films and propose to exchange licenses when the big pix are completed.

Gell arrives to discuss extension of Pathe-Monogram British Contract
EASTMAN Super X won its top ranking on performance. The results obtained from its combination of speed, fine grain, and general photographic quality make it the world’s first choice in negative materials.

Eastman Kodak Company, Rochester, N. Y.

(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)
Korda Concentrates on Production Under LF’s Reorg. DISTS., ALLIED AGREE ON REFORMS

Para. Nets $1,876,469 in 9 Mos., $650,658 in Quart.

Oral Understanding to be Reduced to Writing — Resume MPTOA, Indie Talks This Week

Early Completion Seen

By CHESTER B. BAHN

Trade reforms, long agitated by U. S. exhibitors, interest, today appeared 'heading down the home stretch, with a program at once acceptable to MPTOA, Allied States and representative indie units definitely in prospect.

An "oral agreement in principle" was reached with Allied States at a conference between representatives of national Allied and the distributors' negotiating committee in Chicago on Friday. Formal announcement to that effect by William F. Rodgers, Metro sales chief and spokesman for the distributors', committee, followed exclusive publication in this paper on Friday of a report that the committee previously had accepted a majority of the trade reforms sought by the MPTOA.

Early Completion Forecast

The agreement 'in principle' with Allied, it was stated, is subject to the reducing of such agreements to

URGES EXHIBS. SPEND MORE IN NEWSPAPERS

Advocating that exhibitors allocate a larger percentage of their advertising budgets to newspapers, and drop scatter advertising practices which deprive them of greater revenue, S. Charles Einfeld, director of publicity-advertising-exploitation for Warner

Ultra-High Frequency May Solve Tele Network Puzzle

NBC is reported considering the employment of an ultra-high frequency above the band now in use for experimental telecasts to trans-
**The Broadway Parade**

**Picture and Distribution**

- Men With Wings (Paramount Pictures) — 2nd week... Paramount
- The Citadel (Metro-Goldwyn-Mayer) — 3rd week... Warner
- The Young in Heart (United Artists-SELMER-TEX) — Music Hall
- That Certain Age (Universal Pictures) — Chicago
- Song of Switzerland (RKO Radio Pictures) — Criterion
- Girls' School (Columbia Pictures) — Criterion
- Brother Rat (Warner Bros. Pictures) — Rialto
- Gangster's Boy (Monogram Pictures) (a) — Globe
- Camp-Beach (Monogram Pictures) (a) — RKO
- Titans of the Deep (Grand National Pictures) (a) — Central
- Room Service (RKO Radio Pictures) (a-b) — Palace
- Always in Trouble (20th Century-Fox) (a) — Paramount

**TWO-A-DAY RUN**

- Marie Antoinette (Metro-Goldwyn-Mayer) — 11th week... Astor

**FOREIGN LANGUAGE FEATURES**

- Grand Illusion (World Pictures) — 8th week... Filmhouse
- The Story of a Cheat (Gaeku Films) — 7th week... The Criterion
- The Singing Blacksmith (Yiddish pictures) — 7th week... Continental
- Professor Mamlock (Aminko) — Cameo
- Irish and Proud of It (Ganesh Pictures) — 2nd week... Belmont
- Life of an American Mama (Brodie Pictures) — 2nd week... World
- The Irishman (Wing Pictures) — 2nd week... Criterion
- The Beloved Carmen (Paramount Pictures) — 2nd week... Criterion
- A Wife by the Three (Columbia Pictures) — Palace
- Swing That Chor (Universal Pictures) — 10th week... Belmont
- Wild Hearts (Warner Bros. Pictures) — 10th week... Criterion
- The Other Man (Bretaigne Pictures) — 10th week... Criterion
- A Man of the Law (Paramount Pictures) — 10th week... Criterion

**FUTURE OPENINGS**

- Vacation from Love (Metro-Goldwyn-Mayer) — Nov. 7th... Criterion
- Arkansas Traveler (Paramount Pictures) — Nov. 6th... Paramount
- The Singing Hour (Metro-Goldwyn-Mayer) — 2nd week... Warner
- Angels With Dirty Faces (Warner Bros. Pictures) — Nov. 25th... Warner
- Submarine Patrol (20th Century-Fox) — 22nd week... RKO
- The Road to Rome (20th Century-Fox) — 10th week... Warner
- Swing That Chor (Universal Pictures) — Nov. 10th... Warner
- Wild Hearts (Warner Bros. Pictures) — Nov. 10th... Warner
- The Other Man (Bretaigne Pictures) — Nov. 10th... Warner
- A Man of the Law (Paramount Pictures) — Nov. 10th... Warner
- A Wife by the Three (Columbia Pictures) — Nov. 10th... Warner

**FINANCIAL**

**QUOTATIONS AS OF FRIDAY**

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**COMING AND GOING**

WILL H. HAYS, film industry administrator, returns to New York at mid-week from brief trip to his home in Sullivan, Ind.

H. M. WARNER was scheduled to return for the Coast yesterday.

GEORGE J. SAWYER and NED E. DEPINE are expected to leave for the RKO Radio studios within the week.

WILLIAM F. RODGERS, CRADWELL L. SEARS and ARTHUR MONTGOMERY, salesmen respectively for Metro, Warners, and Columbia, return to their desks from Chicago today.

JULES LEVY, RKO general sales manager, left for Atlanta over the week-end to confer with field executives.

ED KUYKENDALL arrives in New York today.

PAB O'BRIEN, Warner man, who has been vacationing in the East, leaves with his wife the middle of the week for Hollywood.

PAUL OSBORN, scenarist, has returned from New York to Hollywood after completing his first coast assignment, "The Young Lord in Heart." 

JANET MARTIN of Disney's West Coast publicity department, left New York over the week-end for Hollywood.

ALLEN USHER, Para. branch manager in Chicago, has returned from his New York business trip.

S. ERNEST PELSON, formerly with GN, has gone to Boston to become office manager and city salesman for Imperial Pictures.

CROUCH and HARPO MARX arrived in Hollywood from New York over the week- end.

AL STEEN of THE FILM DAILY returned yesterday from Oklahoma City.

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**COWDEN, Reisman, Wilcox, Howard on the Normandie**

London (By Cable)—J. Cheever Cowden, "U" board chairman; Phil Reisman, RKO's foreign sales chief; Herbert Wilcox, producer, and Anna Neagle, star of the latter's "20 Glorious Years"; Leslie Howard, Vivien Leigh and Burton Churchill are all arriving in New York today.

Cowden is understood to have participated in the Odeon-GB-General Theaters merger discussions during his stay here.

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**SAFETY LLOYS**

**FILM STORAGE CORP.**

Storage by Roel or Vault

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New York City

PHONE 17-9009

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**SECURITY**
Do you sing in the shower?

Ten to one you do. And ten to one in recent months you've been knocking the plaster off with your own particular version of the year's hit song, "THANKS FOR THE MEMORY". Why "Thanks for the Memory"? Because that song has something in its rhythm—yes, and something more in its lyrics—to capture your mind and make it laugh... to capture your heart and make it sing.

Fancy talk? Not a bit of it. "Thanks for the Memory" has that certain something of which hits are made. And that's why we used the song, music and lyrics as a blueprint for a big-time Paramount motion picture. Not only has the picture "THANKS FOR THE MEMORY" the best title of the year, because it means so much to millions of showerbath singers from coast to coast, but it has the same laughable, lovable, bitter-sweet quality of the song itself. It's all the laughs and heartaches of young married life wrapped neatly and deftly into as human a picture as the screen has seen in years. Funny—packed with laugh lines—crammed with sock comedy situations—yet none of them too goofy to be true to life. Yes, and jammed full of that greatest of all box-office commodities—heart interest.

Everyone—including you—who went wild about the song will go wild about this picture. For Paramount has given the two stars who put the song over originally the thrilling assignment of putting the picture over And Bob Hope and Shirley Ross, with the aid of Charlie Butterworth and an excellent supporting cast, put it over plenty.

It's the surprise hit of the fall—sure-fire exploitation dynamite. And don't forget it features the newest of hit tunes, already a national radio favorite, "Two Sleepy People", by Hoagy Carmichael, who wrote "Stardust" and "Small Fry"... You'll be singing "Two Sleepy People" for months to come and thanking us for the memory of a really smash box-office picture...

The hit SONG of the year... is now
the hit PICTURE of the year!...
"THANKS FOR THE MEMORY"
with Bob Hope • Shirley Ross
Chas. Butterworth • Otto Kruger
A Paramount Picture • Directed by George Archainbaud • Screen Play by Lynn Starling. Based on a Play by Albert Hackett and Frances Goodrich
JACK COHN WILL TALK NEW DEAL WITH ASHER

(Continued from Page 1)

DAILY when he sailed Friday on the Queen Mary.

Cohn emphatically denied that J. A. McConville would be supplanted as the company's foreign head. He stated that no changes are contemplated in the import department. McConville and his assistant, Jack Siegel, accompanied Cohn.

Budd Rogers, vice-president and general manager of Alliance Films, will shortly join Columbia as the head of a new department which will distribute foreign films in this country, Cohn said.

McConville said that the three pictures Asher is making at Denham for Cohn, one of which "Q Planes," has been completed, were budgeted between $250,000 and $300,000. These pictures will be distributed in this country.

Cohn stated that no set number of foreign pictures had been scheduled yet for release here, but that the first one available would be bought. Production in France is possible if equitable arrangements can be worked out, Cohn said. It is also possible that English pictures will be brought over, as French, he revealed.

McConville will work on special distribution deals for "You Can't Take It With You" while abroad. He expects the Columbia foreign general manager to be over last year's returns.

The three execs. expect to return in December.

Montague Goldman Quits Paramount British Post

(Continued from Page 1)

of its affairs in the United Kingdom, advising that Montague Goldman has resigned his post of general sales manager with Paramount Film Service. No successor has been named, it was stated.

Goldman was assistant to J. C. Graham, Paramount Film Service's former managing director who relinquished that office a few weeks ago.

Ultra-High Frequency May Solve Tele Network Puzzle

(Continued from Page 1)

mit television program to a network as far west as Chicago.

Programs would originate with NBC's new ultra-high frequency station in New Jersey, WAXDG. New NBC plan significantly disregards the formula of the coaxial cable.

New High in Signs

Bettchom—Lloyd Solbert, manager of the College Theater, claims a new high in sight. For Caps' "You Can't Take It With You," he had 10-foot ladders made of the sight, and climbed them to the mountainside. Sign was 200 feet long and visible for 10 miles.

KORDA CONCENTRATES ON LF PRODUCTION

(Continued from Page 1)

FILM DAILY when he sailed Friday on the Queen Mary for England.

Korda will relinquish his 4 months old London Films management, but will retain a director seat on the controlling company board. Dr. E. H. George and P. C. Stapleton will also be under consideration as general manager and operating manager, respectively, for Denham Studios, but appointments must be okayed by Prudentia and meet with approval of Korda. Stapleton now fills the operation post.

Further internal changes are also contemplated in London Films, it was learned, with Irving Asher a strong contender for the directorship of the new Korda company. Division of the company will allow it to enter the foreign market space with a more competitive basis, Pallos said.

Pallos will confer with Korda as soon as he arrives, with final details of the reorganization plan scheduled to be ironed out rapidly. The British exec. stated that he was pleased with the distribution LF was getting here, and stated that the current Korda pictures have enjoyed an improved reception.

Pallos contemplates an early return to the U. S.

Grand National Foreign Deals Set by Barnsyn

(Continued from Page 1)

tive to distribution throughout the world, J. C. Barnsyn, GN foreign manager, revealed last week.

He stated that a deal has been closed in Australia which embraces the New Zealand and Tasmanian territories. South America has been closed solidly and the Latin American and Caribbean territories have been closed with the exception of Mexico, where a deal is now being negotiated.

Distribution in France is being handled from the Paris office, and the French branch is also handling distribution in the Scandinavian territory.

He said that about 44 pictures on the first year's program would receive world-wide distribution. Deals are being negotiated in the far East and Canada is being serviced by the company's six exchange affiliations there.

No appointments have been made to bolster the foreign department forces yet, but men for a number of posts are being considered now, he said.
MORE GOOD NEWS ON "GIRLS' SCHOOL"!... AFTER SWELL OPENING AT TIMES SQUARE'S CRITERION THEATRE, MANAGEMENT REPORTS GROSSES ZOOMING EACH DAY AS RESULT OF GRAND REVIEWS AND WORD-OF-MOUTH! PLUS FACT THAT PICTURE HAS GREAT FEMININE APPEAL!...
"THE STORM"

with CHARLES BARTON PRESTON

BICKFORD • MacLANE • FOSTER

TOM BROWN NAN GREY

Andy Devine • Frank Jenks • Samuel S. Hinds

Screenplay by Theodore Reeves, Daniel Moore and Hugh King

Directed by Harold Young

Produced by Ken Goldsmith

A NEW UNIVERSAL PICTURE
—IN A FURY OF PRIMITIVE DRAMA!

"...Raw meat... plenty of rough and tumble brawls...!"
—NEW YORK WORLD TELEGRAM

"Practically all action...!"
—NEW YORK SUN

"Vigorously handled!"
—NEW YORK JOURNAL & AMERICAN

"The devils that rage... in a monster storm... are now let loose!"
—NEW YORK POST
DISTRIBUTORS AND ALLIED IN ORAL AGREEMENT

(Continued from Page 1)

the proper written form," and the expectation was added that "such further discussions necessary for final completion of details will be conducted in the future.

The statement by Rodgers reaffirmed that "details must of necessity be withheld at this time pending the final shaping up of the written document," and continued to explain that "in the meantime it must be publicly expressed that all meetings have been conducted pleasantly with a full appreciation on each side of the other's problems.

Rodgers, who with Grad Sears, all members of the distributors' committee, returned to New York Saturday, said that the committee will resume conferences early this week with the five companies and the seven unafliliated units to finally dispose of the issues already discussed and the principles on which agreements have thus far been reached.

"It is anticipated," said Rodgers, "that final negotiations with all interests will be definitely completed at an early date."

Kuykendall Arrives Today

Ed Kuykendall, MPTOA presiding officer of the distributors' committee, also announced the definite date for the reconvening of his negotiating group. Originally, the plan called for a resumption of the discussions today, but a switch in arrangements was effectuated on Friday.

Col. H. A. Cole of Texas, chairman of the Allied conference, in a statement to THE DAILY FILM DAILY Saturday, said that the group, which had received from the Rogers group the "maximum concessions" they can yield.

In the meeting, he continued, was "adjourned to enable a drafting committee to reduce to writing the various points discussed, including details of industry machinery which is proposed for consideration."

See Arbitration Machinery

The latter was intended to mean a definite system of conciliation-arbitration.

Start of this week's conferences, of paramount importance to the industry, will find all but two members of the distributors' committee in New York. New York's Nicholas A. Ambrose and Leo Spitz are on the Coast, but they might come East when their presence is needed, it was said Saturday by A. A. Monagle, who participated in the Chi. conferences, returns to New York this morning.

Record Gets 'The Gang'

Fred McConnell, of Record Pictures, announces the closing of a deal with Melvin Hirsh and Bert Klein, head of MPTOA, for the distribution of the Herbert Wilcox musical comedy, "The Gang," for the New York territory.

Salary Angles in Gov't Equity Suit

(Continued from Page 1)

Washington—The Department of Justice will not amend the complaint in the Government's New York suit to blast industry salaries—exec. and star—dispute the immunities provided in a memorandum of understanding for Ohio ITO members, but, however, that the Government, when the case finally goes to trial, will not attempt to introduce the salary angle to bolster its attack upon alleged "arbitrary, unreasonably high" prices. The memorandum, scheduled for hearing Monday, was 90 pages long.

Hearing on motions for bill of particulars in the equity action is scheduled in New York next Thursday.

URGES EXHIBITS, SPEND MORE IN NEWSPAPERS

(Continued from Page 1)

iner Bros., arrived in New York yesterday from the Coast for some office stay of several weeks. Einfeld suggested that exhibitors put 75 per cent, at least, of their new ad budgets into newspapers.

Warner exec, expressed the conviction that outlets are today apparently allocating funds in too large a measure to a variety of promotional channels, none of which is comparable to newspaper advertising as an efficient box-office builder.

Defending the Motion Pictures' Greatest Year campaign from what he called "professional criticism," Einfeld asserted that the drive to date has had numerous beneficial results.

While at the home office, Einfeld will consult with company exeecs, on new campaigns for forthcoming product, including the impending releases, "Angels With Dirty Faces" and "Brother Rat," and the approaching attractions, "Jaunrez" and "Dodge City."

Mort Blumenstock, WB's eastern publicity and director, who was on the hq. delegation that met Einfeld at the train, declared that "Angels With Dirty Faces" will be premiered at the Strand following the run of "Brother Rat." Formerer already has 349 dates for Thanksgiving, Blumenstock revolved.

Mrs. Einfeld accompanied her husband on the current trip here.

Freeman Huddles at Coast

With Exec, on New Birth

(Continued from Page 1)

that greater stress will be placed upon the exhibitor's angle in future shows.

Freeman arrived here over the week-end from Chicago by plane and is conferring with Barney Balaban, Stanton Griffis, William Le Baron, Adolph Zukor and Russell Holman. Balaban, Griffis and Holman are scheduled to leave for New York tomorrow.

Freeman is understood to have said that his new assignment came much as a surprise.

$276,965 HART BALM VERDICT FIGHTS

(Continued from Page 1)

Hiram M. Co., against UA in the sum of $276,965. Boim rep. "puts the aggregate of $190,484, together with interest from April 11, 1931. House, Grossman, Vorhaus and Henley are counsels for the plaintiffs.

Suit was originally filed for $500,000 claiming breach of contract by which UA agreed to distribute the "Harts" production, "Tumbleweeds," produced by the plaintiffs in 1925. The Harts claimed UA block-booked it with an alleged inferior picture, "Wild Justice," charging higher prices for the latter than for the "Harts' attraction.

Justice Bernard L. Shientag, who presided at the current trial, denied motion of UA's counsel to set aside the verdict and stated in his denial that the verdict was amply supported by evidence, and, further, that the evidence, which was a mathematical certainty and clearly proved that "the contract was violated and the plaintiff has been shabbily and improperly treated" and that "a schoolboy would understand the evidence when he happened on it."

UA appealed the decision on appeal, got a 60-day stay from Justice Shientag.

This will mark the second time that the case has gone to the highest court, such a tribunal having reversed the former decision of the lower court in favor of the Harts'

UDT TO PLAY GIRL Band In Three Second Runs

Detroit—United Detroit Theatres are booking Jules Klein's Music Mystery Maids, 16-piece girl band, for the Broadway-Capitol, Fisher, and Riviera Theatres, for a week each, starting in mid-November. No acts will be used under present plans for the dual film bill prevailing at these second-runs for two or more years.

Klein is also organizing the World Amusement Enterprises, located at 1224 Michigan Theater Building, to handle bookings for major presentations of this sort.

Court Weighs Writ Plea

Application for an injunction by Superior Talking Pictures and State and Screen Attractions and the appointment of a receiver for Principal Camera Charities, which was to have been argued Friday, last, was submitted for decision to Judge Edgar Lauer in Supreme Court, New York. Attorney General B. R. Kellogg is attorney for the plaintiffs, counsel for Principal, requested additional time until today to file answering affidavits. This was opposed, determination Lerman, counsel for Superior and Stage and Screen, on condition that they would have until Wednesday, next, to file additional affidavits.
BEN SHLYEN, Publisher

Announces the Appointment of

LOU RYDELL

as

ADVERTISING MANAGER

effective

NOVEMBER 7th 1938

J. H. GALLAGHER, General Manager
ASSOCIATED PUBLICATIONS
**REVIEWS OF THE NEW FILMS**

**The Storm**

with Charles Bickford, Barton MacLane, Preston Foster
Universal
75 Mins.

SWELL MELODRAMA FOR THE ACTION FANS SHOULD DO GRATIFYING BUSINESS.

The thrill, action, and suspense that go with a boat crashing into an iceberg, a vessel with all hands aboard exploding and being blown to bits, and a major operation being performed at sea, by a nurse receiving instruction by radio while a storm is raging, are all embodied in this melodrama. It should make good all-round program fare with gratifying business shown. Action sequences especially should like it for there is always something happening. The scene is laid on the ocean and the uncertainty of the deep is ever present. Charles Bickford directed two of the mentioned big scenes in nice style, the episodes meshing together well. Ken Goldsmith’s production is a happy combination of footage that makes outside scenes, coupled with a plot that can make use of it. This story was by Daniel Murate and Hotel King, and that the scenes did the screening.

Harold Young directed. Charles Bickford gives a forceful performance, Barton MacLane, Preston Foster, Tom Brown, Nan Grey, Andy Devine and Frank Jenks handle the other roles very capably. The important and effective art work was contributed by Jack Otterson, and the photography is by Milton Krasner. Krasner’s photography is noteworthy. Charles Bickford, one of the best wireless operators on an ocean freighter, is known as a hard drinker and brawl artist. He sees his friend die in a boat colliding with an iceberg; and he also sees his old-boat crew go down in an explosion. Knowing the sea he does not want his brother, Tom Brown, to follow it. The latter insists, and besides is about to marry Miss Grey. Charles is the “wise guy,” who “naturally knows” the girl is good. This brings about a rift between the brothers. Charles is sent back to sea, and his brother Tom and Nan to be married. Tom has a sudden attack of appendicitis, and Nan, a nurse, spends her last days tending him by her radio. All the while a storm is raging with receiving a difficult job to maintain. Charles finally admits that he doesn’t know it all and that he is only too happy to have Nan as his sister-in-law.

CAST: Charles Bickford, Barton MacLane, Preston Foster, Tom Brown, Nan Grey, Andy Devine, Don Grey, Samuel S. Hinds, Florence Roberts, Jack Mulhall, Helen Gillingall, Stanley Hughes, Joseph Sawyer, Terence Morgan, Donald Crisp, John Qualen. CREDITS: Associate producer, Ken Goldsmith; Director, Harold Young; Authors, Daniel Murate and Hotel King; Screenplay, Theodore Reeves, Daniel MacLane and Hugh King; Camera, Milton Krasner, ASC; Art Director, Jack Otterson; Associate, Ralph Kramden; Dance Director, Musical Director, Charles Previn; Sound, Bernard B. Brown; Technician, Robert Pickett. DIRECTION, Good. PHOTOGRAPHY, Noteworthy.

**Blondie**

with Penny Singleton, Arthur Lake and Larry Sims
Columbia
69 Mins.

HOLLYWOOD PREVIEW

COMEDY HIT SHOULD PLEASE ‘EM FROM SIX TO SIXTY.

This is a comedy hit that should please everyone, from the six to the sixty. Under Frank R. Strayer’s skilful guidance it is full of laughs and human touches. Robert Sparks rates numerous bows as associate producer, while Richard Flemyng has delivered a screenplay based on Chic Young’s comic strip that is a gem. The acting is splendid throughout with Arthur Lake an ideal choice for “Dagwood,” Penny Singleton for “Blondie” and Larry Sims as “Baby Bumbl.” Gene Lockhart supplied very good photoby. Lake endorses a $560 note for a girl, who tells an appealing story. Of course, the girl disappears and the financial responsibility is thrown on Lockhart, who finds his house burned to the ground. Lockhart promises him his business and all sorts of help.


CREDITS: Associate producer, Robert Sparks; Director, Frank R. Strayer; Based upon the comic strip created by Chic Young. Owned and copyrighted by King Features Syndicate, Inc.; Screenplay, Richard Flemyng; Camera, Henry Freulich; Musical Director, Lionel Banks; Sound, Lodge Cunningham; Musical director, Morris Stoloff; Editor, Gene Havelick.

DIRECTION, Skillful. PHOTOGRAPHY, Good.

**Man With 100 Faces**

with Tom Walls, Lilii Palmer
GA
72 Mins.

HEAVILY-HANDURICED HECTIC MELLER WITH OLD-FASHIONED PLOT

This one is done in the style of the old ten-cent-thirty-mellers of our grandfathers’ days. Tom Walls plays the role of a sort of modern Robin Hood who robs the rich to give to the poor. Tom is a devilish sort of a chap who nonchalantly puts himself in danger of losing his life repeatedly at the hands of a gang of crooks who operate very much on the style of American gangsters but are not nearly so smooth and convincing. In fact, they are the pits would stay for three weeks how American gangsters would act. It is all very amusing when it is supposed to be serious, and it is an absolute ponsentiel. Walls is always grabbing the loot away from this gang, and getting them very panned. Finally, he pulls the old horseplay and follows the crook that made the biggest case right off the dowager’s neck at a costume ball in London, and substituting phony. The thing holds up the dance for a few moments later, and grab the phonies. When the chief tries to sell them to the fence and finds out he has been double-crossed again by the Robin Hood fellow, he is peaved to the hilt. He sets out for revenge, but again the smart crook outwits him, and pulls the wool over the crook’s eyes, appearing at a dance in the Strand. When the deacon crook has convinced the lovely young Baroness that he is really a decent sort of a chap, takes off in a plane to Paris for a honeymoon.


CREDITS: Director, Albert De Courville; Author, W. H. Ferguson; Screenplay, A. R. Rowlinson, Michal Pertwee.

DIRECTION, Weak. PHOTOGRAPHY, Good.

**Irish and Proud Of It**

with Richard Hayward, Dinah Sheridan, Gwen Gill, Geralda Embury, Liam Gaffney; Herbert Thorpe, Jimmy Maggen.

CREDITS: Producer, Donovan Redelby; Director, same; Author, Dorothy Don Byrne; Screenplay, David Evans.

DIRECTION, Weak. PHOTOGRAPHY, Good.

**Ellsworth Named to Post in Ross Federal Ad Dept.**

Announcement is made by Ross Federal Research Corp., of the appointment of Thomas B. Ellsworth as assistant in the advertising department. One of his chief duties will be the establishing of the Ross Federal monthly house organ, “Service.”

Coincidentally, Ross Federal Service Corp., the Irish and Proud manager of Detroit, has been assigned to the new Credit Promotion Division of Ross Federal Research Corp.

**Hoffberg Sets Polish Pix**

“Zahawksa,” a new Polish picture, has been acquired by J. H. Hoffberg for distribution in this country.

**Hutchinson to Fly to France for 20th-Fox Conferences**

Walter J. Hutchinson, director of foreign distribution for 20th-Fox, will fly from New York to France, leaving South Africa on Dec. 4, according to present plans, to see the Dynamic Exposition. He will confer with Ben Miggins, continental European manager, in London, and go to London for conferences with Francis L. Harley, managing director of the United Kingdom, sailing for home on the Normandie Dec. 12 from England.

**Margie Fisher Dead**

West Coast Bureau of THE FILM DAILY

Glendale, Cal.—Margie Holloway who was the winningest and oldest character actress of stage and screen, is dead at her home here.

**Brother Rat to Stay 3 Weeks at N. Y. Strand**

As a result of the opening day biz done by Warners’ “Brother Rat” at the N. Y. Strand, the home office announced over the week-end that the picture would run two-weeks. The two-week run had been planned. Opening biz was better than that of the previous week, and exhibitors’ spirits are high. The picture is a mild, off-putting movie, but the public like it. It seems to be an interesting picture, and it is not too long. The picture is a good one, and it is well worth seeing. It is a good picture, and it is well worth seeing. It is a good picture, and it is well worth seeing. It is a good picture, and it is well worth seeing. It is a good picture, and it is well worth seeing. It is a good picture, and it is well worth seeing. It is a good picture, and it is well worth seeing.
THE WEEK IN REVIEW
MPTA, SMPE Meet — British Pix Boom

DOMESTIC
(Continued from Page 1)

Detroit's Statler Hotel swung into action Monday and concluded Wednesday's presentation of numerous and important papers dealing with technical advances already realized or on the horizon. Dr. H. T. Kaunas, Technicolor chief, informed the delegates that a within two years Technicolor will have done away with special cameras and be employing single strips of negative through any standard m.p. camera.

* * *

From Hollywood, on Thursday, issued word that Paramount had realigned execs, Adolph Zukor, board chairman; Samuel Goldwyn, president; and Sir Harry Stott, London representative. Miss R. W. and Miss Elizabeth, Misses of the United Nations, conferred with Misses of the United Nations, on the set of "A Summer Place," script by Misses of the United Nations, and directed by Misses of the United Nations. The film was to be released in the next two months.

* * *

Returning from Europe on the Queen Mary on Thursday, E. W. Hammons declared he closed a five-year pact with an unnamed British company for the distribution of GN's product in the U. K. . . . Disembarking from the same liner, Solomon Sagall, founder and managing director of the television enterprise, Seophonie, Ltd., asserted that his organization plans establishment of a $10,000,000 American division of the company; manufacture and market sets for the home; and demonstrate at the forthcoming New York World's Fair.

FOREIGN

Survey of the British pix industry divulged a big boom in progress, with trade activity revived on large scale; grosses rapidly increasing; new theater construction going ahead; high optimism prevailing at prospect of size and quality of domestic and U. S. pix; and hopeful labor outlook, since many branches of CEA have composed differences with unions.

* * *

Berlin cable told of development there of new three-color film process, known as Agfa Panchromat. Prints made by this process, it is said, are immediately ready for theater display on standard projectors, without extra apparatus or punch-up lighting. Requirements are reported to be same as for black-and-white.

24 "All-American" Shorts to be Made by FitZPatrick
(Continued from Page 1)

THE FILM DAILY Friday. He expects to leave for Florida tomorrow or Wednesday, accompanied by his wife and Howard Nelson and Robert Carney cameramen.

He stated that the shorts would be made for the 1939-40 and 1940-41 programs, with the first release set for next August. He will make one reel in northern Florida and another in southern Florida. He will also film material at the new Marine Studios near St. Augustine for Pete Smith, who will use the film in one of his shorts.

Canada, Latin America and North and South America will provide material for the releases, and FitZPatrick revealed that Metro considers the shorts extremely important as a co-operative effort by the film industry to further the "friendly" trade relations of this hemisphere. The reels will probably be alternated when they are released in order to have a South American film follow a North American short.

FitZPatrick stated that decision on the proposed Buick air shows would wait until he has conferred with studio execs, on the Coast. He will make a short in New Orleans on this trip and will map plans of locations for future material. He is traveling by car and expects to arrive in Hollywood about Dec. 15, after covering 6,000 miles.

Czech-U. S. Pact Status Waits on Frontier Fixing

Washington — State Department sources declared Saturday that steps are now being taken to ascertain to what extent trade pacts between Czechoslovakia and the U. S. can be salvaged since the changed boundary conditions of the former country.

Some few months prior to the adjustment of these boundaries, a trade pact covering numerous commodities was effectuated between the two nations. Subsequently Czech-U. S. delegates met in Prague and drew up a films pact which met with approval and ratification. This pact was appended to the original wide-scope agreement.

Film industry representatives of both nations have been at a loss recently for a definition of the Czech-American status, which, according to Cordell Hull, Secretary of State, is impossible until frontiers have been definitely determined.

Radio's "Good News" Program to be Extended After Jan. 1

West Coast Bureau of THE FILM DAILY Hollywood—Radio's "Good News" program will be extended for an indefinite period after Jan. 1 at which time the present contract expires. M-G-M will continue as producer of the broadcast and the makers of Maxwell House Coffee will continue as sponsor.

It isn't coincidence that so many of the industry's executives reach automatically for the Film Year Book for accurate information for they know its value. The 1939 Edition out in January will surpass all previous editions in every way.
"I consider my trailers the cheapest advertising that I buy—yet I put trailers at the top as being most important in actually selling tickets...."

No truer word was ever spoken than this remark by one of the 12,000 exhibitors who use National Screen Service.

Trailers ARE low in price . . . maybe too low . . . for the job they do. Measure them any way you like—they cost less per reader, per prospective customer, per circulation unit, per results! you KNOW how many ticket-buyers read your trailers—you can only guess when it comes to other advertising media.

Only bad trailers are expensive . . . because they do not sell tickets. Good trailers really cost nothing. They are an investment that return a grand, quick profit.

Ever figure what part of your gross you spend for trailers? Probably just a small fraction of one percent.

Don't waste your screen and money on inferior trailers. The best is always cheapest . . . NATIONAL SCREEN PRE-VUES . . . screen showmanship at its best!

NATIONAL SCREEN Service!
Settlement Opens Japanese Market to 250 U. S. Films

PARAMOUNT TO CASH IN ON TELEVISION—GRIFFIS

UA Closes 2-Year Deal With Loew Circuit for Record

Commitment Covers All of Circuit's Theaters, All UA's Pix

United Artists closed what was described as "perhaps the biggest film deal ever made in its history" yesterday when Loew's signed on the dotted line for its entire circuit, including the metropolitan string. Deal is for two years, and covers all product, including the as yet unreleased Selznick pix.

Harry Gold acted for UA, Charles Moskowitz, Joe Vogel and Jean Picker for Loew's.

LOEW FINDS U. S. PIX HOLD MEXICAN LEAD

By MARCO-FERRELL GALINDO

FILM DAILY Staff Correspondent

Mexico, D. F.—American pic are holding their own in Mexico, and the industry in general can only benefit from this country's entrance into the production field, Arthur M. Loew, Metro vice-president in charge of the International Department, who

Texas Allied May Hear Distrb's, Concessions

Dallas—Low-down on distributors' concessions proposed at the present trade reform conferences is expected from Col. H. A. Cole, chairman of national Allied's negotiating committee, at the Texas Allied two-day convention which opens in the Baker

U. S.-Nippon Film Agreement is Based on $30,000 "First Print" Aggregate

British Columbia Film Quota Law Is Proposed

Montreal—A proposal for a British Columbia film quota law has been placed before the provincial cabinet by W. L. Strythen, Liberal member for Victoria. The law would be designed to protect the British Columbia film industry.

A motion picture studio was built

Omaha May Get 1939 MPTOA Convention

Four cities are understood to be bidding for next year's MPTOA convention. They are San Francisco, Omaha, Chicago and New York. Although New York and San Francisco are regular World Fairs and possibly will be favored, it is believed that the MPTOA directors prefer smaller cities and for that reason Omaha may be the chosen spot.

ITALY BIDS MILLION FOR ALL U. S. FILMS

Rome (By Cable)—U. S. film representatives here reveal that their probable abandonment of the Italian market at the end of this calendar year is not merely predicated upon the establishment of the Fascist Government's monopoly via its recently organized ENIC, but in a large measure to dissatisfaction with the ENIC provision which offers only $1,000,000 annually for American product.

Italian defense of the monopoly

Momand Granted Right To Amend Suit Petition

Oklahoma City—A further victory in his suits against major producers, distributors and circuits was received by A. B. Momand in the Federal Court for the Western District.

ROLLER DERBY HITS FILMS, BUT INTERSTATE CASHES IN

Dallas—Credited with drawing approximately 200,000 attendance during its Fort Worth engagement, the Roller Derby, skating marathon, is here for a run, with Houston

ASCAP WASH. APPEAL IS ASSURED HEARING

Washington Bureau of THE FILM DAILY

Washington—U. S. Supreme Court here yesterday denied the main motion of Attorney General G. W. Ham- ilton of the State of Washington for dismissal of the appeal of ASCAP. The latter's action, to preserve its alleged rights against the passage of the relatively recent legislation passed in that State, now goes to the U. S. Supreme Court for a hearing on merits which is expected to be argued toward the end of December or in early January.

“In Position to Give Public New Type of Entertain- ment”

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount is on the television band wagon with both feet.

STANTON GRIFFIS, chairman of the company's executive committee, made that clear here yesterday at a press conference.

Envisioning tv on a tremendous scale factor in the entertainment field, Griffis declared that Para, "feels through its recently established contact with the

GN'S BOARD WILL GET DEAL TERMS THURSDAY

Grand National's board of direct- ors is scheduled to meet Thursday when E. W. Hammond, president, is

Kuykendall to Confer With Kent and Rodgers

Ed Kuykendall, MPTOA presi- dent, arrives in New York this after- noon for further conferences rel-}

Big Franchise Deal

Local Film Row will close down at 1 p.m. today for employees to sail, with 20th-Fox closed all day. Half-day policy prevails at Warners, M-G-M, Paramount, RKO, Universal, UA, Columbia, Republic, Monogram, S.L. and CB, plus hits for the Nays Office and Motion Pictures' Greatest Year headquarters.
Horror Pix Cycle Sweeps The Midwest Territory


The recent success of "Frankenstein" and "Dracula," breaking a nine-year house record in a revival at RKO Lyric, started the cycle.

Gene Autry and His Hoss
In Chi. Dept. Store P. A.

Chicago — Goldblatt Brothers, large State St. department store, have signed Gene Autry and his "Hoss" Champ-Rion, in for a p.m. Monday afternoon. Store also tied up with the RKO Palace Theater this week, by offering a matinee price reduction to the kiddies at 15 cents a head, if purchased at the store. It’s a time when State St. store has sold film theater tickets.

Sherman Plans $750,000
Pix on Al Jennings Life

Oklahoma City—Harry Sherman will bring a company here next Spring to shoot a pix based on the life of Al Jennings, Oklahoma ex-bad man, with Jennings himself supplying the story. Film will be budgeted at $750,000, according to Sherman.

Disclose Scope of Rich ey
RKO Duties on Thursday

Details of duties to be performed by H. M. Rich ey as director of exhibitor relations for RKO will be given to the Sweeth Heart convention, probably on Thursday. Rich ey, who took over his new duties yesterday, said that his post was an unusual one and an innovation in the industry.

Richey is occupying a temporary office on the 14th floor of the RKO Bldg.

Social Research School
Hears Talk by Howard

William K. Howard, film producer, spoke last evening on the sixth of the series of programs being conducted by Sidney Kaufman of M-G-M at the New School for Social Research, 66 West 12th St. Topic of Howard’s address was “Special Problems of Production in the East.” Future scheduled speakers on film affairs include Walter Wanger, Dudley Nichols, Howard Dietz, Frank Nugent, and Clifford Odets.

Dee Clark was talking of showing the film of the drive’s special film, “The World Is Ours.”

Plan Holiday Show
Chicago—Capra officials are meeting today to arrange for holiday shows, to be given by the film theaters here to help the Christmas basket funds. Morris Lievors, president of the Exhibitors Association, will be chairman of the holiday fund committee.

Harold Moffet Dies
Harold LeRoy Moffet, 46, actor, died yesterday in Mt. Sinai Hospital.

No "S"-Sealer Deal?

New Orleans—Deal between Universal, Saenger United Theaters and Saenger affiliated operators, unlikely this season is reported.

Rep. Wins Plagiarism Suit
West Coast Bureau of THE FILM DAILY

Washington—Representative Charles Francis day yesterday returned a verdict in favor of Republic in a plagiarism suit by Philip P. Noyer against the studio. Noyer alleged that the Republic film “Arson Racket Squad” was based upon a story idea which he claims he had submitted to the studio.

N. J. Allied Sets Locales for its Monthly Meetings

Allied of New Jersey has set loca-les for its monthly meetings to July, with the next session scheduled for Nov. 29 in Newton. Under the new setup, New Jersey Allied will hold meetings in different parts of the state each month.

Passaic will be the scene of the December meeting and Trenton has been selected for January. The counties in which the others are to be held are as follows: Sussex county, February; Middlesex county, March; Camden county, April; Union county, May; Gloucester county, June, and Monmouth county, July.

Disclose Scope of Richey
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Pizor Home Next Week

Lawen Pizor, UMPTO leader, who was stricken and taken to a hos-

pital in Oklahoma City during the

MPTOA convention, is expected to return to his Philadelphia home the latter part of next week. His con-

dition is reported to be improving steadily.

Roxy Sets Pfd. Dividend
The Board of Directors of Roxy Theater, Inc., at its meeting yester-

day declared a quarterly dividend of 57½c per share on the outstanding Preferred Stock. The dividend, payable Dec. 1, to stockholders of record at the close of business on Nov. 17.

SWG Elects Tomorrow

West Coast Bureau of THE FILM DAILY

Hollywood—Election of the Screen Writers Guild will be held tomor-

row.
Tuesday, November 8, 1938

LOEW FINDS U. S. PIX HOLD MEXICAN LEAD

(Continued from Page 1)

is here on vacation, told THE FILM DAILY.

"American and other foreign pro-

ducer should view with satisfaction

progress being made by the Mex-

ican motion picture industry," said

Low. "The growth of the native

industry is, to my mind, favorable

to all other film product as it tends
to encourage thousands of people,

still unfamiliar with or even un-
friendly towards the motion picture,

to attend film shows. It is also cre-

ating a widespread demand for new

houses to accommodate an ever-in-
creasing audience." Referring to American pictures specially, which have held first
place in the Mexican territory, Low explored that they, in common with
other foreign-language pictures, are not appreciated fully by a considerable
portion of the native population.

"It is regrettable," he said, "that
here are still so many illiterates who,
not speaking the English lan-
guage, are also unable to read the
super-imposed titles in their own." On the future trend of American
film production, as regards the in-
ternational market, he added: "My stay
in this country has only confirmed
me in my belief that American pro-
ducers must make more pix with
greater international appeal. My depart-
“Thanks for the Memory”
with Bob Hope, Shirley Ross, Charles Butterworth
Paramount (HOLLYWOOD REVIEW)
DOMESTIC LIFE COMEDY FULL OF ENTERTAINMENT; ROLLS UP HEALTHY LAUGH TOTAL.
This comedy of domestic life and strife is full of entertainment. In fact, it rolls up a healthy total of laughs and guffaws and also registers some bally laughs. It is an excellent vehicle for Bob Hope and Shirley Ross. This is by far the best performance Hope has given on the screen, while Shirley also scores solidly with her work. Hope’s timing for laughs is perfect and he makes every exit line count. Shirley is also good with a new song, “Two Sleepy People,” by Hoagy Carmichael and Frank Loesser. They also sing the title song by Ralph Rainger and Leo Robin. George Archainbaud has supplied splendid direction, guiding the laughs and serious moments effectively. Mel Shayer rates much credit as associate producer. Fine performances are turned in by Otto Kruger, Patricia Wilder, Charles Butlerworth, Rosco Korns, Hadda Hopper, Laura Hope Crews, Jack Norton, William Collier, Sr., Eddie Anderson, Emma Dunn and Ed Gargan. Lynn Starling wrote a very amusing screenplay based on a play by Alfred Rees. “Two Sleepy People” is a comedy, Shirley takes her old job as a dress model, so that hobby, Bob, can concentrate on writing his first book, that begins to happen in their household. Patricia Wilder, a Southern girl, is their neighbor and is always wandering into their home. Shirley asks her former sweetheart, Otto Kruger, a book publisher, to encourage Bob as a writer, but when she returns home she is led to believe Bob is infatuated with Patricia. In turn, Bob believes Shirley is too friendly with Kruger. When a divorce looms, Bob learns that Shirley is to have a baby and they are soon reconciled.
CREDITS: Associate producer, Mel Shayer; Director, George Archainbaud; Based on a play by Alfred Rees and Frances Goodrich; Screenplay, Lynn Starling; Cameraman, Karl Strauss; Art Directors, Hans Dreier and Franz Bachelin; Editor, Alma Ruth Macomber; Musical director, Boris Moros; Music and lyrics: “Thanks for the Memory” by Ralph Rainger and Leo Robin; “Two Sleepy People” by Frank Loesser and Hoagy Carmichael.
DIRECTION, Splendid. PHOTOGRAPHY, Good.

Kendrick Rites Today
Pittsburgh—Harry Kendrick, former manager of the Emright Theater in East Liberty and recently manager of Warners’ theaters in Ambridge, Pa., died of pneumonia in the Valley Hospital in Sewickley, Pa., and funeral services and burial will be held from his former home in Philadelphia this afternoon.

“The Arizona Wildcat”
with Jane Withers, Leo Carrillo, Pauline Moore
20th Century-Fox (HOLLYWOOD REVIEW)
EXCITING WESTERN WHICH IS READY-MADE FOR THE FAMILY TRADE.
“The Arizona Wildcat” gives Jane Withers an excellent vehicle for her tomboyish antics. Teamed with the always lovable Leo Carrillo, they are “two of a kind” and it is a toss-up as to which is the wildcat. The story is laid in Arizona about 1870 when bandits still roamed the hills. It appears that although there is a known gang of marauders on the loose, there is also something very suspec- tious going on in the background. Jane, by a series of lucky mishaps, discovers the gold from the mine, stolen on the last raid: unfortu- nately, her new discovery for Sheriff Carrillo, her foster-father, who was once El Gato, chief of a band of night riders; she leaves Carrillo, now a mail-carrier, in the hands of the gang. The cross-roads type of which Carrillo is tried is a gem in the dis- pensing of justice. Jane, though the per- petrator of much of the bandit’s trouble, can also be the instrument, through her mischiev- ous tricks, whereby the guilty parties are discovered. The story, from an original idea by Frances Goodrich and Al Rees, which was developed in the screenplay by Barry Trivers and Jerry Cady, is a nearly-woven comedy highlighting. Herbert I. Leeds’ direction packs the film with action, yet never lets that element over-balance the human interest angle. Associate producer John Stone gave the piece adequate mounting. Lucien Andriot’s photography of the outdoors was especially good. The Spanish dances staged by Nicholas Castle and Genevieve Sawyer and the music directed by Samuel Kaylin, after script by Lucien Andriot, are of fine quality. The impish Withers and English-garbling Carrillo were outstanding. Henry Wilcoxon as the sheriff, William Henry as the ro- mantic foil, pretty Caroline Reid as the school teacher, Etienne Girardot as the judge who “insists that everything be legal,” Douglas Fowley, Harry Woods, and Rosita Harlan—all contribute sincere and worthwhile performances. The picture is ready-made for family trade.
CREDITS: Associate producer, John Stone; Director, Herbert I. Leeds; Authors, Frances Hyland and Albert Ray; Screenplay, Barry Trivers and Jerry Cady; Camera, Lucien Andriot; Art Director, Paul Allen; Art Directors, Bernard Herzbrun and Albert Hogestad; Sound, Bernard Freamon and William Dances staged by Nicholas Castle and Genevieve Sawyer; Musical Director, Samuel Kaylin.
DIRECTION, Lively. PHOTOGRAPHY, Very Good.

6 New Filmack Trailers
Chicago—Filmack Trailer Co. is releasing six new Thanksgiving special promotion trailers.

“Rhythm of the Saddle”
with Gene Autry
Republic (HOLLYWOOD REVIEW)
BANG-UP WESTERN FEATURING EXCITING STAGE COACH RACE IN RODEO EVENT CLICKS STRONG.
One of the best of the Autry series, with a very fast-moving plot and plenty of exciting action. Gene is foremost of the ranch owned by Peggy Moran, and on her property is being held the annual Frontier Week celebra- tion in the form of a rodeo. A gambler and his gang starts out to make the current event a farce. A series of “accidents” occur, and then Autry gets his pal, Smiley Burnette, to operate a recording phonograph to get a disc of the conversation of the gambler and his henchmen on the grand- stand box. Burnette plants the machine underneath the grandstand, and the result- ing conversation plays the deciding part in rounding up the gang and exposing their attempt to win the big stage coach race event that carries a large money prize. Gene finally wins after an exciting and grueling race, in which he outwits the attempt of his rival to put him out of the event. Port Kelton plays the role of the amiable gambler, whom, however, he wins the outcome of the stage coach race. Smiley Burnette supplies his usual brand of humor. As has been one of the best scripts of the long series. It is well directed, and moves fast, with plenty of thrills and suspense.
CREDITS: Producer, Harry Grey; Direc- tor, George Sherman; Author, Paul Franklin; Editor, Lester Orlebeck; Cameraman, Jack Marta.
DIRECTION, Very Good. PHOTOGRAPHY, Okay.

L Guardia Warns Theaters to Obey Kiddie Admiss. Law
Warning has been issued by Mayor F. H. La Guardia to all New York City ptx theaters that they must observe strictly the law gov- erning the admission of children. He declared a city-wide checkup is under- way by Paul Moss, Commissioner of Licenses, and the police to determine whether theaters maintain the un- iformed attendant and special re- serve sections for children required by law.

Extending “Buck Night”
Fort Worth, Tex.—“Buck Night,” successor to Bank Note in local the-aters, which was launched four months ago by Interstate Circuit for its downtown theaters in Fort Worth, the Hollywood, Worth, Pal- metto, Ray Theatre, screened to the three nabs, the Parkway, Varsity and Tivoli.

“Gangster’s Boy”
with Jackie Cooper, Lucy Gilman, Robert Warwick
Monogram (HOLLYWOOD REVIEW)
GOOD CREATIVE FARE WITH STAR GIVING FINE PERFORMANCE SHOULD DO WELL AT B.O.
This is the story of a boy who has gained the highest honors in scholarship and ath- letics, and who is considered tops among his fellow students, who when about to be graduated with an appointment to West Point already has, his, as does most of the city, that his father is racketeer and that Jackie Cooper played a splendid performance as that fellow. He plays the role with conviction, never over playing even though there are moments in which he could easily have. As a good program fare the picture should do well. Robert Warwick’s work is especially good and the rest of the supporting cast is very capa- ble. The loyalty of the boy’s friends especially his pal, Tommy Wonder, and his girl friend, Lucy Gilman, is a quality very well handled. Cooper directed, gain- ing good results from the material, as well as from the players, and his pace is a good moving one. The story was by Karl Brown and Robert Andrews with the latter con- tributing the screenplay. W. T. Lacke served as associate producer to Scott Fox, whose production is photosession. The piece shows some fine mounting for a reasonably budgeted production. While Jackie learns through the papers that his father was a racketeer and when nothing his schoolmates give him the cold shoulder he is ready to give up the class valedictorian and also his appointment to West Point. The loyalty of his girl friend and pal help to keep his spirits up even when they are doing it against the wishes of their parents. A situation arises in which Jackie takes the blame for running over a man. He is shielding that pal, but when the driver recognizes the names and students see what a fine boy Jackie is and they all for him.
CREDITS: Scott R. Dunlap in charge of produc- tion; Associate producer, W. T. Lackey; Director, William Nick; Production manager, Charles Bigelow; Authors, Karl Brown and Robert Andrews; Screenplay, Robert Andrews; Cameraman, Harry Neu- mans; Editor, Russell Schongard; Sound Engineer; Musical director, Abe Myers; Technical director, E. R. Hickson; Music and lyrics: “Blossoms in the Moonlight” by Edward Kay; “Stop Stealin’ Round the Moon” by Beckley Keschna and Ol Boland.
DIRECTION, Fast. PHOTOGRAPHY, Very Good.

Two-Dimensional Sound
Berlin (By Cable)—Two-dimensional sound was demonstrated at the Deutsche Kinotechni- sche Gesellschaft.
IT'S THE GREATEST SCREEN WALLOP THE WORLD HAS EVER KNOWN!
Don't Even Try

ANGEL

DIRTY

Made Still Stronger Because

Release
to Compare It—There *Never*

Was A Motion Picture to

Approach the Dramatic Impact of

*WITH FACES*

Warners

*it* for Thanksgiving Week!
"There, but for the grace of God, walk I"
This scene alone will make you wish you could double your seating capacity!
DEAD END KIDS

CAGNEY O'BRIEN

ANN SHERIDAN • GEO. BANCROFT

Directed by Michael Curtiz

Screen Play by John Wexley and Warren Duff • From a Story by Rowland Brown • Music by Max Steiner • A First National Picture

WARNER BROS. made it possible!
Theater Closings—Openings—New Houses—Renovations—Ownership Changes

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by ROSS FEDERAL SERVICE, INC.

Theater Closings

ALABAMA
Birmingham—Rialto (10-30-38); Owner: Wilby Circuit.

ARKANSAS
Hope—Saenger (10-20-38); Owner: Maleo Theaters, Inc.; Installing new up-to-date super sound system. Recto—Ford (10-20-38); Owner: Tom Ford; Destroyed by fire.

GEORGIA
Fort Valley—The Princess (10-22-38); Owner: R. E. Martin (Chain); Opening a large theater.

IDAHO
Pocatello—Pocatel (10-2-38); Owner: Henry C. O'Leary.

INDIANA
East Chicago—Voge (10-17-38); Owner: Indiana Illinois Circuit; Remodeling.

KENTUCKY
Ashland—Grand (10-8-38); Owner: Dick Martin; Building sold.

LOUISIANA
Vivian—Fox (9-25-38); Owner: Fox Theater Co.; Fire.

MASSACHUSETTS
Hyannis—Hyannis (9-22-38); Owner: Interstate Theater Corp.; Closed for Winter.

MINNESOTA
Warroad—Fox (10-18-38); Owner: Mrs. G. A. Fox; Moving into newly constructed theater building, brick.

MISSISSIPPI
Yazoo City—Yazoo (10-31-38); Owner: Mrs. J. B. Deyoto.

MISSOURI
Manchester—Colonial (10-19-38); Owner: Paul H. Fox; Theater sold.

TENNESSEE
Pulaski—Princess; Owner: Cumberland Amusement Co.; Building new house on new location.

TEXAS
Hebronville—Ritz (9-5-38); Owner: J. G. Long Theaters; change of owner.

Theater Openings

ALABAMA
Birmingham—Pantanal (Fall season); Owner: Wilby Chain; Previously closed early Summer.

ARKANSAS
Hope—Saenger, 1,200 seats (10-23-38); Owner: Maleo Theaters, Inc.; House Manager: Remmel Young.

CALIFORNIA
Merced—Strand, 900 seats (10-21-38); Owner: United California Theaters, Inc.; House Manager: Bill Mabban; Previously closed July, 1938.

New Theater Openings

CALIFORNIA
Los Angeles—Centro, 630 seats (10-10-38); 7634 Central Ave.; Cost: $22,500.


Corcoran—Corcoran, 675 seats (9-22-38); 7210 Whitley Ave.; Builder: Mr. Fukuena; Cost: $35,000; House Manager: Mr. Squires.

CONNECTICUT
New Haven—Dixwell, 1,000 seats (10-25-38); Dixwell Ave.; Builder: Howlett Construction Co.; Architect: Chas. Abramowitz; House Manager: Abe Fishman.

INDIANA
Vincennes—Fort Sackville, 757 seats (10-19-38); 7th and Main Sts.; Builder: Snyder Construction Co.; Cost: $1,000; House Manager: John Welsh.

LOUISIANA
Golden Meadows—Buescher, 460 seats (10-3-38); Main St.; Builder: Jeff Reback; Cost: $12,000; House Manager: V. Chauvort.

MINNESOTA
Waxroad—Fox, 400 seats (10-21-38); East Lake St.; Builder: Carl Swedberg; Architect: Perry Crozier; Cost: $25,000; House Manager: Mrs. G. A. Fox.

MISSISSIPPI
Maben—Country Show, 275 seats (10-24-38); House Manager: R. H. Collins.

MISSOURI
Mound City—New State (10-21-38); State St.; Builder: Jameson & Hartman; House Manager: Ike Young.

NORTH CAROLINA
Wausau—Duplin, 450 seats (10-1-38); Cost: $7,000; House Manager: H. C. Cook.

OHIO
Springfield—Liberty, 553 seats (10-14-38); Owner: William Settos; House Manager: William Settos; Previously closed 8-9-38.

OKLAHOMA
Paul's Valley—New Royal (9-8-38); Owner: L. A. Brewer; House Manager: L. A. Brewer; Previously closed 8-15-38.

TEXAS
Gainesville—State, 550 seats (10-27-38); Owner: Wade Texas Theaters; House Manager: Martin L. Wade; Previously closed July 11th, 1938.

Theaters Under Construction

CALIFORNIA
Los Angeles—Royal, 635 seats; Athletic & Whittier; Builder: P. Cantor; Cost: $32,000; Operator: P. Cantor; to be completed 11-15-38.

Rosemont—Rosemont, 800 seats (11-25-38); Builder: Edw. Goral; Cost: $15,000; Operator: Jimmy Edwards.

Tulare—Elrey, about 500 seats; So. K. St.; Builder: Lewis Co.; Cost: $60,000; Operator: Walter H. Cro; to be completed 11-15-38.

INDIANA
Atico—New, 600 seats; West Mill St.; Architect: L. Johnson; Cost: $40,000; Operator: Carey and Alexander; to be completed around Thanksgiving.

MINNESOTA
St. James—New, 300 seats; Main St.; Builder: Hill Construction Co.; Architect: Perry E. Cousier; Cost: $25,000; Operator: R. A. Nelson; to be completed next Spring.

NEW YORK
Goshen—Goshen, 836 seats, South Church St.; To be completed Jan. 1, 1939.

SOUTH DAKOTA

Theaters Planned

CALIFORNIA
Chowchilla—Chowchilla, 500 seats approximately; next to present Chowchilla Theater; Operator: R. B. Smith.

CONNECTICUT
New Britain—Arch St., 712 seats; Arch St.

ILLINOIS
Carlin—New.

MICHIGAN
Lansing—New, 1,000 seats; Grand River Ave.; Operator: W. S. Butterfield.

Huntington—New, 700 seats; 86-88 Shelby St.; Operator: Braun Thomas Co.

MINNESOTA
St. Louis Park—Center, 1,000 seats; 4905 Minnetonka Blvd; Builder: Greenberg Construction Co.; Architect: Perry Krozer; Cost: $150,000; Operator: H. A. Nelson.

NEW YORK
Hudson—New, 850 seats; Warren (Continued on Next Page)
(Continued from Preceding Page)

### New York

- **Pine Plains—Pine Plains; Work Planned:** Change rest rooms, add new lounge, change box-office, re-decorate lobby; Owner: P. Strauss; going on without stopping shows, completed soon.
- **Missouri—Mission:** Mission—Work Planned: Complete new front and lobby; floor in lobby and foyer to be tiled, box-office to be located in center of entrance; Owner: R. N. Smith; To be completed about latter part of October.

### Washington

- **Walla Walla—Capital; Work Planned:** New seats, new signs and marquee, box-office completely redecorated; Owner: Frederick Mercy; To be completed about Thanksgiving Day.

### Change in Ownership

- **Alabama**
  - Tallassee — Roxy Mr. Vernon’s transferred to Mrs. Sam H. Thornhill by Sam H. Thornhill; House Manager: Clyde G. Sisson.

- **California**
  - Wilmington — Avalon, transferred to Fox West Coast Theaters by Mr. Shipero; House Manager: Mr. Rabwin.

- **Connecticut**
  - Windsor Locks — Rialto, transferred to Nathalie Tambossi and D. Alfonso by Peter Viol and Dominick Alfonso; House Manager: D. Maglora.
  - Windsor Locks — Rialto, transferred to Alfonso & Tambossi by Peter Viol.

- **Florida**
  - Miami—Seventh Ave., transferred to Wontico Theater by Waldoers & Walkerstein.

- **Kentucky**
  - Ashland — Grand, transferred to Section Theater Co. by Grand Theater Co.

- **Maryland**
  - Federalsburg — Federal, transferred to Schine Bros. Circuit by Talbot Amusement Co.

- **Michigan**
  - Hamtramck—Martha Washington, transferred to Mrs. Max Manteuffel by Max Manteuffel.

- **Mississippi**
  - Picayune—Royal, transferred to Dixie, Inc., by A. L. Royal; House Manager: A. L. Royal.

- **Missouri**
  - Pleasant Hill—Peoples, transferred to Dickerson’s Theaters, Inc., by Wayne T. Jenkins; House Manager: J. W. Wagner.

### Production Lures Goring

- Pittsburgh—John P. Goring, who recently resigned as manager of Shen’s Fulton Theater here, has left for Hollywood to close a deal for a production berth at one of the leading independent studios.

### The Film Daily

- **New Mexico**
  - Magdelena — Casino, transferred to F. M. Kaylor by C. D. Hay; House Manager: F. M. Kaylor.

- **Ohio**
  - Gloucester—Palace, transferred to Glorster Amusement Co. by Joe House; House Manager: J. Bremer.
  - Cleveland—Crawford, transferred to Glorster Amusement Co. by John Crawford; House Manager: John Crawford.

- **Texas**
  - Moody—Palace, transferred to O. T. McInley by Payne & Naler.

- **Wisconsin**
  - Mt. Vernon—Mission, transferred to L. K. Brinn by Dennis Murphy; House Manager: L. K. Brinn.

- **Waltham—**
  - Waupaca, transferred to J. P. Adler by A. M. Penney Estate; House Manager: J. P. Adler.
  - Waupaca—Palace, transferred to J. P. Adler by A. M. Penny Estate; House Manager: A. P. Cluxton.
  - Sheboygan—falls, transferred to Mr. Kohler by Mr. Lencione; House Manager: Mr. Kohler.

- **New Ontario, Indie Circuit**
  - Toronto—Lewis Rousson and F. H. Trudeau are organizing a new indie circuit in this province. Situations already lined up include Alliston, Weston, Prescott, Timmins and Kirkland Lake.

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**THEATER CHANGES**

**Theater Closings—Openings—New Houses—Renovations—Ownership Changes**

**South Carolina**

- Whitmire—Strand, transferred to Shannon Suber and F. H. Bedenfield by Albert Berelowitz; House Manager: Albert Bremer.

- Buffalo—Barnes, transferred to J. Q. Duncan by Albert Berelowitz; House Manager: J. Bremer.

- Moody—Palace, transferred to O. T. McInley by Payne & Naler.
- Lott—Lott, transferred to O. T. McInley by D. F. Luckie.

- New York—Rockford, transferred to O. T. McInley by D. F. Luckie.

- New Jersey—Texas, transferred to J. G. Long Theaters by John A. Stahl; House Manager: Albert Knopp.

- New Jersey—Texas, transferred to O. K. Circuit by Arthur Keys.

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- New Jersey—Texas, transferred to L. Ritchie by Charles Rahn; House Manager: T. L. Ritchie.

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ITALY BIDS MILLION FOR ALL U. S. FILMS

(Continued from Page 1)

is both financial and cultural. With respect to the former, Fascist circles feel that the ENIC will be a boon to Italy's production, distribution and exhibition. From the cultural standpoint, proponents of the monopolistic bureau cite that the latter will guard against undesirable themes and anti-Fascist propaganda.

It is the contention of U. S. interests that the Italian move is an addition to evil, since it may influence other Continental European countries to put similar barriers in the way of American product.

British Columbia Film Quota Law is Proposed

(Continued from Page 1)
in Victoria to supply an Empire quota market in Great Britain. Since then the quota has been removed.

"We have asked Strathallan to look into the subject further," Premier Pattullo said. "We are not sure just what the effect of such a law would be on the industry as a whole."

Quiz Booklet Requests
Poured on Drive GHQ

At least three-quarters of the mail received at Movie Quiz Headquar ters, 480 Lexington Ave., contains requests for Quiz Booklets, indicating a failure on the part of many theaters to meet the continuing demand, and signifying a general depletion of stock on hand, Harold B. Franklin, campaign administrator, stated yesterday.

California is running a close second to New York in the number of replies received at this early stage in the $250,000 Movie Quiz Contest. Pennsylvania, New Jersey, Massachusetts, Ohio, Texas, Connecticut and Missouri follow in close order. Canada is tenth on the list.

The poster exhibit of Motion Pictures Greatest Year, illustrating the development of the movie from the deep show to modern features, is now being shown in schools and libraries throughout Massachusetts. Harry Storin, chairman of the drive in Springfield, reported today.

Eugene Zukor Assoc. Prod
West Coast Branch of THE FILM DAILY

Hollywood — Eugene Zukor has been appointed associate producer at the Harold Hurley unit at Paramount. His first assignment is Federal Defense," based on the J. Edgar Hoover story.

STORKS!

Richmond, Va. — Joseph Becardi, paperboy at the Bellevue, is the addy of a new daughter, Arleen Dawn.

49 Before Cameras
West Coast Branch, THE FILM DAILY

Hollywood — Forty-nine pictures are before Hollywood cameras with R. M. heading the list with eight, followed by Paramount and with seven; 20th Century-Fox, Warner Bros. and RKO are making the list with six each. Universal is making, and Columbia and Republic, two each. Wanger, Small, Roach, Lesser, Sherman, Monogram, Darmour and Fenk are down for one each.

Dramatists Seek Revival
of Film Financing of Plays

In a move to revive motion picture financing of Broadway plays, a proposal was presented before the Dramatists' Guild, meeting yesterday afternoon at the Hotel Lincoln, based upon a report of Robert Sherwood, Guild proxy, which would avoid the necessity of a change in the present basic agreement. Sherwood's plan could, it was pointed out, be put into effect via a supplementary clause added to the agreement which would settle lengthy disputes between the Guild and producers. Embodied in the clause would be a scheme whereby an author could contract for disposition of film rights of his play before its production by the film company which backs the stage production, the backer to pay an advance against royalties for picture rights, and to pay as royalties a fixed percentage of the gross weekly box-office receipts of the picture as long as it shall run. This, of course, being in addition to the regular play royalties.

Evolved by John Wharton and subsequently developed by Jacob Wilk and Sidney Fleischer, the proposal is the result of conferences held to arrive at a panacea.

At yesterday's meeting the following were elected to the Dramatists' Guild council to serve until 1941: Marc Connelly, Arthur Schwartz, George Sklar, Moss Hart, Sidney Howard, Howard Lindsay, Kenyon Nicholson, Elmer Rice, Rita Weiman, and Lorenz Hart.

Warner Circuit Shifts
Chicago—Clifford Farmer of the Warner Circuit's Symphony Theater, has been promoted to the Stratford Theater, succeeding George Ryan, who has been named manager of the Jeneau Theater at Milwaukee. John Mattic goes to the Egyptian Theater as manager succeeding Joseph Reynolds, who is on an extended leave of absence at Saratoga Lake, N. Y. Edward Freidwald is transferred from chief of service, Jeffrey Theater, to the Lexington Theater management.

Feist Estate Sues M-G-M

Suit was filed yesterday in New York Supreme Court against M-G-M Corp. by the executors of Leo Feist estate, comprising Beissie Feist, Abraham Gilbert, the Fifth Ave. Bank of New York, and another plaintiff, Edgar F. Bitter. Complainants ask $36,500, claiming M-G-M Corp. breached a contract providing for sale of shares of stock.

The Amusement Industry Takes Pride in Announcing its Participation in the Fifth Annual "NIGHT OF STARS"

The Show of the Year

WED. EVE., NOVEMBER 16th
MADISON SQUARE GARDEN

Featuring in Person

The Foremost Celebrities of Stage, Screen, Radio and Opera

Headed by Eddie Cantor, Walter Huston, Raymond Massey, Irving Berlin, Al Jolson, George Jessel, Hugh Herbert, Lillian Gish, Glenda Farrell, Kitty Carlisle, Lou Holtz, Ben Bernie

Louis K. Sidney, Chairman, Producing Committee

Ben A. Boyar, Associate Chairman

For proceedings in Palestine of Jews of Germany, Czechoslovakia and Other Lands

Reserved Seats Now on Sale at
111 Fifth Avenue
Leblang-Gray's Ticket Agency and Box Office
спектров, либо ожидать, что предоставление контента на телевидении будет продолжаться, пока не будут разработаны новые методы обработки. Гриффис сказал, что телевидение может помочь компаниям больше зарабатывать на своих контентах.

Гриффис указал, что телевидение может стать новым источником дохода для компаний, которые смогут использовать его для продвижения своих товаров и услуг.

"Иначе, - продолжил Гриффис, - мы можем просто ожидать, что телевидение будет продолжаться, пока не будут разработаны новые методы обработки. Мы не можем продолжать эксплуатировать наши контенты на телевидении, пока не будет разработан новый метод."
U. S. Distrib. Argentine Net Placed at $6,000,000

WB’s 52 for 1939-40 to Stress More Big Pix

Franklin Drafts ’39 Drive Plan for Early Submission

Campaign Next Year Will Be Conducted Along Different Lines

Harold B. Franklin, business manager of Motion Pictures’ Greatest Year, is understood to be formulating plans for another industry drive in 1939 and that his proposals may be submitted to the campaign committee at an early date.

It is believed that the drive, if resumed next year, will be conducted along different lines with the committee benefiting by the errors made in its initial efforts. Meanwhile, a resolution passed at

(MPTOA PARLEYS MAY RESUME NEXT WEEK

MPTOA’s executive committee probably will not resume its trade practices parleys with the distributors until next week. Ed Kuykendall, MPTOA pres., is scheduled to confer with Sidney R. Kent this morning and the meeting Kuykendall will decide when to call in his organization’s negotiating group.

As Friday is a holiday and this week is half-over, it is not likely

(Continued on Page 4)

Louis Myers Dead; Funeral Services to be Held Today

Funeral services will be held at noon today in Park West Memorial Chapel, 115 W. 79th St., for Louis Myers, 52, veteran theater operator, who died at his home, 1005 Walton.

(Continued on Page 7)

Electoral Day Biz

Broadway houses yesterday reported excellent election day business. Although patronage tapered off somewhat during the evening, matinees were strong and topped the business of election days for the past three years.
Expect Howard and Futter to Define Major Backing

Details relative to the recently formed Major Pictures, Ltd., in England are expected to be revealed tomorrow when Howard Don,er and Walter Futter, organizers of the new enterprise, arrive on the Normandy.

A deal whereby RKO will distribute and probably share in financing the newly-formed Canadian Pictures is reported to be in negotiation.

First pic goes before the cameras in January. It is understood that the initial feature will be either "The Admirable Crichton" or "Mississippi Bubble," both of which will star Leslie Howard. Plans also are under way for a picture based on the life of General Gordon ("Chinese Gordon") to be made in Technicolor. Howard and Futter will employ Anthony Asquith as co-director. Asquith was associated with Howard in the production of "Pygmalion."

Futter returns to the U. S. after spending eight months in England, where he produced the Paul Robeson picture, "Jericho."

Poles Buy U. S. Projectors; German Firms Are Underbid

Washington Bureau of THE FILM DAILY

Washington—Department of Commerce announces here conclusion of a deal whereby U. S.-built gasoline-operated film projection units will soon supply a new type of education to 200 Polish communities.

Polish Government has closed transaction with U. S. manufacturers, who successfully undertook to supply 200 16-mm. silent film projectors, operated by gasoline-electric generators, at a total cost of $1,000,000.

They will be re-sold by the Polish Government on easy terms to small communities, labor and military training camps, for use in agriculture, livestock raising and similar subjects.

Technicolor "Suggestion" Folders to be Continued

Exhibitors in every section of the U. S. are receiving eagerly the recommendations being regularly made to them for the most effective presentation of Technicolor pix, it was said yesterday by George R. Giroux, field rep. Giroux starts a swing through eastern keys in about 10 days.

Most outskirts, he declared, have longed for the fact that the finer points of auditorium lighting is a vital adjunct to screen image clarity. However, the company will continue to push home, coming in touches for Technicolor clients with some 12,000 "suggestion folders" with each Technicolor feature so that this instruction to exhibitors may be allocated to exchanges and hence to theaters.

Oklahoma City—Paramount Pictures, Inc., has posted bond in U. S. District Court here and filed an appeal from Federal Judge Edgar S. Vaught's verdict against it in the Leader Press, Inc., case involving an effort by Paramount to collect damages for posters printed by the Leader firm and secure an injunction to prevent them from printing further posters. Notice of appeal to the Circuit Court of Appeals was also filed at the same time.

"Antoinne" to Continue at the Astor Indefinitely

"Pygmalion" has not been set definitely as the picture to come up for "Marie Antoinne" at the Astor Theater on Broadway. "Antoinne" is now in its 11th week, and tickets are being sold as far ahead as Nov. 20, with the end of the run not determined.

While "Pygmalion" has been reported as the feature to follow "Nora Shearer-Tyrone Power picture," no deal has been made as yet, according to Leon Kammern, manager of the Astor.

Receiver for Principal Not Requested in Action

Application for the appointment of a receiver in the action brought against Principal Film Exchanges, Inc., by Superior Talking Pictures, Inc., and Stage and Screen Productions, Ltd., applies solely to "the positive prints, contracts, accessoires, books of account, bookings, playdates, invoices and monies due and owing in connection of the defendant and belonging to the plaintiffs." No application for the appointment of a receiver for Principal itself was made; this corrects a story previously published.

Ward Lascelle to Resume With "Novel Productions"

West Coast Bureau of THE FILM DAILY

Hollywood—Ward Lascelle, veteran producer, is returning to active production and will make features under the brand name of "Novel Productions." One feature will be "Yesterday's Movie Kid Grown Up." It may be roadshowed.

Trade Practices Come Up Today at Tex. Allied Meet

Dallas—Verbal fireworks are expected at today's concluding session of Allied of Texas convention at the Baker Hotel when trade practices, etc., are slated to come for consideration. Election of officers is also scheduled.

Day's sessions yesterday were comparatively uneventful; reports of the business manager and secretary-treasurer were submitted, and the assembled heard the usual inspirational talks.

Will Take Depositions

Depositions of the plaintiffs in the industry's suit against B & K will be taken in Chicago tomorrow. Louis Phillips, of Paramount's legal department, left for Chicago last night in preparation for the continuance in connection with the case and to assist in the taking of testimony.

COMING AND GOING

GERALD F. RACKETT, vice-president Technicolor, leaves New York for the Co. on Saturday.

SCOTT R. DUNLAP, Monogram's product chief, left New York last evening for Hollywood, accompanied by Ralph Bentley, representative of Pathé Films, Ltd., at the Monogram studios.

JULIAN D. BERMANN, M-G-M's manager in Japan, Korea and Formosa, left New York yesterday for Tokyo via Vancouver.

GEORGE R. GIROUX, field representative for Technicolor, leaves New York in about three days for a swing through Eastern key cities.

WILLIAM SEITER, film director, accompanied by his wife, MARIAN NIXON, scene actress, arrived in New York yesterday on Century from Hollywood.

LOUIS PHILLIPS, of Paramount's legal depart- ment, left for Chicago last night.

ARCHIE HELLMAN, English producer, leaves for the Coast tomorrow or Friday.

ARTHUR GREENBLATT, Eastern division manager for Gaumont British, is in Pittsburgh.

KENNETH ROKWELL, resident manager RKO-Albene, Providence, is in New York for a brief stay.

HOWARD BURKHARDT, former manager of Low's, Providence, was in Providence this week for a few days' visit.

LEE CORDER, Cincinnati distrib., arrived in New York today for the "Cass" day's shows.

HELEN TWELVETREES, actress, arrived on the Coast yesterday to play in a new Paramount picture.

I. E. CHADWICK is in New York.

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Sixty Glorious Years" at Music Hall Nov. 17

"Sixty Glorious Years" has been set for Radio City Music Hall, opening Nov. 17 as the North American premiere. The Herbert Wilcox-RKO pix had its world premiere at the Odeon Theater, London, last month.
"film which enjoys the combined services of Charlie Ruggles, Helen Broderick, Mischa Auer, Joy Hodges is bound to be a lively affair."
—N.Y. TIMES

"Smarly handled... sets are handsome and the dialogue is bright."
—Rose Pelwick

"A rollicking merry farce, brings a peerless company of cut-ups to the Rivoli... gay fun... refreshing in its departure from the routine comedy."
—DAILY MIRROR

"... unusually bright... "
—TIME MAGAZINE

"Excellent comedy for sure entertainment."
—VARIETY

"'Service De Luxe' is a sure box-office hit."
—LOURELLA O. PARSONO (Morning Examiner)

"'De Luxe' is a Universal hit with class production that packs liberal entertainment."
—PICTURE REPORTS

"'De Luxe' is a 3 star film."
—LIBERTY

"'De Luxe' has abundance of laughter for entertainment."
—NATIONAL BOX OFFICE DIGEST

"'Service De Luxe' is De Luxe in every department including the box-office."
—MOTION PICTURE DAILY

"Merry, romantic comedy. Supplies plenty of entertainment and should click."
—FILM DAILY

Praise for

DE LUXE

CONSTANCE BENNETT in
"SERVICE DE LUXE"

with VINCENT PRICE

CHARLIE RUGGLES, HELEN BRODERICK, MISCHA AUER, JOY HODGES

Screenplay by GERTRUDE PURCELL and LEONARD SPIEGELGASS

Original story by Bruce Manning and Vera Caspary

Directed by Rowland V. Lee

A ROWLAND V. LEE production

A NEW UNIVERSAL PICTURE

with VINCENT PRICE

CHARLIE RUGGLES, HELEN BRODERICK, MISCHA AUER, JOY HODGES

Screenplay by GERTRUDE PURCELL and LEONARD SPIEGELGASS

Original story by Bruce Manning and Vera Caspary

Directed by Rowland V. Lee

A ROWLAND V. LEE production

A NEW UNIVERSAL PICTURE
FRANKLIN DRAFTS BIZ
DRIVE PLAN FOR 1939

(Continued from Page 1)
the recent MPTOA convention, asking
that the drive be extended or the
number of required pictures to be
seen reduced, cannot be con-
sidered this year, it was learned
yesterday. The issue was not dis-
cussed when George J. Schaefers,
chairman, Franklin and Louis Nizer,
attorney for the campaign, met yes-
terday to discuss the legal phases
of the windup of the Movie Quiz.
Franklin announced yesterday
that box office returns throughout
the country continued their upward
march, according to a survey by the
committee. Business is particularly
good, it was said, in
Chicago, Dallas, Pittsburgh, Denver,
New Orleans and Charlotte. Broad-
way programs also are covering
with most theaters announnign
holdovers. Leo Spitz, former RKO
president, stated just before leaving
for the Coast that he had "found the Movie
Quiz helping business" everywhere
he had been.

No. 306 Moves Into 16 mm.
Field Through World's Fair

(Continued from Page 1)
to have presented a demand that
one operator be assigned to every
unit used at the Fair. The Local
has set four projectors as a unit, it
was said. In one instance, there will
be a battery of 13 projectors in op-
eration in one exhibit, which thus
would be required to engage four
operators if the union's demands are
met.

A flat salary scale is expected to be
set for each unit per week, with
scarcely any appreciable range paid
to 35 mm. operators. The 35 mm.
machines used at the Fair will have
Local 306 operators.

RKO Sets Product Deals
New circuit deals for RKO prod-
uct were announced yesterday by
E. L. McAvoy, Eastern and Cana-
dian sales manager. Contracts for
the 1938-39 program include the
E. M. Loew circuit of 29 houses in New
England; Interstate's 40 houses in
New England; the Goldstein Bros.
Publix chain in Massachusetts and
Vermont; the Snider Circuit, com-
prising 13 theaters in Maine, Mas-
sachusetts and Rhode Island; Ben
Pitt's 16 in Virginia and the
Nogotopoulos Circuit of eight
houses in Western Pennsylvania.

School Newsreels

Syracuse, N. Y. — Newly organized
Cinema Club at Syracuse North
High School is producing school news-
er, using 16 mm. camera. Commentary
over the school's public address system
is synchronized when reels are shown.
School is said to be the first in the
State to go in for newsreels.

MORE BIG PICTURES
IN WB'S '39-40 LIST

(Continued from Page 1)
a definite decision has been reached
to add more big pictures than for
merely.
The preliminary conference re-
sults of which will be further ex-
tallized upon their submission to
both H. M. Warner, who returns
to the Coast this week from New
York, and Jack L. Warner, expec-
ted from Europe in about three
weeks, will embrace story properties,
but get details, and sales objectives.

Wallis declared that Sam F.
Morris, vice-president in charge
foreign distribution, will be
the guiding factor in the formulation of
WB's foreign problem solutions, an
achievement in the face of this phase
of the company's 1939-40 activities. In-
dustry sources, however, point to the
fact that WB, in common with a
major companies, is facing the ques-
tion as to what can be done to com-
pose for the inevitable curtail-
ment of film trade in Continents
Europe.

Release date for "Dawn Patrol"
was set for Christmas week at the
first hurdle of the Warner execs, who
see in the pic a "great indemnifying
of war." The Errol Flynn starer
will get a big ad-promotional cam-
paign, with 20 per cent of the ap-
propriation going for newspaper
space, it was stated.

The company, he said, has ac-
quired Rachel Field's best-seller "All
This and Heaven, Too": pro-
duction has been stopped on "Men-
phis Belle"; "Life Is a Parade" se-
quel to "Brother Rat" will be
made at the studio; and that a pic-
ture will be made from a story not
in preparation by Casey Robinson
WB editor, who accompanied
Wallis East.

Also arriving yesterday in
the Century were William Seiter
and Marion Nixon.

"Brother Rat" Held In Key

Warner's "Brother Rat" has been
held over for extra playing time
nine key city situations to date, the
home office said yesterday.

Prager Moves Offices

Sidney I. Prager, former U. S.
comissioner, has removed his in-
offices to 551 Fifth Ave.
**REVIEWS OF THE NEW FILMS**

**“Hard to Get”**
with Dick Powell, Olivia de Havilland, Charles Winninger

Warners 80 mins. (Hollywood Preview)

BY ROMANTIC COMEDY FULL OF LAUGHS AND CERTAIN TO PLEASE.

This is a merry comedy romance full of laughs and certain to please. Ray Enright directed the comedy skillfully and there are no dull moments. Sam Bischoff rates as associate producer. Although Dick Powell and Olivia de Havilland play the romantic leads and do splendid work, it is Charles Winninger, who has a field day and is a constant source of amusement. He enacts the role of a wealthy man, who is a practical joker and indulges in boxing, wrestling, and fighting matches with his valet, Dulcie Cooper, who gives a comical performance. Allen Jenkins, Bonita Granville, Penny Singleton, Grady Sutton, Granville Bates, John Ridgely are among the capable principals. Jerry Wall, Maurice Leo and Richard Macaulay wrote an amusing screenplay based on the original story by Wally Klein and Joseph Schrank, which was suggested by an original story by Stephen Morehouse Avery. “You Must Have Been a Beautiful Baby” and “There’s a Sunny Side to Every Situation,” by Harry Warren and Johnny Mercer, are sung effectively by Dick Powell. Charles Rosher’s photographs and B. P. Wynn’s scenario of the second of the wealthy Winninger, stops at a gas station operated by Powell, and when she has no money to pay for the gasoline, he makes her clean out the tourist cabins adjoining the station. She swears revenge and poses as a servant. Both Olivia and Winninger play jokes on Powell, but Olivia finds herself falling in love with him. Thurston Hall, a banker and friendly rival of Winninger, agrees to finance a group of auto camps across the country, and Winninger becomes a partner in the financing. Powell learns Olivia’s real identity from the baker, and


CREDITS: Executive Producer, Hal Bal Wolff; Associate producer, Sam Bischoff; Director, Ray Enright; Authors, Wally Klein and Joseph Schrank; Screenplay, Jerry Wald, Maurice Leo and Richard Macaulay; Suggested by a story by Stephen Morehouse Avery; Cameraman, Charles Rosher; Editor, Thomas Richards; Art Director, Anton Grot; Dialog directors, Hugh Cunningham and Harry Lewis; Music and lyrics, Harry Warren and Johnny Merc;; Orchestral arrangements, Ray Heindorf; Musical director, Leo F. Forbstein.

DIRECTION, SKILLFUL. PHOTOGRAPHY, Very Good.

Immerman at Garrick

Chicago — Elmer Immerman, brother of Walter Immerman, general manager of the Garrick, has been named manager of the Garrick Theater for the circuit.

**“Mars Attacks the World”**
with Larry Crabbe, Jean Rogers

Universal 70 mins. (Hollywood Preview, Serial)

TIMELY THRILLER BASED ON ADVENTURES OF THE PIONEERS WITH SOME LIVELY SONGS OF THE RANGE. There is a range war on, and Starrett rides into the trouble as a gun-fighter. He sides with the cattle men who are having their trouble with a gang who have blocked the pass and are forcing down the price of beef. The outlaw chief has imported a tough gang as ranch hands, but they are just a bunch of killers. The excitement comes with Starrett battling against his own dad who is a renegade at the head of the gang. Some good suspense is created by the fact that Starrett must sooner or later fight it out with his father, the leader of the Kid’s own men; the man who once was his boyhood hero. There is plenty of rough and tumble fighting, gun play and riding to suit the genre.


CREDITS: Director, Sam Nelson; Screenplay, Charles Starrett, William Lyon, Cameraman, Ben Kline.

DIRECTION, Fast. PHOTOGRAPHY, Good.

**“Crime Afloat”**
with William Bakewell, Arletta Duncan, Duncan Rinaldo

Trio Exchange 67 mins. (Hollywood Preview)

INEFFECTIVE PRODUCTION WILL FIT ONLY AS A PROGRAM FILLER. Combination of a poor story, so-so cast and below par technical aspects make this Fanchon Royer production serviceable at best. The film is based on the novel “The Lone Yacht.” Action is provided by a race between two ancient Chris-Crafts, supposed to be able to do 70 miles or better according to the story. Two poorly staged fights are used to bolster the race. The story concerns the young inventor, Bakewell, who lovers the motor boat tycoon’s daughter, Miao Duncan. The villain is Rinaldo, an impostor and forger who discredit Bakewell. At the end of the story, Bakewell uncovers the villain and gets the girl. The picture is too long, and editing might make it less boring as you wouldn’t have as much to sit through.

CAST: William Bakewell, Arletta Dun¬
can, Duncan Rinaldo, Vivien Oakland, Wil¬
red Lucas, Earle Douglas, Etta McDaniels.

CREDITS: Producer, Fanchon Royer; Di¬
rector, Elmer Clifton; Original Story, Dun¬
can Rinaldo; Screenplay, Edwin Anthony.

DIRECTION, Poor. PHOTOGRAPHY, Poor.

**“Colorado Trail”**
with Charles Starrett

Columbia 55 mins. (Hollywood Preview)

LIVELY WESTERN WITH STARRETT AIDED BY RANGE HARMONIZERS WITH GOOD SONGS.

Fast action with Charles Starrett aided by the harmonizers of the Pioneers with some lively songs of the range. There is a range war on, and Starrett rides into the trouble as a gun-fighter. He sides with the cattle men who are having their trouble with a gang who have blocked the pass and are forcing down the price of beef. The outlaw chief has imported a tough gang as ranch hands, but they are just a bunch of killers. The excitement comes with Starrett battling against his own dad who is a renegade at the head of the gang. Some good suspense is created by the fact that Starrett must sooner or later fight it out with his father, the leader of the Kid’s own men; the man who once was his boyhood hero. There is plenty of rough and tumble fighting, gun play and riding to suit the genre.


CREDITS: Director, Sam Nelson; Screenplay, Charles Starrett, William Lyon, Cameraman, Ben Kline.

DIRECTION, Fast. PHOTOGRAPHY, Good.

**SHORTS**

**“How To Watch Football”** (Robert Benchley)
for M-G-M 9 mins.

Wow Football

Football is viewed from two angles by Benchley. Seen in the grand stand with a girl, and seated at home comfortably listening to the radio. The conclusion is very definitely regis¬
tered that the latter is the only way to watch a football game. For the fan, Benchley gets drunk in back annoyer, he roots alongside keeps jumping up and down excitedly all over him, and the girl he escorts keeps asking dumb questions. The result is that Benchley goes to the game and plays the game at all. One of the funniest of the Benchley “How” series.

**“Foreign”**

**“Ballona”**
with Mia Slavenska, Yvette Chauvin, Arthur Mayer and Joseph Burstein

85 mins. (Hollywood Preview)

GREAT FRENCH FILM BY PRODUCER OF "SHERLOCK HOLMES" TELLS BEAUTIFUL AND POIGNANT STORY.

The producer-director of “La Maternite” has scored brilliantly again. He works cinematic wonders with a group of professional and student dancers of the French National Opera who have never appeared in dramatic roles. Jean Benoist-Levy has painted on the canvas a poignant and powerful drama of the great ballet dancers, their loves and their hopes and dreams. All within the narrow world of the ballet school and the stage. The story is told as only a Frenchman can tell it, with a delicacy and feeling that builds to a powerful punch. It is psychological and deeply human, qualities as much as it is physical and emotional. The action centers around a little girl of the ballet school, and the star of the ballet (Yvette Chauvin) about to be replaced by a new dancer (Mia Slavenska). The death of the Swan is a touching moment in the film. The child opens the trapdoor of the stage. The new ballerina falls through, and is crippled for life. Then begins the psychological and mental struggle of the child, as the realization slowly comes that the one she has injured is the true dancer who has given up her life to art, whereas the other dancer she worshiped gives up her career readily for marriage. The crippled ballerina devotes herself to the child, who later becomes a student of the class, especially the gifted prize pupil whom she does not know has ruined her career. “The Story of the Swan” is a story of the story. The film is richly remunerative; it is advertised in the manner of the other dramas, which are brilliantly handled by the director. Mia Slavenska, Yvette Chauvin, Janine Charrat, Mady Berry, France Ellys, Claire Gerard, Jacqueline Quefeaucel, Michele, Jeanne Baret, Andre Perret.

CREDITS: Jean Benoist-Levy; Director, Same; Author, Paul Morand; Screenplay, Jean Benoist-Levy, Marie Epstein; Ballet music from Chopin and God; Cameraman, L. M. Burel; Choreogra¬phy, Serge Lifar; Musical Accompaniment by the French National Opera Company. DIRECTION, Excellent. PHOTOGRAPHY.

Eckman, Student Booker

Cincinnati — Sidney Eckman, son of Charles Eckman, British representative for M-G-M, is new student booker at the local exchange.
“Gun Packer” with Jack Randall, Louise Stanley. Charles King. Monogram. 51 mins. WELL-PACED ACTION PIX HAS ABILITY OF AND FAST-MOVING STORY. Jack Randall, Monogram’s entry in the cowboy derby, performs creditably in this western and the picture itself is good fare for the six-gun fans. There is plenty of action, a well-paced story and an attractive young lady, Louise Stanley, as the feminine interest. Wallace Fox gets credit for the direction and Robert Emmett for the screenplay. Robert Tansey, supervisor, has provided the pix with some attractive locations. Randall, a U. S. marshal, is on the trail of a band of outlaws and discovers that the stage driver is in cahoots with the bandits. He works his way into the gang and discovers the whole setup. However, Charles King, the bandit leader, discovers who he is and there is a fast gunfight before Randall is able to round up the gang.


CREDITS: Supervisor, Robert Tansey; Director, Wallace Fox; Original Story and Screenplay, Robert Emmett; Cameraman, Bert Longenecker.

DIRECTION, Fast. PHOTOGRAPHY, Good.

“Busuljon a Lo” (Don’t Worry) with Magda Kun, Istvan Gyergyai. Danubia Pictures. 78 mins. AMUSING STORY AND CAPABLE CAST MAKES THIS FILM ENGAGING SCREEN FARE. The Magyar audiences will be entertained and amused by the latest importation from the Budapest studios. The film has an amusing story, a capable cast and good direction, as well as several good songs. Favorites of the Hungarian stage, Magda Kun and Istvan Gyergyai are rapidly becoming screen luminaries as well. They are supported by a competent cast that includes the clever Klari Adam, as Istvan’s counterpart of our child stars. Jenő Csopasgy directed the film. Gyergyai, a bachelor, decides to avail himself of his employer’s rule that married men get preference, and says he is married. However, his tale of marital life and financial hardship brings his boss to visit him. His scramble to provide a wife and family promises an opening for a number of amusing sequences.

CAST: Istvan Gyergyai, Magda Kun, Klari Adam, Tivadar Bilicsi, Piri Vassary. CREDITS: Produced by Budapest Films; Directed by Jenő Csopasgy; Produced by Istvan Mihaly. Presented at the Modern Playhouse with Hungarian dialogue and no English titles. DIRECTION, Good. PHOTOGRAPHY, Good.

“Trans America” (Pathe Realism) RKO Radio 10 mins. Aviation Views. The story of commercial air service across the border states from coast to coast is interestingly presented, and saviors of a sponsored commercial short with the film opening on a close-up of a transcontinental passenger ship showing the company name on plane and administration building in sad background. From there on the film looks like legitimate entertainment. And then the flight of the plane from the hoppers up to the Pacific Coast is presented. The Continental Divide, Pike’s Peak, Beverly Hills, Hollywood, Golden Gate, the Actress and the Grand Teton Range, Yellowstone National Park, Glacier National Park, are all splendid shots from the air.

“Major Difficulties” (Leon Errol Comedy) RKO Radio 19 mins. Swell Laughs. Very hilarious offering with Leon Errol as a gent who cannot stay away from the美容 salon from the bedroom or the office when he is away from his wife. The film is well directed by Errol. Director, Lou Brock.

“Hectic Honeymoon” (Radio Flash) RKO Radio 17 mins. Old Routine. The routine of the mixup of married couples in a hotel manages to extract some laughs, although it is peppered with jokes and gags that have been used before. The setting is a beach hotel, and the mixups start with the hotel clerk sending the girl to the wrong room. Other complications arise with the house detective, whose bride turns out to be an old friend of the elderly man who already has his hands full trying to explain the whole story about the other young lady. It all makes for a lot of excitement and a certain amount of laughs, but nothing very original. Produced by Bert Gilroy. Directed by Jean Yarbrough.

“Deep End” (Sportscope) RKO Radio 10 mins. Classy Champs. Beautiful camera job, showing the top ranking swimming and diving champs in the feminine division practicing their specialties in Southern California pools. Ruth Jumps dives from a 33-foot tower at the Los Angeles Olympic pool. Marjorie Gestring, the three-meter national and Olympic diving champ, is amusing in her varied dives done with consummate grace and skill. Others are Helen Glenkovich, the Hopkins twins, and Iris Cummings, the latter two in fast swimming and breaststroke specialties. Supervised by Fred Nilsen. Jr. Produced by Frank Donovan.

“Talent Auction” (Nu-Atlas Musicals) RKO Radio 10 mins. Good Vaude. Good assembly of vaude acts done as an auction with the talent being “sold.” Irene Beasley, the network warbler, is pleasing. The Five Reillys, Paul Robinson, harmonica wizard; the Merry Maids, unique singing quartet; Bobby Bernard, dialect comic, complete a well-balanced show.

“Madeira, Isle of Romance” (FitzPatrick TravelTalk) M-G-M 8 mins. Quaint Charm. Delightful camera jaunt on the island of Madeira off Portugal, famous for its scenic beauty, lovely native women and marvellous flowers, as well as wine. The native life of the villagers and the quaint charm of the old houses make this a really delightful travel short, one of the best of the series.

“Men In Fright” (Our Gang) M-G-M 11 mins. Hospital Fun. Darin, the cutie of the Gang, is recuperating in a hospital, so the kids decide to visit her and cheer her up by bringing her a basket of food, figuring she will be too weak to eat it, and they will have the feast themselves. But Alalfa gums everything up by getting mixed up with a boy patient who is to have his tonsils removed, and they cart him off to the operating room. Somebody switches on the valve of the tank of laughing gas, and Alalfa takes some strange things before he comes to, after scarrring the wits out of the Gang.

“They Live Again” (A Miniature) M-G-M 10 mins. Drama from Life. The dramatic story of how In- suin, which has done so much in the cause of diabetes was discovered. The life story of two young doctors, Fred Banting and Charles Best, who through painstaking work, constructed their experiences for years in developing the precious secret- tion. Their hopes and disappoint- ments form a tense story, till the final triumph as they work with a doctor who had contrived the dread disease, and who rose to fame so that they may experiment on him and perfect the remedy.

“Hot On Ice” (Pete Smith Specialty) M-G-M 10 mins. Swell Sport. An exciting presentation of that rough game on the ice hockey. Pete Smith recounts the riot pre- vailing at a game in which the contestants do everything but murder one another. The fines points to the game, with some dazzling and tricky plays, are shown in slow motion. Many clever scoring plays are shown in detail and in close-up. A swell sports reel.

John Nesbitt’s “Passing Page” (No. 1) M-G-M 10 mins. Unusual Stories. Three unusual stories from life. The first, showing how many thousands of dollars are squandered in banks all over the nation, with the depositors dead or untraceable. The second episode, the life of an expensive automobile, that descends into the underworld as a gangster’s getaway car, and finally lands up as a college boy’s flivver and finally is rescued from the junk heap to be turned into a machine gun. The third, the marriage in- dustry, organized as a legitimate business, with clubs and members everywhere, and their own magazine, designed to bring “lonely hearts” together in matrimony.

“Grid Rules” (Pete Smith Specialty) M-G-M 10 mins. Novelty Football. The history of football from its earliest beginnings is traced by Pete Smith with a good deal of humor. Some early periods when the players wore suede shoes, down to the modern refinements of the game, showing how several of the major regulations and rules came to be adopted as official. A novel, amusing and informative reel that will interest the football fans.

Feldstein, Frinisen Booker Chicago—The Frisina Amusement circuit has named Will Feldstein, vice-president and film buyer, with headquarters at Springfield offices of the company.
MONO'S PATHE DEAL
IN CLOSING STAGE

(Continued from Page 1)

in concluding stages was furnished via the departure last evening from New York to the Coast by train of S. R. Dunlap, Monogram's production head, accompanied by Ralph Bettinson, representative of Pathé Films, Ltd., at the Monogram studio.

Heading of Dunlap westward was officially proclaimed as due to pressure of production there, but it was simultaneously learned that he has communicated his views to President W. Ray Johnston re the deal, and therefore his presence in New York is no longer essential.

Conferences will continue today between Johnston; William Gell, managing director of Pathé Films, Ltd.; and Levey, Monogram's British representative.

Louis Myers Dead; Funeral Services to be Held Today

(Continued from Page 1)

6th Ave., Bronx, early yesterday morning.

He was a vice-president of the Order Sons of Zion; acting treasurer of the Non-Sectarian Anti-Nazi League; and a treasurer of ITOA. Until recently he had operated the Five Boroughs Theater Circuit.

Surviving are his widow and two children, Miss Renee Myers and Dr. Bernard Myers, the latter an instructor at N. Y. U.

Interment will be in Montefiore Cemetery, Springfield, L. I.

Gov't to Ask No Further Delay in Equity Hearing

(Continued from Page 1)

of particulars requested by film industry defendants in the equity suit instituted against them by the Justice Department, will be held on schedule, it was stated yesterday by sources close to the case.

Up to a late hour yesterday afternoon probe of channels connected with the anti-trust action declared that no disposition for further delay has been evidenced by the Government.

Hold "Young In Heart"

"The Young In Heart," new David O. Selznick production being distributed by United Artists, has been set for a second week at the Music Hall.

Thomas House Ready

Cincinnati — Thomas Bros., Oak Hill, will open the new Fayette, at Fayetteville, W. Va., within 10 days. The house has been completely equipped by National Theater Supplies with 7 Simplex projectors, and Simplex 4 Star sound equipment.

Educator as Exhib.

Cincinnati—J. T. Story, superintendent of schools at Jamestown, Ky., will open the first pix theater there Thanksgiving Day. The house has been completely equipped by National Theater Supplies.

Japan's 1938 Production

to Hit 500 Features

(Continued from Page 1)

left New York yesterday en route back to Tokyo via Vancouver.

While U. S. pix have been under the handicap of rigid governmental regulations imposed early this year and continuing until recently, when an agreement was reached between Japanese officials and U. S. distributors, interests calling for a potential of some 250 American attractions gaining access to Japan, indications point, Bermann asserts, to Hollywood product holding the runner-up position by a wide margin over other foreign attractions in Japanese theaters. This is in spite of Nazi-Fascist cultural accord effected during the year.

Some extreme adjustments, he said, are now taking place in exhibition circles in the more populated Japanese communities. Prominent among these adjustments is the cessation of "mushroom theater" building and operation. Houses under this designation sprang up in large numbers at the commence ment of Sino-Japanese hostilities as a result of the government's pro-patriotic program.

During the initial waves of patriotic fervor, film fans patronized these houses heavily, but now business is slack at best, and frequently next to nothing, Bermann stated. Accordingly, most of the "mushroom" houses have gone on a single feature plus shorts policy, whereas previously they had been newsreel and propaganda outlets exclusively.

Carolina Theater Owners
To Hold Parley Dec. 4-5

Charlotte, N. C.—Convention of the Theater Owners of North and South Carolina will be held here Dec. 4-5.

Program committee for the December conclave is announced as follows:


Moss Drive Traps Theaters

Department of Licensees' campaign to enforce regulations concerning children in local pix houses has resulted, according to an announcement by Commissioner Paul Moss, in five Harlem theaters having licenses temporarily suspended, and owners of five others ordered to appear for hearings on alleged violations.
PLACE U. S. ARGENTINE NET AT $6,000,000

(Continued from Page 1)

the year, that means an average profit of $18,750 per pic.

Domestic product's gross "take" is $2,400,000, while the net is estimated at $4,200,000, which on the basis of 45 features for the year, figures out at $93,335 per pic. European and indie film distributors do a gross biz of $2,000,000, but the net shrinks to $1,400,000. With approximately 150 features in this classification, net profit per feature is said to average $9,332.

Average of five prints per feature is imported by U. S. majors to supply the Argentine market.

MPTOA Trade Parleys
May Resume Next Week

(Continued from Page 1)

that Kuykendall will call a session before next Monday.

Sessions also are expected to be held between the distributors and the unaffiliated units, although it is understood that the requests of the latter group closely parallel those of the MPTOA and adjustments grants to the industr y will embody the wishes of the national organization.

Kuykendall arrived in New York yesterday afternoon from his home in Columbus, Miss.

UA Exploitors Assigned

United Artists has sent 13 exploitation men into the field to promote individual publicity campaigns on each major city engagement of Hal Roach's "There Goes My Heart."

Exploiters and the cities to which they have been assigned are: Don Paul, New York; Bill Hill, Louisville; Ross Williams, Cincinnati; Charlie Lane, Knoxville; Milt Abramson, Louisville; Bob With, Detroit; Jack Weymouth, Richmond; Bob Naff, Chicago; Mike Hill, Dallas; Bob Wood, Loew's State, New Orleans; Louis Rann, Roew's, Rochester; Ed Gulliver, Coliseum, Atlanta; Horace Hall, Jacksonville; Bob Young, Memphis; Sid Raskin, St. Louis; and Ted Stein, San Francisco.

NEW YORK—The 26th annual Oscar ceremony will be presented by the Academy of Motion Picture Arts and Sciences on March 24th. The films of 1944-1945 will be considered for awards.

SHORT SHOTS FROM EASTERN STUDIOS

By SID WEISS

NEVER saw Bill Howard so enthused over a production as he was over "Pajama Game." He is convinced that it will be one of the finest things he's ever done—and when you round it up with a cast of a number of fine things. When you round up a cast such as Wallace Ford, Stu Erwin; Aline MacMahon and Pat Ellis; just to name a few leading characters—Hall Mohr in charge of the camera—another Award winner Gordon Wiles in charge of sets—Throw in a bang-up story and put it all in the hands of a Bill Howard — then, in the language of Judge Hardy quoting his famous offspring, Andy, "You've got something there!" Incidentally, the production is still running eight days under schedule. By way of prediction: At least one of the two songs in the pic will wind up into a hit. Just ask Siegel's "Things in My Heart" as sung by Pat Ellis. Bert Freeman does the former—and you'll love it.

Production notes. . . Roy Mack has completed a Woody Herman band short with Hal & Honey Abbot and Lee Wiley. . . Lloyd French started another of the highp flighty popular Grouch Club series yesterday, tagged "In- come Tax." . . Joe Henabery has completed another of the Floyd Gibbons' adventure yarns tomorrow. . . A Roller Skating short goes into production on the 15th and on the 25 Lloyd French will do one with Leith Stevens and his Saturday Night Swing Club with Nan Wynn.

Our Own "Who's Who" Dept. . . Edward M. Newman, producer of travel films and the current popular "Color Parade" series which Ir Genet is directing. . . Has been lecturing 45 years with slide pictures. . . Has been an exclusive film traveling two years—but prior to that period traveled six months in the field in the Alaskan interior and other six months. . . Has been in every country in the world—cycled the globe eight times and crossed the Atlantic 102 times. . . (What's more, he's been to all the countries twice.) . . . Was in Africa with Teddy Roosevelt. . . Has been decorated by the Italian Government (once by Mussolini and the other time by the King) as Ambassador of Good Will. . . Has photographed practically every country in the world—including the Kaiser. . . Was one of the first white men to ever step foot in Petra in the Arabian desert. . . He has written nine books on travel and has lectured before half a million people annually for 45 years. . . Holds an M.D. degree from the Western Reserve University in Cleveland. . . Joined Warner Brothers nine years ago as producer of travel films and has been with them ever since.

Ted Greene, former talent scout, has aligned himself with Sam Moreno, producer of variety shorts. Moreno recently completed "All Girl Football," is getting ready to do "All Girl Football," with Greene as his assistant.

On and off the sets. . . Rumored that Biograph will undergo a face-lifting job and that Republic will do some feature production here. . . MPTOA, will do another Technicolor feature short. . . Bill Steiner, who recently photographed a Leslie Roush short for Paramount, will do another Technicolor short and a color fashion sequence for Vyvyan Donner on the 14th. . . Iris Adrian is a triple threat these days what with a radio show, a play and a new movie in "The Fabulous Invalid," "... one-third of a nation." . . and "Frankie." . . On the sick list: David Mendosa, who has been in a slight case of gripe. . . Cy Wood and Milt Francis collabing on a roller skating short.

World Pictures Line Up
Calls for 13 Imports

The largest release schedule World Pictures Corporation has handled in several years now is being readied by the company, Archie Mayers, general sales manager, announced yesterday. Imports being distributed by the company number releases by several leading French producers, with "Grand Illusion" heading the list.


"Marco Polo" Contest Top Award Goes to Ed Levin

Winners in United Artists' exploitation contest on "Adventures of Marco Polo" were announced yesterday. The 323 entries were judged by Goldwyn, James Mulvey, Associated Press representative, Lynn Farnold, UA advertising and publicity director, and Monroe Greenthal, exploitation manager.

Eyeshelder & Katz, Chicago, was awarded first prize of $100 for a publicity drive that was seen over a two-month period. Other winners were John Heese, Roger Sherman, New Haven, Conn., $50; Russel Blum, Loew's, Coliseum, Hollywood, $50; Monroe K. Moore, Hollywood, Ft. Worth, $25; and William K. Saxon, Century, Baltimore, $25, 5th. DUMONT TELEPANE TRANSITTER SALES

(Continued from Page 1)

ber of orders are yet unfilled, he stated.

How soon Du Mont will launch mass production of receivers or when they will be available upon the regularity of telecasts in this and similar areas, and such a program supply depends largely on the promised status, as far as the Metropolitan sector is concerned, of NBC and CBS. Both of the latter are expected to be on a two-hourday transmitting schedule before the formal opening of the New York World's Fair.

The sets sent to retail outlets to date are priced at $395, are elaborate and incorporate a big tube. These receivers are not all-wave sets, Du Mont pointed out, but these will be manufactured at a later date. According to the "selling out" process now being applied to the market.

A television transmitting station is being erected now atop the company's plant, and will transmit synchronized images and sound.

Stanton Griffis, chairman of Paramount's executive committee, who is also president of Madison Square Garden Corp., revealed in Hollywood yesterday that he has been offered a "large figure" for exclusive television broadcasting rights in the Garden and aimed at telecasting sports events there. He turned the offer down, he said.

New Grand Rapids Film Theater to Open Today

Grand Rapids, Mich. — The new 4-Star Theater will open today, built by B & J Theaters, Inc., which also builds the Eastwood and the Royal and Wheatley Theaters, the 4-Star will be the first de luxe movie house in the West end of the city. Jack Hull will be house manager. The theater will come under the general management of Allen Johnson, vice-president of B & J Theaters, Inc. B & J Theaters is essentially a local institution, stock being held jointly by Johnson and the Butterfield Theaters, Inc. of Detroit.

Smithers Theater Opens

Cincinnati — The Black Diamond Theater Co. which operates 10 pic theaters in West Virginia, with offices at Montgomery, is opening a new 4-star at Sm., Va. today. The theater has been completely equipped by National Theater Supply Co., including booms, equipment, chairs, carpets and drapes.

Para, News Meet Delayed

Meeting scheduled for yesterday between Paramount News and the Newspaper Guild unit of the news- paper has been postponed until tomorrow or Friday.
No Agreement Yet, Says Allied; Distributors Pen Reforms

Pathe Film Stockholders to Act on Liquidation Dec. 6

ELECTION day has come and gone and it won't be long now before the re-named Congress and State legislatures reconvene to do their stuff.

In fact, the state of the legislation to be proposed both in Washington and the state capitals will have a definite flavor and, if past experience counts, this industry may expect to be among the targets.

In the national picture, there is, notably, the matter of the Federal admissions levy in many of the 42 states where legislatures are to reassemble in January in regular session, there is virtual certainty that tax measures more or less affecting the industry will be introduced.

For reasons that scarcely require reiteration here, the film business is a natural target for the taxatiors. Yet if it is sufficiently interested to go about it seriously, film biz should be able to resist the imposition of further levies. Certainly, in the analytical breakdown prepared by the National Consumers Tax Commission there is an ammunition for a telling campaign aimed at John Q. Public who pays the shot eventually.

Consider this: The price of a 55 cent film admish ticket is increased 16.4 per cent by 41 Federal and 20 State and local taxes, which are both direct and hidden. These taxes, in other words, extract nine cents from a 55 cent ticket.

Sixty of these taxes are paid, the NCTC points out, by the film manufacturer, the film producer, the distributor and the exhibitor, before the filmgoer adds his one direct contribution to the list—the admissions tax. Yet the indirect levies take their toll none the less for, in the guise of overhead, they play their part in the establishment of costs and prices.

Scan this breakdown of the taxes paid by the film producer:

Joint Deal with Pathe Will Not Be Consummated Until Next May

Pathe Film Corp., stockholders meeting on Dec. 6 will be asked to approve a plan, proposed by the directors of the company in the form of a resolution, which would liquidate the assets of the company as it was learned yesterday. Resolution, passed by the directors this week, was disclosed yesterday.

Principal asset of the company is a block of 8,000 shares of DuPont (Continued on Page 5)

MONO. DEFERS BRIT. PRODUCTION TO ’39-40

Monogram-Pathe Films proposed joint British production deal is off until the 1938-40 program; no pact will be definitely consummated until next May when William Gell, (Continued on Page 6)

Chambers Hearing Sought on Equity Motion

Federal Judge William O. Bondy this morning will be asked to hold the scheduled hearing on the de- (Continued on Page 6)

WALL ST. SEES PIX HEADING FOR MONEY

Wall Street channels yesterday predicted a profitable winter for the motion picture industry, basing its opinion on a probable run of good product and a corresponding rise in theater attendance.

The Wall Street Journal looks up-on Loew’s, Inc., and 20th Century-Fox (Continued on Page 6)

No Agreement Reached, Says Myers for Allied; Distributors Pen Reforms

$3,500,000 Halpert Action vs. Hearst et al., Ruled Out

As the distributors’ negotiating committee yesterday sought to prepare a written outline of adjustments discussed in its parleys with the Allied trade practice group, Abram F. Myers, Allied’s general counsel, issued a statement from Washington denying a previous report (Continued on Page 7)
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Thursday, November 10, 1938

**COMING AND GOING**

JACK L. WARNER is expected to return from Europe on Nov. 24.

CHARLES E. MCCARTHY, advertising and publicity director of 20th-Fox, told Sunday on the Norisca for a vacation cruise, returning to the home office early in December.

Everett R. Clin is expected to return from Europe. He has been the manager of distribution, is expected to arrive at home office Monday morning for the Coast.

HAL B. WALLIS, Warner production executive, who is staying at the Waldorf, returned to the Coast Saturday.

WILLIAM C. GEHRING, central division manager for 20th-Fox, left for the Midwest last night. He will meet James P. O'Connell there and accompany the Kent Drive leader through this region.

WILLIAM CAMP, managing director of Pathé Films, Ltd., and ARTHUR LEVEY, Monogram's first vice-president, sail for England Saturday on the Normandie.

A. C. KNOWLES, local Alexander Film exec, who is bound to New York yesterday from Pittsburgh.

H. M. RICHIE, of RKO, is in Pittsburgh.

WALTER GOULD, United Artists division manager for Latin America was flown today to the Eastern Pacific after a four-month tour of South America.

H. A. ROSS, of Ross Federal Research Corp., left yesterday on a five weeks trip which will take him to the Soviet Union.

DOROTHY LAMOUR, Paramount star, arrived in New York yesterday for a week's stay.

LESLEY HOWARD and LAURENCE OLIVIER are returning from Europe today on the Normandie.

LILLIE MESSINGER, RKO's radio story editor, is in New York to look over new plays and scripts of foreign origin. She returns to the Coast next week.

JOHN BRIGHT and ROBERT TASERK, scenarists, arrived from Hollywood yesterday at the Century hotel. They confer with William K. Howard on the script of "Frankenstein, " which is scheduled for release next year.

SAM JAFFE and his wife, VENITA VARDEN, leave Hollywood today for New York en route for a European holiday.

MYLES CONNOLLY, scenarist, is on route East on personal business.

LEO FISCHER of the American Guild of Variety Artists arrived in Hollywood from New York.

IRENE LEE leaves the Coast tomorrow for New York on vacation.

EDMUND GRAINGER has arrived back in Hollywood after two weeks in New York.

KING VIDOR, director, is scheduled to arrive in Hollywood tomorrow from Egasland.

ANDRE KOSTELANETZ flew back from the Coast on the American Mercury.

IRENE RICH计划从科斯克航行到美国为电影公司捐款，由她的女儿，弗朗索瓦，拍摄纪念，设计她的生日，新墨西哥，并将她的新马戏团在好莱坞，经过他的新马戏团。

WINCE Price and wife leave the Coast for New York today.

**Industry Taxes . . . unwieldy structure**

(Continued from Page 1)


To be sure some taxes are obviously necessary. But this industry has an ex-

press case, not only against further tax legislation, but to substantiate the charge that its present tax structure, with its pyramid, duplication and overlapping of taxes, is unwieldy.

**Sam Jaffe and Monroe Lee Among Ampaa's RKO Guests**

Actor Sam Jaffe and author Monroe Lee will be among the Ampaa luncheon guests at the Astor Hotel tomorrow. The reason for the role in RKO Radio's "Gunga Din," Lee wrote "Ferdinand the Bull," which has become a Walt Disney attraction. The other character in the play is played by Monique Ngaule, star of "Sixty Glorious Years," Herbert Wilcox, its producer. Ann Miller, Eva Ortega, Jorge Lewis and Louis Zingone. The meeting will honor George H. Schaefer, president of RKO Radio, and chairman of the executive committee of Motion Pictures' greatest Year Campaign.

**UA Sets Product Deals With Fox West Circuits**

UA yesterday concluded deals with five of the leading circuits in western territories, covering 450 theaters, for the release of the entire 1938-39 line-up. The circuits involved in the deals include Fox West Coast, Fox Inter-Mountain, Fox Mid-West, the Evergreen Theaters and Fox-Wisconsin.

Negotiations for the contracts were consummated between Spyros Skouras, William Powers, J. J. Sullivan and Edward Zelob, representing the theater chains, and Jack Schlaifer, western division manager for United Artists.

**Royal, Port Jervis, Goes to Fabian Under Lease**

Fabian Theater Corp. has leased the Royal Theater, Port Jervis, N. Y., to Arnow, and J. Krumgold, theater real estate brokers. Acquisition gives the Fabian interests all the houses in this community, the same brokers having leased to them the Strand and Ritz there recently.

"Star-Maker" for Para

West Coast Bureau of THE FILM DAILY

Hollywood—"Star-Maker," based on the life of Gus Edwards with Bing Crosby as the star, will be produced by Charles R. Rogers and released by Paramount.

**War Clouds Still Hover Over Europe—de Rochemont**

Problems confronting The March of Time, Ltd., in Britain and Continental Europe, were discussed yesterday by Richard de Rochemont, managing director of that organization, who is currently in New York for policy confabs with his brother, Louis de Rochemont, reel's producer. Recent war scare and the aftermath of the Munich settlement, de Rochemont stated, had their effect on M.F.'s operations over here. For non-participation in personal and coverage assignment setup to be shifted from a peace time basis to a war time basis, and then back to a peace-time basis again. Stability is now returning rapidly with result that the reel is "beginning to see daylight" again in England, where it is normally strong.

Since the Munich pact, he said, German influence is becoming greater in the world. The world, and thus constitutes a decided problem. Middle and eastern European countries, taking recent events are moving into the Nazi aura. Immediate consequence of this is expected to be curtailment of films issuing from democracies, and the rise of pix devoted to propagandizing totalitarian creeds.

Despite the promise of peace which appears on the surface, the "possibility of war is not to be excluded," de Rochemont asserted, as there are still dangerous under currents in European affairs.

He expects to leave New York for England on the Normandie on Nov. 26, but indicated that he might remain here for a longer period should the necessity arise.

**Universal Files Report on British Financing**

Washington Bureau of THE FILM DAILY

Washington—A second charge has been filed by the California Cinescopic Corporation, General Cinema Finance Corporation, Ltd., and N. U. P. Finance, Ltd., it was reported to the SEC today by Universal.

Under the second charge, General Cinema Finance agreed to lend to Universal $10,000,000, forthwith, and $9,000,000 in installments beginning July 30, 1938, and ending November 5, 1938.

Universal agreed to pay General Cinema Finance on demand all moneys lent with 5% per cent, or for an unmindful loan, to be paid, however, until two years from the date of the first loan, except interest. According to the SEC report, Universal assigned all debts and sums of money payable to or becoming payable to Universal by General Film Distributors, Ltd., under an agreement dated April 2, 1938, tithed by an agreement of Sept. 7, 1938.

Sunday Pix Win In N. J.

Montclair, N. J.—Sunday movies were approved, 6,780 to 5,144, despite vigorous united opposition by religious groups.
WALL ST. SEES PIX HEADING FOR MONEY

(Continued from Page 1)

Fox as probably leaders among amusement companies from the standpoint of earnings. 19 to predict the September quarter for Loew's to equal the $1.70 a share reported for the 1937 period and it indicates that the final net for the fiscal year will run close to $8 a share.

Final earnings for 20th-Fox, the Wall Street Journal contends, should be from $3.75 to $4 a share, adding that the final quarter will be the highest.

Warner Bros. net for the November quarter, the Journal observes, will be below that registered for the corresponding 1937 period, but little importance was attached to this prediction inasmuch as the November quarter will represent the last three months of the current releasing season, and as such, can hardly be regarded as a criterion of the ultimate fiscal year's earnings.

Chi. Interests May Take St. Louis Shubert-Rialto

St. Louis, Mo. — Chicago motion picture interests have opened negotiations for a lease of the Shubert-Rialto Theater, a 2,000-seat located on Grand Blvd., just south of Olive St. If the deal now on the fire goes through the house will show both foreign and U. S. pix not now being exhibited in St. Louis.

If the Shubert-Rialto reopens it will provide the first competition in the Grand Peninsula sector in which interests have had for many months.

DETROIT V. C. TO STAGE TESTIMONIAL RETIREMENT

Detroit — Variety Club will stage a testimonial banquet in honor of Henderson M. Richey on Monday, Nov. 28, in place of the regular Monday luncheon. Richey left Detroit this week to take up his post in New York as director of exhibitor relations for RKO. His new chief, George J. Schaefer, and other RKO executives are expected to attend.

Showers Rites Held

Tiffin, O. — Stephen A. Showers, 78, former motion picture theater owner here, died Nov. 7. A pioneer in the motion picture theater business here, he retired 15 years ago. Funeral was held yesterday.

"Name" Voices

West Coast Bar, THE FILM DAILY Hollywood, Calif. — Coincident with announcement that hereafter "name" voices will be used as doubles in Disney cartoons, representatives of the studio's voice silent movies and television, Dickie Jones' voice will be used for the head of the forthcoming feature of that title, and that Walter Catlett and Cliff Edwards will do the voices respectively of the fox and the cricket.

PALACE LIQUIDATION TO STOCKHOLDERS DEC. 6

(Continued from Page 1)

Film Manufacturing Company, stock estimated to be worth more than $13,000,000. Pathe execs state that the purpose of the liquidation move is to increase the value of the company's stock directly to the Pathe stockholders.

Such a move is made possible under the provisions of Section 112b of the United States Revenue act of 1938. Directors of the company stressed the advantages of the law at present, stating that the opportunity for such a move may not come again.

The Sound Brook Laboratory owned by Pathe would also be disposed of. Negotiations with the DuPont stock for some shares of the stock have been reported, but no confirmation of this could be gained.

Balance sheet for Pathe at the end of 1937 listed the company's total assets as being $3,961,542, but value of the DuPont stock was listed at the price for which it was bought some years ago. The company's own stock was also listed under market prices. Stockholders of record Nov. 19 will vote at the special meeting.

COLUMBIA, UA TO HANDLE NEW MEXICAN FEATURES

Mexico City — Columbia has acquired for world distribution rights, outside of Mexico, on Producciones Grovas y Cia.'s "Tierra Brava," with Rafael Falcon. Esther Fernandez and Carlos ("El Chafan") Lopez, who Rene Cardona directed.

United Artists similarly has acquired Cinematografica Internacional, S. A.'s "Porvenir," which Felipe Mier produced with Jorge Negrete, Marina Tamayo, Sara Garcia and Carlos Lopez Neverzana heading the cast under Raphael J. Sevilla's direction.

OPPOSE ORE. TAX PLAN

Portland, Ore. — Film execs, and ex-eces, have gone on record against the Oregon 2 cent transactions tax, designed to increase pensions. They are in favor of an increase in amounts for the aged but are of the opinion that it must be done on a national basis only.

HOXIE PRODUCING IN ARK.

Hot Springs, Ark. — Jack Hoxie has leased a 320-acre place at Osark Lithium springs, near here, and will produce Westerns.

"J. J." ON JAN. 27

Twentieth Century-Fox is now planning on a Jan. 27 release for its Technicolor production of "J. J."

(Continued from Page 1)
M-G-M SWEEPING AMERICA!

"IT'S fun to be on a winner!"

THAT'S what thousands of M-G-M showmen are gleefully shouting!

A FEW late-comers are losing no more time. They're
climbing on the band-wagon because this M-G-M Parade of Hits is something never before witnessed in film history!

**M-G-M** set its ambitious and expensive production plans months ago.

**AND** now, week after week, your play-date is an “A”-date.

**WHEN** you examine that piece from Hollywood Reporter, remember that all those BIG pictures are coming to you WHILE AMERICA IS EXPERIENCING GROWING BOOM TIMES WITH A MONEY-SPENDING PUBLIC HUNGRY FOR ENTERTAINMENT!

*(As we leap to press: Just previewed another honey of a hit, “SPRING MADNESS”. It’s the “Flaming Youth” of 1938. Sure-fire box-office!)*

**KEEP** stepping with Leo, gents!

**HE** has earned your enthusiastic co-operation in getting the maximum results with his great entertainments: proper booking, high-powered showmanship, extra playing time.

**AND** “The Friendly Company” thanks you for your co-operation!

**M-G-M LANDSLIDE!**
Reveiws of New Films

"Prison Train"
Fred Keating, Linda Winters
Malcolm-Browne Prod. 64 mins. CLEVER AND SUSPENSIVE DRAMA IN UNUSUAL SETTING HITS NEW GANGSTER ANGLE.

This is one of the best pictures that the state rights field has seen in years. Pitly it can't travel on the big time on the distribution end, because it could stand up with a lot of the gangster films turned out by the majors. In fact, it has some fine directorial touches that few major productions can top. The director, Gordon Wiles, is quite evidently a student of the Alfred Hitchcock suspense technique, along with the British director's penchant for deft characterization in little touches that build incidental characters tremendously.

With a cast that boasts no outstanding director he has done wonders. He has taken a commonplace story, and by the way in which he has embellished it with human incident, natural touches and a steady sense of suspense, he has turned out a film that really grips you. The camera work of Marcel Picard brings back an artist with the lens who has been out of sight too long. Between the astuteness of this craftsman, who paints emotions and drama with his camera angles and his lighting effects, and the original script, we have a little feature that can play any type of house with credit, even though it was turned out on a tight budget. The picture doesn't show any pinching on the budget for the greater part of the action is on the prison train, and the action is deftly juggled between the car with the prisoners on their way to the Alcatraz, and the rest of the train containing characters vital to the action.

Briefly, the story is that of the head of the numbers racket who kills the son of a wealthy man in a brawl, and is charged with "Rock" for second degree murder. The father of the dead boy vows he will never neglect his plan to take the prisoner off the rails, which is sidetracked in a spot across the continent, furnishes the major portion of the action. The romantic interest is provided by the losing of the prisoner who is a passenger on the train, and the federal agent guarding the brother. A few more like this one, and the indie boys will be eating regularly again.

CAST: Fred Keating, Linda Winters, Clarence Mose, Faith Bacon, Alexander Lefrith, James Blakey, John Pearson, Val Stanton, Franklin Furness, Peter Foster, Sam Bernard, Nestor Paiva, Kit Guard, George Lloyd.

CREDS: Producer, B. F. Zeidman; Director, Gordon Wills; Author, Leonard Ercovici; Screenplay, Shapard Trabue; Editor, Edward Schrader; Cameraman, Marcel Picard.

DIRECTION, Very Good. PHOTOGRAPHY, Excellent.

F. D. Carrico Dead
Detroit — Frank D. Carrico, 65, father of Francis Carrico, is dead. His son, a former manager of the Boulevard Theater, later operated of the Glaubin Park (now the Booth).

Panamani's Bad Man"
with Smith Ballew
20th Century-Fox 58 mins. CLEVER WESTERN WITH GOOD HUMAN TOUCHES AND CHARACTERIZATION LIFT THIS ABOVE AVERAGE.

Another of the Siringin' Smith Ballew series, with Ballew as the lanky U. S. deputy sent into the territory where in the old days the outlaw gang was systematically robbing the Wells-Fargo express shipments of silver. Ballew impersonates a notorious outlaw who has been reported on the way from Texas, whom Ballew knows has been tried and jailed. Noah Berry Sr, plays the role of the brains of the gang, and does a grand job that lifts the usual part of the western bad man to a high plane. But the outlaw Black Jack (Stanley Fields), whose name the deputy has assumed, breaks jail. Ballew recaptures him before he hits town, and makes a deal with him to leave him as he came in, to keep using name on the premise to cut him in on big deal. A lot of good comedy is thus developed, for the outlaw does not realize he is working for him all the time. The film is crowded with fast action, excitement, and a pitched battle as the government forces close in when Ballew has set the trap to cut off the man with the silver express shipment.


DIRECTION: Producer, Sol Lesser; Director, Ray Taylor; Authors; Edmund Kehoe, Lindsen Parsons; Screenplay, Lucian Ward, Charles A. Powell, Cameraman, Allen Q. Thompson.

DIRECTION, Very Good. PHOTOGRAPHY, Okay.

Dallas Interstate Houses Build Stages for Amateurs

Dallas — Interstate Circuit has started construction of a stage at the Varietv Theater, suburban Oak Cliff to be used for weekly presentations by Alice Stubbfield studio puns.

Construction of a stage at the Varietv Theater, suburban University Park has also been ordered. Monthly presentations of dance studio students are taking place at the Melrose Theater, which is equipped with a stage.

Since the Arcadia in Greenville Avenue became an independent operation owned by Winfield Morton, the Virginia Self Studios have been supplying stage entertainment.

Conn. Allied to Meet

New Haven — Allied Theaters of Connecticut will hold its regular bi-weekly luncheon meeting at the Hofbrau Haus next Tuesday, with G. H. Meade in charge.

Local B-41 of exchange employes meets the same evening at the Ho- brau with Katherine Fitzgerald in the chair.

GOVT’ SUES MAJORS ON CONSENT DEGREE

(Continued from Page 1)

films to the public detriment, as well as that of independent exhibitors.

The defendants were also ordered to show cause why they should not be held in contempt of Federa court for continuing to maintain a monopoly in distribution and, likewise, to pay a daily fine of $100 for each day the Chicago area was not supplied weekly with a new release that deftly lasted the decree signed in 1923 before Judge Woodward by these companies.

$3,500,000 Halpern Action vs. Hearst et al, Ruled Out

(Continued from Page 1)

fringement of copyright against Hearst Publications, Inc., Pepsodent Company, Lord & Thomas, and Wal-Lee, and opposed a claim for $3,500,000. Alleged infringement matters consisted of a display advertisement used in newspapers which was called "Pepsodent's Moving Picture Machine," with two sets of color movies featuring Walt Disney and the Seven Dwarfs.

The so-called moving picture machine consisting of a cardboard box in which a small camera and crank for turning inserted rolls of colored pictures. Complainant charged that she obtained copies of a similar newspaper comic strip movie entitled "Tiny Tot Revue" in 1935.

Judge James ruled, however, that the idea was in the field of common knowledge.

Walt Disney stated, in an interview, that it is his intention to fight any and all suits of this nature, however small.

Olajos Named Treasurer of Erpi; Succeeds Foster

Charles Olajos, formerly assistant treasurer of Erpi, was named treasurer yesterday at a meeting of the Board of Directors. Mr. Olajos succeeds F. B. Foster, who resigns his position at the office at close of business Nov. 30 to accept the position of comptroller. Olajos assumes his new post Dec. 1.

"Hell's Angels" Again

New Orleans — "Hell's Angels" returned to the downtown area for the third time in the past year and threatens to do heavy biz again. The film's total playing time in New Orleans since its release probably places it among the ace runners.
NO AGREEM'T—ALLIED; DISTRIBS. PEN REFORMS

(Continued from Page 1)

that his organization and the distributors had reached an "oral agreement in principle" on trade reforms.

In a bulletin headed "No Agreement Reached," Myers pointed out that in a statement issued from Chicago by Col. H. A. Cole, Allied's chairman, it was stated that Allied had received from the distributors the maximum concessions the latter could yield and that "these were being reduced to writing after which they would be reported to Allied's board of directors for final action."

Myers, in his statement, explained that Allied could not enter into an agreement at this time because two principal planks in its platform had not been included in the concessions; namely, abolition of block booking and blind selling and separation of distribution and production from exhibition. The reason for this, the bulletin stated, is that the distributors' committee "announced that it was not authorized to go any further on one than to offer a small cancellation privilege and was not authorized to deal with the other." The board, Myers continued, will want to consider with the greatest care any proposed agreement which does not include the two points for which Allied has waged a campaign for many years.

"Future district Allied conferences must await the "reducing of previous discussions to the proper written form," an industry spokesman pointed out, "as it is now in the process of preparation and no plans for future meetings can be scheduled until this task is completed."

Myers declared that Col. Cole's statement was not published in full in the trade papers "but appeared under headlines announcing that an agreement had been reached."

"Not only does the board want the final say," the bulletin read, "but in the nature of the case there could be no agreement at this time since much will depend on the manner in which the commitments of the distributors in respect to features and the details of the arbitration machinery are set down on paper."

Allied's denial of an agreement brought together distributors' committees at the Hotel Astor where it was decided to continue the preparation in writing of the reforms to be discussed first Thursday and Friday. Attending were Sidney R. Kent, W. F. Rodgers, Abe Montague, Neil F. Agnew, Ned De penetration, Paul Lazin, George J. Schoener and Robert Perkins.

Myers to Report on Trade Reform Talks to Ohio ITO

Columbus—Abram F. Myers, Allied States board chairman and general counsel, will give a detailed report of what transpired at the present trade reform parleys at the sixth annual convention of the ITO of Ohio here next Tuesday and Wednesday.

First business session starts at 1 p.m. and final business meeting at the same hour the second day. Convention banquet is scheduled for Tuesday night at 7. Open forum on all industry matters is announced for Wednesday afternoon.

Ohio ITO convention will be preceded on Monday by a regional conference of national Allied with Martin G. Smith, regional vice-president, presiding. Exhibs. from Western Pennsylvania, Kentucky, West Virginia, Indiana and Michigan will attend.

Lasky-RKO Air Show Deal Finally Set by Wrigley

Chicago—The Jesse L. Lasky-RKO Radio program which has been under consideration by the Wrigley Co. for almost a month, has finally been consummated. No time or network has yet been set by the sponsor, but Wrigley some days ago placed an order for its "Lasky Line" series through the first of the year only, less than the usual 15 days, giving rise to the report that the Lasky-RKO program would take over the Sunday 6:30-7 p.m. spot on the CBS network, though Lasky wants a full-hour show.

The program, while not fully arranged, is said to contain a contest idea for film aspirants with RKO Radio, which will supply the talent doing the screen tests. Lasky will be master of ceremonies.

Georgia Exhibs. Fined on Sunday Show Charge

Avondale, Ga.—C. H. Rogers, M. R. Brewster and J. E. Heegar, operators of the Avondale Theater here, have been fined $100 apiece for stealing $2,200,000 in of 12 months each for operating their theater in violation of the state's Sunday blue laws. The sentences were suspended and Rogers on "future good behavior." The operators contended that the theater was operated on Sunday for the Scottie Rite Hospital, with the understanding that enough revenue was returned to the operators to pay the expenses. A jury, however, found them guilty.

40th E. M. LOEW HOUSE_opens

North Adams, Mass.—E. M. North Adams gave an enthusiastic welcome to the new Mohawk Theater, built by E. M. Loew of Boston as the 40th in his chain of theaters. Opening took place last night at 7. Online performance was commended by an appropriate program of dedication. Dan Barhydt, manager of E. M. Loew's Court Square Theater, acted as master of ceremonies and introduced the speakers, Mayor O'Hara, former state senator William A. Castron, Mrs. Leonard H. Harrison, P.T. representative, and City Solicitor Harry A. Głosky.

Ben Cohen Loses Leg

Detroit—Ben Cohen, circuit owner, was operated on in University Hospital, Ann Arbor, gangrene causing amputation of one leg.

TRADE TALKS GET TEX. ALLIED'S APPROVAL

(Continued from Page 1)

the end that "agreements may be obtained on a distribution formula which shall be substantially in harmony with the demands in the government's suit." Beyond the distribution provisions, however, that the suit be prosecuted to a conclusion to the end that there may be a relict that the industry possibility for successful independent production of pictures and their free and unanswered distribution through independent trade channels.

Another resolution extended the thanks of Texas Allied to Senator Neely for his anti-block-book operation, and to the Senate for its "interest in correcting this trade abuse," and urged the Senate to bring its unusual action until full passage and approval shall have been obtained.

Next Week Set for Renewal of MPTOA-Distrib. Huddles

(Continued from Page 1)

MPTOA's president, a sald yesterday, Kuykendall and Sidney R. Kent conferred yesterday on details relative to the resumption of the meetings. It is understood that both sides are in accord on the majority of adjustments deliberated at previous sessions and efforts to smooth out all wrinkles will be undertaken next week.

Eastman Kodak Co. to Pay Employees $2,200,000 Bonus

(Continued from Page 1)

March 27 next week and who have worked all or part of 26 different jobs will be eligible for the wage dividend—the 27th voted by Eastman since plan was begun in 1912. A dividend voted yesterday will raise to $43,000,000 the total of wage dividends disbursed to date. In March this year the company voted a record $6,125,000 wage dividend.

Brown to Loew-Poli

Lou Brown, handling publicity in the Bronx for Loew's, has been transferred to the Loew-Poli circuit, with headquarters in New Haven, replacing Carl Wright, resigned. Brown takes up his new duties on Monday. Carl Fishman, publicity man in the West Bronx, will fill Brown's spot with headquarters at Loew's Paradise Theater.

Toscanini to Halft Pix

Fifth Avenue Playhouse announces that, starting Saturday, Toscanini will appear in half pictures so that the audience can listen to the Toscanini broadcast. After the broadcast each show will start with special items to be built up from coffee and cigarettes are served.

WEDDING BELLs

Engagement is announced of Seymour Voraberger, manager of the William Brandt Photo Studio, Brooklyn, to Miss Roslyn Leckowitz.
"The story has heart, gentle humor and brilliant direction. One of the best sentimental comedies in years."

Wilcox, Howard-Futter Arrive to Talk Distrib. Deals

UA, COLUMBIA TO DEMAND EQUITY SUIT DISMISSAL

Industrial Film Institute Places Gov't in Pix Biz

Commerce Dept. Preparing to Blanket the U. S. With Program

By CHESTER B. BAHN

Step up and meet the new No. 1 Major: Uncle Sam is going into the film biz—definitely.

The U. S. Department of Commerce, it was learned by THE FILM DAILY yesterday, is ready to establish the Industrial Film Institute with Washington headquarters, to blanket the country with a film program "in the interests of consumer education." Distribution service will be "continuous."

Permanent Committees on Consumer Education are contemplated (Continued on Page 6)

DOUBT MAXWELL WILL JOIN BRITISH MERGER

Reports from England that John Maxwell, chairman and managing director of Associated British Cinemas, was interested in allying his theater circuit with Odeon (Oscar Deutsch) and Gaumont British (Ostrons) in a three-way deal, are open to doubt (Continued on Page 6)

Cowdin Silent on Report of New "U" British Coin

J. Cheever Cowdin, Universal's board chairman, returned from Europe yesterday on the Normandie without divulging any information (Continued on Page 6)

Day-Date Record

Simultaneous day-date bookings for Warnor's "Angels With Dirty Faces," released Thanksgiving week, hit a company record yesterday when the admission of 22 cents the total to 200, home office reported. At the same time, the film was playing at reports from the key on box office by "Rooftop Hatch" for some spots, it equalled the draw of "Robbie Hood."

RKO Radio Foreign Biz Tops 1937—Reisman

Rock from a three-month European survey tour, Phil Reisman, RKO's foreign department head, stated yesterday on the Normandie that the company's European earnings this year would exceed those of 1937, despite critical conditions. He added that "Snow White" probably would gross between $1,500,000 and $2,000,000 in England white the Disney feature has just completed a 35-week first-run engagement.

BALABAN SUBPOENAED IN GOVT. CHI. SUIT

Chicago—Barney Balaban, Paramount's and B-K's proxy, changing trains here yesterday en route to New York from the Coast, was served with a subpoena in connection with the Justice Department's new attack on the majors via criminal contempt proceedings.

Balaban is accompanied Eastward by Y. Frank Freeman, Stanton Grif- (Continued on Page 3)

MPTOA SET TO TALK ON DISPUTED ISSUES

Trade practice issues to which the distributors will not agree at this time will be the subject of future negotiations, Ed Kuykendall, MPTOA president, said yesterday in announcing that parleys between the latter's executive committee and the distributors would be resumed next week.

Kuykendall stated that if his or (Continued on Page 8)

Before Trial Examination Ordered in Friedman Action

Decision handed down yesterday by Judge Edward A. Conger in Federal Court directed Sidney R. Kent, president of 20th-Fox Film Corp., William Sussman, Eastern division manager of 20th-Fox, Neil F. Ag- (Continued on Page 8)

20th-Fox British Pix Will Total 8, Cost 3 Millions

While 20th-Fox will make eight pips in England this season at a total cost of $8,000,000, all of them may not be distributed on this side. (Continued on Page 8)

Wilcox, Howard-Futter Seeking U. S. Outlet for Brit. Triple-Quota Pix

Plaza Theater Purchased by Reade for His Circuit

Sale of the Plaza Theater at 43 E. 58th St., to Walter Reade, subject to the existing lease which expires Sept. 1 next, was announced yesterday by Mrs. Gertrude Vanderbilt Whitney. Consideration for the (Continued on Page 8)

Wilcox to Motion for Bill of Particulars Under Advisement

By GEORGE H. MORRIS

COLUMBIA TO STAFF WRITER

Columbia and UA, through their respective counsel, Louis D. Frob- lich and Benjamin Pepper, declared their intentions of moving for a dismissal of the Government's anti-trust action against them, which forms a part of the general suit involving producer, distributor, and exhibitor wings of the industry, at the hearing yesterday afternoon in Federal Court before Judge William O. Bondy, on the matter of whether a (Continued on Page 5)

FAIRBANKS PLANNING THREE PIX FOR UA

A three-picture program to cost approximately $2,500,000 will be undertaken by Douglas Fairbanks in both the U. S. and England, it was said yesterday by Montague Marks, whose Albion Corp., of London is understood to be backing the enter- (Continued on Page 5)

"Mars" Scoring

Universal's "Mars Attacks the World" is "out-horror" the freak twin-till, "Bracula" and "Frankenstein II." At least, that's "U's" construction of reports yesterday that "Mars" was running ahead of the two in such points as Boston, Newark, New Brunswick, Trenton, Reading and Oakland. Wors poured in on W. A. Sefton, sales chief.
Peruvian Deal to Complete Monogram’s S. A. Distribution

Distribution arrangements for Monogram’s product have been completed for all of Latin and South America, with the exception of Peru, according to Norton V. Hennesy, former export manager. Deals recently concluded cover Ecuador, Brazil, Paraguay, Uruguay, Argentina, Chile, Bolivia, and Venezuela. Hennesy stated that the consolidation of a deal with Peru will complete Monogram’s distribution organization throughout all Spanish and Portuguese-speaking countries.

Also set for Monogram are the islands of the West Indies and the countries of central America.

“Son of Frankenstein’s” Budget Doubled by “U”

West Coast Bureau of THE FILM DAILY

Hollywood—Universal is doubling the budget on “The Son of Frankenstein” with Basil Rathbone, Boris Karloff, Bela Lugosi, Lionel Atwill, and Josephine Hutchinson, under the direction of Rowland V. Lee. This means that more than $500,000 will be spent on this picture.

Rep’s 1937-38 Features Get Colombian Distrib.

Colombian distribution deal has been closed by Republic with Eduardo Laverde’s Compania Distribuidora Films of Bogota. Scope takes in the company’s 1937-38 features and westerns and the current season’s serials.

AT of N. J. Signs for RKO Pix

Assorted Theaters of New Jersey, booking organization headed by Irving Dillingon, has signed an RKO product contract. New pact makes inroads into the college market, and is signed by the booking organization, M-G-M having been signed previously. Other deals are reported pending. Fourteen theaters comprise Assorted Theaters.

GN Board Meet Monday

Grand National’s board of directors yesterday did not meet as reported but is expected to hold its regular quarterly meeting on Monday. E. W. Hammons, president, is slated to submit his report on the proposed English distribution deal which he is said to have negotiated during his recent trip abroad.

20th-Fox-Sam Fox Pact

Long-term contract has been signed by 20th-Fox with the Sam Fox Publishing Co., to supervise the musical scores of Movietone News and other Eastern productions, it was announced yesterday. The company’s music rights contract for both East and West Coast studios runs to 1949.

Wants Theatrical Pix Made Available for School Use

Atlanta — Fanning Hearon, executive director of the Association of School Film Libraries, new Rockefeller film foundation project, will address the annual Southern Conference on Audio-Visual Education here today, proposing some answers to the problem of visual education.

Present handicap, in the opinion of Hearon, are due to the fact that the educational audience is unknown and unorganized, the product is unknown and inadequate and the market is unstable. Hearon points out that the number and names of schools and colleges equipped with projectors are unknown, that an impartial source of information on the actual value of film has been lacking, and that, because few consumers know what they want, producer uncertainty exists.

Hearon believes W. W. Walsoms herefore shown only in theaters must be made available for educational use and that others specifically aimed for schools and colleges be produced. As one means to bring down present film costs which he considers too high, Hearon favors the establishment of circulating film libraries.

Gillmore Would Average Entertainers’ Income Tax

Frank Gillmore, president of the four AAAA’s, who will organize a campaign to seek a revision of income tax laws so that the surtax on increases of entertainers would be based on a three-year average instead of one-year, it was learned yesterday. Gillmore cited the fact that averaging an actor’s income has been adopted in England. He expects to contact influential legislators in Washington as the opening step in the campaign.

Director W. S. Van Doren is reported to be favorably inclined toward such a measure, and he is likely to be asked to introduce an amendment.

Question of dues arrangements when an artist changes to a different jurisdiction are expected to be worked out in the near future, it was said.

Jack Kirsch Testimonial Dinner to be Held Dec. 2

Chicago—Jack Kirsch, prexy of the Illinois Allied, will be feted Dec. 2, testimonial dinner being set for the Hotel Commodore. The organization, headed by Kirsch, is expected to include press representatives of Illinois, New York, and Chicago.

Delegations of industry leaders from both Coasts are expected to attend. Henri Elin, Monogram Pictures, 824 S. Michigan Ave., is receiving reservations.

BARNEY BALABAN, Y. FRANK FREEMAN AND RUSSELL HOLSOM arrive from the Coast this morning.

J. CHEEVER COWBOY, Universal board chairman, MONTY BANKS, director and "HILTON KRAMER, RKO foreign head, M. C. MARKS, representative of Douglas Fairbanks, HERBERT WILCOX, English producer, ANS GILBERT, LAURENCE OLIVIER, REX CHURCHILL, NOEL COWARD and LESLIE HOWARD, arrived yesterday on the Normandie.

James B. CRANE, Republic sales chief, left last night for a tour of the company’s Southern offices.

W. P. PHILLIPS, head of United Artists transoceanic division, has returned from the Coast.

SPYROS SKOURAS, National Theatres head and his assistant, PETER LEVADIS, were in Denver yesterday. They return to the home office next week.

RALPH CLARK, Warner’s manager in Australia, arrived in L. A. yesterday on route to Sydney.

JACK SMITHEZ, central district manager for Warners, was in New York yesterday for conferences with home office executives.

MARCEL HELLMAN, English producer, leaves for the Coast tonight.

DONALD M. MERSEREAU, general manager of the Filmmakers Guild, arrives for the Coast tomorrow.

CASEY ROBINSON, Warner writer, leaves for Chicago tomorrow.

PAT O’BRIEN, Warner star, left for the Coast yesterday.

M. C. LEVIE, zing, is in New York for few days.

ALBERT LEVIN, producer, leaves the Coast in about three weeks for a European vacation. HUMPHREY BOGART, Warner star, will take a New York vacation as soon as he completes a trip in "Dark Victory.

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RED CROSS ROLL CALL

Nov. 11-24

Your memberships assure prompt Disaster Relief, help for disabled veterans, and Life Saving and First Aid training.

Motion Picture Group

NEW YORK CHAPTER

AMERICAN RED CROSS

315 Lexington Ave., New York

CHICAGO — J. CHEEVER COWBOY, Universal board chairman, MONTY BANKS, director and "HILTON KRAMER, RKO foreign head, M. C. MARKS, representative of Douglas Fairbanks, HERBERT WILCOX, English producer, ANS GILBERT, LAURENCE OLIVIER, REX CHURCHILL, NOEL COWARD and LESLIE HOWARD arrived yesterday on the Normandie.
Wilcox, Howard Here for Distrib. Setups

(Continued from Page 1)

the PAIRURE...created by George J. Schaefer...at the AMPA luncheon at the Astor grill...in which the head of the Industry Drive gave a graphic resume of the accomplishments of Motion Pictures' Greatest Year.....and recommended strongly that a permanent organization be formed to maintain the goodwill that had been created with the nation’s press and the better understanding between the home offices and the theater operators.....

• • • THE CRUX of his remarks concerning a permanent organization were.....the industry has been sold to the newspapers and the public.....there is a normal letdown in the Spring.....that means that there is a great deal for the ad and pub men to do to successfully bridge the production lag inevitable at that time.....and that we must begin NOW to maintain that goodwill created with the newspapers and the pubbe.....he suggested that the industry as a whole start right after the first of the year in a concerted effort to keep Motion Pictures sold.....he concluded his talk with this statement: "We must plan now for the job which must be done so it will not be hurried. Let us ever be mindful of our responsibility not only to our individual company but to the entire industry.".....

• • • IN RETROSPECT Mr. Schaefer surveyed the accomplishments of the Drive.....he noted that in the very beginning the Committee had sent men into the field to contact newspaper editors and publishers throughout the nation.....these representatives had specific instructions to avoid selling industry publicity.....to steer clear of the ballyhoo.....and to concentrate on a frank expression of opinion from the newspaper people.....these ambassadors of goodwill sent out to the nation's editors asked frankly for criticism of the Plan in its entirety.....and for suggestions and advice.....this NEW APPROACH to the newspapers placed the industry in a different light in the eyes of journalists.....and one result was more than 600 complimentary editorials appearing in the press everywhere.....

• • • TRIBUTE was paid by the speaker to the untiring efforts and sacrifice of the key executives who gave unselfishly of their time and energy to make the Drive a success.....more particularly he dwelt on the work of the Advertising Committee composed of Howard Dietz, Charles McCarthy and Robert Gillham.....now they had sold the company heads on the One Million Dollar Plan which was eventually adopted.....the splendid work done on short notice by Barrett McCormick in getting out the advertising campaign book.....and Monroe Greenthal in handling the exploitation book.....all on their own time after office hours.....

• • • THE VAST effort in turning out thirty million Quiz Books on Faith.....there was not a dollar in the treasury to take care of this.....yet the printer's money was ready for him before they got his bill.....a grand job by Jimmie Clark.....also swell accomplishment of Agnes Mengel of Paramount in acting as purchasing agent for all the supplies for the Drive.....on the dates with the honor guest were W. G. Van Schmus, John J. O'Connor, Harold Franklin, Sam Jaffe, Luis Zingana (who did his Wizard card act), Ned DePinet, Ralph Bulan, Barrett McCormick, Herbert Wilcox, Anna Neagle, Ann Miller, Eva Ortega (who did two vivacious songs in her sparkling style).....

Balaban Subpoenaed in Gov't Chi. Suit

(Continued from Page 1)

fix and Russell Holman; Griffith, however, will break the trip by a stopover at Ithaca for a Cornell board meeting.

Companies named in the criminal contempt proceedings must appear before Federal Judge Charles Woodward on Nov. 28 to show cause. The Government charges violation of the 1932 anti-trust consent decree.

Neither Balaban nor any other representative of the companies under fire would comment on the new move. In industry circles, however, there was a tendency to link the crackdown with the pending anti-trust suit recently instituted by members of Illinois Allied and other industry unions.

Shortly after the latter was filed, Justice Department operatives made their appearance here. It was also recalled that counsel for Illinois Allied confered with Thurman W. Arnold, Assistant U. S. Attorney General in Washington, some time ago.

Defer Taking Depositions in Indies Chi. Trust Suit

Chicago—Taking of depositions in the Indies’ anti-trust suit brought against B & K and the majors was postponed yesterday until next Wednesday when the defendants are ordered to produce film and clearance contracts before Master in Chancery Jacob Grossman.

Louis Phillips of Para’s counsel and Fred Pride, representing 20th-Fox, are here from New York to assist local defense counsel.

Republic Sets FWC Deal

Republic has closed a product deal with Fox West Coast theaters for the company’s 1938-39 lineup, it was announced yesterday by James B. Grainger who left last night for a tour of Republic’s southern offices.
“The Cowboy and the Lady” with Gary Cooper and Merle Oberon
UA-Goldwyn 91 Mins.

(HOLLYWOOD PREVIEW)
SWELL COMEDY DRAMA SHOULD DO A HEALTHY BUSINESS AT THE BOX-OFFICE.
This comedy drama of Palm Beach and the wide-open spaces of Montana should do a healthy business at the box-office. It furnishes an ideal role for Gary Cooper and he has never done better work. Merle Oberon is splendid as the lovely daughter of Henry Kolker who has an obsession to run for the Presidency of the United States, and who would sacrifice the happiness of his daughter to gain office. Henry Kolker’s best son has done a capable directing, while Samuel Goldwyn rates much credit as the producer. Patsy Kelly, Mabel Todd, Walter Brennan, Berton Churchill and Fuzzy Knight score with their comedy assignments, while Henry Davenport is also an important factor, registering with his痨癰igance, and a jiggering dance. Emma Dunn does well as Gary’s ranch housekeeper. The S. N. Behrman-Sonja Levisen screenplay, based on the original story by Leo McCarey and Frank R. Adams is splendid writing. Gregg Toland contributed high-class photography. Gary, a Montana cowboy, interested in acquiring a whole-some girl as a wife, is appearing in a rodeo at Palm Beach, when he meets Merle, who goes on a blind date with her two maids, Patsy Kelly and Mabel Todd. Merle poses as a lady’s maid, and Gary falls deeply in love with her. She takes his proposal of marriage rather lightly, but when he tosses her into a swimming pool, because he is angry, she realizes she loves him. She follows him on a boat as they and Merle and his mother arrive aboard ship. After their marriage, she receives word to return to Palm Beach to help her father, Korea, to get the political aid of Berton Churchill, a very important figure. Gary makes an unexpected appearance at the Palm Beach home, and upsets all of Korea’s friends who try to knock him. He makes a hurried train departure for Montana, but finds Merle and her father waiting for him—they have come by airplane—and all ends happily.


CREDITS: Director, Harry C. Potter; Authors, Leo McCarey and Fred R. Adams; Screenplay, S. N. Behrman and Sonja Levisen; Camera-man, Berton Churchill; Music, gaps; Musical Director, Alfred Newman; Editor, Sherman Todd; Special Effects Photographer, Joe Bond, Makeup Photographer, Ralston. DIRECTION. Able. PHOTOGRAPHY, High-class.

Mt. Lebanon Votes Sun. Pix
Pittsburgh—Mt. Lebanon, a suburb of Pittsburgh, voted in favor of showing Sunday movies by a large majority.

“Up the River” with Preston Foster, Tony Martin, Phyllis Brooks.
20th-Century-Fox 75 mins.

(HOLLYWOOD PREVIEW)
VERY AMUSING COMEDY LAMPONING PRISON SYSTEM SHOULD PROVE GOOD B.O.
This is a very amusing comedy, cleverly directed by Alfred Werker. It lampoons the prison system, but is always good for laughs. Sol M. Wurtzel rates credit as executive producer. Preston Foster, Arthur Treacher and Slim Summerville have a field day, while Bill Robinson does an effective tap number. Tony Martin, Alan Dinehart, Phyllis Brooks, Eddie Collins, Charles D. Brown, Sidney Toler, Edward Gargan, Robert Allen and Dorothy Dearing are among the principals. Preston Foster and John Patrick wrote a clever screenplay, based on the plot by Maurine Watkins. Tony Martin, puts over the song, “It’s the Strange Ding,” written by Sidney Clare and Harry Akst. Pepperrell Marley contributed excellent photography. Foster and Teigher, Pilgrim and Menno are cleverly taken to Rockwell, where Slim Summerville has been trying to develop a championship football team for twenty years. Slim Summerville welcomes them with open arms. Tony Martin, or one of the prisoners, intercepts Tony’s sweetheart, Phyllis Brooks, that Toler and Allen, who sell fake bonds, are trying to fleece Tony’s mother, JaneDarwell. Foster and the prisoners are taken off the Rockwell to thwart Toler and Allen. They succeed and are returned to Rockwell by Alan Dinehart, the Warden, who has a big bet on his team to win over the “boys” from Larsen prison.


CREDITS: Executive Producer, Sol M. Wurtzel; Director, Alfred Werker; Produced and Written on Original by Maurine Watkins; Screenplay, Lou Breslow and John Patrick; Cameraman, Pepperrell Marley; Art Directors, Bernard Herzbrue, Chester Gore; Editor, Nick De Maggio; Musical Director, Samuel Kaylin; Dances Staged by Nicholas Castle and Geneve Sawyer; Music Director, Ray Lyric, Sidney Clare and Harry Akst; Sound, Joseph E. Aiken and William H. Anderson.

DIRECTION. Excellent. PHOTOGRAPHY. Very Good.

Start Jarrett Western
West Coast Bureau of THE FILM DAILY
Hollywood—Grand National sends the first of a new series of six westerns into production today, title, “The Man from Powder River.” Art Jarrett, band leader, whose name will be changed to Art Jarrett, Republic’s “Lone Wolf,” Lee Powell, and John St. John, are also in the cast. Producer of the new series is Phil Krasne, and the company will be known as Cinema Arts, Inc. Sam Glasser has been set to direct the first of this series.

New Policy at Dale
The Dale Theater, Riverdale, inaugurates a new policy tomorrow when they will start showing double features, including foreign, it was announced yesterday. “Life And Loves Of Beethoven,” the initial film to be followed by “Storm In A Teacup.”

“Professor Mamlool” with S. Mekhizhni, O. Zhakov, P. Kirillo
Mamlool.
404 mins.

(FORIEGN)
DOCK DRAMATIC STORY IS POPULAR
Purview in a sense, this new Russian film with a fine cast tells a powerful story of the persecution of a Jewish sar, a war veteran, brilliant scientist, and respected citizen, but a victim of the anti-Semitic purge. S. Mekhizhni in the title role is excellent. O. Zhakov, his son portrays a young Communist ally, and the rest of the cast is more than helpful. Mekhizhni is disregarded, stripped of his possessions and discarded by the hospital he was ineligible to, but he is permitted back into service to perform an operation on a Nazi leader, and then machine-gunned as a reward. Pulling no punches, the picture builds up suspense and is packed with drama as it unfolds its bitter indictment.


CREDITS: Produced by Lentfilm; Directed by Adolph Minkin and Herbert Rappoport. Presented at the Cameo Theater with Russian dialogue and English titles.

DIRECTION. Good. PHOTOGRAPHY. Good.

“Tolkaji Rhapszodia”
(Tokajy Rhapsody) with Jeno Pataky, Agi Donath, Arpad Lehotay
Hungarian Pictures, Inc. 86 mins.

AMUSING COMEDY MAKES ENTER TAINING SCREENFACE FOR MAGYAR AUDIENCES.
Although this new Hungarian film does not make the most of its dramatic possibilities, it tells an amusing and entertaining tale in a breezy fashion. The possibilities are limited to Magyar audiences as the film has no English titles. Jeno Pataky and Agi Donath head the cast with an able group of players supporting them. John Vassary directed. Pataky wants to marry Agi, but his older brother opposes the marriage on the grounds that he is a commoner. However, Agi wins her way around the brother’s objections, with everybody happy over the outcome. There are some interesting sequences of the harvesting of grapes for the wine crop and there is also some good music.


CREDITS: Produced by Hunnia Opicient Pictures; Director, John Vassary. Presented at the Modern Playhouse with Hungarian dialogue and American titles.

DIRECTION, Good. PHOTOGRAPHIC, Good.
UA, COLUMBIA WILL ASK SUIT DISMISSAL

(Continued from Page 1) bill of particulars will be furnished to defendants.

Pepper, at the request of William J. Donovan, spokesman for the group of producer-exhibitor organizations, comprising Paramount, M-G-M, Loew's, United Artists, and 20th-Fox, also explained to Judge Bondy the position of Universal in the action similar to that of Columbia and UA since it is not engaged in exhibition, and is therefore not subject to a host of charges which the Justice Dept. has brought.

Opening Gun in Equity Suit
The hearing, moved from Room 306 to Bondy's chambers, was normally the opening gun in the equity suit, and as such found an immovable object,—the adamant Government,—tremendously defending itself against having to render a bill of particulars, and an irresistible force,—a "million dollar" array of legal talent representing the industry,—presenting equally stout pleas that the bill of particulars be forthcoming from the Government.

Paul Williams, special assistant to the Attorney General, together with Moses Lewis, Shelby Fitch and William L. McGovern, represented the Justice Dept. Williams said the Government was insistent on speed and argued that the anti-trust suit current is a civil action in which bills of particulars are less common than in criminal actions; that the Justice Dept. has made, in his opinion, sufficently specific charges to permit the defendants by and large to prepare defenses; that most of the material which the Department has in hand is from the files of the defendants themselves and, therefore, the latter should know what to expect.

New Rules of Procedure
Bondy, in turn, reminded Williams that the spirit of the new rules of civil procedure is that if the plaintiff has the facts, these should be given to the defendants, and, further, that under the new rules the industry will be able to ascertain in any event who the Government's witnesses are to be.

Williams asserted as a point that if the bill is given, it will hamper the Government in uncovering anything pursuant to the rendering of the bill. Additionally, he said, the case is likely to be a single conspiracy; that the proper thing for the defendants to do would be to ask for the bill directly rather than through

Seeks Capital Idea
Paul Williams, special assistant to the U.S. Attorney General, who fought the granting of a bill of particulars to the industry in Federal Court yesterday, declared the Justice Dept.'s wind-up that he is going to Washington to "take the matter up with my superiors," indicating that he will get a decision as to whether the Justice Dept. will stick to its inflexible attitude or modify its stand.

Fairbanks Planning Three Films for United Artists
(Continued from Page 1) surprise. Marks arrived on the Normandie and left immediately for the Coast where he will confer with Fairbanks.

Two of the proposed pictures will be made at the producers' Blondwood studios in England while the third will be produced in this country. Finances are being obtained from English and Continental Europe interests, although Marks indicated some money may be obtained from American sources.

Product will have triple quota rating, Marks said, and will be released by United Artists. First picture, as yet undetermined, will be ready for release in May for the 1939-40 program, while the remaining two will be released on the 1939-40 schedule. Fairbanks will not appear in the features, but will act only in a producing capacity.

Marks and Fairbanks are scheduled to return to England Nov. 20, counsel; that questionnaires had been sent to defendant companies which give them an idea of the charges, and that UA had refused to answer the questionnaire.

Criticises Government Stand
Donovan sharply criticised the Government stand, citing that (a) the charges are so general that an opportunity for adequate defense is limited; (b) the industry has some 10,000 booking transactions annually, and this has taken place over some 10 years, and therefore the Government might cite any one of the 100,000 transactions, giving no quarter for a defense; (c) that granting of relief in preparation for a trial is a legal cornerstone and should be accorded the industry in the present action both as a matter of principle and in consideration of the case's magnitude. He also riddled the original complaint as being vague, lacking in specificity, and offering frequent and puzzling ambiguities.

Bondy said that the Justice Dept. has filed briefs covering its arguments as to why the bill should not be given, and told the industry's counsel that they can have one week in which to file answering briefs. In the interim, he is taking the motion under advisement and study.

Bill of Particulars Expected
Observers declare, following termination of the hearing, that the bill of particulars will probably be ordered.

Among those representing industry interests in Federal Court yesterday, in addition to Williams Donovan, Louis D. Frohlich, and Benjamin Pepper, were Thomas D. Thacher, for Paramount; Ralph Harris, for 20th-Fox; Jerome C. Strumpf, representing K-A-O; Robert W. Perkins, for Warners; John W. Davis, for M-G-M; Saul K. Rogers, for Cortland Smith; and Otto C. Doering, Jr., assistant to William Donovan.

Fairbanks Planning Three Films for United Artists

There is Only One

"NIGHT OF STARS"

The Show of the Year

WEDNESDAY EVENING
NOVEMBER 16th

MADISON SQUARE GARDEN

Representing the Contribution of Every Branch of the Amusement Industry to a Great Humanitarian Cause

Featuring in Person
The Foremost Celebrities of Stage, Screen, Radio and Opera

Headed By

LOUIS K. SIDNEY, Chairman, Producing Committee
BEN A. BOYAR, Associate Chairman

Proceeds for Settlement in Palestine of Jews of Germany, Czechoslovakia and Other Lands

Reserved Seats Now on Sale at 111 Fifth Avenue
Leblang-Gray's Ticket Agency and Box Office
in every city under the plan devised by Frank R. Wilson, assistant to the Secretary of Commerce. These will be established at the assistance of the U. S. Chamber of Commerce and its affiliated Chambers. As outlined by Wilson, here is the way Uncle Sam, chair showman, will proceed:

Double Featured Suggesting
"We are negotiating on a plan to make projectors available for the local committees to show the pictures to consumer groups in these cities. In many cases they may use school auditoriums or other available places. If there is a municipal auditorium in a city, the local committee may show the pictures in a series. Arrangements may be made with a local theater to double-feature our pictures with entertainment pictures."

"In smaller cities where the theater does not open until evening it is possible to make use of a theater in the daytime. In smaller towns where the theater has one or two idle nights during the week the house can be used for a free showing to the public."

Dr. Wurts on Uncle Sam
"From Washington and decentralized depots the films will always be available for showing on request free to schools, clubs, churches, etc., everywhere. As prints are owned by the Government, they can be shipped under the government frank. Likewise, circularization of descriptive literature, bulletins, and posters to stimulate bookings will be sent out. The National Grange, with 8,000 local units, each having educational committees, is ready to circulate the literature and our program is assured. The Department will co-operate with the Grange and other organizations to arrange projection facilities.

Even Layouts for Papers
"Booklets or literature on a particular industry can be shipped direct to the local Consumer Education Committee for distribution to the showings. Likewise, posters, handbills or pictures to come, can be supplied to these local committees, together with local newspaper layouts in which local distributors may advertise alongside the story of a particular industry. Industries must make these shipments direct to the local committee as such exploitation material could not be legally sent by us under the government frank."

"Our plan is to set up a non-profit organization of cooperating industries which will form the Department for the purpose of handling all funds in connection with the procurement of prints, distribution, reproductions, servicing, etc., of these films. It may simplify procedure if advances for production costs are made through this agency."

* * *

U. S. GOV'T GOING INTO FILM BUSINESS

(Continued from Page 1)

"Super Athletes" (Spotlight)
Paramount 10 mins.

Pip Athletes
Very fine sports short, which shows unusual fine preparation. It is a contrasting of the athletic prowess of the college athletes of yesterday with those of today, showing graphically the tremendous improvement in style and performance. The modern super athletes perform feats of strength that seem marvelous in comparison with the work of the old record-holders. The holders of sport present the title holders of their day. The film is a joy to anyone interested in athletics. The contrast of the older is always given with just the right comedy touch that does not make it a burlesque. Very fine slow motion shots of each performance show the technical skill involved, with stop-motion shots also that allow a study of the athlete's style.

"Going Places"
(Graham McNamee—No. 54) Universal 9 mins.

Gay Southland
Opens with a trip to the Old South typified by Natchez, with its darkies and its bales of cotton on the wharfs. The celebration of the annual Natchez Garden Club Week is delightful, with a reenactment of the atmosphere of the Old South. Visits are paid to old landmarks, such as Jefferson College, Connelly's tavern, and the old plantation. The pickaninnies at play are not forgotten, and their daily activities are shown delightfully. The homes of the old-time bluebloods are not overlooked: the Briers, Ravenna, Magnolia Vale, and Homowood. The finale is back at Natchez for the dinner hour with all its lavishness, gayety and hospitality. Graham McNamee does the narration.

Orrin Tucker and His Orchestra
(Paramount Headliners) Paramount 10 mins.

Fine Oil Offering
This pop radio orchestra performs in the beautiful setting of the Edge-water Beach Hotel at Chicago. They are seen actually performing before an audience with the orchestra being featured as they dance to the entrancing music of such numbers as "Drifting and Dreaming," "You've Got What It Takes Tonight," "Lotta Kiss At Dawn," "Especially For You," and "I Need Lovin'." These are presented with the vocal aid of the Bailey Sisters, the Glee Club, and Ronnie Baker. One of the best of the orchestra shorts.

Cowdin Silent on Report of New "U" British Coin

(Continued from Page 1)

Leonard regarding reports that new "U" British coins, about Jan. 1, to make another pic

d in London. He described his trip as being 

strictly routine and professed no knowledge of the rumored GB-Odeon-General Film Distributors merger in which Universal would be indirectly involved.

Universal's foreign and domestic business, Cowdin said, was running ahead of last year, but he would not comment on the report that the company showed a profit for the last two months nor would he predict what the closing fiscal year's figures would show.

Cowdin said that Danielle Dar-rioux would return to the U. S. to make another picture for Universal, thereby scaring rumors that the French actress would remain permanently in France.

3 Members Charge SAG With Illegal Spending of Dues

West Coast Bureau of THE FILM DAILY

Hollywood—Petition charging that the Screen Analysts Guild has col-
dected more than $1,000,000 from its members since May, 1937, and that the bulk of this money has been illegally spent, will be filed today with the NLRB by three members of the Guild. It was fur-
ther charged that the Guild had invaded in excess of the number needed by the industry. Petition also asks that contracts between SAG and Studios be cancelled, as it deprives union members of the Guild of their rights. Petition names 34 studios and Central Casting.

Say Radio Corp. Has Spent $20,000,000 on Television

When RCA finishes installing television antenna on top of the Empire State Bldg; at a cost of $200,000,000 on television experimentation, it was stated last night. Several broadcasts will be made next April, when RCA expects to make its first move in commercial programming. There is the opinion that it may take at least 10 years before the company can operate television at a profit.

* * *

"Sailor Mouse" (Walter Lantz) Universal 7 mins.

Cute Cartoon
Adventures of a little mouse which runs away from home to go to sea. Aboard ship, a rat starts to educate him, telling the mouse he must steal some cheese from the captain's table. The mouse does so, but the captain's parrot detects the theft, and raises the alarm. The whole crew down on him. Eventually the little mouse escapes from the ship, and is destined to get back to his quiet home again.

Popular Science
(18-2) 11 mins.

Modern Trends
New and novel developments in a variety of industries. A New Northwestern University fights the menace of the drunken driver. The police force of Evanston, Illinois, is equipped with a scientific outfit for testing the driver's condition right on the spot as the motorcycle gent makes the offender pull up to the curb. The Kneedoodle store in Mem-
phis, a mechanical merchandising enterprise that is most unique. The U. S. Bureau of Entomology experimenting with the house fly in the interests of science. A scientific bedroom with all sorts of conveniences. Finally, the scientifically operated penitentiary at Parch-
man, Miss.

Facsimile Standards Up at RMA Meet Next Monday

Facsimile standards will be dis-
cussed at a special meeting of the Radio Manufacturers' Ass'n to be held Monday at 4 p.m. at the Sag-
amore Hotel, Rochester, N. Y., Repre-
sentatives of leading facsimile firms, including RCA, Finch, John V. L. Hogan (WQXR) and possibly General Electric, Stromberg Carlson and others in related indus-
ties are expected to attend.

Virgil M. Graham, of High Grade Sylvanica Co. (tubes) will be chairman.

Happy Birthday

Best wishes from THE FILM DAILY and all other companies on their birthdays:

NOVEMBER 11
Roland Young, Roland Young, Jr.
Pat O'Brien, Pat O'Brien
Tina Cole, Tina Cole Sr.
Dave Welsh, Dave Welsh
Edwin Knopf
Raquel Torres
Bruce G. Coleman

NOVEMBER 12
Walter Lantz, Walter Lantz
Gwen Lee, Gwen Lee

NOVEMBER 13
Edward Alpen, Edward Alpen
Gertrude Olmstead

Novelty Edition: The following have their birthdays on this day:

NOVEMBER 11
Tina Cole, Edward Alpen

NOVEMBER 12
Pat O'Brien, Raquel Torres
And Now—

THE 1939 EDITION—OUT IN JANUARY IN JANUARY
A "Little" from Hollywood "Lots"

By RALPH WILK
HOLLYWOOD

The News in Brief

NEWs o' the day: Warners will open "Hell's Kitchen," "Return of Dr. X" and the second of the new Secret Service series. Ed Small has cast Franklin Thomas in "King of the Turf." Astrid Allwyn returns to the screen in RKO's "Love Affair." Warners have cast Jack Warner in "Dark Tower" top roles to Boris Karloff and Claude Rains. Ann Evers goes into "Beauty for the Asking" at RKO.

Townley Will Direct

Jack Townley, writer, has been promoted by Republic to director. His first picture will be the next 20th-Fox British Pix will Total 8, Cost 3 Millions

It was said yesterday by Monty Banks on his arrival here on the Normandie, that his company, which brought a print of Gracie Fields' "Smiling Along," will be in the U. S. about two months for conferences with Sidney R. Kent and Darryl F. Zanuck.

Decision on U. S. distribution of the company's British Pix will depend on whether company executives believe the pictures are "too British" for American release.

Berton Churchill, character actor, was another Normandie passenger, returning from a 20th-Fox assignment in England where he played an important role in "So This is London." He left immediately for the Coast where he starts work Monday in a Walter Wanger production.

Noel Coward returned on the Normandie yesterday to appear in a Broadway musical, "Set to Music." Laurence Olivier was a Normandie arrival on his way to Hollywood where he will appear opposite Merle Oberon in Samuel Goldwyn's "Wuthering Heights."

John J. Madden Dies

Norfolk, Va.—John Joseph Madden, 57, veteran Warner treasurer and manager, died at his home here after a long illness. He worked under the late Jake Wells as treasurer of the Academy and Colonial theaters, later becoming manager of the Wells and Granby. A bachelor, he is survived by one sister and one brother.

WOH'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 203

WILLIAM C. THOMAS, Associate producer. Born in Los Angeles, Aug. 11, 1903. Was graduated from the University of Southern California, where he studied journalism. Worked by playing drums in night clubs, orchestras. Broke into pictures in 1924 as a member of M-G-M publicity department. Did publicity work for Alexander Panteres Theaters and later joined Fox West Coast Theaters. Spent five years in publicity department at Paramount and was publicity director for Walter Wanger Productions for a year. Returned to Paramount and later joined Columbia where he was publicity director for 18 months. Returned to Paramount in August, 1937, as associate producer in the Harold-Volley unit. Wrote eight originals which were produced by Paramount, M-G-M, Universal and Columbia. Height, five feet, eight. Eyes, grey. Hair, brown.

Gene Autry. "Mexicali Rose," which is scheduled to start November 25. Gerald Geraghty is working on the screenplay.

Before Trial Examination Ordered in Friedman Action

MPTOA Set to Talk on Disputed Trade Issues

Thraters Film Music Quiz as New Haven Radio Show

New Haven—Regular Sunday afternoon radio-station presentations will begin at the College Theater Sunday evening with a "Mystery Melodies" music quiz and prize giveaway plan. Jimmy Milne, studio manager, of WELI, will conduct the quiz, employing the WELI 10-piece studio orchestra and singing talent to present songs which will have to be identified as film origin by the audience. For the first six weeks at least, the show will be on for an hour in the afternoon, although airtime will actually be half an hour. The novelty may later be moved to a week-day afternoon.

James Subs for Thomas

Lowell Thomas, commentator for Movietone News, will have Hugh James, NBC announcer, as his substitute during the next six weeks while Thomas takes his first trip outside the newswire reel five years ago.

Vacations as Rewards

"Red River Range," of Republic's Three Mesquitos series, has been completed. This is the fourth of series, which will follow the 39 program, and in addition to that Republic has two original scripts ready to go and therefore William Berke, associate producer on the series, is sending George Sherman, director of the series to New York for a month's vacation, and is giving Betty Burbridge, one of the writers on the series, a two-week vacation as a bonus, Lucie Warm, another writer, has been promoted to the Gene Autry writing staff for Harry, Grey, and Stanley Roberts, the third writer on the series, is being allowed to work on an original story idea of his.

It's a Boy

A boy weighing six pounds, 11 ounces, was born to Mrs. Robert Glickler at the Hollywood Hospital. Father is Robert. The new arrival is heavy. Baby will be named William H.

Doubt Maxwell Will Join in Reported British Merger

Deal declared based on British film execs, now in New York.

The general opinion is expressed that a merger of these three organizations would prove to be such a powerful buying monopoly that the situation would be countered by a selling monopoly, a situation the circuits do not care to face.

The visiting Britons expressed the conviction that the Odeon-GB merger eventually would be consummated, but pointed out that it may be months before it is set. Hurdles to be cleared include the obtaining of a "go ahead" signal from 20th-Fox and Metro, interested heavily in Metropolis and Bradford Trust, Ltd., which controls GB. Joseph M. Schenck, for 20th-Fox, can exercise a veto power over any deal transferring GB control, it is known.

Additionally, it was pointed out there is the Maxwell angle arising from the fact that Maxwell's option for the purchase of GB control has three years to run. Thus any GB-Odeon deal would require a waiver by Maxwell.

Plaza Theater Purchased by Reade for His Circuit

Deal was given as $450,000. Plaza is now operated by Leo Brecher.

Reade, it was announced, will re-model and add the house to his circuit; first-run policy is planned.

Attorney Frank Crocker represeted the deal made through John L. Tommele of William A. White & Sons as broker.

REPORT DISTS. TO GRANT 20% CANCELLATION

Warners' Third "Sears Drive" to Start Christmas Day

Gov't Theory

... figure it out

BY CHESTER B. BAIN

"FIGURE this one out ... if you can.
"It is generally conceded by the press
at the film industry's drive, directed by
lotion Pictures' Greatest Year, Inc., under
a banner of Motion pictures is the
entertainment, set the pace for
the present come-back by American business.
The few expenditure, the
banners is fostered
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the NEW J74,
generous
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The particular
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attorney
Attorney
and
make
the
particular
Jabber,
the
producer
the
particular
Films
Angle of Television
Worries British Exhibitors

London (By Cable) - Close ob-
servers of television's development,
since science's launching more than
decade ago, express belief that
British Broadcasting Corp.,
which is government-controlled, has
the power to make or break Eng-

Sam Smith Signs 5-Year Republic Deal

Covering Distribution and Production

The WEEK IN REVIEW

Allied Denies Agreement

DOMESTIC
TRADE REFORMS: (Washing-
on) Arah F. Myers, Allied's gen-
eral counsel, at mid-week denied
previous report his organization
and the distributors, had reached an "oral
agreement in principle" on trade
reforms, said that's up to director-
ate. New York MPTOA will con-
tinue talks with distributors, on di-
puted points, Ed Kaykendall states.

LITIGATION: (Chicago) U.S.
filed 30-page petition in criminal
contempt proceedings, accusing ma-
riors, except Columbia and B & E.

MONOGRAM AND PATHE
RENEW ENGLISH PACT

Renewal of Monogram's contract
with Pathe Pictures, Ltd., for the
distribution of its product in the
United Kingdom and plans to in-
crease the production lineup for the
1939-40 program were announced.

Majors to Eliminate Score
Charges as Well, the
Trade Hears

By AL STEEN
FILM DAILY Staff Writer

A 20 per cent cancellation privilege
and the elimination of score charges
are understood in the trade to be
of the adjustments granted by the
distributors as a result of the trade
practice parleys. It is be-
lieved that the new cancellation
will apply to all theaters which
pay an average of $100 or less per
feature. The manner in which the
score charges will be absorbed has
not been revealed.

Although unconfirmed, it is re-
(Continued on Page 4)

PROJECTED ON BRITISH
DEAL SPANS ONE YEAR

Grand National's projected British
distribution deal, said to be with
Associated British Cinema, is on a
one-year basis and not five years
as has been reported, E. W. Har-
mons, president, said Friday. No

Van Beuren Dies Following
Heart Attack; Was Pioneer

Amedee J. Van Beuren, pioneer
producer and head of the Van
Beuren Corp., died Saturday of a

Sam Smith Angle of Television
Worries British Exhibitors

Five-year distribution-production
deal was signed by Republic and
British Lion on Friday, Sam Smith,
managing director of the English
company, told The Film Daily Sat-
urday when he sailed on the Nor-
mudge after a four-week stay here.
British Lion will distribute a mini-
num of 46 Republic pictures per
year in the United Kingdom and
will produce between eight and 19

(Continued on Page 2)

Standard Expands
West Coast Bar., THE FILM DAILY
Hollywood—Officials of Standard Pic-
tures Productions, Inc., have formed
Standard Pictures Distributing Co. and
will open exchanges in 11 key cities
to handle Standard pictures and other
products. In addition to "Headley" and
"Hollywood" family series and a series of radio mys-
tery tales, Standard will also make two or more additional features. Officers
are B. W. Richards, president; Harvey C.
Kevitt, vice-president; George Ligon,
treasurer, and George E. Trainer, sec'y.
**The Broadway Parade**

*Picture and Distributor*

<table>
<thead>
<tr>
<th>Men With Wines (Paramount Pictures)</th>
<th>3rd week</th>
<th>Theater</th>
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<tbody>
<tr>
<td>The Citadel (Metro-Goldwyn-Mayer)</td>
<td>2nd week</td>
<td>Capitol</td>
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<tr>
<td>The Man in the Heart (United Artists-Sidney)</td>
<td>2nd week</td>
<td>Strand</td>
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<tr>
<td>Brother Rat (Warner Bros. Pictures)</td>
<td>2nd week</td>
<td>Criterion</td>
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<tr>
<td>That Certain Age (Universal Pictures)</td>
<td>2nd week</td>
<td>Riviéra</td>
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<tr>
<td>Vacation from Love (Metro-Goldwyn-Mayer)</td>
<td>2nd week</td>
<td>Globe</td>
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<tr>
<td>Tarnished Angel (RKO Radio Pictures)</td>
<td>2nd week</td>
<td>Globe</td>
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<tr>
<td>Black Bandit (Universal Pictures)</td>
<td>2nd week</td>
<td>Central</td>
</tr>
<tr>
<td>Mother Chubb (Monogram Pictures)</td>
<td>2nd week</td>
<td>Central</td>
</tr>
<tr>
<td>Swez (20th Century-Fox)</td>
<td>2nd week</td>
<td>Palace</td>
</tr>
</tbody>
</table>

**Swing that Choo (Universal Pictures) | 2nd week | Palace**

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**TWO-A-DAY RUN**

| Marie Antoinette (Metro-Goldwyn-Mayer) | 12th week | Actor |

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**FOREIGN LANGUAGE FEATURES**

*Arkansas Traveler (Paramount Pictures)*

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**FUTURE OPENINGS**

**Paramount**

- **Sixty Glorious Years (RKO Radio-Wilcox)** — Nov. 17.
- **Sabotage Patrol (20th Century-Fox)** — Nov. 18.
- **The Big Sleep (Warner Bros.)** — Nov. 18.
- **Angels With Dirty Faces (Warner Bros. Pictures)** — Nov. 25.
- **The Shining Hour (MGM)** — Nov. 26.
- **Mr. Wong, Detective (Monogram Pictures)** — Dec. 3rd.
- **Sisters (Warner Bros. Pictures)** — Dec. 5th.
- **Samson and Delilah (Paramount Pictures)** — Dec. 5th.
- **Torchy Gets Her Man (Warner Bros. Pictures)** — Dec. 7th.

(Friday, November 11, 1938)

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**Groovin’ Theory**

**...figure it out**

(Continued from Page 1)

When the Government’s equity suit was brought in July, there was at least a hint that the Department of Justice would not be too cool to consent decrees. This was interesting, yes, and significant, Arnold’s theory just quoted. Motion pictures like autos are “common goods.” As the New York World Telegraph points out, Arnold’s theory, carried to its conclusion, would “stem enterprise, paralyze initiative, install hopelessness in anyone who thought he could create and distribute something better and cheaper than the other fellow. It would dull the ambition and coddle the incompetent.” What is proposed is an economic narcotic. Correct. And if the Justice Department is permitted to give this industry an over-dose, the result will be fatal. For in this business perhaps more than any other, “productivity is distribution” and distribution is property.

Krugman In Philly Post

Saul Krugman, former assistant to Edward L. Alperson under the old National Motion Picture Association, has been appointed GN branch manager in Philadelphia, effective immediately.

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**Westerns Are First Choice of British Juvenile Audiences**

London (By Cable)—Checkup by Odeon circuit of juvenile’s taste in films establishes that Westerns are still tops with British kiddies, with adventure pix a second choice. With reference to newsreels, survey showed that 90 per cent of the toots like them as a whole and 53 per cent boo foreign directors. Cartoons in color are preferred to black and white product, and 91 per cent of the youngsters prefer Mickey Mouse to Silly Symphonies. Top stars with the juvies are Buck Jones, 26 per cent; Shirley Temple, 17 per cent; Jane Withers, 12 per cent; Tim McCoy, 11 per cent.

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**V. C.’s McArthur Day**

Detroit—Variety Club will mark McArthur Day today, with George McArthur, theater supply dealer, as guest of honor.

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**UA Board Meets Today**

United Artists’ board of directors is scheduled to meet this morning. Session is expected to be limited to routine business.

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**FFE at 545 Fifth Ave.**

Leo Malchin has leased space at 545 Fifth Ave. for exec. offices of the French Film Exchange.
Paramount's "THANKS FOR THE MEMORY"

CLASS A
ENTERTAINMENT

WESTERN UNION

CHARLES M REAGAN
PARAMOUNT PICTURES INC PARAMOUNT BLDG
THANKS FOR THE MEMORY SPLENDID AUDIENCE
PICTURE STOP PICTURE CAN STAND ANYTHING
SAID ABOUT IT STOP AUDIENCES WENT OVERBOARD
STOP IT'S CLASS A ENTERTAINMENT
B D COCHRAN
KIND REGARDS
DENHAM THEATRE DENVER

Paramount's "THANKS for the MEMORY"
AN EXPLOITATION NATURAL!

Based on the greatest popular song of the year, Paramount's "THANKS FOR THE MEMORY" features a new smash song hit, "TWO SLEEPY PEOPLE", already fourth in the "Variety" rating and climbing fast into No. 1 place on the air. Bob Hope and Shirley Ross are a brand new comedy romance team to exploit (don't forget Bob's a big-timer on the airwaves now). Charles Butterworth and Otto Kruger are additional pop names...AN EXPLOITATION NATURAL IF THERE EVER WAS ONE!
WB 3rd Sears Drive To Start Xmas Day

(Continued from Page 1)

name to the campaign was motion of Major Warner and unani-
mosly adopted. As before, Leser-
man will function as co-ordinator.

First pix to be released for the
drive will be "Down Patrol"; set
to follow are "Wings of the Navy," "Crime Is a Woman," "Love Rites Man," which may get a new title;
"Going Places," "Dark Victory," "Oklahoma!" and "My Daughter" and "Blackwell's Island."

As was done last year, the com-
petition will be set up by districts
with each district manager acting
as captain of his particular terri-
tory. Prizes will be awarded the
winning districts, as well as the
winning branches in winning dis-
tricts. Prizes will total $25,000.

Roy Haines, eastern and Canadia
sales manager, will meet with his
district managers today and tommor-
row at the home office to set up
plans for his territory. Attending
will be Ed Schneider, eastern distric
t manager, with headquarters in New
York; Bob Smeltzer, central district
manager with headquarters in Wash-
ington; and Wolfe Cohen, Canadia
district manager with headquarters
in Toronto.

Ben Kalmenson western and
southern sales manager, left over
the week-end for Chicago where he
will hold meets at the Blackstone
Hotel today and tomorrow with dis-
trict managers in his territory set-
ting up plans for the drive. Man-
gers attending are Fred Jack, south-
ern district manager in headquar-
ters in Dallas; Rud Lohrenz, acting
midwest district manager with head-
quarters in Chicago; and W. E. Cal-
loway, West Coast district manager
with headquarters in Los Angeles.

Movie Digest To Debut

Newest movie mag. to hit the
stands will be the Movie Digest,
which will appear the latter part
of this month. With a format similar
to Readers Digest, the magazine will
be published in Toronto and edited
by Roly Young, Toronto critic.

Along the Dialto

with PHIL M. DALY

- APPLICATIONS are pouring in to the officials of the Great
  Waifs contest in the offices at the Waldorf-Astoria...couples old
  and young want to test their skill....and hope to make the finals
  which will be held in the grand ballroom of the Waldorf in December.
  There are 42 theaters in the metropolitan area participating...cou-
pons are available at all Loew theaters to be filled in by the aspiring
queens and kings of three-quarter time in the greater city....the con-
testants will be assigned dates and places where they will take part
in the eliminations....with the nation divided into 12 zones, and the
contests taking place in every city of any size....this M-G-M Na-
tional Dance Fiesta looks like one of the biggest exploitations in
the way of a contest ever attempted.

- WE RISE to ask....will the industry do anything about that
  grand suggestion of George J. Schaefer.....in his talk at the
  AMPA last Thursday....that a permanent organiza-
  tion be formed to maintain the goodwill created with the na-
  tion's press by the Drive....and cement the closer ties en-
  gendered between the producers and distributors with the ex-
  hibitors....and also to keep cashing in on the new interest in
  motion pictures stirred up among the cash customers known as
  the public?.....we will bring this query up from time to time
  as a gentle reminder to an industry that is notorious for For-
  getting to Remember....after all, the effort cost One Million
  Dollars, and the industry should get something PERMANENT
  out of that much dough.

- RECOGNITION at last....has come to one of the great-
  est artists of our time...Mario Gambarelli.....who has been en-
  gaqed as the premiere danseuse of the Metropolitan Opera for
  the coming season....she rose to fame on the stages of the Capitol
  and Roxy.....and later scored triumphs in European capitals.

- HOSTESS to 65 vets of the wartime subchaser force
  .....that is Nancy Kelly's job, after completing her first film
  role in 20th-Fox's "Submarine Patrol".....she will come to New
  York from the Coast for the special preview on Thursday even-
  to the vets at the Little Theater in the home office building.....
  a fine exhibit in connection with the production opens at the
  Museum of Science and Industry in Radio City tomorrow.....
  displaying models and equipment of submarines and subschase-

- THANKSGIVING campaign being set nationally by War-
  ners on "Angels With Dirty Faces".....a 1,000-line ad in four columns
  will be taken in 30 key cities with the release date in these situations
  .....warners assume all the cost.....the theaters get this as a
  Thanksgiving gift.....this splurge ad will be supplemented by the
  regular theater ads.

- CAVALCADE of Motion Picture Music.....Nat
  Shilkret's ork and chorus of 19 voices will feature in
  over WEAF and the NBC hookup at 6 p.m. tomorrow....
  Our old film pal, known to most of you gents, Bert Adler, now city
  Commissioner.....headed the committee of the American Legion
  parade on Armistice Day.

SAY DISTRIBS. GRANT 20% CANCELLATION

(Continued from Page 1)

ported that these two adjutants
were among the requests made
the MPTOA and agreed to by the

MPTOA executive committee
expected to reconvene with the dis-
tricts late this week and Ed Ku-
endall, MPTOA president, may
out a call today for a meeting.

It is believed that when all par-

Latin America Represents
6 to 12% of World Market

(Continued from Page 1)

market, according to Walter Goul
United Artists' manager for Lat-
American companies. Gould, who
is expected to return from a three-months' trip to
his sales territory.

An increase in business of 50 per
cent in recent years has been
enjoyed by American firms, Gould
in a press interview Friday, adds
that the market is growing steadily.
United Artists, he said, is serving
approximately 550 accounts in Argen-
tina and 45 accounts in Brazil, with
other countries proportionately rep-
resented.

Definite progress is being made
production by Argentinean com-
panies, Gould asserted, pointing out
that between 50 and 60 features will be produced in Buenos Aires this
season. Approximately 100 Spanish
pictures will be made in the Latin
Americas during the season, with
Mexico ranking second in the num-
ber produced.

United Artists will distribute at
Mexican-made features during 1939
39, Gould said.

Kurtzman Has Flu

Pittsburgh—Charles Kurtzman
manager of Loew's Penn Theater
is confined to his home with a

Studio Flashes

West Coast Box, THE FILM DAILY

Monday, November 14, 19——

Hollywood — Week-end studio
news flashes: Para's remake of "Hotel Im-
perial" will have 162 speaking roles, be-
lieved a new record. Sam Goldwyn
will do "Wendy Williwaw" that Scottish
Yard pix. "W.B.'s "Dead End" kids will
be seen in "Yard Kitchen to Hol-
lwood." Hal Roach starts "Captain Midnight"
in mid-December. John Mill-
igan, Montagu Love will swell the "Journey" cast.
K. E. Luke has been signed by Co-
brides for "North to Shanghai." Ed-
ward Arnold will be in Metro's "Idiot's Delight." Universal has
signed Edmund Lowe for "Newboy's Home."—RALPH WILK.
ALL

JACKIE COOPER
IN "GANGSTER'S BOY"
AT THE GLOBE

"UNDER THE BIG TOP"
WITH ANNE NAGEL
MARJORIE MAIN
JACK LA RUE
AT THE FOX BROOKLYN

"WANTED BY THE POLICE"
WITH FRANKIE DARRO
EVELYN KNAPP
ROBERT KENT
AT THE PARAMOUNT BROOKLYN

MONOGRAM HITS IN NEW YORK
“Swing That Cheer” with Tom Brown, Robert Wilcox, Andy Devine, Constance Moore

Universal 63 mins.
BREEZY FOOTBALL FILM IS TIMELY PROGRAMMER FOR EXHIBITS; NABES SHOULD GO FOR IT.

With the football season in full blast, this new Universal release is timely. Well-paced, with a capable cast and a fast-moving story, the film is good program material. Tom Brown, Robert Wilcox and Constance Moore are youthful refreshing in the lead roles, and Andy Devine provides the comedy as coach Samuel S. Hinds’ assistant. Despite the fact that Brown and Wilcox do not look very convincing as football players, there is good action injected in the film with numerous news-clip pans of football games. How a shot of what appeared to be the Army-Navy game is inserted into the story is a mystery, but it makes no difference as football fans like football pictures, regardless. Brown and Wilcox are roommates at Carlton College, and it is a strange tale of backfield action. In any event, stars give them an opportunity. Wilcox gets a swelled head and it is not until he is shown in the light through lack of instruction that he returns to normal. The climax is the usual “catch-69” game of the season, with dear old Carlton nosing out the hated enemy in the last three-fifths of the picture.

CAST: Tom Brown, Robert Wilcox, Andy Devine, Samuel S. Hinds, Constance Moore, Ernest Truex, Margaret Early, Raymond Parker, Stanley Hughes, David Oliver.

CREDITS: Associate Producer, Max Golden; Director, Harold Schuster; Screenplay, Charles Grayson and Lee Loeb; Original Story, Thomas Ahearn and F. M. Grossman; Cameraman, Elwood Bredell.

DIRECTION, Fast. PHOTOGRAPHY, Good.

“The Singing Blacksmith” with Moishe Oysher, Miriam Riselle, Anna Appel

New Star Films, Inc. 145 mins.
COMEDY AND DRAMA ARE NEATLY BLENDED TO MAKE PICT ENTERTAINMENT.

Richly decorated with Yiddish custom and a neat blending of comedy and drama, this new Collective Film Producers release will meet with a good reception if taken in properly. The setting and the settings and facilities have been improved since the company’s initial production some time ago. Principal fault is a great length of film which makes it stand in spots. Moishe Oysher is splendid as the blacksmith. Miriam Riselle is attractive and capable as the girl who forms the ryaser, and Anna Appel is quite successful. The cantorial voice is unexceptional and exceptionally beautiful. Oysher is married to Miriam and marital troubles are caused by the appearance of an old flame of his. However, this and other problems are worked out in an interesting fashion.


CREDITS: Produced by Collective Film Producers, Inc.; Director, Edgar G. Umer Screenplay, Ben Baratoff and Osip Dynew; Based on a play by David Pinkus.

DIRECTION, Good. PHOTOGRAPHY, Good.

McRae Seeks Ottawa Post

Ottawa — Finley McRae, son-in-law of the late Harry E. Browne, pioneer Canadian theater man, has announced his candidacy for the Board of Control of the Ottawa municipal government at the elections to be held Dec. 5. McRae, who was formerly engaged in film production in Hollywood, has served as an alderman of the Ottawa City Council for three years.

FitzPatrick to Florida

James A. FitzPatrick, TravelTalk producer, is en route by automobile to St. Augustine, Fla., where he will subject himself to the scrutiny of Pete Smith, Traveling with a specially-built trailer, FitzPatrick plans to continue his mapping of the country’s sugarcane growing material for his travel series on route.

Films Angle of Television

Worries British Exhibitors

(Continued from Page 3)

land’s motion picture industry via the refusal to allow any film house to show publicly any portion of televi

sion programs. That under some future circum-

stances such a prerogative might be exercised by BBC is causing local film Row a degree of uneasiness greater than that which now appears on the surface, and despite the fact that building of television relay sta-

tions all over the country has been indefinitely postponed.

After film execs. are not being deceived by the relatively slow progress of television to date in putting mass-produced receiving sets into British homes. They are convinced that the government will, when the time comes, will not try to preserve the present status of the movie picture at the expense of television’s ad-

veniences. They are convinced that a “creational-

ory” policy adopted, is pointed out, rival nations of Europe would

soon outstrip the United Kingdom in the science as a public and po-

tical utility, Germany, for in-

stance, is paying increasing atten-

tion to television.

Optimists in filmdom argue that the supply BBC with production materials, in exchange for permission to exhibit televised shows in motion picture theaters, or holiday shows, would be a pro-


testure of b.o. returns and full film rentals, as there will not be enough home television receivers to create dangerous competition.

A temporary ally of the film business is paradoxically the radio re-


“Vacation From Love” with Dennis O’Keefe, Florence Rice

M-G-M 66 mins.
PLEASING LITTLE FILM OF MARRIAGE SQUABBLE OFFERS NUT SCHOOL TYPE OF COMEDY.

It is nothing pretentious, but it will serve to amuse with its light and non-


ticial story that verges on the nut school type. The action is very spotty in starting off with some clever situations and dialogue, then starting to weaken along about the middle, and in the final stages the director decided to open all the valves and throw the piece into a mixture of slap-


and wild hoohah. The production was begun when surveying in its entirety is rather confusing. But it was produced for laughs and excitement, built around the marriage question, and as such gets by as light and unimportant entertainment. Dennis O’Keefe practically snatches Florence Rice from the altar as she is about to marry a blue blood. Dennis is only a sax player, turned old age along with the ad agency with radio programs plugging his clients’ products. This is where Dennis fits in with his knowledge of showmanship. The father-in-law now his partner just like that, in his million-dollar concern. Daughter is happy, because in their marriage agreement they decided to “have” to stay married, with wife having a change of heart right in the French court room. An excellent cast puts this across in spite of a very uneven story. The two principal

acters are in tip-top form.

CAST: Dennis O’Keefe, Florence Rice, Reginald Owen, June Knight, Edward S. Brophy, Truman Bradley, Tom Rutherford, Andrew Tombs, Herman Bing, George Zuccari, Paul Porcasi, J. M. Kerrigan, Ar-


mand Kaliz.

CREDITS: Director, George Fitzmaurice; Authors, Patterson McNutt, Harlan Ware; Screenplay, same; Cameraman, Ray Gorman.

DIRECTION, Good. PHOTOGRAPHY, Fine.

“Titans of the Deep” with William Beebe, Otis Barton

Grand National 47 mins.
EXCITING AND THRILLING ADVENTURES ON OCEAN FLOOR WITH NEW DIVING DEVICE.

A really remarkable undersea picture. The camera is placed in a cage, and built up into an exciting and suspenseful piece of entertainment with-

out any lake. Two scientists of world-wide re-

pute, Dr. William Beebe and Otis Bar-

ton, conducted this scientific expedition off the shores of Bermuda. The expedi-

tion was equipped with the Bathysphere, a diving caisson invented by Barton which is so powerfully constructed that it is able to descend several thousand feet to the ocean floor, reaching depths that no diver has ever ventured. The Bathysphere is lowered a thousand feet to the surface again. They communicate with the vessel above via telephone, and air is kept pumping. Inside the Bathysphere they have a spe-


cially constructed camera. Here is a new thrill for movie audiences, watching the strange sights of the ocean bed through the window of the Bathysphere along with the scientists. Other entertainment fea-


tures are a girl going down with a diving helmet and a rifle, with which she shoots in immense barracuda. And she is a darned attractive gal, too. One of the men also goes down in diving suit equipped with a camera, which he loses as a great shark swallowing it. He kills the shark with a spear. A fight between a giant lobster and an octopus on the ocean bed is a real thrill. Close-ups of a diminutive shark swimming toward you and another mon-


ster fish such as a death ray and a leopard ray also bring their thrills. This offering has the excitement of undersea novelties and would provide a fine entertainment. The film has a fine narration that heightens the dramatic tense of the production.

CAST: Dr. William Beebe, Otis Barton, Gloria Holllister, Jocelyn Crane, John Tee Van, Joan Ign.

CREDITS: Producer, Otis Barton; Direc-

tor, same; Story and narration, Lowell Thomas.

DIRECTION, Excellent. PHOTOGRAP-

HY, Fine.

Film Noise Irks Mayor

Richmond, Va. — The local anti-

noise campaign worked against the local Horlacher dairy in a court case, which was successful.

The dairy was bypassed because the mayor, who was summoned to court on the complaint of Mayor J. Pul-

ner Bright, that he had dis-


troyed the cow’s milk, decided to keep it. There are many收费 for overloading and underloading films. A nom-

inal fine and warning was meted out by Judge Polk in Police Court.

CREDITS: Produced by the owners of the dairy, the Horlachers.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.
Brit. Lion to Release 46 Rep. Pix Yearly

(Continued from Page 1) pictures budgeted between $150,000 and $300,000 to cover quota requirements, with a slightly higher productivity. At least six of these pictures will be distributed in the United States by Republic. As a result, a Republic gross of $2,000,000 for 1938-39 in the U. K. was not at all unlikely as current business was about 25 per cent ahead of last year. Smith said that the recent Republic product distributed in England has been more than favorably received. He expects to hit a new high in accounts serviced for the current season.

Smith also asserted that budgets on pictures made in England by his company would be dropped to a minimum on Westerns and 4 serials being exported.

Smith conferred with Herbert J. Yates, and Morris Goodman, Republic's two production chiefs, while here. He expects to return here in the Spring and will visit the Coast studios of the company at that time. On Friday, he looked at "Storm Over Bengal" and "I Stand Accused," Republic's two newest productions, and predicted that both pictures would get first-run West End playing time in London.

Republic Execs. Study Budget Boost Proposal

A substantial advance in budgets for Republic productions on the 1939-40 program is being studied by the company execs. It was learned from reliable sources over the week-end. Budget for 1938-39, was originally announced at $6,000,000. However, increases have been made on several pix, with the latest Gene Autry western set at $5,000,000.

Although Republic did a gross business of slightly over $4,000,000 for 1937, estimates for this year's gross business are far in excess of that figure. It is estimated that the company will do around $12,000-000 in the United Kingdom alone for the year, and Republic's foreign distribution setup has been strengthened and expanded greatly during the past 10 months.

J. J. Fitzgerald Resigns

Chicago—J. J. Fitzgerald has re- signed as contract manager for James Coston, Warner zone manager, and has to go into commercial business in Lima, Ohio.

Hunt to the Oriental

Chicago—Jack Hunt, new in charge of the State-Lake Theater for Jones, Luniick, Schaefer, will be placed in charge of the Oriental Theater, when it is taken over by the circuit on Nov. 18. Sam Levine, who has been on the sick list, is expected to resume his old post at the State-Lake Theater and will be succeeded by Chester Ambrose, recently in charge of the Woods The- ater for the circuit.

Lust to Build Another

Washington Bureau of THE FILM DAILY

Washington — Sidney B. Lust, prominent independent exhibitor, has signed papers for a new theater in Hyattsville. It will be a $1,000,000, directly on the Balti- more-Washington highway and will have parking accommodation for 500 cars. John Ebernon will design the theater.

Corbin Houses to Schine

Cincinnati — Schine Circuit has taken over the Hollywood, reportedly in charge of the Woods Theatre at Corbin, Ky.

"Dollars and Sense" (Going Places)

Universal

City and Farm Contrast

Two subjects are covered in this short—Manhattan Island and the chinchilla fur industry. In the first, Graham McNamee presents a contrast of the New York of the early Dutch settlers with the modern city, more especially with reference to the great skyscrapers. The skyline beauty is photographed very gorgeously. The unique chinchilla farm in Inglewood, California, the only one of its kind, where the owner is successfully raising this rare and costly fur worth more than its weight in gold, is depicted entertainingly.

"The Playful Polar Bears" (Color Classic C-924)

Paramount

Good Sentiment

This cartoon will get the kids, for it shows a mother polar bear's tender care of one of its youngsters who is in the line of fire of a bunch of hunters who arrive on the Arctic shores with their schooner. Ma rescues the baby, who has been stunned by an electric shock, and the entire bear colony are holding a mourning ceremony preparatory to burial. But the tears of the mother bring the babe to consciousness again, and then the bears turn the mourning into a festival of rejoicing.

"Gooland" (Popeye)

Paramount

Wild Adventure

Popeye goes to a desert island in search of his old man whom he has not seen in forty years. Popeothead is the name of the old boy, who is a dead ringer for Popeye, only with white whiskers. He smokes a pipe too. The island is run by a strange race of savages, called Goons, that look like the Zombies. Popeye is made a prisoner, and they are getting ready to drop a great rock on him from the cliff above, when dad comes to the rescue as he breaks out of his prison with the help of his son's cann of spinach. They flee the island together.


In the initial chapter, the position of motion pictures in contemporary American life is discussed, together with that of the alleged anti-social and anti-commercial enterprise.
MONOGRAM AND PATHE RENEW ENGLISH PACT

(Continued from Page 1)

Domestic

(Carried from Page 1)

of conspiring to control exhibition of first-run films to detriment of public and independent exhibitors (New York) At hearing on argument for bill of particulars in Justice Dept's anti-trust case against industry UA and Columbia counsel declared these companies will shortly move for dismissal of suit against them as co-defendants with other wing's of film industry (New York) William Hart Co. won verdict of $276,965 in N Y Supreme Court in action against UA in which plaintiff charged breach of distribution contract re 'Tumbleweeds' UA will appeal Washington U S Supreme Court denied main motion of State of Washington to dismiss appeal of AacapHi TELEVISION: (Hollywood) Paramount's Stanton Griffis declared company will go in strong for television via its new contact with DuMont Laboratories Inc, of Passaic N J which is now in position to give public tele entertainment (Passaic) Allen B DuMont told THE FILM DAILY that in addition to its already effectuated making of tele sets organization may market transmittersWhen Production: (New York) Arriving at home office from Hollywood Hal B Wallis asserted Warners will make 52 features for 1939 40 with more big pix slated (New York) Montague Marks whose Allied Corp of London is backing Douglas Fairbanks' production plans said latter will turn out three pix at aggregate $2,500,000 and release same via UAHi FINANCIAL: (New York) Paramount's annual report noted an increase of $1,876,409 and $650,658 for past quarter ended Oct 1 (New York) Pathe Film stockholders to act on liquidation of assets proposal on Dec 6 (Rochester) Eastman will pay $2,200,000 wage bonus to employees on March 27 next (New York) Wall St sees industry headed for a profitable Winter season

DEALS: (New York) UA closed biggest deal in its history with Loew's property going into all later's houses (New York) Columbia announced its vice-pres J. C. Cohn while in England will discuss new deal with 'The Picture of Dorian Gray' (New York) Monogram Pathe Films deferred joint British production negotiations until next May, but representation pact was slated as likely of renewal shortly

Promotional: (New York) Incoming from Coast, S Charles Warner announced the already heavily in newspaper ads, at least 75 per cent of budgets in this phase of 'Datelines' (New York) George J Schaefer was appointed permanent setup to promote industry as Harold B Franklin drafted plans for another industry drive in 1939

GOVT IN PIX: In interest of conservation ed Dept, U S will establish the Industrial Film Institute with Washington as headquarters Blanketing of nation with such pro was led by THE FILM DAILY

Foreign

DISTRIBUTION: (New York) Concluding a visit to M-G-M's home office, Julian D Bernann, company's manager for Japan, declared recently concluded U S S Nippon picture agreement is based on $30,000 "first print" aggregate, and means that Japanese market now opens to 250 American films (New York) 1938 production will hit 500 features (Rome) U S distrib interested in their distribution with Italy's new ENIC, Fascist film monopoly bureau, is due additionally to provision which offers only $1,000,000 annually for American product (Mexico City) Arthur M Low, Metro v p in charge of the Information Dept, U S was promised that U S pic hold head in Mexican market

FINANCIAL: (Buenos Aires) U S majors releasing here were reported as grabbing $12,000,000 of the total distributing revenue for films in Argentina Estimates put U S companies' net at $6,000,000 320 American pix imported during the year averaged a profit of $15,750 per pix

DEALS: (New York) Herbert Wilcox, planning to make three triple-quota pix budgeted at $750,000 each arrived from London, will be releasing deals with RKO execs and reps of other majors (New York) Leslie Howard and Walter Putter, also in from London, were also seeking distribution deal for their forthcoming Major Pictures to another distributor

Van Beuren Dies Following Heart Attack; Was Pioneer

(Continued from Page 1)

heart attack at his country home in Carmel, N Y. He was 58 years old and had retired from active business early this year

Van Beuren was best known for his shorts, although he produced such features as "Bring 'Em Back Alive," "Wild Cargo" and "Fang and Claw."
Wobber Sees Public Dictating Increase in Pix Costs

2,300 U. S. THEATERS AFFILIATED WITH MAJORS

Allied Parley Withdrawal Inference "Amazes" Myers

Not In His Bulletin, Says Exhib. Leader in Columbus

"HAYS ORGANIZATION" FOR RADIO IS URGED

"Demand for Bigger and Better Films Must be Met" Says 20th-Fox Sales Top

Coast Production Spurs; 50 In Work

DENY INDUSTRY SPLIT ON ITALIAN DISPUTE

KENT AND KUYKENDALL TO SET PARLEY DATE

“Demand for Bigger and Better Films Must be Met” Says 20th-Fox Sales Top

Chancellor's Death Will Bring Delay in Loew Suit

Who Owns Title?

Warners' Fast Pace

WARNERS' Fast Pace West Coast Bure., THE FILM DAILY Burbank—Warners' studies here will have over 75 per cent of its 39 completed production for the 1939-39 season completed by the end of the year. It was announced yesterday. With 28 features already completed for the season, 39 of its productions will be ready for release by the first of the year.

By HOLLIS KENNAHAM

Film Daily Staff Writer

"Pictures are going to increase in cost because the public demand for bigger and better pictures must be met. The producers who fail to move along these lines are going to be left behind."

Chancellor's Death Will Bring Delay in Loew Suit

WILMINGTON, Del. — Death here Sunday of Chancellor Josiah Wollen, before whom the suit filed by a group of Loew stockholders against a profit-sharing plan was to have been heard, probably will set back

The Daily Newspaper Of Motion Pictures Now Twenty Years Old
New Haven—Connecticut MPTO has called a special luncheon-meeting at the Hofbrau Haus Restaurant for Thursday to hear reports on the MPTOA Oklahoma City convention and trade reform conferences attended by Mr. Amedee Leary, Herman, treasurer; Arthur Lockwood, vice-president, and Edward G. Levy, executive secretary.

Allied Theatres of Connecticut will hold a regular meeting at the Hofbrau Haus today, with Maurice Shulman in the chair.

See Better FPC Year

Montreal—With the present rate of improvement continuing through the remainder of the year, it is expected, by The Financial Post, that profits of Famous Players Canadian will be slightly better than last year. In 1937, net profit amounted to $865,731, equivalent to earnings of $2.12 on the common shares.

Fitz To Bock To Philly

Oklahoma City—Lewen Pizer, Philadelphia exhibitor and president of the MPTOA convention here, has returned to Philadelphia in an improved condition. His daughter, Mica, came to Oklahoma to take her father back to Philadelphia.

Three Institutional Films

In Color to be Made Here

Arrangements that are nearly completed for the making of three institutional films, to be produced in Technicolor, for industrial clients of Audio Productions, Inc., are reported by Frank R. Speidel, president of the firm. The first of these is to be released at the New York World’s Fair of 1939, production is scheduled to start at the Long Island Studios.

It is expected that production now scheduled for the Eastern color camera and crew will extend well into next year, in addition to the prospect of new feature-length films, in Technicolor, for Eastern production.

Testimonial to Schine's

Set for Albany Dec. 19

Testimonial dinner will be tendered to J. Meyer and Louis M. Schine, operators of the Schine circuit, and pioneers in the industry, the night of Dec. 19, in the Ten Eyck Hotel, Albany, by a large industry group expected to attend New York as well as upstate cities it was learned yesterday.

Members of the committee assisting Phil Fox, chairman, are: C. Eastman, treasurer; A. Newman, secretary; B. G. Kranze, arrangements; M. Grassgreen, entertainment, R. Picrow, reception, L. Herman, A. G. Leary, E. Lowe, P. S. Krumnacker, B. Mills and B. Smith.

Stockholders Charges Denied by Condor Execs.

Answer was filed yesterday in U. S. District Court by Condor Pictures, Inc., George Hirilman as president, and officers and directors, in response to allegations by home 100 stockholders, that misleading statements were filed by the corporation with SEC.

The stockholders seek approximately $50,000 for damages which they charge were incurred. Defendants’ answer denied all charges, contended that the suit is barred because of time element; declared an investigation had been made prior to the submission of information to SEC, and, finally, that the statements to the best of their belief were true.

Van Beuren Rites Today

Funeral services will be held at 11 a.m. today in the Church of the Holy Rosary, Yonkers, for Amedee J. Van Beuren, veteran film executive who died at his home, “Dreamworld,” Carmel, N. Y., on Sunday last.

Dinner for Ulrik Smith

Philadelphia—Ulrik Smith, local Paramount sales manager under Branch Manager Earle Sweenigert, is to be entertained last night by 50 friends to commemorate 25 years in film business.

HELMAN WOBER, general manager of distribution for 20th-Fox, returned to the San Francisco office yesterday after a trip to Los Angeles.

STAN CHURIS, chairman of the Paramount executive committee, arrived in New York yesterday after attending the Gurnet Dartmouth game.

DOUGLAS FAIRBANKS arrives from the East Friday.

DOUGLAS and NANCY ROTHACKER have returned to New York after a two weeks’ business and pleasure trip to West Virginia.

MAURICE SILVERSTONE has definitely scheduled a trip to Europe in the near future.

GABRIEL PASCAL, producer of “Pygmalion,” and FRANK O'NEILL, agent, have left for London to attend the Academy Award ceremonies.

WILLIAM C. GERRING, central division man for 20th-Fox, returns to the office home for a week.

AARON JONES, sr., president of the Jones Linick-Schafer circuit in Chicago, leaves Thursday for his annual visit in Florida.

EDWARD GOLDEN, vice-president of Mono gram, has left for the Coast for a few weeks, will visit Los Angeles, San Francisco and several other cities scheduled on route.

RANDOLPH SCOTT, actor, leaves the Coast tomorrow for a vacation in New York. J. B. KENNEDY, ambassador to Great Britain is expected to return here shortly.

BOB COBB, Brown Derby manager, and his wife, CAIL PATRICK, Paramount star, arrive on the Coast today after a vacation in New York.

ROBERT RIPLEY is on the Coast to make a short for 20th-Fox which will be sold at trailer for “Jesse James.”


Sue Fox for $3,000,000

Chicago—Suit for $5,000,000 damages has been filed here in Federal Court against Samuel Goldwyn and Frank Walton, alleging infringement of copyright. It is claimed that the company’s production of the picture “Thin Ice” infringes on story idea of a play, “Weather Permitting,” which Walton wrote. An injunction is also being sought to restrain showing of the pic.

CO-OP THEATERS OF OHIO ELECT FIVE DIRECTORS

Cleveland—Milton A. Mooney, head of the recently organized Cooperative Theaters of Ohio and chairman of a meeting here, named the following directors:

Paul Gusdanovic, James E. Secovle, Albert E. Ptak, Cleveland; Floyd E. Price, Newark and W. A. Smith, Akron. Additional theater members who have recently joined the organization are the Union, Cleveland; Lincoln, Dennison; Ohio State, Uhrichsville. This brings the total number of theaters now being serviced by Cooperative Theaters of Ohio to 40.

Conn. MPTO to Receive Reform Report Thursday

New Haven—Connecticut MPTO has called a special luncheon-meeting at the Hofbrau Haus Restaurant for Thursday to hear reports on the MPTOA Oklahoma City convention and trade reform conferences attended by Mr. Amedee Leary, Herman, treasurer; Arthur Lockwood, vice-president, and Edward G. Levy, executive secretary.

Allied Theatres of Connecticut will hold a regular meeting at the Hofbrau Haus today, with Maurice Shulman in the chair.

COMING AND GOING

HERMAN WOBER, general manager of distribution for 20th-Fox, returned to the San Francisco office yesterday after a trip to Los Angeles and San Francisco.

MAURICE SILVESTRO has definitely scheduled a trip to Europe in the near future.

GABRIEL PASCAL, producer of "Pygmalion," and FRANK O'NEILL, agent, have left for London to attend the Academy Award ceremonies.

WILLIAM C. GERRING, central division man for 20th-Fox, returns to the office home for a week.

AARON JONES, sr., president of the Jones Linick-Schafer circuit in Chicago, leaves Thursday for his annual visit in Florida.

EDWARD GOLDEN, vice-president of Monogram, has left for the Coast for a few weeks, will visit Los Angeles, San Francisco and several other cities scheduled on route.

RANDOLPH SCOTT, actor, leaves the Coast tomorrow for a vacation in New York. J. B. KENNEDY, ambassador to Great Britain is expected to return here shortly.

BOB COBB, Brown Derby manager, and his wife, CAIL PATRICK, Paramount star, arrive on the Coast today after a vacation in New York.

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DENY INDUSTRY SPLIT ON ITALIAN DISPUTE

(Continued from Page 1)

ENIC, was vigorously denied yester-

day by authoritative sources.

At the same time this report was

spurred another rumor that the

American distributors, are pulling out

of Italy before Dec. 31, and this

was also as emphatically refuted.

All major and leading indus-
trialists are in accord, it is stated, and

contracts will remain unbreached.

This means that until the end of

the present year there will be no

withdrawal insofar as fulfilling

existing commitments to Italy's ex-

hibition outlets are concerned, nor

will trade between certain U. S.

companies and their native Italian

agents be suspended until ENIC be-

comes actively operative.

The deal between Universal and

its Italian representatives has some

five years to go. Considerable time

is also to elapse, it is understood, in

the instances also of Columbia and

RKO. Relations between this

trio of companies and their agents

have been friendly and satisfactory;

it is the Italian Government which

will be bringing the Dec. 31 breach

and not any of the contracting par-

ties, it is declared.

Defendants In Equity

Suit Served on Coast

Statement was filed in U. S. Dis-

trict Court here yesterday by Rob-

ert E. Clark, U. S. Marshal for the

Southern District, Calif., that the

following defendants have recently

been served in the Government's

equity action against the film indus-

try: Lloyd Wright, Joseph M.

Schenck, Harry Cohen, Walter B.

Cokell, Harry M. Warner, Samuel

Goldwyn, Sam Katz, and Edward A.

Schiller.

UA Directorate Defers

Meeting Until Friday

United Artists' board of directors
defered its scheduled meeting yester-
day until Friday afternoon. Doug-

las Fairbanks is due in from the

Coast on that day to attend. He is

slated to sail for England on Nov.

20.

Ochs Back on Job

Cleveland — Herbert Ochs, Vita-

graph branch manager, who under-

went an operation for removal of a

kidney stone about a month ago, is

back on the job again.

Circuit Deals Lag

Oklahoma City — A number of im-

portant circuits in the Southwest,

area are still a long way from com-

pleting all of their major deals for

product. In three or four instances

the battle between circuit and dis-

tributor has been long drawn out as

distributors selling indie competitors

in one or two of the circuit towns.

ROWLAND TO PRODUCE

IN MEXICO FOR RKO

(Continued from Page 1)
as Latin America. Original pact
called for Rowland to make one

Spanish picture, with options for

more, which would be distributed by

RKO only in Spanish speaking coun-

tries.

Rowland is now in Mexico City

where he plans to produce a series

of pictures for RKO's release, deal

having been closed following the

completion of "Say You Love Me,"

which he made in New York with

a Spanish cast. Feature is said to

have clicked with RKO officials and a
deal was closed for additional

product.

Rowland told THE FILM DAILY's

staff correspondent in Mexico City

that Mexico offered vast opportuni-

ties for the production of first rate

product and that he believed the

country eventually would be a leader

in the field. Casting has started on

his first Mexican effort.

Grants Assessment Review

Newark, N. J.—State Supreme

Court Justice Parker has granted a

review of a 60 per cent assessment

increase against the Terminal The-

ater, downtown house. Counsel for

Skouras Theaters, owners of the
	house, told the court the assessment

had been boosted from $237,000 to

$335,390 in 1936, and that this in-

crease stood after an appeal to the

State Tax Board. The writ issued by

Justice Parker is returnable dur-

ing the January term of the Su-

preme Court in Trenton.

Chi. Disney Preview

Chicago—Walter Branson, RKO's

midwestern district manager, this

week will hold a preview of eight

Walt Disney shorts, following the

success of the screened shorts on the

Disney subjects in New York and

Hollywood. Members of the Chicago

press, magazine editors and trade

paper representatives are to be in-

vited.

King Funeral Held

Detroit — Louis King (formerly

Kunsky), 56, brother of John H.

King, founder of United Detroit

Theaters, was buried Saturday. His

widow and one son, Theodore, sur-

vive.

Sunday Pix Outlawed

Cambridge, O. — Sunday movies

were outlawed here at the general

election by a vote of 3,031 to 2,681.

Arkansas Choice

Little Rock — Three Western stars,

Jack Hoxie, Gene Autry, and Tex Ritter,

have been invited to attend the semi-

annual convention of the Arkansas ITO

here Nov. 20-21.
They're calling 'Four Daughters' BIG 'BROT'

The Holdovers! New Ones Daily!
'HER RATS'

with

PRISCILLA LANE
WAYNE MORRIS

and

JOHNNIE DAVIS • JANE BRYAN • EDDIE ALBERT
RONALD REAGAN • JANE WYMAN • HENRY O'NEILL

Directed by WILLIAM KEIGHLEY

Screen Play by Richard Macaulay and Jerry Wald • From the Play by JOHN MONKS, Jr.
and FRED F. FINKLEHOFFE • A First National Picture

Even Greater than You Dreamed! WARNERS—Producers
BIG PARADE OF THE NAVY MARCHES
PACING 20TH'S VERY BIGGEST!

CRITICS RAVE!

WASHINGTON - BIGGEST BUSINESS OF ALL
20TH PICTURES TO PLAY THE CAPITOL THIS SEASON.

"SURE FIRE ENTERTAINMENT", SAYS WASHINGTON POST.

SAN DIEGO - OUTGROSSED EVERY ATTRACTION
AT THIS HOUSE BUT "ALEXANDER'S RAGTIME BAND'S" ALL-TIME RECORD AND SWASHING "IN OLD CHICAGO" ScockO TAKE.

SUBMI
NEW HIGHS IN ALL EARLY RUNS!
DEPTH-BOMBING ALL OPPOSITION!
PACKED HOUSES CHEER!... IT'S IN!

Baltimore - Holdover week assured
as Swash S.R.O. pace threatens "Suez" record.

"Salute for Darryl F. Zanuck and John Ford" says the Sun.

RINE PATROL

20th CENTURY FOX
WE BELIEVE IN YOUR FUTURE
2,300 PIX THEATERS MAJOR AFFILIATES

(Continued from Page 1) through partnerships, stock interest, etc., but which are actually under local management and operation. There are 3,850 theaters operated and controlled by independent circuits of four or more houses, leaving 11,850 theaters customarily classed as individual operations, all of which are unaffiliated or independent.

Oklahoma MPTO Meeting Looms for Early December

(Continued from Page 1) December, Morris Loewenstein, president of the association, has announced.

Plans had been made for holding the association’s annual convention during the recent MPTA meet by the abundance of urgent business at the time necessitated postpone ment of the state convention date. The meeting will be an abbreviated session to last but one or two days at the most, Loewenstein has announced. Definite date will be set shortly, probably two weeks before the Christmas holidays to give exhibitors an opportunity to bring their wives to Oklahoma City for Christmas shopping at the same time.

UAC Extra Dividend

Montréal—United Amusement Corp., Ltd., announced a dividend of 39 cents a share, plus an extra of 15 cents, for the six months ended Oct. 31. In the previous six-month period the dividend was 30 cents and no extra. This had been a reduction from 45 cents paid in the preceding half-year.

WEDDING BELLS

Wilton, Wis.—Harold M. Rhodes, movie technician at Burbank, Calif., was married here to Lila Longfellow.

Cleveland — 20th Century-Fox’s Kate Kelly was married Nov. 12 to John Cauley at St. Aloysius Church.

Newark, N. J. — Bob Ungerfeld, manager RKO-Proctors, is trying to figure out how to be in two places at once. His assistant, Bob Goodfried, is to be married Dec. 18 to Miss Ruth Muldown of Brooklyn. On the same date, but at a different place, Bob Ungerfeld’s brother-in-law, Norman Glück, manager of Fox, Teaneck Theater, Teaneck, N. J., will wed Rose Shirley, also of Brooklyn.

REVIEWS OF NEW FILMS

"Spring Madness" with Maureen O’ Sullivan, Lew Ayres, Burgess Meredith

M-G-M 80 Mins.

SUPERB ROMANCE-COMEDY OF COLLEGE LIFE DONE WITH BEAUTY AND FINE DRAMATIC FEELING.

Here’s a film of college life that presents the girls and boys as intelligent human beings with normal balance and outlook on life, and not a bunch of zany nitwits. It is quite conceivable that a film of this kind will bring back a lot of college trade that has been unsold by silly college presentations on our screens. In fact this production is a very fine and sensitive analysis of the lives of a college boy and girl who are facing seriously the problem of life after college, and the producers have invested a great deal of getting together. There are some days when something vital and important to millions of college youth of both sexes that has never been given the proper amount of sympathy and seriousness on the screen. There is great hope for bringing back a lot of this trade to the theater if this type of production becomes more common on the Hollywood studios. It is based on the play "Spring Dance," by Philip Barry, and that explains the plot. A fine mind with a sympathetic approach to the problems of modern-day youth went to work in the studio, by proxy, but nevertheless the Barry touch comes through a few times. Maureen O’ Sullivan is the girl, Lew Ayres the boy. No performances of American youth in the springtime of romance have ever been portrayed on the screen with more delicacy, sureness, poignancy and sweetness. And withal, true to life, and in keeping with the problems of today. But the problem is not worked out in a serious mood. Far from it. The entire action and atmosphere is one of college frivolity and gaiety. Yet underneath all the froth and the spoiling and cutting-up of the co-eds and the boys, there is always the serious fine love interest. Burgess Meredith does a superior role of the hero’s pal, and does it with a new comedy note that is very welcome. There is a race of attractive girls keep the glamour and feminine appeal rampant throughout the footage. Ruth Hussey, Ann Norris, Joyce Compton, Jacqueline Wells. But the brilliant performances of Maureen O’ Sullivan and Lew Ayres are something to cheer about. Direction of S. Sylvan Simon is dandy understanding, handling a delicately molded theme with fine artistry. The screenplay of Edward Chodorov constitutes a model for college plays for all college folk. One, and we meant “fellow.” No college play will probably ever top it. Special notices should be posted on the bulletin boards of the nation’s universities by the faculty, taking due note that at last Hollywood has turned out a college picture worthy of the finest college folk. One, and we meant “fellow.” No college play will probably ever top it. Special notices should be posted on the bulletin boards of the nation’s universities by the faculty, taking due note that at last Hollywood has turned out a college picture worthy of the finest college folk.


CREDITS: Producer, Edward Chodorov; Director, S. Sylvan Simon; Author, Philip Barry; Screenplay, Edward Chodorov; Adap-

"The Law West of Tombstone" with Harry Carey, Tim Holt, Evelyn Brent

RKO Radio 72 Mins.

HOLLYWOOD PREMIERE

NEAT OUTDOOR PRODUCTION COMBINES COMEDY AND DRAMA IN MOST ENJOYABLE MANNER.

Comedy is combined with drama in this outdoor production in a most enjoyable manner, and with Harry Carey playing the center role. A rare bit of acting prowess is evidenced when the piece is a top-notch number in the Western type. John Twist and Clarence Upson Young worked out a screenplay from the latter’s story which has a lot of novelty in this kind of entertainment. Numerous new twists contribute much to keeping the plot interesting with laughs being emphasized. Harry Carey has the big role of the affair. He plays the bluffer with relish, and there’s forcefulness in his fiery side. Carey is a splendid choice for this fellow who runs everything his own way by a combination of good nature and friendliness besides a determination as a quick-trigger man. The rest of the cast performs capably. Included in the more important parts are Tim Holt, Evelyn Brent, Jean Rouwerol, Clarence Kolb and Esther Muir. Glen Tyen’s direction keeps things moving at a good pace. The production was handled by Clifford Reid as producer with Lee Marcus production executive. Harry Carey comes to Tombstone where he quickly makes himself the law and shortly after that the mayor. He runs the saloon at an annual salary of $1,200 a year. The next night and the City administration is paid for by the fines he collects in the court he sets up in the saloon whenever justice is necessary. He befriends a young outcast (Tim Holt) who is known as The Kid. In the course of time he makes a good citizen out of the boy and brings about a romance between him and a girl who is his daughter. The girl is never aware of this last fact. When re-election comes along, conditions point to an unsuccessful candidacy on Mr. Carey’s part, but one of his old bluffs works out to be true and puts over the election for him.


CREDITS: Producer, Cliff Reid; Production Executive, Lee Marcus; Director, Glenn Trynna; Author, Clarence Upson Young; Screenplay, John Twist and Clarence Upson Young; Cameraman, J. Roy Hunt ASC; Art Director, Van Nest Polglase; Associate, Albert Appleman; Sound, Raymond Zone; Sound, Earl A. Wolcott; Musical Director, Roy Webb.

DIRECTION, Fast. PHOTOGRAPHY, Good.

PICTURE TERRITORY: casting, Eleanor Golden, Eloise Barssang; Cameraman, Joseph Ruttenberg; Editor, Conrad Nervig.

DIRECTION, Excellent. PHOTOGRAPHY, Superb.

(Continued from Page 1) day when he returned from student conferences and visits to the Los Angeles and Frisco exchanges.

During his conferences with Darryl F. Zanuck, production chief, the question of a increased budget for 1939-40 was discussed. Webber gave that reply, indicating that the company again is considering upping its expendi ture for production.

Webber states that sales during the current Kent Drive have hit a figure that is approximately 11 percent ahead of the mark set this time last year. He expects 20th-Fox to close a maximum of 1.25 accounts this year.

It is predicted that "Jesse James" will be one of the greatest money makers that Zanuck has ever produced. He said he is looking forward to fine performances by "Kentucky" and the next Shirley Temple picture which will also be in Technicolor.

Policy of the studio regarding Technicolor pictures has not been definitely set, but there is a possiblility that the 1939-40 program will see an increase in the number of colorized pictures, it was learned. He disclosed that ambitious plans are being laid for Sonja Henie, with whose picture probably getting one of the biggest "name" casts the studio has ever assembled.

"Alexander’s Ragtime Band" during the first ten weeks’ showing in this country has piled up a greater domestic gross than "Sunny Side Up" during its entire lifetime, as it was said. Figures on this picture are said to be close to the $24,000,000 mark, without any foreign revenue to bolster this figure as yet.

Webber will return to the Coast early in December to preside at a district managers’ meeting in L. A. and, during his absence, executives will attend the session which will be in the nature of a round table conference for discussions of company policies and other matters. He said that it was improbable that the company’s 1939-40 program would be outlined at that time.

Webber is.to return from the Coast after the first of the year.

Bartholomew in Chi., P. A.

Chicago—Oriental theater, opening under Jones, Linick & Schafer operation Friday, will have Freddie Bartholomew in person, Verne Buck’s son, who is appearing in the stage bill supporting Metro’s "Vacation from Love."

Hudson Starts Own Biz

Portland, Ore.—Eddie Hudson, associated recently with Paramount and Universal, has become head of his own service—Feature Film Service here and Seattle.

Tuesday, November 15, 1938
A "Little" from Hollywood "Lots"

By RALPH WILK

HOLLYWOOD

Off the Studio Wires

NEWs of the day: First 20th-Fox musical pic for 1939 will be "Swinging High" with Tony Martin, John Dierkes and Dorothy Weaver. Metro will film Sir Malcolm Campbell's "Salute to the Gods," murder-mystery with European road racing background. . Universal has leased William Lundigan to Warners for "Dodge City". . Metro has signed Tom Collins, former Chi. radio actor, to a new pact. . Mary Carlisle gets the female lead in Republic's "Fighting Through Dresden," E. B. Dyer will produce "Parole Rocket" and "Star Reporter" for Mono. in that order.

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"Rosza Sandor" for Korjus

A novel by Robert Neumann called "Rosza Sandor" has been purchased for Metro as the next starring vehicle for Miliza Korjus.

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McLaglen, Durante at Metro

Victor McLaglen and Jimmy Durante have been signed by M-G-M to appear in the next Nelson Eddy musical, "Let Freedom Ring." Jack Warner will direct, Harry Rapf producing.

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Republic Signs Gus Meins

Gus Meins has been signed by Republic to direct "The Mysterious Miss X," which goes into production Nov. 24, with Herman Schloon as associate producer.

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Wotta Memory!

A replica of the famous Tony Faust cafe in St. Louis, and designed from memory by Director Edward H. Griffith, was constructed for scenes in "Cafe Society," which Jeff Lazarus is producing for Paramount. Griffith will use over 500 extras in the scenes filmed in this former Mound City cafe.

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Four UA Releases Click Strongly Over Week-end

(Continued from Page 1)

and the "Lady" did 60 per cent over average during the first four days at Warners Hollywood and Downtown theaters, assuring holdovers. Sunday records for the pic were claimed in four FWC spots—Bakersfield, Santa Ana, Pomona and Ventura.

Seinzick's "Young in Heart" grossed more than 50 per cent over the average biz in the first three days at the Orpheum, Omaha, and Paramount in Des Moines. At the Radio City Music Hall, the second week end cash receipts exceeded those for the first. "Forte" at the Aldine, Philadelphia, on the second week-end assured a second week.

Roach's "There Goes My Heart" played to more than 20,000 admissions, in nine days at the Albee in Cincinnati, and moved over to the Capitol Theater for a continuing run.

Korda's "Drums" at the State Theater in Rockford, Ill., set a new opening week-end record. The picture was playing at the same time at the Ritz Theater, Albany, after doing the biggest gross for the last six months.

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WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 204

RALPH STAUB. Director. Although young in years, has had a rounded career as assistant cameraman, assistant director, film editor, actor, writer, director, and producer of shorts. Born in Chicago, Staub became, at 21, youngest first cameraman in motion picture industry. Sent to Alaska by Pathé News to film arrival of Round-the-World Flyers at Nome. Stayed to make first pic of Mt. McKinley, and in appreciation, Territorial officials named Ralph River in Mt. McKinley National Park in his honor. Entered pictures in 1917 as assistant cameraman on picture featuring Baby Marie Osborne. Spent 12 years on short product—producing and directing 518 one- and two-reelers—a record in movieland annals. Produced and directed first three Technicolor musical shorts for Warners, "What No Man," which won second award in Academy shorts class for 1936. "Roxie Hart," a musical, was produced by Republic Pictures, which holds rights. Producer of 34 films, was chairman of Academy of Motion Picture Arts and Sciences. Became President of Three Film Producers Association, Inc. First picture produced by Corporation, "Swept Away by a Whirlwind," released by Republic, 1939. Directed four pictures for Republic Pictures, 1939-40.

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New Eastman Film Used for "Juarez" at Warners

West Coast Bureau of THE FILM DAILY

Burbank—After exhaustive tests occupying more than two months, Warners will first use the new Eastman Kodak high-speed film in photographing "Juarez." Tests made by Technicolor (by agreement) Tony Gaudio established the fact that the new-type film reduces illumination requirements by approximately 50 per cent and is 100 per cent faster than ordinary film. It provides a better quality of pictures and emphasizes the illusion of depth.

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2,000-Seat Suburban House

St. Louis—A 2,000-seat pic theater is to be erected on a site fronting on the south side of Clayton road east of Big Bend boulevard. The project is being financed by a syndicate headed by Samuel Shall, president of the Shubert Realty Company. Clayton road at this point is the border between Richmond Heights and Clayton, leading suburban communities.

This particular section of Richmond Heights and Clayton has shown decided growth and the promoters of the new house are confident the territory can support both the new house and Richmond.

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Allied Parley Withdrawal

Inference "Amazes" Myers

(Continued from Page 1)

trade paper voice over the week-end, keyed in industry circles to Myers' bulletin of last week denying that Allied had reached an "oral agreement in principle" at the Chicago huddles.

Myers' comment follows: "Allied's bulletin of Nov. 9 speaks for itself. I thought I was too old to be surprised at anything, but I am nevertheless amazed by efforts to read into the statement something that is not there."

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Carr Heads Golf Club

West Coast Bureau of THE FILM DAILY

Hollywood—Tren Carr was elected president of the Lakeside Golf Club for the ensuing year at meeting of the Board of Directors; for the past year Carr was treasurer of the organization. Carr, winning up as producer at Universal, is on the Board of Directors of Monogram Productions.

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Hoffberg Set In Omaha

Omaha—Deal has been closed by Hoffberg with the American Distribution Corp. for distribution of the Hoffberg company's product in this territory.

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Olive Again Named Proxy of D of C Allied Group

Allied Theater owners of the District of Columbia, Inc., re-elected C. H. Olive as president and member of the National Board to serve a fifth term at the annual meeting for election of officers. Ashley Abendschein, vice-president, John H. Hise, treasurer, Benjamin Tendler, chairman of the board of directors, and W. R. Gingall, secretary, complete the slate elected.

Action on a proposal that theater owners from nearby Virginia and Maryland be admitted to membership is expected in the near future.

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Realign Joy Theaters

New Orleans—Joy Houch's Joy Theater circuit was reported realigning itself again with nine of its Louisiana houses scheduled to be turned over to Cecil Howard. Spots which are reported to be under the Howard banner are: Cotton Port, Gross Tete, Church Point, Mamou, Mansura, Melville, Rangdolm, Simsport and Vinton. This reduces the Joy circuit to 19 houses reportedly, but it is rumored that the company has reported to have interests in other circuits.
BRED TO RUN WILD AT THE "LITTLE"

NOW BOOKING!
RELEASED THANKSGIVING (NOVEMBER 24th)

MORE POWERFUL THAN
Box-Office!
TOUGH GUYS
IN SOCIETY

MISCHA AUER • MARY BOLAND • Edward Everett HORTON
LITTLE TOUGH GUYS in SOCIETY
and these LITTLE TOUGH GUYS
FRANKIE THOMAS • HARRIS BERGER • HALLY CHESTER
CHARLES DUNCAN • DAVID GORCEY • WILLIAM BENEDICT
with Helen PARRISH and Jackie SEARL
Original screenplay by Edward Eliscu and Mortimer Offner
Directed by ERLE C. KENTON
Assoc. Prod. MAX H. GOLDEN

UNIVERSAL'S "LITTLE TOUGH GUY"
$710,000 for Theater Construction in 4 Gulf States

Consolidation of Holdings Brings Drop in Building Total

New Orleans—Theater construction in the Gulf Coast territory of Louisiana, Mississippi and parts of Alabama and Florida—fell short of the million dollar mark during the first 10 months of 1938. Remodeling also took a down cut, reaching a total of about $150,000. The general construction total, including equipment installed in new houses, is in the neighborhood of $710,000.

New houses, with their approximate equipment and construction costs are: the Bijou at Houma, $100,000; Elias & Schorrs' Essanee at New Iberia, $100,000; Dixie's Dixie at Yaxoo City, Mass., $70,000; Reaart, De Ridder, La., $85,000; Southern Amusement Company's Cane at Natchitoches, $70,000; Joe Pisciotta's Lattecher at Lattecher, La., $50,000; Joy Theater, Joy at Grammercy, La., $25,000; Paramount at Jackson, Miss., $150,000; Roxy at Alexandria, $30,000; Crystal's Grand at Morgan City, La., $35,000; the Ace Theater for Negroes at New Orleans, $10,000 or better; a Negro house for the Brunet interests in New Orleans, $10,000; the Regent for Whites, to open shortly, $25,000. Decrease in construction is due probably to consolidation of theater holdings in this territory. Remodeling has also slackened.

Dies in Auto Mishap

Crystal City, Mo.—Joe D. Orendorff, 35, manager of the 600-seat Roxy Theater here, was fatally injured in an automobile accident near Nodaway, Mo. Orendorff and Duran, his chauffeur, failed to negotiate a curve on U. S. Highway No. 70 and overturned twice. He suffered a broken neck.

Crawford Rites Today

Newark, N. J.—John G. Crawford, 63, builder and operator of one of the first nickelodeons in the state and for many years associated with the pix industry in its infancy, will be buried today.

Exchange Union to Elect

Cleveland — Film Exchange Employees, B-5 of IATSE Local 160 will meet Dec. 15 to elect officers for the ensuing year.

An Idea, But . . .

Commenting on a New York newspaper rumor that a Federal Commission is being contemplated for examination and deletion of propaganda in foreign pictorial material, one of the S. A. C. officials yesterday declared that the idea "is surrounded with political dynamite" and therefore can hardly be expected to materialize.

$9,000,000 for 20th-Fox Pix in 3 Months

West Coast Bureau of THE DAILY

Hollywood — With two Technicolor specials heading the list, 20th-Fox product lineup for the year has three months to go. If the production cost of almost $9,000,000. A third Technicolor special, "Kentucky," will be released on Dec. 30. "Cleopatra" and the new Shirley Temple pix, "The Little Princess," fill out the trio of color pictures.

Majority of the films scheduled for release during these three months are Zanuck specials, and studio execs. expect the company to start the year with the best earnings it has ever shown, due to strength of product lineup.

"One Big Union" for SAG, Other Guilds is Proposed

(Continued from Page 1)

secretary, recommended "one big union," to include the present membership of SAG, Equity, AGMA, and the AFRA.

Plan, she pointed out, would concentrate the actor's dues dollar-strength, eliminate the duplication of certain administrative functions and still preserve the autonomy of each in its respective field.

Growing rank-and-file sentiment for the setup was claimed. Mrs. Holt said that of the AFRA's 6,000 member, 2,000 held membership in one or more of the other unions mentioned.

Ennis' Series Taken

Six film exchanges in nine trade territories have acquired distribution rights to Bert Ennis' series, "The Memory Lingers On." Deals were closed with American Film Exchange, New York; Monarch Pictures Corp., Pittsburgh and Detroit; Big Feature Exchanges in Cincinnati, Indianapolis and Memphis; Masterpiece Attractions, Philadelphia; Trio Productions, Washington, D. C.; and Wheelock Films, Boston. Series has been booked by leading circuits and has played Radio City Music Hall.

Edwin Bergman Resigns

Cleveland — Edwin Bergman has been appointed city district sales manager for 20th-Century-Fox to succeed "Davey" Davidson who retired after completing 30 years in the industry, 21 of which were spent with Fox. Ted Scheinberg has been transferred here from the Albany office to take over Bergman's former territory.

Omaha V. C. to Elect

Omaha—Omaha Variety Club will elect officers Dec. 3 to succeed Chief Barker Walt Greene, Sol Francis, first assistant; Ted Mendenhall, second assistant; Sam Epstein, treasurer, and Eddie Shafston, secretary.

Maguire Again Pivoted

New Haven—Hugh A. Maguire, father of Hugh Maguire, Jr., RKO booker, died suddenly here Friday, just two weeks after the passing of his mother.

Chancellor's Death Will Bring Delay in Loew Suit

(Continued from Page 1)

the hearing indefinitely, or until another judge is appointed. Answers were to have been filed by today and hearing was expected to be set this week.

Depositions of David Bernstein, vice-president and treasurer of Loew's, Inc., are scheduled to be taken today. Of Freedom," for the stockholders' suit. Examination before trial will take place in the office of E. R. Ellis, counsel for the stockholders.

Meanwhile, the Loew case reached the top of the court calendar in New York yesterday and a date for trial is expected to be set this week.

Pullin Heads Variety Club

Columbus, O.—William C. Pullin has been elected president of the Columbus Variety Club. He had been filling the unexpired term of M. R. "Duke" Clark, who moved to Cleveland. Other officers were re-elected as follows: J. Real Neth, first vice-president; William Ort, second vice-president; J. F. Luft, treasurer, and P. J. Wood, secretary. Directors named were: Max Stern, C. Harry Schreiber, Virgil Jackson, Lou Holleb, Leo Haemlein, and William F. McKinnon.

Billboards Under Fire

Oklahoma City—A resolution condemning billboard advertising along highways has been passed by the Oklahoma State Safety council at the closing session of its annual conference at Norman. Theaters in Oklahoma are heavy users of billboards.

Pam-O-Film Gets Two

Buffalo — Pam-O-Film Exchange has acquired the Paul Robeson picture "Pam-O-Film" for distribution in the upstate New York territory. Exchange also is distributing a reissue of the UA release, "Abraham Lincoln" with Walter Huston.

Rep. Sets Long Deal

Republic has sold its 1938-39 program to the J. G. Long circuit in Texas.

"HAYS ORGANIZATION" FOR RADIO IS URGED

(Continued from Page 1)

voluntary system of self-regulation, "an industry code, subject to periodic review by the industry itself," is now being "administered by a suitable agency representative of the entire industry.

Sarnoff told the FCC that "RCF has been actively engaged in television research for more than 10 years and has spent millions of dollars to bring it to the verge of useful public service." He continued, "Personally, this development is still subject of outgo rather than income."

Discussing the benefits from RCA research to the entire radio industry, Sarnoff pointed out that 65 radio manufacturers have been licensed by the company to make use of its television inventions, and added: "When commercial television licenses are granted by this Commission, a competitor, the Columbia Broadcasting System, using an RCA transmitter, will be able to go on the air with commercial television programs as promptly as NBC now has the airwaves "and equally available for purchase by others who may desire to enter this field."

From Ballroom to Pix

Boston — The Lieberman Circuit has abandoned its plan to open the Ballroom as a pix house within a month. The house, formerly the old B. F. Keith Theater, is being extensively remodeled.

Plans for a newsreel theater in the basement of the Tremont Theater today in connection with its newsreel theater, however, is to be constructed adjacent to the Bijou Theater by next year.

Aid V. C. Charity Drive

Cleveland—M. B. Horwitz, appointed chairman of the Charity Fund Committee of the Variety Club by chief Barker, Nat Wolf, is being assisted by I. J. Schwartz, Frank D. Brew, Herbert Ochs, Jack Shulman and Henry Greenberger.

5 Detroit H.O.'s

Detroit—Five holders out of the six first-run houses set a new local record with openings on the six-screen, originally at the Fox, stays for a third week at the Adams; "Stalag 17" moves from the Michigan to the Palmers; "The Birth of a Baby" remains at the Co-Op; "The Great Waltz" at the United Artists; while the Fox, which has never been aban-
Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Now Twenty Years Old

NEW YORK, WEDNESDAY, NOVEMBER 16, 1938
TEN CENTS

Five National Figures Named as Judges in Quiz Contest

(See Column 3 Below)

Allied Favors System of Arbitration, Myers Declares

EXHIB PARLEYS WAIT ON DISTRIBUTOR AGREEMENT

N. Y. Censors Reject More Pix, But Make Fewer Cuts

U. S. Strategy
... a consent decree?

By Chester B. Bahn

Despite the Department of Justice crackdown in Chicago through the medium of criminal contempt proceedings based on alleged violation of a 6-year-old consent decree, there is, in at least certain quarters, a conviction that the Government would prefer to terminate the New York equity suit via another consent decree.

On this score, of course, the Department is wholly silent; its spokesmen in Washington have professed the desire to try an antitrust suit on an early date, if not in December, then early in the new year. At the bill of particulars hearing last week, Paul Williams, special assistant to the Attorney General, pointedly stated that the Government was insistent upon speed.

This emphasis upon "speed" is detected further, in Departmental confirmation that it is working on an application for a preliminary injunction, and to be submitted at an early date, if not in December, then early in the new year. At the bill of particulars hearing last week, Paul Williams, special assistant to the Attorney General, pointedly stated that the Government was insistent upon speed.

Washington observers, rightly or wrongly, gain the impression that the injunction talk is for bargaining purposes, and point to the fact that the Department denies the steps it is taking that the door to further conferences with counsel for the majors named as defendants.

Which of course again brings up the pertinent matter of a consent decree as an instrument of Government policy if nothing more. The other day, this commentator had something to say about the Government's unique theory on advertising and monopoly outlined by Thurman W. Arnold, Assistant U. S. Attorney General, in connection with the Ford-Chrysler consent decree.

Subsequently, Wendell Berge, special assistant to the Attorney General and another key man in the equity suit, spoke before the American Finance Conference in Chicago and somberly asserted, among other things, "Advertising used to place competitors at a disadvantage feters monopoly when such competitors are unable to match it."

Number of Foreign Films Submitted Shows Marked Increase

Albany—Annual report by Dr. Irwin Esmond, division director, to Educational Commissioner F. P. Graves shows that the Motion Picture Division screened 1935 full-length features during the fiscal year ended June 30. Licenses were refused to 23 pictures, with an even dozen appeals taken to Dr. Graves, and no reversals. In the preceding fiscal year, 16 pictures were rejected, 1,924 submitted.

Tax receipts tilted a bit above the

(Continued on Page 4)

Gov't Drafting Write
in N. Y. Equity Suit

Washington Bureau of THE FILM DAILY

Washington—The Department of Justice is now drafting an application for a preliminary injunction which will be presented to the U. S. District Court in the event that the majors refuse to agree to maintenance of the status quo at the theater level.

Pathie Film Directors
Huddle on Liquidation

Directors of Pathie Film Corp. and yesterday to iron out final details that will be incorporated in a letter

(Continued on Page 10)

Myers Tells Ohio ITO That Allied
Asks Sliding Scale Cancellation Plan

Sargoy Named Chairman of ABA Copyright Com.

Appointment of Edward A. Sargoy of New York City as chairman of the copyright committee of the Section of Patent, Trade Mark and Copyright Law of the American Bar

By Damas Fenwick

FILM DAILY Staff Correspondent

Columbus, O. — Local boards of arbitration and cancellation privileges on a sliding scale were among the requests made by Allied at the trade practice parleys, it was revealed here yesterday by Abram F. Myers, Allied's general counsel, in

(Continued on Page 10)

Kent and Depinet Now Due to Meet MPTOA Committee Dec. 8-9

Trade practice parleys between the MPTOA executive committee and the distributors' negotiating group are off until Dec. 8 or 9, due to the fact that the distributors, themselves, are not in complete accord on some of the issues involved.

This was stated yesterday by Ed Kuykendall, MPTOA president, following conferences with Sidney R. Kent, chairman of the distributors' committee.

"There are many little details yet to be cleared as well as an accord reached on some of the larger issues," Kuykendall announced in a

(Continued on Page 4)

RKO Italian Distrib.
 Pact Has Year to Go

RKO's contract with General Cine, its distributing organization in Italy, involves another season's product, expiring after the delivery, if possible, of the 1939-40 program, it was said yesterday by Phil Reisman, RKO's foreign department chief. Reisman, who returned last Thursday from Europe, held a press

(Continued on Page 10)

Educational Directorate to Rename E. W. Hammans

Stockholders of Educational Pictures, Inc., meeting yesterday, reelected Earle W. Hammans, Bruno

(Continued on Page 4)

$250,000 on "Patrol"

Walters has set a $250,000 ad campaign for "Dawn Patrol," Charlie Ein-

(Continued on Page 4)
U.S. Strategy... a consent decree?

(Continued from Page 1)

to expend equally large sums for advertising.

Interesting, to put it mildly, to this business which feeds on advertising.

ADDITIONALLY, the New York World-Telegram accepts Berge's speech as indicating that the Ford-Chrysler decree "is merely the forerunner of a widespread campaign," and comments:

"We realize that the right to nullus prossio is no new thing. But we realize also that all over the world the urge for power in public places is running stronger than ever before in our time. And that, therefore, since the D. J. apparently is launching on a far-flung crusade, with the consent decree as its weapon, how it uses that weapon is something that calls not only for vigilance, but for public understanding."

"Certainly we think that the prosecuto- jury-judge-lawmaker role is a dangerous one; that judicial reviews of consent de- crees should be more than perfunctory, as the last new device of a Sullivan act should apply to limit and define the use of the gun."

"As, is the weapon seems too large to be entrusted to any one man or any one governmental agency."

With that philosophy, this commentator heartily is in accord.

Snow White" as First-Run Christmas Week, RKO's Plan

RKO Radio has authorized first- run engagements of "Snow White" and the Seven Dwarfs" for Christmas Week. Jules Levy, general sales manager, said yesterday. Levy returned yesterday from New Oleans following visits to Charles- ton and Atlanta where product deals were set with Publix-Kineray, Lucas and Jenkins-Public and Wilby Public.

Canada will observe Jules Levy Appreciation Week, Nov. 26-Dec. 2, dates being set by L. M. Devaney, district manager.

Rep. to Sell Roy Rogers Release as a Feature

"Come On Rangers," newest Roy Rogers release produced by Republic, will be sold separately as a feature, it was learned yesterday. Excerpts stated that the picture was marked as a definite hit and change of policy resulted. However, an- other Rogers will be made to meet the eight sold previously for this season.

Sorokor to Pittsburgh as GB Exchange Head

Pittsburgh—S. Soroker, Gaumont British salesman in Boston, has been appointed exchange manager for the company here, taking over his duties immediately. He succeeds Joseph Kaliski, resigned.
is proud to present its first series of shorts since the Disneys... a new motion picture thrill

full of the glamour and romance of far-away places... taking your patrons around the world in

each a perfect gem of pictorial and dramatic interest and photographed in the most perfect

that ever flashed across the screen! Arrange to have these subjects screened for you: "THE ETERNAL FIRE" • "JERUSALEM" "ROME SYMPHONY" • "FOX HUNTING" • "PETRA" (RUINED SITE IN ARABIA) "WANDERERS OF THE DESERT" • "ARABIAN BAZAAR" • "RUINS OF PALMYRA"
EXHIBITOR PARLIES
AWAIT DISTRIB. MOVE

(Continued from Page 3)

prepared statement, "that we feel are essential to a well clarified un-
derstanding and fair trade practice adjustments."

The final conference is being de-
ferred, Kuykendall continued, until the

distributors can reach an agree-
ment among themselves. This, he be-
eathed, would probably be brought about in the next few days.

Following the meeting on Dec. 8 or

9, Kuykendall will submit the

plan to the organization's board

of directors.

"I am then honest," Kuykendall

said, "that it will only take a few

more days after this meeting to

make them effective.

"One thing I am sure of is the

sincerity of the distributors' com-

mittee in their desire to bring about

a more friendly understanding and

fair trade practice adjustments at

the least possible moment and I

have every assurance that out of

the meetings will come something

definitely good for all of us."

Educational Directorate
To Rename E. W. Hammons

(Continued from Page 1)

Weyers, John R. Munn, Hugh M.
Kahler, Norman C. Nicholson and
T. E. Williams directors of the
company. Director's meeting will be
held in a few days to elect officers,
with re-election of all present execs,
time anticipated. Meeting of Grand
National board may be held on Friday,
was learned.

WEDDING BELLS

Announcement of the engage-
ment of Selma Riffkin to George
Rabinowitz was made yesterday by
her father, Herman Riffkin, Repub-
lic fringe holder in New Eng-
land, who is in New York for a few

days on business. Rabinowitz is
manager of the branch office in New
Haven.

West Coast Bureau of THE FILM DAILY

Hollywood — Louis Hayward and
Ida Lupino will be married today
in a quiet ceremony at Santa Bar-
bara. Their honeymoon will be short
as Miss Lupino has to be in Holly-
wood to start new picture Monday.

West Coast Bureau of THE FILM DAILY

Los Angeles — Jane Walsh, film

actress, and Charles S. Belden,
scenarist, have filed notice here of
their intentions to wed.

West Coast Bureau of THE FILM DAILY

Los Angeles — Ann Marg, film

player, and Assemblyman William
T. Middleton (Rep.), of 175 West 88th St., New York City, will be
married here on Dec. 10, the former

disclosed following filing of notice
at the local marriage bureau.

NEW YORK CENSORS
REJECT MORE PI

(Continued from Page 2)

previous fiscal year, with an income of

$304,079.83, contrasted with $292,
456.62. Outgo, including cost of
screening, salaries of the Census
Board and its five reviewers and
inspectors, secretary and stenogra-
phers, totaled $5,648,61, with a net
revenue of $25,429.22 sent to the
State Treasury.

In addition to rejecting 23 film
outright, Dr. Esmond's bureau elimi-
nated 772 scenes, dialogue or sub-
titles upon grounds within Sections
1082 and 1083 of the Education Law. Elimina-
tions were fewer than a year ago
when the total was 1,291.

The report shows that 465 foreign
made films were submitted for re-
view, produced in the following
countries: Java, Greece, Borneo,
Argentina, Russia, Hungary, Great Britain, Italy, Psy-
land, Germany and China. This
represents a gain of more than 100
Reels screened totaled 1,042. Re-
jections of the 772 subtitles or
scenes were divided into Section
1082's "causes": indecent, 864; in
human, 25; sacrilegious, 56; tendency
to incite to crime, 60; immoral or
a tendency to corrupt morals, 265.

During the past year, the Court of
Appeals upheld rejections by
Dr. Esmond on the Czechoslovakian
made film "Ecstasy" and the
American picture "Tomorrow's Chi-
ildren." Currently pending is "The
Birth of a Baby." In the case of
"Ecstasy," the Court of Appeals
decided unanimously while in the
"Dr. Esmond's Children," the prevailing
opinion carried 5-2, with Chief Just
being the dissenter and reading the
minority decision.

The director recommends that id-
ential scenes in movies be given
a chance to meet the increased demands upon
the Motion Picture Division.

Post Acquires Color Shorts

Post Pictures Corp. announce the
acquisition of the foreign rights to
a series of six "Popular Science" subjects and 12 "Unusual Occupations"
subjects, produced by Scienti-
Tical Films, Inc. The subjects are
one- reel each in Cinemascope.

ALONG THE
BLAST

WITH PHIL M. DALY

- • • THIS IS frankly a column plugging Eastern production

.....we have just returned from the Eastern Service Studios in Long

Island City.....less than 20 minutes' ride on the subway from Times

Square......where we witnessed William K. Howard at work on his

production tentatively titled "Home Town."......

- • • IT IS an EXPERIENCE to watch Bill Howard at

work.....the infinite care that he puts into every line and

gesture.....at last he is making that picture that has been close

to his heart for years.....making it HIS way.....and the

entire gang is with him.....backing him up wholeheartedly

....hardboiled as we think we are, we got a Great Thrill out

of the atmosphere that permeates the Howard unit.....and that

atmosphere is inherent in the setup of the studio itself.....

which helps to explain a great deal.....

- • • IF YOU will bear with us a moment, dear reader.....

we will try to tell you in a few words our impression of picture pro-
duction in general.....it is quite frequently bogged down with inter-
ference, politics, red tape, so that the director is lucky if he gets
over 50 per cent of the things he is trying to say in his produc-
tion.....over all at the Eastern Service Studio, Bill Howard is getting over exactly 100
per cent of what he is striving to tell on the screen.....for this studio is a business organization functioning as such.....it has to help the

independent producer make a picture probably in order to profit al-
so.....and so the inefficient of unbusinesslike procedure mentioned above
play no part in this studio.....and a director gets SOMEWHERE

- • • IT LOOKS as if there is a definite swing toward

Eastern production.....judging by the production schedule tak-
ing form over in Astoria for the immediate future.....we would like
to detail it, but why kill good bannerman stories for the news columns?.....astute industrial minds are working to the fact that
certain types of pictures can be made in the East far more ad-
vantagously then in Hollywood.....the director can call on the
facilities of New York right at his elbow.....New Faces are here in abundance.....stage players can double in studio work during the day.....contingent of headquarter applying on Holly-
wood productions before the camera starts to roll is often enough to
complete a picture at this eastern studio.....for a picture producer with $300,000 to spend, this studio is ideal.....as Will-

..."William K. Howard will prove conclusively when the world gets a
flush at his current production..

- • • IT is always a pleasant task to set down the names of

people who are helping to do a Grand Job.....and so we list some of

the men responsible for helping Bill Howard turn out a worthwhile

eastern production.....Johnny Walker, associate producer.....Harold
Godose, assistant director.....Hal Mohr, camera chief.....Gordon
Wiles, technical director.....Jack Murray, editor.....the leading

players in the cast are Wally Ford, Stuart Erwin, Ahne MacMahan,
Patricia Ellis.....all the current forward movement in Eastern Service

Studios is mainly attributable to the intelligent and experienced handling of
Frank E. Speidell, the president.....and Charles L. Glett, in charge of
studio operations.

- • • EMPHASIS on national exploitation campaigns for

Paramount.....with a big campaign on Cecil DeMille's "Union

Pacific,".....with simultaneous premiers in a half dozen cities

.....national camera and essay contests.....traveling exhibits

.....other important forthcoming pix are being set for similar

national treatment.
A GREAT FIRST OF A NEW SERIES...

out of the "funnies"...

into your heart!

BASED UPON THE FAMOUS COMIC STRIP CREATED BY CHIC YOUNG

with PENNY SINGLETON • ARTHUR LAKE • LARRY SIMMS • GENE LOCKHART

Screen play by Richard Flournoy
Directed by FRANK R. STRAYER

A COLUMBIA PICTURE
...A NEW IDEA... IF IT'S ENTERTAINMENT... IS INVALUABLE... HERE'S ONE DESIGNED TO BRING ADDEND PATRONAGE TO THEATRES. ALREADY PRE-SOLD TO MILLIONS OF FANS OF CHIC YOUNG'S FAMOUS COMIC STRIP... RELEASED BY COLUMBIA NOVEMBER 30th!
**ARBITRATION BOARDS FAVORLED BY ALLIED**

(Continued from Page 1)

an address before the annual convention of the ITO of Ohio. Sunday's talk, the delegate stated that to date the conferences had not gone very far towards definite relief but the ITO was determined to fight on until it wanted. The distributors will not concede much on the issue of designated play dates, Myers said, especially where flat rentals are concerned.

Allied is in favor of arbitration, Myers stated, proposing local boards with an umpire to be called in when deadlocked.

In commenting on the report that certain charges would be eliminated, Myers said that he believed that if this comes about, the charges will be replaced by new excessive exhibitor fees by higher rentals.

Myers, in his address, accused certain exhibitors of "gobbling up rentals," and asked those present to discount all stories regarding national Allied's board meetings.

Harry Goldstein, director of publicity and advertising for Warner Bros., theaters, urged exhibitors to adopt new techniques in getting public backing, pointing out that Hollywood has ventured into new story fields the success of which will be in finding new ways of selling pictures to the public.

Approximately 300 persons are in attendance here. The annual banquet was held last night.

Wm. Fox Made 2 Million Profit In 1936, Claim

Atlantic City — All Continent Corp., $5,000,000 trust which William Fox created eight years ago for his wife, Eva, and their two daughters, Belle and Mona, increased nearly $1,000,000 in 1935, and Fox himself made a net profit of $2,000,000 in 1936, it was testified at a hearing here.

Suit has been instituted against All-Continental by Hiram Steedman, trustee of the bankrupt William Fox estate, to recapture alleged William Fox assets. Latter, creditors charge, were fraudulently transferred to the corporation.

Offer of $5,000 for suit's vindication is said to have been made by Mrs. Fox and her daughters.

**M-G-M Re-Signs Taurog**

West Coast Bureau of THE FILM DAILY


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**GOV'T DRAFTING WRIT IN N. Y. EQUITY SUIT**

(Continued from Page 1)

S. District Court in New York in the event the majors do not accept the Government's overtures for the status quo in the theater division pending trial of the equity suit.

However, it is understood that the Government has not fully determined how sweeping the proposed injunction should be, with some division of sentiment in this respect reported. Further, there is a growing impression here that the injunction talk at this particular time has a bargaining slant.

To bolster this, it is pointed out that the Department denies its present activity shuts the door to further conferences with majors' counsel.

Specifically, The FILM DAILY was informed at the Department: "There is no basis for the conferences should be called off, although some of the attorneys told us they could not consent to the status quo. Any time, they want to confer, we will confer."

"We are still willing to give the film industry all the conference cooperation we want," a Justice official stated. "The belief here is industry spokesmen will come to see us again."

Assistant Attorney General Thurman W. Arnold, who returned to Washington yesterday to confer with aides, declared no quoted comment from him on the pending suit had been authorized.

The expected announcement from Homer S. Cummings' retirement from the Cabinet as Attorney General was announced yesterday. His resignation becomes effective in January.

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**5 National Figures Named Judges in Quiz Contest**

(Continued from Page 1)

discuss the procedure to be followed. The contest ends at midnight, Dec. 31. Announcement of the winners will be in January.

Number of replies being received at contest headquarters indicates that the Movie Quiz may break all records for national contests. Jack Todd, heading the organization in charge of the mechanical details of the contest, said: A staff of several hundred will sort the mail, classify the answers, and assist the judging committee.

**"No Dept Store"**

Oakland, Calif.—Grand Theater takes a dig at the district merchants by par- petting with advertising "copy as fol- lows: "We have no restlations, catelim or silverware to give away. We are not going to give away a first-class theater, bringing you the best pictures for less. Save the difference.
"JIMMY" LEADS
and the Country
the JAMES R.
SALES
Nov. 7th

SOME OF THE SMART SHOWMEN WHO
HAVE BOUGHT REPUBLICS 1938-39 PROGRAM

R.K.O. National Circuit
Loew National Circuit
Warner National Circuit
R.K.O. Metropolitan Circuit
Loew Metropolitan Circuit
Skouras Metropolitan Circuit
Fox West Coast Circuit
Publix Great States
Publix Comerford
Minnesota Amusement Co.
Publix Wilby Theatres
Publix Wilby Kinecy
Publix Bamford Theatres
Publix New England Theatres
Paramount Enterprises Inc.
Butterfield Theatres Corp.
Schine Circuit
Fabian Theatres
M. A. Shea Theatres
Interstate Texas Theatres
Interstate New England Theatres
E. M. Loew Theatres Inc.
Jefferson Amusement Co., Inc.
Robb and Howley United Inc.
Griffith Amusement Co
Tri-State Theatres Inc.
Tri-State Circuit
Central States Theatre Corp.
Smalley's Theatres Inc.
Charles Morse Circuit

Graphic Theatres Circuit
Schulte's Theatres
Walter Reade Enterprises
William Yoest Circuit
Leon Roshenblatt Circuit
Stamatis Amusement Co.
Eichelsohn Circuit
Moscate Circuit
Better Theatres Inc.
Essaness Theatres Corp.
Chakeres Theatres Inc.
Paul Gusdanovic
W. C. Chestnour
Associated Theatres
Affiliated Theatres Circuit Inc.
Wilmor and Vincent Corp.
Harris Theatres Corp.
Alpine Theatres Circuit
Ideal Amusement Co.
Dipson Circuit
Manos Amusement Co.
A. N. Notopoulos Circuit
Neighborhood Theatres Inc.
Durkee Theatres Corp.
Sidney R. Lust Theatres
Marcus Niles Theatres
Lichman Theatres
M. K. Murphy Theatres
Rome Theatrical Enterprises
Greater Indianapolis Theatres

Fourth Ave. Amusement Co.
Sproule Theatre Circuit
Pit Bros. Theatre Corp.
Commonwealth Amusement Corp.
Baehr Bros.
Beiger Circuit
Prima Amusement Co.
Gus Kerassof Circuit
R. E. Martin Circuit
Lan Amusement Co., Inc.
Lucas and Jenkins
Hall Industries Theatres
Rubin Freis Theatres
Malco Circuit
Strand Enterprises
Southwestern Theatres Inc.
Theatrical Managers Inc.
Theatre Service Corp.
Malco Circuit
Black Hills Amusement Co.
Atlas Theatre Corp.
Westland Theatres Inc.
Simons Amusement Co.
Maine and New Hampshire Circuit
Golden State Circuit
T. and B. Jr. Enterprises Inc.
Harvey Amusement Co.
Redwood and Midland Circuit
Sterling Theatres Inc.
Mercy Circuit

THE SMART
"BUY"
REPUBLIC
Republic
IS PREPARED TO SERVE YOU A STEADY FLOW OF QUALITY PRODUCT

Now booking

KING OF THE NEWSBOYS
PRISON NURSE
CALL OF THE YUKON
GANGS OF NEW YORK
ARMY GIRL
COME ON LEATHERNECKS
10th AVE. KID
THE HIGGINS FAMILY
THE NIGHT HAWK
DOWN IN 'ARKANSAW'
I STAND ACCUSED
STORM OVER BENGAL
ORPHANS OF THE STREET
FEDERAL MAN HUNT
PRIDE OF THE NAVY
COME ON RANGERS
FIGHTING THOROUGHBREDS
HI-YO, SILVER

In preparation

WAGONS WESTWARD
MYSTERIOUS MISS X
 GIRL FROM GOD'S COUNTRY
 GIRLS OF THE ROAD

GENE AUTRY
The nation's No. 1 cowboy star at the box office,
with Smiley Burnette in
GOLD MINE IN THE SKY • MAN FROM MOUNTAIN • PRARIE MOON
MUSICAL MOUNTAIN • WESTERN JAMBOREE • In preparation
NEW COWBOY • MOUNTAIN RHYTHM • MEXICALI ROSE

ROY ROGERS—MARY HART
Skyrocketed to stardom in two pictures—
"Under Western Stars" and "Billy the Kid Returns"

Now in
SHINE ON HARVEST MOON

In preparation

GIRL OF MY DREAMS • FIGHTING COWBOY • COLORADO MOON

THE THREE MESQUITEERS
JOHN WAYNE, Ray Corrigan, Max Terhune
in outstanding roles based on characters created
by William Cott MacDonald.

Now booking

CALL THE MESQUITEERS • OUTLAWS OF SONORA • RIDERS OF THE BLACK HILLS • HEROES OF THE HILLS • FALLS OF THE SADDLE • OVERLAND STAGE RAIDERS • SANTA FE STAMPEDE

In preparation

LONE STAR BULLETS • HEROES OF THE DESERT • THREE TEXAS STEERS

LONE RANGER
Serials
Acknowledged "tops" in the chapter play field.
Second "Ranger" serial available approximately Feb. 1st.

DICK TRACY
Serials
Backed by coast-to-coast radio and newspaper co-operative advertising. Perfect running mate
for The Lone Ranger.

THE FIGHTING DEVIL DOGS
Service serial with a "sock." 12 episodes

HAWK OF THE WILDERNESS
Bring-em-back-in-camp outdoor adventures. 12 episodes

PICTURES for SMART BUYERS
RKO ITALIAN DISTRIBUTION HAS YEAR TO GO

(Continued from Page 1)

RKO will live up to the terms of its contract with General Cinema and export pictures until such time as the Italian film monopoly decree takes effect. The company will do nothing to cause a breach of its pact, Reisman said, indicating that RKO would have to "wait and see what happens.

Foreign business this year has been the biggest in the history of the company, Reisman explained, despite wars and political situations abroad. Increase, he said, was 40 per cent over last year. The company is getting more money out of China today than ever before, he added, and even Czechoslovakia is turning in a big volume of business, that country being the only place in the Philip Reisman foreign sales drive, which, he said, is by far the most successful in RKO Radio's history.

Between 35 and 40 RKO prints are now impounded in Austria, Reisman said, but no effort has been made by the Government to distribute the pictures. No RKO pictures have been sent to Germany in five years, he stated.

RKO contemplates no production activities in England or France, but Reisman said that the company might participate in producing in England again, if a picture value warranted it. By that he meant RKO would consider partially financing a picture, but in any event the foreign company was being left open so that the company could acquire anything worthwhile product.

Negotiations are on between RKO and Herbert Wilcox for additional pictures but no deal has been closed, Reisman said, adding that negotiations are pending with the new Leslie Howard-Walter Futter combination which plans British production. No deal has been consummated. He said he considered Herbert Wilcox's "Sixty Glorious Years," the best picture ever made in England, and believes it will gross $1,500,000 in England alone.

In the Philip Reisman foreign sales drive, Peru is leading the field, with Switzerland second, Sweden third and Czechoslovakia fourth.

Pathe Film Directors Huddle on Liquidation

(Continued from Page 1)

to be sent to stockholders regarding the company's liquidation plans. It is expected that the directors will meet again in its present form, with calls for paying off the preferred stockholders at the rate of $100 per share, residue to be split between stockholders after liabilities, costs and other expenses are met.

TODAY'S the Day...

ON YOUR DESK... and on the desk of nearly every* Theatre Owner and Theatre Manager in the important Metropolitan Eastern Third of the National Gross... will be deposited the first...

Weekly EXHIBITOR

- THE NEW YORK STATE EXHIBITOR
- THE PHILADELPHIA EXHIBITOR

OUT EVERY WEDNESDAY WITH A FULL COVERAGE OF ALL OF LAST WEEK

JAY EMMANUEL PUBLICATIONS, INC.

These are A. B. C. figures - not ours!

Design Competition

Williamsburg, Va.—Architectural competition to select a design for a large festival theater for stage and pin shows to be built at the college of William and Mary has been announced by the American National Theater and Academy. According to plans the theater will be similar to the Malvern and Salzburg Theaters in Europe. This building later will be duplicated on the Pacific Coast, in the middle West and in the Southwest.

Sargoy Named Chairman of ABA Copyright Com.

(Continued from Page 1)

Association was announced yesterday.

Sargoy has been specializing in both legal and legislative aspects of copyright law, particularly in film and musical fields. In association with Gabriel L. Hess and Joseph L. Stein of New York City for the past nine years, he has been specializing representing American distribs. in infringement matters arising out of unauthorized exhibition of films.

He is now specially associated with T. Brooke Price and Homer H. Breland, general counsel and solicitor respectively of Western Electric in the defense of suit brought by John G. Paine as trustee for American publishing houses against Erpi, and now pending before U. S. District Judge Knox in the Southern District of New York.

RKO Talking Deal to Show "Snow White" in Soviets

Walt Disney's "Snow White and the Seven Dwarfs" may be exhibited soon in Russia, Phil Reisman, RKO foreign chief said yesterday.

Negotiations for that goal now are being carried on between Reginald Armour, European manager for RKO Radio Pictures, and the Russian government. Outside of Disney shorts, only a few U. S. made features have been distributed in Russia under the present regime.

Joyce Awarded $1,000

Judge Alfred C. Cox in Federal Court here yesterday awarded an ad interim allowance of $1,000 to Special Master John E. Joyce in the reorganization of Paramount Public, Inc. Cox declared that Joyce would receive further compensation when his work on the case has been completed. To date, exclusive of yesterday's award, Joyce has received $14,000.

Fields Cancels Air Pact

West Coast Bureau of THIS FILM DAILY

Hollywood—Lord & Thomas' contract with W. C. Fields for the Lucky Strike air show has been amicably cancelled. Fields was dissatisfied with material after four programs. Contract had 18 weeks to go.
 Written Report on Allied-Distrib. Parleys Completed

MAJORS NAMED IN NEW PHILLY ANTI-TRUST ACTION

Industry Aid for Persecution Victims Abroad Urged

Ohio ITO Calls for Fund, Supported by All Organizations

By DAMAN PENWICK
FILM DAILY Staff Correspondent

Columbus—The ITO of Ohio, by resolution adopted at yesterday's meeting of the annual convention, called upon all organizations in all branches of the film industry to raise funds for the relief of victims of religious and racial persecutions abroad.

The resolution, expressing "profound sorrow," urged that "appropriate steps" be taken. So far as

(Continued on Page 4)

EQUITY ASSAILS NAZI REGIME IN FDR WIRE

In an unprecedented action for Actors Equity Association, Paul Dulsell, executive-secretary, acting at the direction of the executive council, dispatched a telegram to President Roosevelt yesterday that

(Continued on Page 2)

held Four Meetings Today on Sears Sales Drive Plans

Inter-district meetings of Warner's district and branch managers will get under way today to perfect plans for the Gradwell L. Sears Sales Drive which opens Dec. 25 and runs through April 16, 1938.

W. E. Callaway, West Coast district manager, headquartered in

(Continued on Page 4)

jaenger and Affiliates Close for Rep. Lineup

New Orleans—Deal was formally concluded here yesterday by James T. Grainger, Republic's president and general manager in charge of distribution, for his organization's

(Continued on Page 6)

THEATER DIVORCement Measure Looms in Pennsylvania

(See Column 2 Below)

THE JIM DAILY

Intimate in Character
International in Scope
Independent in Thought

NEW YORK, THURSDAY, NOVEMBER 17, 1938
TEN CENTS

THEATER DIVORCement FREEMAN TREKS WEST

MOVE LOOMS IN PENN. FOR NEW POST NOV. 28

Philadelphia—Pen
divorce legislation, it was authorita
tively reported here last night.

Measure to be introduced will, it

York, Pa., is expected to be modeled

after the Nebraska statute, constituti

On Anglo-U. S. Trade Pact

Washington Bureau of THE FILM DAILY

Washington—Long-awaited An
glo-U. S. reciprocal trade pact is set

for formal signing at the White

House today at 4 p.m. It was an

nounced here yesterday by the State

(Continued on Page 6)

Allied Asking Cancellation Privileges

On Identified and Unidentified Product

ITOA Endorses Work of its Trade Practice Committee

The ITOA at a meeting at the Hotel Astor yesterday endorsed the work of its trade practice committee and instructed the group to con

(Continued on Page 5)

Reducing the Allied-distributors trade parley deliberations to writing is completed and drafts are expected to be sent shortly to Allied leaders.

Meanwhile, Allied's requests for reforms and some insight on what the distributors are willing to concede have been revealed through

(Continued on Page 6)

H. J. Elliott Charges Three Federal Statutes Are Violated

Philadelphia—Herbert J. Elliott, operating the Fern Rock Theater here, filed suit yesterday against Warners, Warner Theaters, Paramount, RKO, Loew's, Columbia, Universal and UA under the Clayton Act, the Robinson-Patman anti-price discrimination act and the Sherman anti-trust act and asking $13 preliminary injunctions.

The case will be brought up in U. S. District Court Friday at 10 a.m.

Filing of the suit, which alleges monopoly on the part of Stanley

(Continued on Page 6)

COMPOSERS GALORE SAY TUNE PIRATED

Plagiarism suits and claims plagued the 20th-Fox legal depart

ent this week, with all parts of the world represented, apparently. In the allegations that the Mack Gordon-Harry Revel tune "Good Night, My Love," which was used in the Shirley Temple picture, the

(Continued on Page 4)

Canada Deaf to British Film Quo a Proposition

Ottawa—A spokesman has intimated that the Canadian Government will give no consideration to the creation of a British film quota regulation for the Dominion as rec

(Continued on Page 6)

WB's "Rat" Tops "Hood"; 65% Holdovers to Date

Warners' "Brother Rat" is shaping up as the company's biggest grosser in many years, topping even "The Adventures of Robin Hood," it

(Continued on Page 6)
COMING

NEW YORK STOCK MARKET

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Ontario Sports Groups Aid Pix Fight on Tax Return

Ontario—Alarmed at the prospect of an early return of the Ontario amusement tax, athletic associations of the province have extended cooperation to the theaters. Subject will come up at the annual meeting of the Allied Sports and Amusement Association in which both sport bodies and theater organizations hold membership. Association's proxy letter is to Col. John A. Cooper, head of the Motion Picture Distributors Association of Canada.

"Son of Sheik" Reissues Grosses About $600,000

"Son of The Sheik," Valention picture revisited by Artesian Associates, has grossed around $600,000 and has had 4,200 playdates in this country alone, breaking all records for reissued pictures, it was learned yesterday. Italy and Portugal are the only countries where the picture is not being distributed. Richard Thomas, "The Eagle," and Valentionpix, around Christmas is in prospect.

Charles Weegahm Dies

Chicago—Charles Weegahm, 64, veteran theater owner and restaurant magnate, died in his apartment in the Drake Hotel. His wife survives.

Pathe Board to Complete Liquidation Plan Today

Further huddle of the Pathe Film Corp. directors was held today to consider iron out details that will be incorporated in letter to stockholders explaining company's liquidation plans. The company's laboratory facilities may or may not be included in the liquidation plan, with indications pointing to retention of those properties is expected to be completely drafted by directors this morning and will be sent to stockholders in tonight's mail.

"Pygmalion" Starts Astor Pop Priced Run on Dec. 1

"Pygmalion" goes into the Astor Theater, Broadway, at popular prices on Dec. 1 instead of Nov. 23 as previously announced. Current attraction, "Mame Antoine," remains until shortly before the opening of the George Bernard Shaw picture.

Equity to Hear Talks

A discussion meeting will be held by Actors Equity Association tomorrow at the Astor. Maurie Sherman, Margaret Webster, Brock Pemberton and Worthington Miner will speak. Philip Loeb is the chairman of the committee handling the meeting.

Columbia Sale Meeting at New Orleans Saturday


Einfeld Will Accompany J. L. Warner to Coast

Jack L. Warner will sail for Europe on the Normandie Nov. 17 arriving here Thanksgiving Day. He was learned yesterday. He will confer with home office execs. for week and will leave for the Coast on Dec. 3, accompanied by S. Charles Einfeld, advertising and publicity director, who is head of the Coast sales.

Loew's Will Pay Extra 50 Cent Divvy on Common

Regular 50-cent dividend on Loew's common stock was declared yesterday by directors, with 50-cent extra dividend also being declared the common. Financial transactions are only business up at meeting by the directorate.

UA Board Meets Tomorrow

Universe. 's deferred board directors meeting is scheduled for tomorrow and there is a possibility that the session will be transformed into a stockholders meeting. Don Miles arrives tomorrow for the meeting. Mary Pickford will attend.
AMERICA IS BOOKED SOLID FOR THE HOLIDAYS!

THANKSGIVING

NEW YEAR'S

OUT WEST WITH THE HARDYS

THE FOLKS ARE BACK!

The greatest enjoyment you can have in a motion picture theatre is a visit with the happy Hardy Family. To share their jollies and heartbeats, in bed with Mickey, to sigh with Sister's youthful romances, to open your heart to the Jogs and his kindred—these have brought the Hardys close to all Americans. It is a pleasure to announce that their new picture is more delightful than those which have gone before—a merry, hilarious, thrill-filled entertainment.

LEWIS STONE · MICKEY ROONEY · CECILIA PARKER · FAY HOLDEN

Directed by GEORGE BUKI
Produced by HAROLD LLOYD
With PAUL DUNN · DONALD CRISP · LUCILLE LEIGH · BEA BENADRA

Metro-Goldwyn-Mayer

Jeanette MacDonald · Nelson Eddy
SWEETHEARTS

VICTOR HERSHER

Produced by HAROLD LLOYD

Directed by GEORGE BUKI

Produced by NORMAN Z. McLAUGHLIN

Directed by GEORGE BUKI

Produced by NORMAN Z. McLAUGHLIN

From Ad Campaign
ALONG THE RIALTO
WITH PHIL M. DALY

- SPECIAL CAMPAIGNS will be sponsored by the Boy Scouts of America in each situation where “Angels With Dirty Faces” will play...the organization, through chief librarian Franklin K. Mathews, has given its unqualified endorsement to the Warner production...in a letter to Harry Warner, the executive of the Scouts noted with approval that it was one of the most soul-searching films he had seen in a long time...and that it told its story “without mock heroes or sickening sentimentalism”.

- THE FIRST and only Chinese-made production ever readied for American release..."Sable Cieada"...will be shown at the Miles projection room today, before a distinguished gathering, including Paul D. Cravath, chairman of the board of the Metropolitan Opera...Carl Milliken of the Hays office...Chen Pao-Nan, Chinese vice-consul in New York...Henry R. Luce, publisher of Life magazine...the picture will have its premiere at the Met on Dec. 13, where it will be the feature of “China Night”.

- ALL THAT ad and pub gang of Paramount want to know how come we didn’t spill the glad news about the great national exploitation campaign on the other productions besides “Union Pacific” which we mentioned...all we can say in self-defense is that this koyun only holds an average of 600 wows, and we have no mechanical device for compressing type...sometimes we wish we had a set of rubber type to expand the dam words when we run short...however, now we have some room, and we therefore mention with great glee and pride even though we are not on the Paramount payroll (although the way we sometimes blurt that out may give some suspicious characters the idea that we are)...SO we now mention other important Paramount productions that are gonna receive this terrific national buildup..."Paris Honeymoon," with lucky horses sent out by Bing Crosby as one novelty stunt..."Zaza" will be plugged by a letter from Claudette Colbert..."St. Louis Blues" will be ballyhooed with records of the numbers in the films sent to all the big radio programs...and "Little Orphan Anne" will have Ann Gillis featured in a nationwide personal appearance tour.

- SPEAKERS before the Writers’ Club at Columbia University last nite were Anna Neagle and Herbert Wilcox, star and producer respectively of the gorgeous pageant-picture, “Sixty Glorious Years”...At the Variety Club at Columbus, Ohio, the Congressional medal of honor will be awarded to John L. Herman, Paramount newsreel cameraman, for distinguished service in connection with his work for the second Byrd expedition to Little America.

- THE ALL-INDUSTRY short, “The World Is Ours,” will be available in 16 mm. film for clubs, universities, schools, following its regular theater run...This evening a reception will be given to Anna Neagle and Herbert Wilcox by W. G. Van Schenck following the premiere of their film, “Sixty Glorious Years,” at the Music Hall...these attending will include Geddes Haygard, newly appointed British Consul General, and his staff...Leslie Howard, Noel Coward, M. H. Aylesworth, Grover Whalen, George J. Schoeder, Ned DePeau, Phil Reisman, Jules Levy, Harold Auten, Dorothy Gish...and a long list of notable British officials representing the Empire in this country and Canada.

URGE FILM AID FOR PERSECUTION VICTIMS

(Continued from Page 1)

is known here, the Ohio ITO, Alli’s affiliate, is the first unit of the industry to do so.

The other resolution adopted expressed approval of the attitude of Allied’s negotiators at the anti-reform parleys. Abram F. Bayer, Allied board chairman and general counsel, previously had outlined the progress made at the conferences in New York and Chicago.

Pete Harrison, of Harrison’s Reports, addressed the convention the other day on the Hollywood outlaw a television. Harrison found restoration of morale needed beyond the West Coast and advised exhibs. that television is only slight threat to theaters.

The following officers and directors were re-elected:

President, Martin G. Smith, Toledoo; vice-president, F. W. Hus Jr., Cincinnati; treasurer, M. B. Horwitz, Cleveland; Pete J. Wool (Columbus); directors, Henry Greenburg, Cleveland; John Kainof, Cleveland; Nat Charnas, Toledo; Harold Bernstein, Norwood; Ma’ Stearn, Columbus; J. Real Neth Columbus; Robert Menches, Akron; L. F. Eeck, Martin’s Ferry; Dwight Jones, Jackson; J. W. Trunk Youngtown; Joseph Stiege Ironon Jerry Steel, Oberlin; Roy Simon Washington Court House.

Composers Galore Say Tune in “Stowaway” was Pirated

(Continued from Page 1)

“Stowaway,” had been pirated wholly or in part.

In Argentina a musical trial was held in a Buenos Aires theater with the audience, admitted on Ann Oakley, acting as a jury. Two reels of the picture were exhibited and the song of the claimant, John, in Calabria, and the Gordon-Reeve piece were played. The audience found for the plaintiff. Twentieth-Fox’s legal department, taking the position that the audience-jury was “Packed,” is moving for dismissal. Charles McCord, New York tune, is suing for $40,000 damages from 20th-Fox, alleging that Gordon and Revel lifted music from song he wrote as a basis for “Good Night, My Love.” Claims are known to be received from Europe also. So may be it isn’t surprising that Edwin P. Kilroe, copyright expert of the company’s legal staff, was waiting yesterday to hear from the heirs of Verdi and Brahms. Inciting Brahms, Gordon and Revel arrived from the Coast this week.

Warner Club Xmas Party

Annual Warner Club Christmas party for children will be held on Dec. 17 at the company’s Vitaphone studios in Brooklyn, it was learned yesterday. Party will be held under the joint auspices of the Brooklyn and New York Warner Clubs.
EQUITY ASSAULTS NAZI REGIME IN FDR WIRE

(Continued from Page 1)

excoriated the Nazi government, it was learned last night.

Text of the telegram is as follows:

S "the name of the Actors Equity Association, and on behalf of the actors, actresses and chorus people of American theater, I desire to register my emphatic protest at the horrors perpetrated by the Nazi regime in Germany over the past five years, culminating in the unrestrained savagery and brutality of the last two weeks.

Such actions against an innocent and defenseless minority have no place in the record of an ostensibly civilized nation and it is proper that the American theater cannot longer withhold its denunciation of, and their disgust and dismay at, such denigrations of calculated cruelty and greed."

ITOA Endorses Work of Its Trade Practice Committee

(Continued from Page 1)

in the organization's publication, "The Independent," in which it was stated that the ITOA's efforts constitute a "use by legislation and regulation."

Continuing, the editorial said that "we have common sense enough to realize that no exhibitor leader can stymie the attempts of exhibitors to gain trade practice reforms. Whether it be on the part of ITOA or Allied or any other exhibitor group, conciliation will become a fact if the discussion is given the light of the day. Concession is peace with honor and toward that end we earnestly dedicate ourselves. The distributors are in possession of the ball--what they do with it will determine the future course of exhibitor activity."

The ITOA also endorsed President Roosevelt's stand on the foreign political situation.

Selznick Expected Today by Plane from Bermuda

(Continued from Page 1)

that company matters will be worked out in Beverly Hills and New York before Selznick returns to the Coast.

Question of a new releasing pact for the company is most important matter up for consideration. It has also been reported that Selznick has been deploring his one-sided interest in United Artists, but informed sources claim that this report is baseless. While in Bermuda he polished the GWTW script.

Rep. Sets Servaas Deal

Indianapolis--Republic has closed a distribution deal with the John C. Servaas circuit.

REVIEWS OF NEW FILMS

"Sixty Glorious Years"
with Anna Neagle, Anton Walbrook
RKO Radio Pictures

MAGNIFICENT PAGEANTRY IN GORGEOUS TECHNICOLOR WITH POWERFUL PICTURE

One of the finest examples of historical pageantry ever presented on the screen, this covered balls in the court of Queen Victoria from the time she announced in Parliament in 1840 her engagement to Prince Albert, until her death in 1901. The highlights of her reign are presented, and the great events that occurred in British history in those intervening years. Hence this production assumes an episodic form, and becomes a cavalcade of events with a more or less historical sequence that would be rather heavy subject matter as screen entertainment. But they have been humanized and removed from their dry historical significance, not by concealing in which manner in which the Queen moves through all the events into which she has been projected. For after all this is a record of the life of a very human person whose career was necessarily bound up with affairs of state and significance.

Thus the highlights of history become merely the background for the portrayal of a woman who loved and suffered and experienced all the emotions that are projected by her subjects. Anna Neagle gives an impressive performance as the Queen, imparting to the role a depth of understanding that will set this apart as one of the really great interpretations of a character taken from history. Anton Walbrook as Prince Albert, her husband, is superb. Their beautiful love for each other and the manner in which he moulded her life and guided her wisely yet unobtrusively has been expertly handled by script writers and the director.

The Duke of Wellington's influence upon the course and way in which the story is presented, is of course, an event of the Iron Duke, the activities of Albert in planning the exhibition of Crystal Palace, to the restoration of the royal family at Bath Castle, the Crimean campaign, the fall of Sebastopol, and the death of Albert, broken in spirit by the refusal of his opponents to understand him. Then the emergence of Victoria from seclusion after the death of her consort. The massacre of General Gordon's garrison at Khartoum; her bitter reproach of Gladstone for his delay in sending assistance; Kitchener's conquest of the Sudan; and finally the Diamond Jubilee in 1897, and the Queen's death at the age of eighty-one. Epochic the production most certainly is, and the human side is so paramount throughout that it becomes a very moving and appealing document. Anna Neagle as the aging Queen proved herself to be a really commensurate actress. Walbrook commands nothing but praise for a deft performance. C. Aubrey Smith as the Duke is immense. Michael Redgrave as the Duke's father, Lord Hardwicke, John Brown, Frederick Willyum, turn in fine performances also. The work of the camera under the direction of Jack Cardiff, the foremost directors in handling historical pageantry as well as very human characterizations, and the Technicolor throughout is magnificent.

"Storm Over Bengal"
with Patric Knowles, Rochelle Hudson
Richard Cromwell

Republic

COLORFUL FILM WITH ACTION, SUSPENSE AND ROMANCE WILL BE STRONG BOX OFFICE ATTRACTION

One of the most ambitious efforts of Republic, this picture should be a strong box office attraction as it offers all ingredients demanded by audiences. The cast is fine, headed by the handsome and extremely able Patric Knowles. The film is replete with colorful pageantry, and crammed with action topped off with a neat romance. Produced with freshness, it is entertaining at all times without a drag anywhere. Much time and care is spent in maintaining the picture in the box office all the time, and is well used by the type of audience. Rochelle Hudson makes an attractive and capable leading lady. Richard Cromwell is good as the film's star, and Hans resisted of noodles, Coin Tapley, Gilbert Emery and Douglas Walton are effective as eminences of the British Government in different forms. Douglas Dumbrille is as villainous as usual, making the most of his opportunities as the leader of the tribe. Not to be overlooked is Sidney Salkow, who presents the directorial chore smoothly with the aid of a well rounded script written by Dudley Waters. Knowles, an able intelligence service, is in the rebel camp in disguise when his fiancee, Miss Hudson, arrives from England. Cromwell falls in love with her. When Knowles returns from Lhanaur, the rebels' stronghold, he reveals that the revolt is ready to break out. Producer is on his toes for the dying Rajah to get a treaty signed, but he is thwarted by Dumbrille. However, his pursuer, Tapley, escapes from the revolt and, with the news of an ambush being set for the regiment, and Cromwell takes a mess of his assistants, to the advancing regiment, drinking when his plane crashes. Knowles manages to blow up their arsenal and the rebels are defeated, and Knowles' marriage is possible with peace once more realized. Use of seip for approximately two reels, with remainder of picture painted on a lavender base has achieved fine pictorial effect.


CREDITS: Associate Producer, Armand Schaefer; Director, Sidney Salkow; Screenplay, Dudley Waters; Editor, William Morgan; Cameramans, Ernest Miller.

DIRECTION, Good. PHOTOGRAPHY, Good.


CREDITS: Producer, Herbert Wilcox; Director, same; Screenplay, Edward Walbrook, Grancourt, Miles Malleson, Robert Vansittart.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.

A PROFITABLE INVESTMENT

SIMPLEX DELUXE ROTARY STABILIZER

SOUND MECHANISM includes

Flywheel and Hand Brake
Sound pick-up unit one assembly
Film Drive Sprockets -- sound and holdback
Drive mechanism one assembly
Adaptable for push-pull and stereophonic
Designed to permit easy removal of projector mechanism

MANUFACTURED BY INTERNATIONAL PROJECTOR CORPORATION
88-96 GOLD STREET, NEW YORK, N. Y.

DISTRIBUTED BY NATIONAL THEATRE SUPPLY COMPANY
BRANCHES IN PRINCIPAL CITIES
REPORT COMPLETED ON ALLIED PARLEYS

(Continued From Page 1)  
Abram F. Myers, general counsel, who spoke at the annual convention of the ITO of Ohio. 

Striking at blind buying, Allied asked for identification and allocation of all pictures, proposing a 10, 15 and 20 per cent cancellation privilege on identified pictures with the top bracket of elimination to be 25 per cent. On unidentified pictures (those sold without titles) Allied asked for cancellation rights ranging from 20 to 30 per cent. 

The distributors, Myers said, offer to sell product to every established theater and promise not to sell away from regular customers, a move which Myers interprets as being the end of exclusive selling. 

In addition, it was disclosed that the distributors have conceded the right of Allied to name theaters to be operated on flat rentals and guarantees only. 

As reported yesterday by The Film Daily, Allied also is in favor of arbitration boards, selected locally. 

Anglo-U. S. Trade Pact Will Be Signed Today

(Continued From Page 1)  
Department, Canada, the U. K., Northern Ireland and the Colonial Empire are included. 

Signatories will be Cordell Hull for the U. S.; Prime Minister Mackenzie King for Canada and Sir Donald Lindsay and Arnold Overton, second secretary of the British Board of Trade for Great Britain. 

Details of the pact have not yet been announced, but it is expected to deal with films along with a long list of other commodities. 

Freeman Treks Westward for New Para. Post Nov. 28

(Continued From Page 1)  
departure, Freeman stated yesterday, although booking matters have been discussed with a few operators who have come into town during the week, among them being Martin Morris and Sam Diamandi of the M & P circuit in New England. 

Court Grants Injunction

Judge Edgar A. Lauer in New York Supreme Court yesterday granted in full the application of Oliphant & Lerman, attorneys for Superior Talking Pictures and Stage and Screen Exhibitors of Chicago, in their action against Principal Film Exchange of New York City. Judge Lauer granted a motion for an injunction which restrains Principal from further distributing pictures of the plaintiffs and appoints a receiver to take an accounting of amounts Principal took in from the distribution of the pictures. 

A. E. Lichtman Named Head of Capital Variety Club

Washington Review of THE FILM DAILY 

Washington, D.C.—Variety Club has elected A. E. Lichtman, chief Barker for 1939, Lichtman succeeds A. Julian Brylawski. Hardie Meakin, manager of RKO Keith's, was elected first assistant chief Barker. Sidney Lust, independent operator, was named second assistant chief Barker. 

Other officers elected are: Harry Brown, branch manager for Gran National Pictures, as Secretary; Sam Galantine, division manager for Columbia, re-elected treasurer; Ray Bell, publicity and advertising head for Loew's, re-named executive secretary and former Chief Barker A. Julian Brylawski was elected to delegate to the councils of the national organisation of Variety Clubs. 

The board of governors include A. E. Lichtman, J. Makover, Angie Rae, management of Loew's Palace; H. Brown, Ed Fontaine and Sidney Lust. Other members of the board whose term will expire in 1939 are Artie Engle, Sam Galantin, Sam Flax, Hardie Meakin, Harry Lohmeier, John J. Payette, Rudolph Berger, Carter Barron and A. Julian Brylawski. 

Pix In Education Survey Completed by N. Y.

(Continued Page 1)  
Albany—Results of an exhaustive two-year survey into New York State's educational system, including motion pictures in youth education and an influence, were made public yesterday at a meeting of the Board of Regents. 

Preparing the report was Elizabeth Lane, the survey relates to both the film and radio industry exclusively. 

WB's "Rat" Tops "Hood"; 65 Holdovers to Date

(Continued from Page 1)  
was said at the home office yesterday. 

Of 30 key city situations reporting to date, "Brother Rat" has gone ahead of "Robin Hood" in 19, with over 80 more playdates to be heard from this week. 

Sixty-five per cent of the engagements so far have held over for the feature extra playing time, and company executives are anticipating a holdover record by the time the "Brother Rat" engagement is over. 

Saenger & Affiliates Close for Rep. Lineup

(Continued from Page 1)  
1938-39 product to play the houses of Saenger Amusement Co. and Saenger Affiliate Theaters, comprising close to 30 outlets. 

Assisting Grainger in the negotiations were Arthur Bromberg, Reitnauer franchise holder, and H. II. Everett, Southern district sales manager. 

Protests Against Block Griffith's Application

Minneapolis—For the fourth time, the application of H. L. Griffith, to build a $100,000 theater in suburban Minneapolis, has been denied by the city council committee on licenses. 

Committeemen had asked the Minneapolis Church Federation to express an opinion on granting of theater license near church buildings, as the proposed theater would be but a few hundred feet from a synagogue. In quick succession the aldermen heard a Catholic priest, Lutheran and Presbyterian ministers speak in support of the Jewish Temple Israel. 

Theodore Hays, speaking for the Minneapolis Amusement Co., said that his company, operating 13 theaters in the city, opposed any new theater until business conditions improved. 

W. A. Steffes of the Northwest Allied theater owners also spoke against the application. 

Carrier Quits Fabian Post In Albany's Hall

Albany—Resignation of Jimmy Carrier from Fabian Theaters resulted in promotion of Irving L. Liner, who will take over management of Harmann Bleecker Hall. Liner comes here from the Fabian Port Jervis enterprises, while Carrier returns to the advertising and exploitation side of the game, opening a branch of Consolidated Advertising Service here. 

NAME MAJORS IN NEW PHILLY TRUST SUIT

Warner, discrimination, unfair clearance, etc., asks that injunction be issued restraining Warner officials from entering theaters, building selling, or otherwise acquiring any theater. 

On behalf of the court, that the alleged monopoly of Warner be declared a violation of the Sherman and Clayton acts that the discrimination by the distributors be declared illegal and a violation of the two acts; that the Warner companies be ordered and directed to divest themselves of all interests in theaters; that the distributors be restrained from discrimination; that Universal and 20th Century-Fox be restrained from delivering to Warner Theaters any pictures at a price which the court, the order fee, in independent market for the city. 

The case arises out of an alleged unfair clearance situation, with the Warner Rock claiming that S-W has unfairly set in other houses ahead of the Fern Rock, thus pushing the house back on the clearance schedule. 

Harry Shapiro, a Pennsy state senator, is attorney for the plaintiff. 

Canada Deaf to British Film Quota Proposition

(Continued from Page 1)  
commended by W. L. Strath of Victoria, a member of the British Columbia Legislature. A similar proposal was turned down by the Empire Economic Conference, which was held here. 

A film fair in Canada, located at Victoria, B. C., has been turning out features for the British market under the quota regulations, and an opinion expressed that this studio has been generally released to theaters in the Dominion. 

Local 306, ITOA Dispute on Wages to be Arbitrated

The ITO labor committee and the negotiating committee of Local 306, Trumpheters union, met yesterday to discuss terms of new contract but failed to reach an agreement. Their wages will be settled by arbitration, it was learned. 

A further meeting is scheduled for sometime within the next two weeks to select an arbitration board with a possibility still remaining that some agreement may be reached in the interim, it was said. Unions has asked for a 48 per cent wage increase. 

MacMahon Under Knife

Chicago—Joe MacMahon, a recent addition to the M-G-M sales staff at LaSalle Hospital, at LaSalle where he is under treatment for appendicitis.
1939 FILM YEAR BOOK OF MOTION PICTURES IS ON THE WAY

Over 1200 pages of informative and statistical data compiled by the FILM DAILY with the enthusiastic co-operation of every branch of the Motion Picture Industry.

It is the recognized standard reference book of motion pictures and has been for the past twenty years.

Complimentary to subscribers to

THE FILM DAILY

1501 Broadway

New York City
Fourth Quarter Earnings Seen Approaching '37 Level

Patent Licensing Bill to Show Changes
Washington Bureau of THE FILM DAILY

Washington—Legislation designed to prevent patent "freezing" for monopoly purposes when reorganized at the present session Congress. In an important change, it is indicated. One change will be provision for a stipulation that all applicants for a compulsory license must file a bond to cover an estimated one year's royalties. Another may be that the "freezing" provision for the establishment of it will define a scale as possible for the computation of royalties. Inclusion of a provision for a five-year license period also looms.

16 MM. Situation in Ontario Province
Holds Plenty of Exhibitor Headaches

By WILLIAM GADISH
FILM DAILY Staff Correspondent

Ottawa—Plenty of headaches in the 16 mm. situation in this province, and that goes for some of the itinerants who are in the field as well as screen owners of standard 35 mm. theaters.

It is estimated that 40 portable shows have already taken to the road but some of them have already faded out because they did not realize the necessity of getting as far as possible from large cities in which there are plenty of actual theaters. Others have encountered overlapping routes and rival shows, some of which are covering the same ground. Rural patronage. Still others have found the going tough through lack of experience in choice of attractions, for rural audiences.

At the same time, the narrow gauge shows have actually invaded a number of towns where theaters are operating on a permanent basis. At Welland, a 150-seat store show of early type has opened for presentation of 16 mm. films. A similar house with 183 seats has opened in Welland, two weeks ago, and was operating three nights a week with nightly performances promised when the auditorium is opened. Players Canadian has just spent $100,000 for new construction in Welland territory.

Members of the Independent Theaters Association of Ontario have protested against the new opposition, and a committee, headed by J. O. Scott, of Weston, has been organized to ask the Government to regulate the 16 mm. operators. As yet, no complaint has been directed at the Canadian Government Motion Picture Bureau which, during the past year, turned out a record quantity of 16 mm. films.

Commenting on the anti-16 mm. agitation of the ITA, S. C. Atkinson, vice-president and treasurer of General Films, Ltd., pointed out that his company does not rent 16 mm. films. Films for use by an itinerant exhibitor for private gain in accordance with where as 35 mm. is in regular operation. Atkinson concluded:

"The view prevails that the safety of the public at 16 mm. shows, as they are of finding some method or means of making it hard for the other fellows to make a living. It is conceivable to presume that if there is an unusual amount of bally-ho for safety, the government may consider passing regulations prohibiting the use of nitrate film and thereby force the standard theaters to use non-inflammable film in the safety field.

"This would involve a number of difficulties; would increase the cost of raw stock and mean shorter life for the films; with exchanges would have to pass the additional cost on to the exhibitor.

"The 16 mm. industry in this country would suffer considerably, to show that it has pioneered many new markets in Canada. It has developed the field and 35 mm. is now enjoying the field and 55 mm. There have been many change-overs from 16 mm. to 35 mm. but ITA would have great difficulty showing change-overs from 35 mm. to 16 mm."

Mexican Exhibs "Persuaded" to Show Radical Pix

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent

Mexico City—The Executive Committee of the Confederation de Trabajadores de Mexico (Confederation of Mexican Workers) and the Department of Publicity and Propaganda, "persuaded" the owners and managers of the first-run theaters in Mexico City to book Producemex ACPM's initial effort, "Hambre" (Hunger), day-and-date. The Alameda, Iris, Rex, Palacio, Regis, and the American-owned Olimpia, all played the pix simultaneously for only a few days.

Privately produced, "Hambre" obtained the moral backing of Mexican Labor organizations as well as the moral support of the Mexican authorities because of its strong radical thesis. It was because of this thesis that all firms for the picture originally balked at showing it.

San Seidelman, general manager of the Latin American Division of United Artists, has returned from a three-month tour of his company's offices in Central and South America.

"Motion picture business is booming everywhere in Latin America," Mr. Seidelman said yesterday. "A big business is being done in Mexico, where the exchanges have been extremely successful. We have also had a great deal of interest in Central America, and the exchanges there have been very successful. In South America, we have had a good deal of interest in Brazil, where we have had a number of exchanges. In Argentina, we have had a good deal of success, and the exchanges there have been very successful. In Chile, we have had a good deal of success, and the exchanges there have been very successful.

4 MEETINGS TODAY ON SEARS DRIVE

Los Angeles, where the San Francisco huddle attended by A. B. Greengard, Hollywood; Los Angeles; V. Stewart, Portland; W. F. Gordon, Salt Lake City; Henry Herbel, San Francisco, and Al Otis, Seattle.

St. Louis, under Rud Lohrenz of the Chicago headquarters, will bring together the St. Louis, Chicago; A. W. Anderson, Des Moines; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukee; C. K. Haines, Detroit; W. O. Williamson, Jr., Memphis; L. Connor, New Orleans, and J. O. Rohde, Oklahoma City.

In Pittsburgh, Roy Haines will attend the meeting called by B. Coldner, district manager. Attending will be A. Shnitzer, Cincinnati; H. H. Cyper, Cleveland, and L. North, Detroit; W. G. Munsell, Philadelphia; Harry Seed, Pittsburgh; and P. W. Beiersdorf, Washington.

Tomorrow, Ed Schnitzer, eastern district manager, will conduct the New York meeting attended by Paul S. Crummer, Albany; E. A. Ayres, Boston; Charles Rich, Buffalo; John Paxon, New Haven, and Harry Hammel, New Jersey. Also attending will be W. D. Colburn, eastern district manager, calls into session at Toronto L. Geller, Calverly; M. J. Spies, Montreal; and S. John: H. O. Paynter, Toronto; Jos. Plottek, Vancouver, and G. A. Simmons, Winnipeg.

That Lighter Touch

San Juan (By Cable)—Immediately in the wake of a newspaper columnist's public letter here declaring "Tyone Power to Come to Puerto Rico," the local producers, directors, and writers declared the intention to "see any company attempt to promote its theme by operating a power company." (Ed. note: Cams by THE FILM DAILY yesterday indicated that additional protests may be launched at once by Robert F. F. Brown, Jr., E. L. Lightman, and all circuit heads.)
Donald M. Mesereseu ; General Manager
Chester B. Bahn ; Editor

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Friday, November 18, 1938

HERBERT WILCOX leaves for the Coast today. He expects to be back in 10 days.

EDDIE GOLDEN is back in town from Okla. home City and Columbus.

ARTHUR UNGAR leaves for the Coast today.

DOUGLAS FAIRBANKS sails for Euro. 1st class.

DAVID O. SELZNICK is slated to leave for the Coast Monday.

ED KUYENDALL, MPTO president, leaves today for his home in Columbus, Miss.

DAVE PALFREYMAN of the MPPDA returns yesterday from the ITO of Ohio convention in Columbus.

H. M. RICHIE, director of exhibitor rolls for RKO, returns today from Pittsburgh and Columbus.

WILLIAM SUSMAN, Eastern division manager for 20th-Fox, leaves tonight for Washington to join the Kent Drive group there.

FRED HAMMELMUTH, assistant manager of Columbia's branch office in Trinidad, will leave the cortice to take over his post.

FRANK LLOYD, Paramount producer-director, left for the Coast last night, accompanied by MRS. LLOYD, LOU SMITH, associate producer under Lloyd, also left for the Coast.

BEN KALMENSON, Southern and Western sales manager for Warners, leaves today for L. A.

VICKI LESTER, actress, arrives from the Coast today for a short stay here.

ILONA MASSEY, M-G-M star, arrived in New York yesterday by plane.

Claim Day-Date Record for Disney "Ferdinand"

Walt Disney's "Ferdinand the Bull" will play day-and-date Thanksgiving week in 175 situations. Short Subject Manager Harry Michelson of RKO Radio Pictures said yesterday this was a record number of day-and-date playdates for a short subject.

Dietz Reports...Listen, industry

(Continued from Page 1)

firm belief that for the future success of our industry we should be organized to present the aims and aspirations of the industry through the trade papers. There is a great deal more to this than meets the eye and in the long pull the industry will have made a wise investment if it goes about this most important proposition in a thorough manner.

More than any other a newspaperman really knows.

Mullin-Pinanski Contract With Para. Runs 5 Years

Washington Bureau of THE FILM DAILY

Washington: New Paramount management commitment with Martin J. Mullin and Samuel Pinanski, recently executed, span five years, expiring July 1, 1944, according to Para's special report on SEC, made public yesterday. Companies figuring in the agreement include New England Theaters, Inc., Publix Theaters Corp. and M & P Theaters Corp.

The deal provides for payment to Mullin and Pinanski of compensation equal to a percentage of the consolidated net earnings of New Eng-

Hot Springs Demanding Gross Business Statement

Denver—With the excuse they wish to determine whether the annual license fee of 25 cents a seat is too high or not, the city council of Hot Springs, N. M., has passed an ordinance which requires theaters to file an annual gross business statement. Exhibitors in other towns and cities of the Denver area are worried for fear their city councils may get similar ideas.

German Leaving Tonight for Annual Coast Survey

William J. German, vice-president and general manager of Jules F. Brulatou, Inc., left last night on the Century for the Coast on his annual survey tour of the company's Coast offices. He expects to return about a month, returning here sometime before Christmas.

Warner Hospitalized

West Coast Bureau of THE FILM DAILY

Hollywood — Harry M. Warner entered a local hospital here yesterday for two weeks of treatment to cure a severe stomach disorder.

Plains Theatres, Inc. and Publix Theatres Corp.

November 18

François Marion Claude Macgowan Margaret Sodden

November 19

Nancy Carroll William Nix Leon Graft

November 20

Robert W. Armstrong Elsa Benham Rosita Delmar

BIRTHDAY

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

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November 19

Nancy Carroll William Nix Leon Graft

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Robert W. Armstrong Elsa Benham Rosita Delmar

Happy BIRTHDAY

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Plains Theatres, Inc. and Publix Theatres Corp.
Friday, November 18, 1938

CANADA CONSIDERING EXHIB’N VALUE TAX

Whether on percentage or flat rate. Film distributors already pay plenty to the Canadian Government in ‘various imports’ . . . include 12/3 per cent excise tax, and sales tax of 8 per cent on film imports . . . in the States and a so-called remittance tax of 2 per cent on surplus payments to head offices in the United States.

The Dominion Government claims that the entertainment or talent value of motion pictures presented in Canadian theaters remains untouched and that it is a potential source of revenue through a suitable levy on rental returns from the individual picture which would be representative of the entertainment valuation.

RKO Creditors File Consents; 1,296,349 Shares Represented

(Continued from Page 1)

Loew’s Reports Two New Subsidies to the SEC

Washington Bureau of THE FILM DAILY

Washington—Loew’s, Inc. has reported acquisition of two new subsidiaries to the SEC. Midland Investment Corp. became a subsidiary through acquisition of 500 shares of class B common stock of the par value of $1 per share, which is 50 per cent of the total common stock. The other 500 shares are Class A common stock of the par value of $1 per share.

Mason Amusement Corp. became a subsidiary, it was reported, through acquisition of 500 shares of Class A stock which is 50 per cent of the total capital stock, and the other 50 per cent 500 shares of Class B stock.

Establishment of Motion Picture Press Urged by Howard Dietz in Drive Report

(Continued from Page 1)

the tire staff and serve as an inducement to the public in motion picture press clubs."

2. Continuance of the personal contact work that has been established during the campaign.

3. Consideration of "a continuous advertising campaign for the industry" to be $100,000 per month after "at least six months of research . . . with a view to establishing a psychological basis for a continuous good will campaign somewhat in the manner of the utility industries."

4. "Research, house to house canvasses, polls, continuous exhibitor and patron interviews. . . . A real effort to find out the subjects the public is interested in. What they think about motion pictures. Why they go and why they don’t go."

Additionally, on the assumption that the industry will adopt the recommendation for a continuing advertising campaign, Dietz urges: "That in the future, the weekly newspaper will be given the most earnest consideration. . . . We make the same recommendation in regard to radio."

The report points out that through mention of the Fifteenth Anniversary theme in the present campaign, the industry has "left open for a continuance of promotional effort with appropriate celebration in view for dictacted the."

Referring to the trade press, Dietz says, "It must be stated in no mild terms that the trade papers . . . should and are expected to assist in this campaign despite the fact that they received not act remuneration for their services."

Touching upon the campaign’s effect on the national b.o., the report affirms: "We have found that the box office success of the campaign has been of direct ratio to the activities of the individual exhibitors. The box office results are not easy to gauge but it is fair to state that they are generally successful. Yet we all know that a great deal more could have been achieved with more time to coordinate all the groups working throughout the country and more facility to find a unanimity of purpose in the methods to be employed."

One gets a convincing impression of how exceptionally competitive our business is."

U.S. FILMS FOR ENG. EXCLUDED IN TREATY

and film equipment was granted trade concessions in British colonies, neither films per se, nor film equipment, nor film equipment to the British Isles were included.

The State Department experts surmised that the grant in a sense meant a caption: "We could not get the concession. It was felt, however, that the real reason was the most British film import quota, protecting English producers.

Many equipment items were bound at present tariff prices, and in some cases, on a percentage basis, the same relative advantages and disadvantages were kept. The treaty guaranteed that these tariffs will not change during the life of the treaty, i.e., the terms were renewals, with provisions for indefinite continuation.

The boundaries of margins of preference in the motion picture industry cover trade valued at $390,000 in the British colonies which concessions were obtained from the U.S. The boundaries of these margins guarantee continued equality of treatment with British products.

Fees: Whether the treaty include celluloid with cellulose nitrate film base, not sensitized, celluloid scrap and waste. The film itself has been, but has not been at 10 per cent ad valorem, imports into the United Kingdom are bound in accordance with $2,000,000 per annum.

Photographic papers and accessories, excluding film, have been bound at 11 per cent margin of British preference. The present duty is 29 per cent, with the value of imports from the U. S. to Britain running close to $1,750,000 per year.

Photographic instruments and apparatus was reduced from 40 per cent general rate of duty, to a margin of British preference of $57,000 per annum. This cut reduced from the U. S. to British run close to $6,000,000 annually.

Meanwhile, the United States granted a 33 per cent concession on photographic lenses imported separately from Allied equipment in dropping the tariff from 45 per cent to 30 per cent ad valorem. In 1937 $108,000 worth of such lenses were imported into this country from the United Kingdom.

The United States also granted a concession on unsensitized plain basic paper, to be sensitized for use in photography of 5 per cent. Per cent is bound in the treaty, with 5 per cent rate being as cut from the U. S. to the United Kingdom in 1937.

Higher Education

Denver—From the Silver and Gold student newspaper at the University of Colorado, is clipped this from one of the contributors:

"Double-feature shows are the third strength of the theater. I had silent ones, the next group, talked, and now the show in double bills small."
ALL THE FIGHT AND FIRE OF THE R

ALL THE SWEEPING VASTNESS OF

DYNAMICALLY FILMED BY WARNER

Heart of the

IN TECHNICOLOR

Directed by LEWIS SEILE
Nationally advertised in the top-circulation publication in the land,

*The American Weekly*

Full page in full color December 18

*with your local playdate imprinted!*

*Get the benefit—set it in for that week!*

Play by Lee Katz and Vincent Sherman • Based on a Novel by William Byron Mowery • A First National Picture
S. Calif. TTO Planning Drive Against Duals
West Coast Bureau of The Film Daily

Hollywood—R. H. Poole, president of California TTO, in a statement indicated that the organization will sponsor a new drive here against double features. It is contended by Poole that double features is the evil that has caused a decline in box office receipts and contributed to underlying troubles in the industry today.

Paramount Discloses Its Debenture Purchases to SEC

(Continued from Page 1)

Jan. 1, 1955, Paramount reported that $9,677,498.13, including scrip, was outstanding as of Oct. 31, 1954. From Jan. 2, 1955 to Oct. 31, 1955, $24,311.35 of the debentures were issued in settlement of $48,422.05 of claims finally allowed in the reorganization proceedings of Paramount.

During the period from Jan. 2, last to Oct. 31, Paramount purchased a total of $693,000 of the debentures. During that period and prior to Sept. 30, they purchased $145,000 of the debentures in the open market for $246,000, and $244,000 of these debentures from a consolidated subsidiary. During the same period and after Sept. 30, $284,000 of the debentures were purchased in the open market by Paramount. Another Paramount report revealed acquisition by Marine Enterprises, Inc., with 100 per cent of the stock being issued to New England Theaters, Inc., a subsidiary.

Chi. Indies Get Copies of B & K Film Contracts

Chicago — Rosenberg, Stein and Rosenberg, attorneys for indie exhibitors, in their anti-trust clearance suit against Balaban & Katz and majors, yesterday received photostatic copies of several hundred film contracts made by B & K with local exchange operators. B & K attorneys say there are approximately 5,000 contracts with major studios, independent film companies and that these are being photostated as rapidly as possible. B & K attorneys will ask for time extension on their answer, due today in Judge Willkerson’s Court, owing to the inability of getting the data ready in time.

Zukor to Confer Here

4 Days Before Sailing

Adolph Zukor leaves the Coast next Friday, arriving here on Nov. 28 and sailing on the Queen Mary for Shanghai Dec. 3. It is reported that he will spend in New York are expected to be devoted to executive conferences relative to his new assignment in England.

Vets See "Submarine Patrol"

Special screening of "Submarine Patrol" was held last night by 20th-Fox in its home office theater for 65 vets, of the World War subchaser division. Nancy Kelly, female lead of the picture, and Simon Lake, inventor of the modern submarine, attended.

WEDDING BELLS

West Coast Bureau of The Film Daily

Beverly Hills — Jimmie Monaco, song writer, and Virginia Case, former Broadway actress, who were married at St. Mary’s Church, are engaged to be married in the coming spring and plans are already being made. Jimmie, who has written the score for Bing Crosby’s next feature.
“Submarine Patrol” off to sensational start at Roosevelt, Chicago! **Wednesday** opening tops **Saturday** openings of all 20th hits since last May with one exception!... Enthusiastic audience response insures unprecedented word-of-mouth!*

*Further confirmation that your best bet for Thanksgiving is... “SUBMARINE PATROL”*
NEW FILM’S BENEFITS OUTLINED BY EASTMAN

Rochester—Eastman Kodak Co. has issued here instructions for manipulation of its new Puls X Panchromatic Negative Type 1231 motion picture film which will replace Super X Panchromatic Negative as it has enjoyed ever since its introduction.

(1) It is recommended that this negative raw stock be handled in total darkness; (2) film is approximately one and one-half to two times the speed of Super X Panchromatic Negative Type 1227 for exposure to both daylight and tungsten or studio mazda light. Consequently, camera exposure on this film should be one lens stop lower than the same time of development on Super X Negative. Then, if normal lens stop setting is F.5.6 when using Super X Negative for a given studio lighting, then, when using Super X Panchromatic Negative, a lens stop of F.4. is recommended for exposure under same studio lighting conditions, the lens stop setting should be increased by one stop.

(3) If the Plus X Panchromatic Negative is developed in D-76 Bonar Developer or some modification of it for the Plus X Panchromatic Negative for exposure under same studio lighting conditions, the lens stop setting should be increased by one stop.

(4) General Characteristics: Notwithstanding the fact that the Plus X Panchromatic Negative is approximately double the speed of Super X Panchromatic Negative for exposure to both daylight and studio mazda light, it has a definitely finer grain characteristic than Super X Negative. This fine grain characteristic, the increased green sensitivity, the low fog value, and the advantage of about 100 per cent increase in speed over that of regular Super X Negative make this film a most desirable material for use as general production negative.

WE Pix Ready

"Safeguarding the Speedways," portraying the manufacturing processes of Western Electric, has been completed at the studio of Audio Productions, Inc., and is ready for release. Film is one of a series arranged by F. L. Thomson, director of public relations, and W. A. Waldr, advertising manager of Western Electric, to describe production activities at the various plants of the company.

Motograph Completes 13 More Installations

Chicago—Motograph, Inc., it is announced by organization's headquarters here, has recently completed 13 installations for film houses in various parts of the country. Seven of these installations are sound systems, and six covering projectors.

In the sound system group are the Mayfair, Shamong, N. J.; Rogue, Grant’s Pass, Ore.; Dudley, Kaplan, La.; Daisy, Indianapolis; Glendale, Glendale, Cal.; Cathedral Chapel Hill, N. C.; and the Southway, Le May, Mo.


Two New Ark. Theaters

Little Rock, Ark.—Construction is under way on a building at Parkin which will house the new Ritz, Work is also under way on a theater building at Malvern which will be owned by Mrs. L. C. Bridwell and William Cooper. It will be known as the Ritz and will open the latter part of November.

Altec Signs David Circuit

The Harry David Circuit of Salt Lake City has contracted with Altec Service Corp. for sound service in theaters of that circuit. R. W. Flygare and E. R. Holcomb negotiated for Altec.

PORTABLE PROJECTOR PERFECTED BY PARA.

Paramount’s home office announces that construction of a lightweight portable sound film projector for playback purposes on location has been completed under direction of Loren Ryder, company’s studio sound department head.

New machine which was designed over a period of months by Lorin Grignon, chief transmitter engineer, is said to combine best qualities of a regular projector and movie camera and to withstand hard location usage.

Two Equipped by NTS

Cincinnati—National Theater Supply Co., has equipped Clarence A. MacDon- old’s new Adn Mae Theater at Ada, with both equipment and sound machinery. Mrs. Pon Sexton’s new Alvon, which opened Nov. 2, has been completely equipped by National with E-7 projectors and Peerless magneto lamps. Carpet, drapers and stage accessories were also supplied by National. Mrs. Sexton is installing an installation of a complete motion picture installation for a combination of X’s and a white porcelain front, with no interruption to business.

Parker Heads Tunes Co.

Chicago—Tunes Co. has been organized to supply games and other business stimulating devices to film theaters. H. D. Parker Co., with offices at 1426 S. Wabash Ave.

B & H Special Finder

Chicago—Bell & Howell Co. has developed a special finder for movie cameras. This is called the Spec-tip and is made from hard rubber.

Form Neon Sign Firm

Chicago—W. G. Foss, H. H. Renick and C. Feinberg have organized the National Neon Signs Co. with offices at 1143 S. Western Ave.

Charles Ross, Inc.

Formerly Motion Picture Lighting and Equipment Corp.

We Furnish

Electrical Lighting and Lighting Equipment of Any Kind

244-250 West 49th Street
New York City Tel. Circle 6-5470-1

 screening
A Report to SMPE

Chairman, SMPE Sub-Committee

The product that the motion picture theater offers to the public is the picture on the screen. Two essential factors in the production of a good screen picture are the film, over which the exhibitor has no control, and the projection light. It is only through the vision of and maintenance of adequate light-source that the management can exercise control over its product.

During the past few years theater owners and managers have come light-conscious. This brought about the necessity for small, compact, portable and, in close proximity to the lens, one that can be easily read as the ordinary meter, or ammeter. With the consideration in mind the Projection Practice Committee set out to determine the best type of meter to be used.

There are three places at which the light might be measured: (1) directly in front of the projector; (2) incident upon the picture screen; (3) reflected from the picture screen.

The provision of a single instrument capable of making three kinds of measurements considered, and was rejected due to the reason that such a meter, all previous instruments, would be too cumbersome, complicated, expensive for general use. On the other hand, a meter capable of measuring the light incident upon the picture screen fulfills the need of 95 per cent of the light-measuring requirements. At the same time such a meter is both simple and low in price.

A meter of this type has been developed, with which is provided a visual correction filter which...
EQUIPMENT BUSINESS REPORTED IMPROVING

Chicago—Schoenstadt circuit has reopened modernized Harper Theater in local Hyde Park district, after spending some $30,000 on improvements including new exterior, built by Walsh Construction Co.; 1,400 new chairs of Ideal Seating Co.; Allied carpets; and Liberty Electric’s lighting fixtures. Joe Goldberg, Inc., supplied house’s new equipment.

Latter firm reports business outlook improving. Recent installations reported are 900 Ideal seats for the Vogue, East Chicago; 750 de luxe Ideal seats for the Rio; and 800 for the new Road Theater.

Vogue has been closed for remodeling and improvements, its operators, Indiana and Illinois circuit, set to spend $50,000 on ventilating, cooling, booth equipment, and a new facade. Goldberg will also supply and supervise installation of this requisite equipment.

Jagmin Completes Jobs

Detroit — Redecorating for the opening of the fall season has recently been completed in the Chopin Theater of M. J. Chargin; the Rex Theater of Joseph Mitchell; Dix Theater of John M. Kress, and several of the houses of the Wasp & Wetsman Circuit. T. J. Jagmin & Co., Detroit theater decorators, had all of these jobs.

Gelman in Erlanger

Cincinnati — Jake Gelman, Midwest Theater Supplies, has opened a new theater, the Gayety, at Erlanger, Ky. The house was constructed by the F & Y Construction Co., Columbus, and approximates 500 seats, Midwest furnished complete equipment.

Insulate Chi. Warehouse

Chicago — The Insulate Co. has opened a Chicago warehouse under the management of E. Bateholder, Jr.

20,000,000

DEAF TWENTY million people in the United States are hard-of-hearing. This includes 10 per cent of all the people in your town. They patronize houses equipped with ACOUSTICON THEATERPHONES. You want these loyal, repeat customers—so this welcome extra income. Ask your local National Theater Supply Co., Inc., for their free exploitation booklet or write Dept. F.

ACOUSTICON THEATERPHONES

Dictionaph Products Co., Inc., 500 Fifth Ave., New York City

COAST STUDIOS STRESS SOUND STAGE COMFORT

Comfort air conditioning of Hollywood’s super-sound stages is on the increase, with 20th-Fox, Paramount, and M-G-M now having a total of some 35 such air conditioned sound stages, it is declared by THE FILM DAILY by L. Logan Lewis, chief engineer of Carrier Corp. at Syracuse.

Two vital problems, he declares, have been solved currently by air conditioning of the Hollywood sound stage.—(1) The use of air delivered into the stage for actual transportation of heat out of the stage, and (2) furnishing new air to meet the ventilation requirements of the occupants.

On large stages, some 400 persons have been anticipated and provided for, and this number will be exceeded on occasions.

Lewis stresses such air conditioning as a modern, all-year necessity in film studios, since it has demonstrated itself as an asset, not merely from the standpoint of comfort, but also as a saver of time and consequently money.

THE SISTERS

Alexander Smith presents a sister act, too—beauty, long wear and moderate price. One reason why you’ll find Alexander Smith Carpet in most of the country’s successful theatres.

ALEXANDER SMITH CARPET
### Theater Closings

<table>
<thead>
<tr>
<th>State</th>
<th>Theater Name</th>
<th>Owner/Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARKANSAS</td>
<td>Hughes—Star</td>
<td>Dismissed</td>
</tr>
<tr>
<td></td>
<td>Waldo—Waldo</td>
<td>Dismissed</td>
</tr>
<tr>
<td>KANSAS</td>
<td>Norentur — Liberty</td>
<td>Dismissed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Harold Clark; loss of business</td>
</tr>
<tr>
<td>SOUTH CAROLINA</td>
<td>Rockhill — Carolina</td>
<td>Renovation</td>
</tr>
</tbody>
</table>

### Theater Openings

<table>
<thead>
<tr>
<th>State</th>
<th>Theater Name</th>
<th>Manager</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>PENNSYLVANIA</td>
<td>Harrisburg—Rialto formerly Majestic</td>
<td>W. Whiner &amp; Vincent Corp.; Francis Dever</td>
<td>Originally closed Sept., 1957</td>
</tr>
<tr>
<td>TEXAS</td>
<td>Wallis — Coles</td>
<td>Mark Cole</td>
<td>Closed several years ago</td>
</tr>
<tr>
<td>WISCONSIN</td>
<td>Eben Hays</td>
<td>Mr. Fallow</td>
<td>Sold</td>
</tr>
</tbody>
</table>

### New Theater Openings

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Seats</th>
<th>Managers</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>CALIFORNIA</td>
<td>Sacramento—Tower</td>
<td>1,000</td>
<td>Robert David</td>
<td>Cost: $500,000; House Manager: Paul David</td>
</tr>
<tr>
<td></td>
<td>Augusta—Cherokee</td>
<td>1,175 seats</td>
<td>Robert David</td>
<td>July 1938, three new seats in South City U. S. Route 1; to be completed 12-31-38</td>
</tr>
<tr>
<td>MICHIGAN</td>
<td>Grand Rapids—4 Star</td>
<td>1,000 seats</td>
<td>Robert David</td>
<td>Cost: $140,000; House Manager: W. Kulp</td>
</tr>
<tr>
<td>TEXAS</td>
<td>Newton—Newtex</td>
<td>1,025 seats</td>
<td>Robert David</td>
<td>Cost: $3,000; House Manager: Mrs. Chrsie Parker</td>
</tr>
</tbody>
</table>

### Theaters Planned

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Seat Capacity</th>
<th>Manager</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>OKLAHOMA</td>
<td>Original</td>
<td>250 seats</td>
<td>P. W. A.</td>
<td>Cost: $5,000</td>
</tr>
</tbody>
</table>

### Renovations Planned

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Seat Capacity</th>
<th>Manager</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLORIDA</td>
<td>Jacksonville—Strand</td>
<td>Full restoration of new building; new equipment; new seating; new plasterwork; new marquee; to be completed 12-31-38</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MONTANA</td>
<td>Lewiston—Judith</td>
<td>New marquee, theater lobby remodeled, new equipment installed, air conditioning and heating equipment installed</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Theatre Changes

**Theater Closings—Openings—New Houses—Renovations—Ownership Changes**

A Nationwide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by ROSS FEDERAL SERVICE, INC.

### Change in Ownership

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Manager</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>CALIFORNIA</td>
<td>Coalinga</td>
<td>Mr. Fallow</td>
<td>Sold to United Theaters, Inc. by Harvey Amusement Co.</td>
</tr>
<tr>
<td>MARYLAND</td>
<td>Baltimore—Capitol</td>
<td>Mr. Fallow</td>
<td>Transferred to Rome Circuit by E. Mathews</td>
</tr>
<tr>
<td>MISSISSIPPI</td>
<td>Booneville—Capitol</td>
<td>Mr. Fallow</td>
<td>Transferred to J. D. Henry by W. W. Davis</td>
</tr>
<tr>
<td>IOWA</td>
<td>West Union</td>
<td>Mr. Fallow</td>
<td>Sold to Mr. Fallow</td>
</tr>
<tr>
<td>TEXAS</td>
<td>Uvalde—Ritas</td>
<td>Mr. Fallow</td>
<td>Transferred to Griffith by Uvalde Theaters, Inc.</td>
</tr>
<tr>
<td>WISCONSIN</td>
<td>Fort Atkinson</td>
<td>Mr. Fallow</td>
<td>Transferred to National Amusement Co. by John Mayes; House Manager: Robert Baier</td>
</tr>
</tbody>
</table>

### Show First Finnish Pix

**"Women of Nickatwori," first Finnish picture to ever be shown in this country, will have its premiere at the Thalia Theater today.**

### New Orleans House Opens

New Orleans—Regent, latest of the commercial area small houses, has opened. House is owned by Ira Weintraub.

### Schwartz In "U" Philly Post

George Schwartz has been appointed manager of Universal’s branch in Philadelphia, replacing S. Wittman, resigned.

### Czech Pix to Kassler

American distribution rights to "Girlish," a new Czechoslovakian film, have been acquired by Frank Kassler, it was learned yesterday.

### 9 Para. Shorts In Dec

Nine short subjects, two in Cinecolor, have been set for release on Paramount's December short subject schedule. The new Paramount symphonic short subject "Schubert's Unfinished Symphony" featuring the National Philharmonic Orchestra of U. S. A. under direction of Frederick Fehrer and now playing at the New York Paramount Theater, will be nationally released on Jan. 18.
The entertainment which brings patrons to your theater night after night is, in the last analysis, just a rapidly changing pattern of light and shadow. The film which provides the shadow pattern is rented, but YOU provide the light. The quality and quantity of that light determines the effectiveness with which the picture is presented. The finest story and the most beautiful photography will often fail to please if poorly projected.

Simplified High Intensity projection provides the best projection light available to the average theater today. Yet the required investment is only $2 1/2 per cent of the total investment in the average theater and the operating cost only $2 1/2 per cent of total operating expense.

It provides the screen brightness and sharp definition desired by that large percentage of your patrons not blessed with perfect vision. It gives the most realistic reproduction of the increasingly popular color features. It permits a comfortable and safe level of general illumination. Ask your dealer to show you the economy of Simplified High Intensity projection.
EASTMAN Super X won its top ranking on performance. The results obtained from its combination of speed, fine grain, and general photographic quality make it the world's first choice in negative materials.

Eastman Kodak Company, Rochester, N.Y.

(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)
United Artists to Stimulate South American Market

KUYKENDALL ENVISIONS INT. EXHIB. CONVENTION

Look to Pan-American Trade Pacts to Aid U. S. Pix

Failure to Gain British Quota
Concessions Disappoints Industry

Major and indie producer-distributor spokesmen at the week-end expressed keen disappointment that the new Anglo-U. S. trade pact failed to grant alleviation from the provisions of the British Films Bill (Quota Act), but indicated that the reported intention of the State Department to effectuate further trade pacts, bringing the some 20 Pan-American countries and Australia into the expanding commercial axis, might compensate in benefits for the

PATHE LIQUIDATION
PLAN IS COMPLETED

Liquidation plan of Pathe Film Corp. was completed on Friday with detailed letter of plan sent to SEC for study over the week-end, in all probability being sent to the stockholders today or tomorrow. Meanwhile, Wall St. sources reported that directors of company will buy the company's Bound Brook Laboratory.

David Selznick Talks Pact
Renewal with UA Chief

Preliminary huddles between David O. Selznick, president of Selznick International, and Maurice Silverstone, United Artists chief, will be held this week to discuss the ITO of Ontario's Clearance Changes Under Consideration.

Toronto — Modified clearance schedule drafted by the ITO of Ontario is now being considered by the Film Section of the Toronto Board of Trade, with a report from

THE WEEK IN REVIEW
Trade Pact Signed—GN's British Distib. Plan

By GEORGE H. MORRIS

DOMESTIC
TRADE PACT: (Washington) U. S.-British trade pact, also linking latter's dominions and possessions, was formally signed on Thursday. Agreement prominently included film commerce, but U. S. pix for England were excluded. Chief (Continued on Page 11)

FOReIGN
PRODUCTION: (London) Strong rumors were rife here that GN will produce its own quota pix in England and set up its own distributing organization. Between six and nine exchanges in key spots of the U.K., are being contemplated, it is said. (Mecleco City) William Rowland's

UA Execs. Look to Latin America
To Offset European Revenue Loss

Col. Sees Capra's Pix
Grossing Five Millions

London (By Cable)—Columbia expects Capra's "You Can't Take It With You" to roll up a $5,000,000

Would Be Combined With Exposition Under Aus-
pieces of MPTOA

An international convention of exhibitors and a motion picture exposition, both sponsored by MPTOA, looms as a possibility for next year. Ed Kuykendall, MPTOA president, admitted Friday that such a venture has been a cherished ambition of his for some time and, although at present there are no concrete plans, he hopes to combine these events with the 1939 MPTOA convention.

In England interest in an international exhibitor convention in New York and London has taken root. A

UA BOARDS PLANNING
PRODUCTION BOOST

United Artists began to set its course for the 1939-40 season Friday when the board of directors discussed an increased production program. Among the chief topics for discussion was Charles Chaplin's decision to make a picture for next season. Production starts shortly after Jan. 1 on a story

Film Row Heirs RKO's
Reorg. to be Approved

Report current along New York's Film Row on Saturday was to the effect that RKO reorg. plan, bearing on which is scheduled to take place in Federal Court tomorrow, will be

That MPTOA-Allied Merger
in Wishful Thinking Class

A merger of Allied and MPTOA is not contemplated—at least not for the present—despite reports that have been in circulation since

See Column 2 Below)

(Continued on Page 9)

(Continued on Page 10)

(Continued on Page 8)

(Continued on Page 3)
Para. Plans More Shorts Featuring Symphonies

Following the success of "Tannhäuser" and "Schubert's Unfinished Symphony," Paramount is planning four more shorts featuring a symphonic orchestra, according to Lou Diamond, head of Paramount's short subject department.

"The Blue Danube" will be produced and released during the current season, Diamond said Friday, while three others, "Merry Wives of Windsor," "William Tell" and "Farewell, Vienna," the latter an original composition, will be distributed in the 1939-40 short subjects program.

Harley Will Accompany Hutchinson to New York

London (By Cable)—Francis L. Harley, United Kingdom managing director for 20th-Fox, plans to sail for the U. S. Dec. 17 in company with Walter J. Hutchinson, director of foreign distribution, who leaves Africa the first part of December for Paris and London visits. Harley will probably return here around the middle of January after conferences at the company's home office in New York.

20th-Fox Contracts Hit 10,000 for Company High

Excess of 10,000 contracts had been received at the 20th-Fox home office and a grand opening of the company's new building. The number of contracts is well above former seasons, assuring larger revenue, it was said.
visions internat'l exhib. convention (continued from page 1)

vision is under way by the Cinematograph Exhibitors Association to send a delegation to the New York World's Fair next year and during that period to become familiar with theater men in the trade. The idea was created when Kaydall, as a friendly gesture, sent a request for appointments to the CEA, asking if it be represented at the recent PTOA convention in Oklahoma City. The bid could not be accepted reports from London indicate that if Kaydall issues an invitation for an international convention exposition, the CEA will respond favorably.

Kaydall left Friday for his hombus, Miss. home. Plans to turn to New York Dec. 7.

London (By Cable)—International film convention, tied in with British exhibitor pilgrimage to New York's World's Fair, is doing ready support here, and official adoption of the idea is expected shortly.

It is already proposed that the British contingent travel via Canadian Pacific liner. Provision for stay of from one to two weeks is suggested.

20th-Fox will Increase Wurzel Product Budgets at Coast Bureau of THE FILM DAILY—Hollywood—New policy of top "fronts" casts and increased budgets for the Sol Wurzel lineup at 20th-Fox is to be inaugurated immediately, with Allan Hersholt first star to go into a Wurzel pic. It is also reported that Rita Ross, next pic, will be made by Wurzel. "Chans," and "Janes Fams," pictures will all be strengthened with well known players it is said.

Netta Marshall Leaves "U" Ad Department

Rainetta Marshall, right hand of Universal's advertising managers 12 years, was good-bye to her colleagues Saturday to devote herself completely to her status as a housewife. She has been known throughout town as a popular young matron. She parted loaded down with gifts, in the best wishes of her associates.

Bergman in New Post

Cleveland—Edwin Bergman has resigned from 20th-Fox sales office, as published in this paper. Bergman, however, was right in as city salesman; he had his heart set on the road. Bergman has been in 20th-Fox for 15 years.

along the

with phil. m. daly

• • • A VERY frank statement is contained in that report of Howard Dietz as Chairman of the Advertising Committee of Motion Pictures' Greatest Year—to George J. Schaefer, executive chairman of the Campaign Committee—we refer to the advertising chairman's discussion of the ad copy prepared for the newspapers, which at the time of its appearance created intense industry comment for and against. . . . Mr. Dietz tells why the policy was pursued, and says it right on the line with commendable frankness. . . .

• • • WE ARE using his verbiage freely without quotes in what follows . . . (we do this to steal his stuff, but long columnar experience has proved to us that folks are inclined to skip or discount quoted material, and we think Dietz's comments are too important for anyone to skip)

• • • THE PROBLEMS to be faced at the outset in the copy were:
1. The ads could not feature a selected list of pictures for fear of charges of favoritism.
2. This also applied to using photographic clippings.
3. Sensationalism and show language had to be avoided for obvious reasons.
4. The money prize contest could not be stressed out of proportion to the good-will purposes of the campaign.

• • • WITH THESE restrictions, the path of dignity was clearly indicated as the logical one. . . . it was understood in advance that there would be great criticism of the ad copy in an industry accustomed to ballyhoo and flamboyant statements . . . . those who at first criticised came to realise that over-dignity was far safer than over-sensationalism.

• • • THE RESULT of this advertising has convinced many editors that the industry means what it says . . . . the Associated Press, for instance, which said in the first place that the ad money was appropriated to put ourselves on the back, admitted later they were mistaken . . . . things in the industry work while were stressed, and counteracted adverse statements . . . .

• • • FOLLOWING these statements, Dietz recommends that further steps be taken to provide for future accomplishments . . . . the press of the nation must continually be presented with the story of the motion picture in the best light . . . . the best traditions of the screen must always meet the best traditions of journalism . . . .

• • • RALLY by the Anti-Fascist League of New York was held last Friday night in the Fulton Theater. . . . Louis Nizer was the principal speaker. . . . the meeting was held in conjunction with a similar session on the Coast the same evening . . . . the aims of the League are to protest to the government against the actions of the Nazi regime in an effort to have an embargo declared against Germany . . . . the organization is soliciting the signatures of all employees of the industry on a protest to be sent to Washington . . . .

• • • COMPREHENSIVE program by the National Board of Review . . . . compiled as an Outline of Activity for motion picture councils and film study groups . . . . prepared for affiliated Council and Forum group leaders as an aid in serving picture activities in their community . . . .

... (continued from page 1)
Look to S. A. Trade Pacts to Aid Films

(Continued from Page 1)

failure, with concessions for U. S. product entering England. U. S. industry is especially interested in Argentina, where legisla-
tion reducing import duties has been introduced; in certain other Latin-American countries where Fascist-Maxi penetration is a thread, and in Australia where adverse legislation is not impro-
able. (See story on Page 8.)

Details of the new U. S.-Canada trade pact, effective Jan. 1, 1939, disclose American film entering Cana-
d will enjoy a tariff of 20 per cent ad valorem, which is a reduc-
tion of one-third over the Dec. 1935 figure, and 20 per cent lower than the duty on other products.

Photographic papers are also put at 20 per cent ad valorem, motion picture projection equipment and paper being robbed of all-American status by the 15 per cent duty ad valorem which has been granted under the former treaty.

British film cameras entering Canada were scaled down from 30 per cent to a new low of 17 1/2 per cent ad valorem, while professional motion picture cameras and parts dropped from 30 per cent to 10 per cent, also a new low level for such items. Canada also extended 5 per cent per linear foot motion picture film positives of 1/4 inches and over, from former 5c to 2 1/2c.

Details of the new pact provide for 10 per cent film duty in Jamaica dropped from 20 per cent to 5 per cent, or one-quarter the former duty. Photographs and apparatus for photographic use dropped same amount.

Concessions on photographic material were most noticeable in the Bahamas and Barbados. In latter colony, duty on photographic material, appliances and accessories took a 100 per cent drop from 22 per cent to 11 per cent.

In Bermuda, equipment dropped from 12 1/2 per cent to 2 1/2 per cent.

British Honduras’ bound rate on film will remain pegged at 15 cents per 100 feet. In British Guiana its rate drops 33 1/3 per cent.

Basle Islands duties on films are pegged at three pence per 100 feet, while duties on films to the Gold Coast Colony and Protectorate have been dropped entirely from one shilling per 100 feet to free entry.

Reviews of the New Films

“Secrets of a Nurse” with Edmund Lowe, Helen Mack, Dick Foran

Universal 69 mins. (Hollywood Preview)

Effective dramatic entertainment despite none too convinc-
ing ending.

Although the ending is not too convinc-
ing, this picture is effective dramatic entertainment. It has outstanding perfor-
mances by Horace MacMahon and Helen Mack, with excellent direction by Arthur Lubin. Burt Kelly rates credit as associate producer. When Lowe takes a gambler, fears that Clyde Dixon, a second-
ary, who went to Jack Roper, squeal, he has MacMahon shoot Dixon. Ames has wagered $5,000 with Paul Hurst. Foran’s messenger, Foran, badly injured in the fight, is taken to a hospital where Helen Mack, a nurse, falls in love with Edmund Lowe, a criminal lawyer, who is in love with Helen, later gets Foran a job as a bellboy in a hotel, where Hurst calls on Ames to tell him he has evidence that Ames had MacMahon kill Dixon. Ames’ man, Paul Fix, shoots Hurst, but Foran is arrested for the murder. Lowe forces a confession from Ames, but Fix, to save himself, fires on Ames. Fatal wounded, Ames is taken to a hospital, where Helen and Lowe get the evidence that frees Foran.

CAST: Edmund Lowe, Helen Mack, Dick Foran, Samuel S. Hinds, Paul Hurst, Leon Ames, David Oliver, Frances Robinson, Clarence Muse, Stanley Hughes, Horace Mac-
Mahon, Dorothy Arnold, George Chandler, Clyde Dixon, Virginia Brisac.

CREDITS: Associate Producer, Burt Kelly; Director, Arthur Lubin; Based on J. L. Ames, “Westside Miracle” by Quentin Reynolds; Screenplay, Tom Lennon and Lester Cole; Photography, Arthur Dreier; Art Director, Jack Otterston; Associate, Charles H. Clarke; Editor, Ed Curtis; Musical Director, Charles Previn; Sound, Bernard B. Brown.

DIRECTION, Excellent. PHOTOGRA-
PHY, Good.

Warner Exchange Moves To Own Building Today

WARNERS New York exchange office employees, formerly located in the Film Center Building move to-day into their new headquarters at 315 W. 44th St., adjoining the com-
pany’s home office building.

Located in the new exchange headquarters will be the shipping, inspection and sales departments of the company’s local Vitagraph branch office, as well as the cash-
ier department.

The new offices of the exchange will be located on the 2nd floor of the home office at 521 West 44th Street, which has also been remodel-
ed to include individual booking booths.

“Black Bandit” with Bob Baker

Universal 58 mins.

Weak Western follows the rou-
tine formula with Bob Baker do-
ing the usual good job.

A rather routine story is somewhat re-
deemed by the evident knowledge of the writer or director of what complications really do when they are working down on the ranch, on the range, or around the chuck wagon. These little authentic touches are a welcome relief. But the story itself is just as routine as most of them. Baker Baker doubles as twins, one the hero and the other the bad bandit. And so it is worked out with all the usual trimmings, to the point where there has to be a show-
down for law and order, and right and jus-
tice. Of course the bad bandit twin sees that his twin at the climax and practically sacrifices his life in order to put brother in the clear, as the ranchers were getting suspicious of their new young sheriff, and talking about stringing him up for a tree for the depredations of his bandit brother. All of which plot material is worked out with the heavy hand of workers in a foundry. It rates just the average western for the filler on a dual program. Bob Baker handles himself well, and deserves better material.

CAST: Bob Baker, Marjorie Reanies, Hal Talalero, Jack Rockwell, Forrest Tay-
lor; Director, George Foran; Cinematographer, Charles m. Parker; Set Decorator, Albert Dunn; Editor, Harry Main; Sound, Joseph Crawley; Ass’t Direc-
tor, Phil Foran.

DIRECTION, Poor. PHOTOGRAPHY, Fair.

“Phantom Gold” with Jack Ludden

Columbia 56 mins.

Routine formula western offers nothing unusual to stir the thrill-fans’ interest.

This one is too sappy in story treat-
ment. It all fits; it’s a good cast. Ludden rides into the neighborhood of a ghost town with his two buddies, play-
ging his guitar while another pal sings. They pick up a youngster and his dog, cast adrift when the Ratler (Charles Whitt-
taker) and his gang from their hideout in the ghost city murder the child’s par-
ents as they rob their wagon outfit. From this point the narrative rambles into the scheme of the outlaws to start a modern gold rush by salting an old mine near the ghost town, and hoping to profit by rob-
ing the prospectors as they arrive. Of course Ludden nicks their plans in the approved western hero manner, but the proceedings are done without any par-
ticular snap or originality. A reasonable amount of fights, the usual chases, and considerable good humor, are the assets in the routine formula along with the average thril-
er of the plains.

CAST: Jack Ludden, Beth Marion, Barry Dowling, Charles Whittaker, Hal Tal-
ferro, Art Davis, Jimmy Robinson, Jack iregan, Buzz Barton, Martin Sais.

CREDITS: Director, Joseph Levering; Au-
thor, Lowe; Screenplay, Mary Roberts; Cout-
director, Bert Dennis; Camera, Sterling Boyer; Film Editor, H. J. Britcher; Musi-
c Director, J. W. Seegmuller; Art Director, Herb Eales; Set Decorator, George Foran; Sound, Dan Foran.

DIRECTION, Weak. PHOTOGRAPHY, Fair.

Forbidden Territory

with Gregory Ratoff, Binnie Barnes

J. H. Hofberg 74 mins.

Poor story construction as direc-
tion are too great hand caps for CAST.

This looks as if it might have been thrown together over a couple of week-
ends. Best feature of the production is the novelty of the landscape in Lat-
ton which doubles for Russia, with the quad-

village shots, the flat little wagon drive by three horses, and the snow scene through the forest trail, all so different from the American scene. The story thrown together carelessly, the direct-
tion is ditto, and the cast completely di-
agnosed; they serve to make you real-
ize how poor all the rest of it is. The plas-
tic is quite malleer, but never gets real suspensful or exciting because it is re-
made believable. A Britisher and his s-

d in the so-called Russian Soviet Ter-
itory to hunt for a missing son who is languishing in a prison. A Russian living in love with the British prisoner has the necessary info to lead them to the prison, the lad walks out of the prison just like that, they start to flee in a little vehicle with the three horses, a furiet many adventures escape across a Russian barrier with a commissary and 
gang chasing them right to the bor-

d gate.

CAST: Gregory Ratoff, Ronald Rail, Binnie Barnes, Tamara Desni, Barry Ma-

l, Anthony Bushell, Anton Dolin, Ma-
garete Allan.

CREDITS: Producer, B. W. Wainwright; Philip Rose; Author, Dennis West-
ley; Screenplay, Alma Reville.

DIRECTION, Poor. PHOTOGRAPHY, Fair.

Split Develops in Ranks of Musicians’ Local 80

Split in the ranks of Local 80 musicians’ union, was revealed on the week-end with announcem-
ent that Arthur Pryor, band leader, running for post of president on an insurgent ticket backed by the Con-
mittee for Better Unionism. Pryor stated that his decision to run to-be-
d after he had been made after he investigated charges of mismanagement. Elec-
8ion will be held on Dec. 15.

Ray Moon Opens New Consl, Theater Service

Detroit—Ray Moon, ex-co-opera-
tive theaters general manager opens his new booking service to-day in the Fox Theater Building and Consolidated Theater Service Com-
pany. He will also handle Trailer Made trailers in Michigan, evident-
ly combining his independent booking and representation of film service companies.

Ray Moon Opens New Consl, Theater Service

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SAMUEL GOLDWYN
presents
GARY COOPER
MERLE OBERON
in
THE COWBOY
AND THE LADY
with PATSY KELLY - WALTER BRENNAN
FUZZY KNIGHT - MABEL T. TODD - HENRY KOLKER
Directed by H. C. POTTER
Released thru UNITED ARTISTS
“Put on your glad rags, folks, and go see this one. Take your best girl to the theatre, watch the picture and hold hands. If you’re in love, or in the mood for love, I definitely recommend for young and old ‘The Cowboy and The Lady’”

— Jimmie Fidler
N. B. C. Screen Commentator

“It’s box-office. Cooper at his best. Oberon lovely.”—Hollywood Reporter

“Just about the swellest entertainment that has come along in a long time. A fast-moving romance.”
— Los Angeles Examiner

“Sparkling romantic comedy in the best Goldwyn tradition…plenty of down-to-earth showmanship. Thoroughbred stock for audience appeal and top profit grosses.”—Box-Office

“A creditable competitor among the better pictures.”—Daily Variety

“A top-flight box-office success. Should be a big money-maker.”—Picture Reports

SAMUEL GOLDWYN
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Directed by H. C. POTTER
Released thru UNITED ARTISTS

Now Playing at WARNER’S HOLLYWOOD and DOWNTOWN THEATRES, Los Angeles . . . Opening November 17th
HUNTER, GEORGE THEATER, San Francisco; November 24th, RADIO CITY MUSIC HALL, New York; City
Domestic

Confidence-For-Pay

provision for going to filmland were duty changes and concessions. (Ot-
tawa) Dominion Govt. was reported weighing an entertainment tax or import duties to be based on rental charges.

Litigation:

Washington Department of Justice was declared to be drafting writ for preliminary injunction against majors in event defendants don’t accept Government’s overtures for status quo in theater division.细腻 (Philadelphia) Majors were named in new Philadelphia anti-trust action brought by Fern Rock Theater.

Trade Practice:

(N Y) New York district was reported to be prepared to grant 20 per cent cancellation privilege and eliminate score charges. Cancellation concession was believed transferable to apply to houses paying average of $100 or less per feature. (Columbus) Action against Motion Picture Theatres board chairman, spiked reports that Allied will withdraw from reform parleys, and said his organization favors arbitration system. (New York) Trade practice huddles between MPTOA exec. committee and distribs, were deferred until early December because distribs, themseives are not in full accord on how to proceed with agreement. (New York) Toward the week-end it was learned that reduction of Allied-distribs, trade cuts to writers is complete, and drafts are expected to go to Allied leaders shortly.

Deals:

(Orjy) Republic-British Lion pact was sealed calling for latter to distribute 46 Republic pictures yearly in U.K. and to take care of the U. S. outfit’s quota needs. (New York) Monogram and Parthe Films renewed their arrangement for U.K. distribution.

Promotional:

(New York) Rep. Bruce Barton, Mrs. Grace

American industry. Under present plans, actual Government expense will be nominal, with the industry depicted sharing its own expense to provide for wide distribution as the subject permits.

Wilson added that necessary producers would be found among the owners of good industrial film producers.

Want Exhibitor Ties-

The pictures are to be displayed in pay theaters, by means of tie-ups made locally with individual exhibitors by members of the local industry.

It is learned that what particularly interests the sponsors of the

Reid, Dr. J. E. West, Hendrik Wil-

and Helen Wills Moody were named as movie quiz contest judges. (New York) Howard Dietz called upon industry to sponsor a broadcast of the new Columbia, thus welding together the newspapers of the nation and filmland.

Administrative:

(Washing-

ton) David Sarnoff advocated establishment of a radio overseeing body and satisfactory

Foreign

(Continued from Page 1)

Spanish producing deal with RKO has been extended to include all as well as Latin American market. Original pact called for his making one Spanish feature, with options for more, which would be distributed in Spanish speaking countries only.

Italian Situation:

(Rome) U.S. distribs, here are presenting solid front with no break in ranks. Contracts are being fulfilled through Dec. 31, at which time general withdrawal will be made necessary due to Faselti pix monopoly bureau, EXC, becoming operative. RKO’s Italian distribution pact has a year to go; Universo’s some five years; and Columbia’s also a considerable time. U.S. film branches on mass declared regret that Italian Government decree makes withdrawal the only recourse, but praised relationship between themselves and Italian agents and includes as always friendliness.

Institute is the possibility of building up U.S. foreign sales through display of the films in co-operation with the 67 foreign offices maintained by the Department’s Bureau of Foreign and Domestic Commerce. South America where German and other European competition is intensive will receive special attention.

V. C. Jam Handy Night

Detroit—Jam Handy Picture Service will be official host at Jam Handy Night at Variety clubrooms Saturday, with Jack Haley and Don Wildman of the company in charge.
ELLIOIT WINS WRIT IN ANTI-TRUST SUIT

(Continued From Page 1)

Stanley-Warner's Lane theater here from playing pictures claimed in the bill of complaint as belonging to Fern Rock, the theater operated by plaintiff, Herbert J. Elliott. Previously, Warners' attorney, Morris Wolf, had indicated the house would not play the picture anywhere. (Elliott's suit names as defendants Warner Theaters and the majors. That it had been instituted was published exclusively in The FIlM DAILY last Thursday. Unique feature is the application for an order directing Warners to divest themselves of all interests in theaters.

Senator Harry Shapiro, for the plaintiffs, was the impressive attorney-tit man but Judge Welsh said that the importance of the action which claims violation of the Clayton and Sherman anti-trust acts as well as the Robinson-Price anti-price discrimination statute, showed need for length and definite preparation. Hearing was continued for 10 days when which date for trial will be set.

Attorneys in court Friday were William A. Schneider for RKo, Loew's, UA, and Paramount, Leonard Picker for Columbia; Adolph Selznick for 20th Century-Fox; and Wolf for Vitagraph; Tassett for 20th Century-Fox.

Surprise was the presence of Benjamin M. Goldner as counsel for Warners. Golden defeated Warners and others in the famed Perlman double feature case and this marks his first appearance as attorney for the other side. Judge Welsh heard the Perlman case and is familiar with its events.

From present indications this litigation will take a long time. Meanwhile, the threat is that Fern Rock will not suffer, according to court's indication, while the case gets under way.

Paramount Will Make Short to Show Television Setup

A short subject explaining the manner in which television operates will be produced by Paramount with the cooperation of NBC, CBS and the Dumont Laboratories. It was stated by Louis Diamond, head of Paramount's short subject department, over the week-end.

Although Paramount does not contemplate the immediate production of a television short, Diamond is of the opinion that films will play an important part in the development of television. Inasmuch as the television range is about 50 miles, a national telecast would not be possible, but, by the use of transmitters in specific territories telecasting from film could be operated simultaneously with each station serving its own particular area.

SHORT SHOTS FROM EASTERN STUDIOS

BY SID WEISS

OUR own "Who's Who" Dept.

William K. Howard, director and producer, born in St. Mary's, O., June 16, 1890. Specialized in engineering and law at Ohio State University. Worked in a film studio in Cincinnati, managed a theater and was sales manager for Vitagraph in Minnesota. Served in the World War and later became a sales advisor for Universal.

His first directorial effort was "East of Broadway" for Tom Inc. Subsequent pictures include: "The Thundering Herd," "Christiana," "The Power and the Glory," "The Prisoner's Great Escape," "Ladies of the Big House," and "Fire Over England." His current pix, which he wrote himself and is producing at the Astoria studios, is his 47th and is considered to be his finest yet. It is one of the biggest Eastern production of recent years and enlists the services of two Academy Award winners - Howard, Hal Mohr and art director Gordon Wilke. Howard is an inveterate movie fan. See three or four pictures a week.

Favorite hobbies are dogs and horses. Preferred form of reading is biography. Plays the golf links and golfs in the middle eighties. And is a confirmed world traveler.

Latest to try for a comeback is George J. Lewis, who starred in those "Collegian" series some years back for Universal. In the same 42-2-reelers at the time - Came to N. Y. stage for more versatile roles where Bill Howard spotted him and signed him for his pix. Now he looks as though he's headed back to the Big Time again.

Notes on the Cliff Watching Others Work... Wally Ford showing pictures of his new thoroughbred - Agitator, which he'll use for stud purposes only... Gordon Wolke taking bows for the rave notices by his "Prison Train"... B. J. Steele confides that O'desco has signed "Miss TWA," a lovely young girl tagged Dorothy Ellen Quackenbush... Pat Ellis revealing a beautiful singing voice ably trained by his father, Sigel... Lewis Milestone drops in "The Big Story,"... while Stu Erwin drops around for the farewell... Bert Frohman making "The Divorce Decree"... Johnny Walker realizing his long cherished dream of Eastern production on a major scale... Harold Godoe enthusing about his West Point short - the music for which was written by Jack Schaimburg, musical director for Milton Schwartz.. Hal Mohr concurring with Jack Murray, film editor, who came on from Fox for this picture... Iris Adrian, who appears in "The Fabulous Invalid" as well as Leon & Eddie's, doing off between talks, poor kid.

More of the same... Eddie Bogey, demand still man, "shooting up unsuspecting victims of the slightest provocation... Making a comeback: Myers, one-time leading lady... Gloria Marsh, who works at Jimmy Kelly's, taking off us her own production gate... and pleasing... Al Ritchie, ace stunt, still nursing burns from the fire scene in... one-third of a nation...

Visiting on the "Frankie" set as guests of Wally Ford were Annie Laurie Williams, prominent literary agent who handles such writers as John Steinbeck and Lloyd Douglas, and Minni Powers, dance authority, who recently has been making the rounds of the theaters, much to the consternation of the literary and theatrical set... Ed Schreiber, of the Warner house, has been assigned to Vitaphone publicity.

A new hunting foursome: Jack Henley, George Ackerson, Eddie Savin and Milton Cohen... Lee Stewart, Milton's famous sister, Rosalie, who handles Fannie Hurst, Rachel Crothers and Thornton Wilder, among others, is on her way East to visit Lee accompanied by their mother... Milt Francis and Cy Woody are the ones over at the Cross & Dunn script... Ira Genet gets ready for another of the "Mechanix, Illustrated" series next week... Eddie Forman's fri. Margo, set for a Canaday tour... On the sick list: Sam Sax's secretary, Mary Rosencranz, with Edith Friedman pinch-hitting.

Dover Quits at 20th-Fox

West Coast Bureau of THE FIlM DAILY

Hollywood—William Dover, executive-in-charge of studio and personnel at 20th Century-Fox, has resigned, effective immediately. Dover has been associated with Zanuck for past 11 years.

Oakmont House Opens

Oakmont, Pa.—Stephen M. Roden- nen's new Oakmont here opened Friday night. House seats 650.

CHARITY DRIVE AIDED BY YOUNG FILM FOLK

Significant feature of the meeting of the Motion Picture Accessories Division, a sub-committee of the N. Y. and Brooklyn Federation for the Relief of American Jewish Charities, at the Hotel Astor on Friday, last, was unusually large support by the younger men of the industry.

B. S. Moss presided, and among those present were Michael Nisselson, Herman Sanders, of the Federation; Eugene Picker, Loew's; Joe Hornstein; Sam Dembow, F & M; Joe Springer, Samuel Goodman Century Circuit; A. L. Kirdin, RKO; Walter Reade, Jr.; Max Seligman, Columbia; Miss I. C. Beckett, Paramount; B. F. P. Lawrence Morris, B. S. Moss Corp.; Frank Meyer, Harry Nadel, Paramount; Milton Green, Republic; Ed Rugoff, Rugoff & Becker; Jerry Loeb, WB; Sam Rosen of Fabian; Emil Friedlander, George Feinberg of Fiedel; Walter Huxford, Universal; Charles Sonin, Loew's; and Joe Kats, Springer Circuit.

Unable to attend but vigorously sending an invitation to support was B. S. Moss, head of the National Council of Jewish Women.

In charge of the drive are David Berman and Martin Albert Warner.

Okay Pix Slapping Nazis

Chicago—Board of censors, under government direction has okayed the showing of the Soviet pix of Nazi persecution, "Professor Manchur", as well as "The Stag". Board also revoked its order directing cuts in Julian Bryan travel film, "In Nazi Germany."

Andrews to Los Angeles

Washington Bureau OF THE FIlM DAILY

Washington—Studios' wage-hour difficulties may find adjustment on Dec. 23 when Administrator Ellen F. Andrews of the FLSA will be in Los Angeles for employer-employee conferences.

$2,789 for Anti-Fascist Pix

Initial appeal for pledges towards a $250,000 revolving fund to finance production brought $2,789 at a Film for Democracy dinner at the Town Hall Club Friday night. Lieut.-Gov. elect Poletti, who spoke, told the dukes they've got to fight fascism both for democracy and for civil liberties.

Sino-Jap War Feature

Garrison Film will distribute "Fight to the Last," Sino-Jap war feature said to have been slipped through the Nippon lines by a Chinese production crew.
New South Wales Trade Launches "10-Point Program"

Exhibs. Will Appeal to Gov't if Film Board Fails to Effect Reforms

Sydney (By Cable)—New South Wales pix industry is pressing its own "10-point program" with the virtual assurance that unless the Film Trade Board effects reforms by the end of the legislative session, restructuring legislation, shortly to reconvene.

Government intervention is also in prospect in Victoria where demands for a film industry contract legislation is being voiced. Ten major problems, as codified by the NSW industry:

(1) Admission rates (1s. minimum to stand); (2) free gift nights and price cutting subsidies (Distributors' Association asked to embrace in all film contracts new admission rate clause bearing free gifts); (3) age limit (juvenile half-price admission age dropped from 14 to 12 years); (4) Return contracts time limited (contracts returned by distributors to exhibitors within seven days of signing; copy of same to be left with exhibitors until return of original); (5) film repairs (sufficient time lag between country and suburban release dates, after city premiere, to allow for efficient repairs); (6) Standard film contract (standard film contract to suit both exhibitors and distributors through MPDA proposals prior to presenting it to State Government for legislation); (7) Excessive protection (city theaters protection on long runs be reduced to three weeks or weekly "grind" features to a fortnight); (8) percentage pictures (proceed to MPDA on excessive percentage charge); (9) guarantees be eliminated; (10) extra prints (excessive switching causing loss of theatre rental); (11) film hire suspension (MPDA order distributor members to remit film rentals to exhibitors when theaters are closed by any cause beyond management's control).

Additionally, proponents of NSW legislation designed to end dominance of U. S. pix in this market are currently pressing the government of New South Wales to enact the provision of its current law which prohibits building of new theaters during 1938.

Since the end of the year is close at hand, the impending lagging of that enactment will place foreign film makers in an unsatisfactory position to erect new houses, and hence offer further competition, it is argued.

Demand is also put forward that some provision be made in legislation that will prohibit foreign film distributors from becoming exhibitors.

Ford to Produce on Own

West Coast Bureau of THE FILM DAILY

Hollywood—Charles E. Ford, Republican associate producer, has resigned from Republic to produce "Shine On, Harvest Moon." He plans to produce independently.

McCarey Borrows Stewart

HOLLYWOOD

WEEK-END news flashed that George Raft and Dorothy Lamour will star in Para's "Two Time Lover," upon completion of their respective pix, "The Lady's From Kentucky" and "Man About Town.".. Betty Davis will play the Virgin Queen and Errol Flynn will be Essex in Warners' version of Maxwell Anderson's "Elizabeth, the Queen." Roger Daniel gets the Jave lead in Eel Snall's "King of the Turf." Warners will film "The Parade is Over" as a sequel to "Brother Rat."

Col. Sees Capra's Fix

Crossing Five Millions

(Continued from Page 1)

HOLLYWOOD

The world gross, Jack Cohn, company's vice-presxy, says.

Cohn, now here for conferences with Alexander Korda and Irving Asher on Columbia's British production, declares that the pix made at Denham will be given world-wide release. American players will be sent over if necessary to meet store requirements, he added.

Columbia's American budget for 1938-39 is up $3,000,000, according to Cohn who sees "youth and action" the dominant U. S. pix formula.

Finch Labs., Philco in Deal to Couple Radio, Facsimile

Finch Laboratories, manufacturers of facsimile sets which are capable of showing pictures transmitted over the air waves, have been working on a deal with Philco and three other set manufacturers to couple the regular radio sets with the Finch facsimile in order to market the sets at the same time television sets hit the market, it was learned over the week-end. Present plans call for 20,000 radio sets equipped with facsimile to be ready for the market in April.

Expect D of J Action in AFM-Vode-Vision Dispute

With brief on file in the office of Thurman W. Arnold, assistant U. S. Attorney General protesting ruling of American Federation of Musicians that musicians cannot work with Vode-Vision units or record their music for their use, directors of the organization expect some early action on the part of the Justice Department.

Marie Schmidt Resigns

Pittsburgh—Marie Schmidt, who has worked on Film Row for the past 23 years, has resigned as booker for the RKO exchange here because of ill health.

AFA Presses Licensing of Agents; 50 Sign Up

The American Federation of Actors, vigorously pressing its drive to license all agents and enroll players that fall under the union's jurisdiction, has signed around 50 of the leading Hollywood and New York agents and has enrolled 97 per cent of the Coast actors that fall under its jurisdiction.

A closed shop agreement has been signed by the union with the Motion Picture World's Fair and a large majority of the night clubs operating on the coast, it was said. Drive is also being pressed in Chicago to sign up night clubs, and activity in the carnival field has been extended throughout the country, with a large number of carnivals already signed.

Working closely with the AFA, the American Federation of Musicians has notified all its members that singers and entertainers with bands must be members of the AFA and is acting to enforce this requirement. Excess bands have "proposed plan of AFM to increase number of bands in theaters will well the AFA membership will have the present high total of 10,000.

Pathe Liquidation Plan Is Completed

(Continued From Page 1)

in New Jersey as well as company's film business at a sum said to be around $500,000.

Under plan formulated by the directors, five year debentures and a cash payment of $200,000 were made for the purchase, it is said. The debentures would be paid at rate of 29 per cent a year from the company's profits. The $5,500 shares of DuPont stock owned by company will be given to a bank as collateral for a $1,000,000 loan which would be used to retire the 7,958 shares of preferred stock at $100 per share.

Assets derived from sales of Pathe's Monogram stock and RKO notes would be split pro rata among stockholders with distribution to stockholders of these assets contingent on what proportion of bank loan is assumed by the stockholders. It is estimated that dividends from the DuPont stock would pay off the loan in five years and the stock could then be distributed clear of all liabilities.

When the stockholders vote next month it will be necessary for 80 per cent of the voting stock to approve the plan, but with over 60 per cent controlled by directors and associates it is expected that necessary number of votes will be rounded up.

Company is acting under provisions of the Federal Revenue Act of 1938, which governs dissolution of personal holding companies.

Film Row Heurs RKO's Reorg. to be Approved

(Continued from Page 1)

confirmed by Judge William O. Bondy but with several modifications.

Latter are said to be an adjustment in the ratio of the common stock allotment; the reduction of the Rockefeller claim shares from 500,000 to 460,000; and other, but less important changes.

Wedding Bells

Richmond, Va. — Conrad McRee, assistant manager, State, and Miss Minnie Pogorzelski, have announced their engagement, with the marriage set for next month.
Air Shows With Hollywood Flavor Slump 40% in Year

30 Programs Using Coast Talent as Against 49 in November, '37

Radio shows using Hollywood talent, on the other hand, show a decrease. The Hollywood scene, however, has been hit with a sharp drop in audience figures. The Film Daily reveals.

Checkup in general establishes that exhibitors squawks against radio competition are fewer in number, although Allied and MPTOA still fire occasional broadsides; that the agitation against the radio chatter has fallen down to the ITOA's war on Jimmy Difier, and that a further rash of Hollywood air shows is unlikely—there have been too many.

Breakdown of current weekly air program is as follows:

Sunday, 5:30 p.m., Ben Bernie and Lew Lehr, CBS, 6:00 p.m., Conrad Nagel and film guest, CBS, 6:30-9:00 p.m., Ray Kigley with occasional film guest, NBC-Blue, 7:00-7:30 p.m., Jack Benny, NBC-Red. Rebroadcast of show at 11:30-12:00 p.m., for Coast, 8:00-9:00 p.m., Charlie McCarthy, NBC-Red.

Monday, 6:45 p.m. (not WABC) Sophie Tucker. Show also goes on WJZ, and Fri., CBS, 7:30 p.m., Edith Canfield, CBS, 8:00 p.m., Ceci De Mille, CBS.

Tuesday, 8:00 p.m., Edward G. Robinson—Claire Trevor, CBS, 8:30 p.m., Al Jolson, Martha Raye and Parkinson, NBC-Red, 9:30 p.m., Benny Goodman and occasional film guest, CBS, 10:00 p.m., Jean Harlow, CBS, 10:00-11:00 p.m., Bob Hope, NBC-Red.

Wednesday, 8:30 p.m., Paul Whiteman and occasional screen guest, CBS, 9:30 p.m., John Barrymore, Charles Ruggles and Max Reinhardt, CBS, 9:00-10:00 p.m., Fred Allen, NBC-Red.

Thursday, 7:30 p.m., Joe Penner, CBS, 8:00 p.m., Howard Estabrook, occasional film guest, CBS, 9:00-10:00 p.m., M-G-M show, NBC-Red, 9:00-9:30 p.m., Rudy Vallee, NBC-Red, 10:00-11:00 p.m., Bing Crosby and Bob Burns, NBC-Red, 6:45-7:00 p.m., Radie Harris, Hollywood commentator, Mutual.

Friday, 7:15-7:30 p.m., Jimmy Fidler, Hollywood commentator, NBC-Red, 7:30 p.m., Jack Haley and Ted Flo Rito, CBS, 8:30 p.m., Burns and Allen with Ray Noble and Tommy Dorsey, NBC-Red, 9:00 p.m., William Powell, Frances Langford, CBS.

Saturday, 7:30 p.m., Joe E. Brown, CBS, 8:00-8:30 p.m., Betty Lou and Tommy Riggs and film guest, NBC-Red, 9:00-9:30 p.m., Pat O'балливuide and film guest, NBC-Red, 9:30-9:45 p.m., George Fisher, Hollywood commentator, Mutual.

David Selznick Talks Pact Renewal With UA Chief

(Continued from Page 1)

terms of a new releasing contract, but it is very unlikely that any deal will be signed until the arrival of John Hay Whitney, board chairman of S.I., on the Coast in January. Selznick told THE FILM DAILY Friday.

Selznick said that he would confer with Whitney when he arrives from England on Thursday and would leave for Hollywood on Friday. Whitney will also indulge in Silverstone to his arrival here, and will leave for the Coast on Jan. 1. The UA proposal and other proposals for S-I will be studied by the two execs.

“Intermezzo” will be first picture for release on next season, Selznick said, and will be distributed by whatever company a deal is closed with. He expects to make six pictures next season, if a suitable story can be found, Fred Astaire may make one of them.

Footage Death Stymies Newsreel's Nazi Expose

The will of the five newsreel companies to call, via concerted action, the attention of filmgoers to the current persecutions in Nazi Germany was infinitely greater than the way in which to accomplish this, Selznick observed. The next meeting of the execs' axes, at the offices of MPMDA.

According to official pronounce- ment, the meeting was purely routine, but it was pointed out by sources close to the confab that an insurmountable barrier existed to proper the plans, namely, the dearth of film footage available to make a vigorous impression on the public.

Kills Lottery Charges

Lottery charges against the New United, Films of Canada and Pars Congress, Brooklyn, N. Y., were dropped out of the swing of the city, Bongo, and Banko, were also met with following the trial, Bongo and Banko. Defendants were represented by Harry G. Kosch, general counsel of the N. Y. Allied Exec. Cases were deemed of great importance to radio exhibs. TCO of Ontario's Clearance Charges Changes Under Consideration

(Continued from Page 3)

a special committee appointed in two weeks. Committee is composed of John A. Cooper, president of the MPDA, and N. A. Taylor, TOC venting. Tio's conciliation program, in addition to the clearance issue, calls for abolition of score charges and license agreement revision.

Failure of the present moves to reform reforms through the medium of the ITA, William C. Gehring, central division manager for 20th-Fox, reports that an extremely optimistic business outlook is the general consensus among exhibitors and business men generally in that area. He accompanied James P. O'Loughlin, Canadian district manager and venturing doctor, in his tour of that territory.

William J. Kupper, western division manager, returns here today, William Sussman, eastern division manager, left for Washington Friday, to meet the Drive leader there, William J. Clark, short subject sales manager, is accompanying O'Loughlin on the tour. Full meeting will be held at the New York Exchange later this month.

To date the drive has run about 11 per cent ahead of last year's record-breaking performance and exceeds, expect this average to be maintained and possibly bettered before the Drive is over.

Hear Col. Appeal Jan. 3 in Betty Davis Action

Appellate Division yesterday set Jan. 3 for appeal brought by Columbia Pictures, Jack and Harry Cohn, A. H. Giannini, and other officers and directors from the decision of N. Y. Supreme Court Justice Charles B. Maughlin which upheld complaint of Betty Davis, plaintiff.

The Columbia time to answer until after rendering of the decision. Action, which is a stockholders' suit against Columbia with paying excess salaries to executives, and issuance of illegal voting trust certi- ticates. Plaintiff also asks for an accounting.

London (By Cable)—Survey of changes brought about by Nazi persecution of Com- munist and Social Democrat film workers in Czechoslovakia reveals that 871 Austrian in 300 Sudetenland theaters have been shut down. Fourteen houses under German juris- diction have received a seating capacity of 360,000. Total number of German theaters has now reached mark of 5,617, representing a percentage of 27.4 seats per 1,000 for the 77,873,000 estimated popula- tion of the Reich, which include 6,711,000 Austrians and 3,505,000 Sudetenslaners.

That MPTOA-Allied Merger in Wishful Thinking Class

(Continued from Page 1)

A basis for the report is believed to be a misinterpretation of a story which appeared exclusively in THE FILM DAILY yesterday—being the closing of the Oklahoma City meetings. At the session, delinquent companies ultimately combine, adding that he would like to see this occur. The matter was then dropped.

However, these simple remarks and the opportunity to extend to indicate that there was a further move toward the extension of such a thing. Negotiations have been issued by both Abram K. Myers, Allied general counsel, and Kuykendall.

Manos Theater Bows In Elkins, W. Va. — Renovated Manos theater opens tonight. House recently taken over by the Elkins Theater Co., headed by Mike Manos. Formerly theater was known as the Roosevelt.

Rep.-Sparks Deal Closed Jacksonville, Fla.—Republic through Percy James R. Granger and American Pictures, took formal through the district franchise holder, is closed product deal with 87 E. J. Sparks theaters.

Longest Mobile Telecast

Scenes of murals and statues at the World's Fair were telecast from the Fair from Friday, when CBS and NBC engineers telecast from the National Radio City via motion television van and NBC engineers declared this to be longest distance yet covered by them thus far in tests of this nature.
Look to Judge Bondy For RKO Reorg, Okay

New York's Film Row was poised yesterday for what may prove to be decisive developments in the scheduled hearing this afternoon at 2:30 in Federal Court on the RKO reorganization plan.

Sources close to the proceedings which have now occupied some five consecutive years, declared the belief that, with a majority of creditors now on record as in favor of (Continued on Page 2)

FCC Delays Formulating Commercial Tele Policy

Washington Bureau of THE FILM DAILY—Washington, D.C., May 24—The newly appointed FCC Director of Information, said yesterday that the Commission still has not formulated a policy on commercial television licenses.

The Journal Publishing Company, (Continued on Page 5)

Educational's Board Will Elect Officers Tomorrow

Educational's board of directors meets tomorrow to elect officers for the year. All officers are expected to be re-elected. It is also believed (Continued on Page 2)

U. S. Supreme Court Rules Patent Restriction Legal, 5-2; Refuses to Answer Two Questions; Rules GTP, ATC Both Infringers

By Milton P. Lynch

Washington—Affirming its previous decision of last term the U. S. Supreme Court yesterday ruled that the restrictions—A T & T, Western Electric and Erpi—were within their legal rights in placing restrictions against use in motion picture projection equipment on vacuum tube amplifiers purchased by the Schlesinger-controlled General Talking Pictures Corp., and subsequently used for the allegedly outlawed purpose.

The high court affirmed its decision of May 2, 1938, by a vote of 5 to 2. Justices Black and Reed entered a dissent from the majority opinion and Justice Roberts took no part in the decision.

Copyright Sub-Committees Adjust Their Differences

Meeting yesterday morning at 9:30 in the Bar Association Building, 142 West 44th St., film, radio, composers, publishers and kindred groups held the fourth of the series (Continued on Page 2)

Pathe Stockholders' Letter Returned to SEC For-Okay

Pathe Film Corp.'s letter to stockholders was returned by SEC yesterday with several changes ordered. Letter was revamped and returned (Continued on Page 6)
Look to Judge Bondy for RKO Reorganization Okay

(Continued from Page 1)

the amended plan, and with more than the required majority of common stock consents on file by proponents, it is probable that Federal Judge William O. Bondy will at least indicate his outright approval or disapproval.

A mid-week release possibility, namely the suggestion by the court that certain provisions be altered, is pointed out.

Up to a late hour yesterday there was no indication that the hearing would be adjourned. On the other hand, counsel for all groups were making last minute preparations for the session.

Hammer C. Rickaby, counsel for Atlas Corp. nominal proponents, since this organization is regarded as the main springing in the so-called Atlas Group, arrives in New York this morning on the Santa Paula, following a South American cruise.

Copyright Sub-Committees Adjust Their Differences

(Continued from Page 1)

of sessions designed to iron out international copyright differences which had existed among several of the sub-committees were adjusted, and attention given to the subjects of automatic copyright; copyright damages; manufacturers' clause for works published in the U. S., which has as its aim the protection of labor; and a clause to give latitude to copies of scientific subjects in foreign markets.

Another meeting will be held on Dec. 15, it was decided.

Educational's Board Will Elect Officers Tomorrow

(Continued from Page 1)

that E. W. Hammons, president, will outline the company's plans for foreign distribution and production. This subject, although principally a technical National issue, affects Educational.

UA Theater Circuit Meet in Baltimore on Monday

Annual meeting of United Artists Theater Circuit's stockholders is scheduled for next Monday in Baltimore. In addition to a discussion of business details, the session will include the election of directors.

Meanwhile, the circuit has issued an annual statement which shows a net income of $148,743.37 for the year ended Aug. 31, 1938. This represents a drop of over $216,200 to the net for the corresponding period of 1937.

Summary of the consolidated net income shows a net income before deducting interest, depreciation, amortization and provision for Federal income taxes of $573,440.08.

Rep. Closes Franchise Deal in Kansas Sector

West Coast Bureau of THE FILM DAILY

Mid-West Film Distributors, Inc., of Kansas City, have signed a new five-year pact calling for the distribution of Republic's product in the Kansas City territory by Mid-West. It was announced here upon the arrival yesterday of Herbert J. Allen.

Agreement is retroactive as of July 1, last, and was signed by Robert F. Witthers and Clarence A. Schultz.

Yates will remain on the Coast for at least a fortnight, he declared.

Disney In Counter Suit

West Coast Bureau of THE FILM DAILY

Hollywood—Wait Disney Productions has entered a counter suit against the Allied Artists with a view to the infringement of the song used in "Snow White," "Some Day My Prince Will Come," for which it is claimed that his firm copyrighted the song 21 months before Allied copyrighted "Old Elsie," of which he is the publisher and not the composer.

Bill to License Ticket Brokers Due at Albany

League of New York Theatres tendered a luncheon yesterday to Howard Spillman, City Councilman, at "21." Spillman is presenting a bill today in the Council making it a misdemeanor for addition of more than a ten-cent premium on any ticket sold by a broker. Paul Moss, license commissioner, was also a guest, and he announced a brokers' license bill will be introduced in the New York State Legislature.

N. Y. Allied Meets Dec. 5

Allied Theater Owners of New York will hold a state meeting in Buffalo Dec. 5.
200 SINGLE-FEATURE "ANGELS" PLAYDATES

(Continued from Page 1)

Thanksgiving Day, instead of the usual Friday opening, and holding for a full 8 days.

20s days' intense engagement on "Angels" represents the greatest number of simultaneous playdates on a single release in the history of the company, it is understood. The feature opens over the country this week-end backed by one of the largest advertising and publicity campaigns ever accorded a Warner feature.

Campaign has been supervised by Charles Einfeld, director of advertising and publicity, who is in New York conferring with Major Albert Hill in the Warner and Einfeld, it is expected that the majority of these dates will also be single feature bookings.

First Warner home office reports on "Angels" biz yesterday were to the effect that the pix had set a new week-end record at the Utah, Salt Lake City, and Einfeld, the Indiana theatre, Indianapolis, the film did the best opening biz in six years.

Grand Jury to Probe Claim
Sunday Pix Statute "Sold"

(Continued from Page 1)

Earle and associates brought by former Attorney General Charles J. Margiottto, including a charge of "sale" of Sunday movie legislation. Under Supreme Court direction, however, Attorney General Guy K. Bard has three months to appeal, and if he decides to, the appeal automatically stays grand jury proceedings.

David L. Lawrence, secretary of the Commonwealth and Democratic State Committee chairman, denied yesterday before the House investigating committee that the Sunday movie bill of 1935 was "sold" for $100,000, or any amount, by Democratic legislators. He said both he and administration adopted "hands off" policy as far as threatening members of legislature, and said that "might be better if legislators came to them in their own districts, and that they should vote to please their constituents. Personally I wasn't very keen for the Sunday movie bill at all."

"The Bird"—Loew Version
Forty-one Loew theaters in greater New York are preparing to give their patrons the "bird" this week-end. Co-operating with merchants and various labor unions in their city, the houses will distribute almost 1,000 turkeys to winners in special Thanksgiving contests. In addition to the goodie bags some of the theaters will award food staples and holiday delicacies.

ALONG THE RIALTO WITH PHIL M. DALY

- THE BASIC weaknesses of the double feature policy as seen by R. H. Poole, General Manager of the Independent Theater Owners of Southern California and Arizona.

- HE TAKES as an example his experiences when looking at a splendid example of the motion picture art as embodied in "The Great Waltz"—which was followed by a cheap slapstick type film on the dual bill—the result was that all the beauty and charm that an audience would carry out with them after seeing the first picture, was totally lost on viewing the cheap secondary film.

- HEREIN lies the cause of the criticism by the public that the producers are not making better pictures; they lose their perspective of the good product in their annoyance at seeing the cheap pictures on the same bill.

- THIS OBSERVER in question doubts that the producers themselves realize the loss of prestige their good pictures suffer. Poole suggests that they drop in on a theater during the third reel of their picture—sit through the secondary film in order to see the first part of the main feature—and then they will have some conception of how the general public feels and why so many of the public are squawking, they are squawking in many instances because the dual policy has destroyed their appreciation of a good picture through the deadly effects of a cheap secondary attraction. But a lot of picture patrons haven't analyzed their feelings this closely. So they just squawk on general principles.

- ONE OF THE best local campaigns for the industry drive we have seen. That of E. V. Dinnerman, the publicity director for the RKO Theaters in the Cincinnati territory. He planted six full page ads in the newspapers, and the one captioned "Stars Fall OnCincinnati" is a lulu. Dinny should come close to coping the prize award offered to theater men for local campaigns. Another stunt of his was a miniature theater built in the lobby of the Paramount Theater in Cincy. About 35,000 people sat through short subject showings in this little theater, completely equipped.

- PATRIOTIC mass meeting of American Legion members staged at Warners' Hollywood Theater Sunday morning when Harry Warner was awarded a citation for his commendable efforts to foster patriotism. Harold Godsoe, assistant director over at the Eastern Service Studio on the William K. Howard production, has turned out a piper of that of West Point... a timely subject if there ever was one... it is the first picture of the army college to be done in color.

- NEW HIGH for W. C. Handy's classic, "St. Louis Blues," for radio performances in one evening... when more than a dozen of the big-name orks joined to honor the composer's sixty-fifth birthday with a swing festival named after the famous number. Grosset & Dunlap have sold 300,000 copies of their special edition of "The Citadel" in six weeks since the release of the Metro film version... this sets a new record for the publishing house... being 50,000 copies more than any G & D edition in the last ten years of a celebrated novel.

EXPECT CANADA WILL REMOVE EXCISE LEVY

(Continued from Page 1)

U. S. distributors of Technicolor films in the Dominion also stand to gain via a reduction. Such films are not present in Canada. There will also be a duty reduction on black-and-white positives which are occasionally imported from the States when the printing in Canada is not practical. Under ordinary circumstances, a master negative is brought from the U. S. for a limited period for the making of the required number of prints for Canadian distribution, but often additional prints are bought from U. S. producers after a negative has been returned.

Incidentally, printing of motion picture films in Canada costs three cents per foot as compared with 4½ cents per foot for prints brought in from the States and this continued saving means that labs in the Dominion will do this work as before under the protective tariff.

Washington Bureau of THE FILM DAILY

Washington—Further examination of the U. S.-U.K. trade treaty reveals that Great Britain has granted concessions on motion picture apparatus and cameras of all kinds, as well as parts, entering Newfoundland. Former duty was 60 per cent, while new rate is 45 per cent. U. S. supplies about half of such equipment to Newfoundland.

There is, it is noted, no margin of British preference in such items in Newfoundland, as is the case with many other items which hitherto came under the Ottawa agreements, granting preferential treatment to Empire products.

Freeman Reports Sale of Paramount's Common

(Continued from Page 1)

today in the SEC semi-monthly report of security transactions and holdings. Freeman stated he holds no 6 per cent convertible 2nd preferred stock of Paramount but through his wife acquired 600 shares representing his total holdings.

Daniel M. Sheaffer acquired 700 more of Universal Corp.'s common voting trust certificates and now holds 15,500 of the certificates. He also holds 20,500 of the certificates through his New York and Canada Capital Co. Sheaffer reported he holds no common voting trust certificate warrants but has 111,283 of the warrants through Standard Capital Co.

A report of K-A-O listed George J. Schaefer as officer and director and stated he holds no equity securities.
Warner Bros. acknowledge with pride the widest simultaneous 'A'-Theatre engagements of any attraction in our history.

Indiana, Indianapolis • Majestic, Dallas
Utah, Salt Lake City • State, Manchester
Warner, Worcester • Capitol, Springfield, Mass. • State, Ithaca • Carolina, Winston Salem • Roger Sherman, New Haven • Strand, Hartford • Warner, Bridgeport • Capitol, Shamokin • Strand, Albany • Stanley, Utica Metropolitan, Boston • Palace, Pittsfield Palace, Rochester • Keith, Syracuse • Opera House, Jamestown • Carolina, Greenville National, Greensboro • Granada, So. Bend Palace, Cincinnati • Columbia, Portsmouth Colonial, Akron • Victory, Dayton • State, Springfield, Ohio • Ben Ali, Lexington • Smoot, Parkersburg • Virginia, Charleston • Ohio, Lima • Hippodrome, Cleveland • Warner, Youngstown • Ohio, Canton • Sixth Street
Coshocton • Ohio, Mansfield • Capitol
Steubenville • Majestic, Houston • Hollywood, Fort Worth • Paramount, Amarillo Lyric, Brownwood • Paramount, Tyler
Orpheum, Davenport • Iowa, Waterloo
Iowa, Cedar Rapids • Grand, Dubuque Capitol, Marshalltown • Mary Anderson
Louisville • Orpheum, Kansas City • Hollywood and Downtown, Los Angeles • Fox
San Diego • Granada, Santa Barbara • Ritz
San Bernardino • Warner, Memphis
Warner, Milwaukee • State, Waterbury
Stamford, Stamford • Palace, So. Norwalk Garde, New London • Broadway, Norwich Empress, Danbury • Warner, Torrington
Orpheum, New Orleans • Strand, New York City • Ritz, Newburgh • Branford, Newark Stanley, Jersey City • Fabian, Paterson • Montauk, Passaic • Park, Morristown • Bardevon, Poughkeepsie • Brandeis, Omaha • Fox
Philadelphia • Orpheum, Sioux City • Astor, Reading • Aldine, Wilmington • Colonial, Allentown • Stanley, Atlantic City • Grand, Lancaster • Palace, Bethlehem • Capitol, York State, Easton • Comerford, Scranton • Penn Pittsburgh • Capitol, Wilkes Barre • Rialto, Williamsport • State, Mt. Carmel • Warner, Erie • State, Altoona • Cambria, Johnstown Victor, New Castle • Columbia, Sharon Ritz, Clarksburg • State, Washington • Fairmont, Fairmont • Manor, Greensburg • State, Uniontown • Warner, Morgantown • Fox, St. Louis • Columbia, Warren • Butler, Butler Latonia, Oil City • Roxy, Springfield, Ill. Fox, San Francisco • State, Eureka • Hanlon, Vallejo • California, Salinas • Fox, Oakland Senator, Sacramento • Mission, San Jose Warner, Fresno • California, Stockton • Lib- erty, Cumberland • Newport, Norfolk Colonial, Richmond • Stanley, Baltimore

"ANGELS WITH DIRTY FACES"
Starring JAMES CAGNEY
PAT O'BRIEN
with THE "DEAD END" KIDS
HUMPHREY BOGART
ANN SHERIDAN—GEORGE BANCROFT
Directed by MICHAEL CURTIZ
Screen Play by John Wexley and Warren Duff • From a Story by Rowland Brown • Music by Max Steiner • A First National Picture
**\$1,250,000 For New Theaters in So. Mich.**

(Continued From Page 1)

Theatres.

The total cost of Butterfield remodelling is not available, but the average cost of new homes has the higher brackets because of the construction standards set for the circuit.

The cost of construction including new structures is generally in line with the $100,000 estimated last spring. The current expenses on remodelling and improvements on Detroit’s downtown theaters alone, in view of the fact that no major construction has been involved in this group.

Nearly half a million dollars’ worth of construction is in progress as planned right in Detroit itself, forming the backbone of this estimate. The principal jobs, estimated from building permits filed with the Department of Buildings and Safety Engineering, as well as from discussion with theatrical architects, supply the figures. Among them include the following (figures are, in general composite estimates and in some cases make no substantial allowance for equipment, so that the net total might be increased slightly):

- **Kramer Theater**, $100,000:
- **Crystal Theater**, $500,000:
- **Plymouth Road**, $55,000:
- **Esquire**, $100,000:
- **Stratford**, $50,000:
- **Roxy**, $100,000:
- **Brown Circuit**, $150,000:
- **new theater, unnamed**, $60,000:

**Greiner Rites Held**

Detroit—Theodore (Teddy) Greiner, 55, formerly with the National and Shubert Detroit Opera House, and an LATSE member at Meridian, Miss., and a brother of Herman Greiner, chief stage electrician at Shubert, was buried Friday at Mt. Olivet Cemetery, following death from heart failure.

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**Nazi Trade Sheet Blasts M of T for “Impudence”**

(Continued from Page 1)

A censor’s action in cutting M of T’s “Prelude to Conquest,” and the armageddon of “A New Deal in Germany,” are pretty well “watchers” to be traced not only to the muddy sources of the lying press, but also to the malicious incitement of films.”

The German trade sheet says, in part:

“The recent banning of the ill-fated March of Time, which, with characteristic Jewish impudence, calls itself a ‘newswere undertakings’ at the time of the rise of those evil disseminators of poison, we have unfortunately had frequent occasion to discuss this sample of a Jewish-American canvas.”

- **Louis de Rochemont**, March of Time producer, in making public the translation of the attack yesterday, said that Myron Cohen has issued six films dealing directly with or closely related to Nazi policies and acts.

**Dedicate Senator Theater at Pittsburgh to Harris**

Pittsburgh — Harris Amusement Co. Senator theater will be dedicated to the memory of the late Senator John P. Harris at an invitation preview tomorrow night, with public opening on Thursday morning.

Ex-Senator Frank H. Harris, company’s prexy, and brother of the deceased, will make the dedication. Late Senator Harris was founder of the amusement company; a son, John H. Harris, is general manager. Senator, at the Variety Club in the William Penn Hotel will follow.

**Opening bell at the house embezzles John Bokes, editor of the Variety Club at the William Penn Hotel will follow.**

“Service De Luxe” Jerry Mahall directs the house’s orch. Ken Hoyt manages.

Formerly known as the Alhambra, when it was operated by Loew’s, this theater—which has been closed for the past ten years—has been entirely remodeled and renovated throughout at an expense of $100,000, and the seating capacity increased to 2,000. The program is on a combined picture and stage show policy, and will give the Harris Amusement Company two first-run houses in the downtown section.

**Marone’s Mother Dead**

Pittsburgh—Funeral services for the mother of Art Marone, president of the Superior Motion Picture Sunbury Co., were held from the residence of his brother, Saturday.

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**Show Scopony Tele ‘At the World’s Fair**

(Continued from Page 1)

and preliminary details were worked out at that time.

——Lowe said that the “hooked-on” being carried on by Eddie Canto and others, being worth their while. —Lowe says that some announcement might be possible in the near future. It is reported that some groups interested in Scopony have been corresponded with, and that a cablegram might be possible in the near future.——It is reported that some groups interested in Scopony have been corresponded with, and that a cablegram might be possible in the near future.——It is reported that some groups interested in Scopony have been corresponded with, and that a cablegram might be possible in the near future.——It is reported that some groups interested in Scopony have been corresponded with, and that a cablegram might be possible in the near future.

**Pittsburgh 8. C. Seeking $65,000 for Milk Fund**

Pittsburgh.—The 8th Annual Milk Fund Campaign, which is conducted by the auspices of the local Variety Club, Pittsburgh Press and Station KDKA, will start Dec. 3. John H. Harris is general chairman of this campaign, the purpose of which is to raise funds to buy milk for all children in hospitals, orphanages and other institutions in Allegheny County, regardless of creed or race.

The goal this year is $65,000 and funds have been raised through the broadcasts William Zeugen, Sr., of the Zeugen Milk Company, will give an equal amount. There will be a total of four broadcasts, December 3-10, 17-21, and the names of all persons giving donations to this most worthy cause are announced over the air.

All who participate in this campaign, including the entertainers, will contribute to the benefit of the Variety Club who handle the detail work in connection with it, the staffs of Station KDKA and Pittsburgh Press, as well as the 50 or 60 girls from the Harris and Warner offices, various film companies and newspapers are to answer the telephone and do the clerical work, contribute their services. Performers appearing in shows, contribute their time and sweat, in the Pittsburgh vicinity furnishing the radio entertainment.

**Charles Moning Dead**

Plymouth, Mass.—Charles Moning, 69, movie theater pioneer committed suicide, the fourth in his immediate family to take his own life. John Moning died in Plymouth 1909, later Moning later built the first theaters here and at North Plymouth.

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**RKO Takes “U” Serial**

RKO Greater New York Theater will play Universal’s serial, “Secret to the Rescue.”

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**Pathe Stockholders’ Letter Returned to SEC for Okr**

(Continued From Page 1)

To SEC yesterday afternoon for final approval. If approved, it goes to stockholders Wednesday night, it was said. Date of special liquidation meeting has been changed from Dec. 6 to Dec. 12, it was learned.

**Hoyle In Pittsburgh**

Pittsburgh—Ken Hoyle, now manager of the Harris-Liberty Theater in East Liberty, will become manager of the new Harris-Senior Theater in downtown Pittsburgh when the new building opens downtown.

J. M. Hooley, who was associated with the Harris Amusement Co. for many years and recently with Warner Bros., was named manager of the Harris-Liberty Theater.

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**Tuesday, November 22, 1932**

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**THE FILM DAILY**
S. Supreme Court Finds for the Electrics by 5 to 2 Decision
(Continued from Page 1)

In the case of the appeal, the court did not weigh either of the two questions presented by GTP in its application for a rehearing which was granted May 31. Justice Brandeis (2) wrote:

"Can the owner of a patent, by means thereof restrict the use of a device made under the patent, after the device has passed into the hands of a purchaser in the ordinary channels of trade and full consideration paid therefore?" and;

"Can a patent owner, merely by a license notice attached to a device made under the patent and sold in the ordinary channels of trade, place an enforceable restriction on the purchaser thereof, as to the use to which the purchaser may put the device?"

Upon further hearing we are of opinion that neither question should be answered. Justice Brandeis' decision declared, "for we find that, while the devices embody the invention of the patentee, the devices were not manufactured or sold under the patents and did not pass to the hands of the purchaser in the regular channel of trade."

ATC, GTP Held Infringers
Both the American Transformer Co. and GTP were infringers, of the court, the decision stated.

"Transformer company knowing that it had not been licensed to manufacture or to sell amplifiers or use in theaters and part of talking picture equipment, made for that commercial use, the amplifiers in controversy and sold them to Pictures Corporation for the commercial use. Pictures Corporation ordered the amplifiers and purchased them knowing that transformer company has not been licensed to make or sell amplifiers in the theater business. Any use beyond the valid terms of a license, is of course, an infringement upon the patent. The court declared. Robinson on patents, No. 916 was cited on this point.

"If there was a patent invention applicable to the use of the owner of the patent may legally restrict a licenc to a particular field and exclude him from others. The court declared. This was one of the most important points that GTP had contended that it was not possible to determine under the invention in different fields. The decision then declared that the American Transformer Co. was guilty of an infringement and sold them to Pictures Corporation and as Pictures Corporation ordered, purchased and leased them knowing the facts, it also was an infringer.

Restrictive License Legal
The question of law requiring decision is whether the restriction in the license is to be given effect. That a restrictive license is legal.

The high tribunal decision quoted several previous cases—Mitchell vs. Hawley, United States vs. General Electric Co.—and decided "that when it made amplifiers for, and sold them to, Pictures Corporation, and as Pictures Corporation ordered, purchased and leased them knowing the facts, it also was an infringer.

As the restriction was legal and the amplifiers were made and sold outside the scope of the license, the effect is precisely the same as if no license whatsoever had been granted to transformer company. And as Pictures Corporation knew the facts, it is in better position than if it had manufactured the amplifiers itself with a license, which is liable because it has used the invention without license to do so."

"Neither stipulation or practice could justify extension of patent monopoly beyond the limit of legality fixed by Congress and recognized by this court for over threequarters of a century," the dissent argued.

When GTP purchased the amplifiers from the transformer company with the promise of "license notice" to the effect that the apparatus was to be licensed only for use in regular production and experimental broadcast reception under certain patents. When GTP used the amplifiers for motion picture projection equipment, the Electrics filed suit, charging infringement.

When the case first came before the Supreme Court last May, the court upheld the Circuit Court of Appeals, 5-1, Justice Black sharply dissenting. Subsequently, the Court agreed to re-hear.

The dissenting view
Justices Black and Reed, who dissented, argued that the court had departed from the traditional judicial interpretation of the patent laws. In the decision of last term, Justice Black also dissented. At the time Justice Reed was not on the bench.

"Almost a century ago this court asserted, and time after time thereafter, it has reasserted, that when an article described in a patent is sold and passes to the hands of a purchaser, it is no longer within the limits of the monopoly. It passes outside of it and is no longer under the protection of the act of Congress. Contracts in relation to it are regulated by the laws of the state and are subject to state jurisdiction," the dissenting justices declared.

"Notice to the purchaser in any case is to be determined by the law—limit or destroy the use of the amplifiers after they were sold and knowledge by both vendors and purchasers should have been that the amplifiers were purchased for use outside the fields for which the vendor had been strictly entitled to sell, made the transaction between them no less a sale. Had petitioners—after making the purchase—decided not to use these amplifiers in the forbidden fields, or had they been destroyed prior to such use, certainly the state of mind of the parties at the time of sale would not have made them both infringers."

Claim Limit of Legality
"Indeed, petitioners could use them in any combination with tubes which it purchased on the open market from retailers unconnected with responcndents to sell the same—be he in infringing combination with another lawfully purchased commodity. The patent law was not intended to accomplish such result," Justice Black and Reed argued.

When GTP purchased the amplifiers from transformer company with "license notice" to the effect that the apparatus was to be licensed only for use in regular production and experimental broadcast reception under certain patents. When GTP used the amplifiers for motion picture projection equipment, the Electrics filed suit, charging infringement.

When the case first came before the Supreme Court last May, the court upheld the Circuit Court of Appeals, 5-1, Justice Black sharply dissenting. Subsequently, the Court agreed to re-hear.

The intervention at the rehearing of the Department of Justice was deemed highly significant, lying in as it did with the Government's anti-monopoly moves.

Off Coast Waves
West Coast Bar, THE FILM DAILY
YOU’RE GOING TO HAVE A HAPPY THANKSGIVING IF YOU’VE DATED IN “SUBMARINE PATROL”

HELD OVER in its two newest pre-release engagements . . .

ROXY, NEW YORK . . . where it’s roaring along to the biggest business on Broadway!

ROOSEVELT, CHICAGO . . . where it’s knocking the Loop for a loop!
Jeffrey Bernerd to Head GN Distribution in England

Fine Arts Dropped as Producing Organization for GN

RKO REORG. DECISION ON DEC. 2; OKAY INDICATED

Amusement Div. to Raise $225,000 for Jewish Fund

Revenge!!

Desirable to Have It Disposed Of This Old Year," Says Bondy

WARRNERS' ANALYSIS

“Desirable to Have It Disposed Of This Old Year,” Says Bondy

Climaxing the RKO reorg, hearing in Federal Court yesterday after-noon, Judge William O. Bondy declared that at the next hearing, scheduled to be held on Dec. 2, he expects to render a decision. Appending this assertion came a statement which indicates that such determination will be in favor of the present amended plan's proponents. Said the Court: “It will be very desirable to have it disposed of this old year.”

Prior to yesterday's session, which was 15 minutes late in getting under

WARRNERS' 1939-40 SETUP

WARRNERS' 1939-40 production set-up will be defined at conferences scheduled to start at the home office here next Monday.

Jack Warner arrives from London tomorrow, while the week-end will again bring Hal Wallis from the Coast to participate in the confabs. Others sitting in will include Major

Allied May Get Reform

Draft by End of Week

Drafts of Allied's trade practice proposals are expected to be completed within the next few days and copies submitted to Allied leaders. It is understood that additional data was incorporated in the first outline of the agreement, which was

No Paper Tomorrow

There will be no issue of THE FLM DAILY tomorrow, on account of the Thanksgiving holiday.
FINANCIAL

NEW YORK STOCK MARKET

Net High Low Close Chg.

Am. Scoto. 10 10 10 10 10 10
Columbia Picts. 1615 1615 1615
Con. Fm. Ind. pld. 11% 11% 11% 11%
East-Kodak 1 1 1 1
Gen. Th. Eq. 15% 15% 15% 15%
Loew, Inc. 146 146 146 146
Paramount 10% 10% 10% 10%
Paramount 1st pld. 91% 91% 91% 91%
Paramount 2nd pld. 11 11 11 11
Pathe Film 12% 12% 12%
RKO 24% 24% 24%
20th Century-Fox 27% 27% 27%
Univ. Picts. 66 65 65 65
Warner Bros. 61% 61% 61%
do pfd.

NEW YORK BOND MARKET

Keith A-4 64-6w 94 94 94 94
Loew 61-4w 102% 102% 102%
Parz. 63.5 5% 5% 5%
Parz. Picts. 6555 99 99 99
Parz. Picts. 31 82% 82% 82%
RKO 6711 77% 77% 77%
Warner’s 63g 90% 90% 90%

NEW YORK CUR MARKET

Grand National 1% 1% 1% 1%
Sonofone Corp. 1% 1% 1%
Telecaster 20% 20% 20%
Trans-Lux 21% 21% 21%

Kent on Texas Visit

Sidney R. Kent, 20th-Fox proxy left last night for Texas on a short visit. He returns here in about a week and then leaves on Dec. 8 for Hollywood to hold conferences at the studio and sit on the various departmental committees starting there on the 12th. He will return here before Christmas.

Gubb Says Better Radio Sets

While radio sets sold today or in the near future are not designed to receive directly television sound signals, the better sets can be easily adapted to direct signal pick-up by the equipment that will be made available, it was indicated yesterday by Larry E. Gubb, president of Philco Radio & Television Corp., in a statement concerning that company’s television activities.

"Television," he stated, "will never supplant radio. Television is simply another service. Radio will go on.

Tri-States Tests Omaha

Omaha—Paramount Theater, 3,000-seat house opened a month ago by Tri-States after being shuttered two years, is now being tested as a moveover and first-run theater. It’s the first moveover in Omaha’s history.

Admissions revised upward from 10-15-25 to 10-25-40, in keeping with regular first-run prices here. Re-issues and trick bills at the lower prices have been doing better with mostly suburban trade. Holiday season will feature top-notch product.

COMING AND GOING

SIDNEY R. KENT, president of 20th-Fox left last night for a short stay in Texas, returning in about a week.

JACK L. WARNER, vice-president in charge of production of Warner Bros., John L. WHITE, board chairman of Sreatland (national), and GRACIE FIELD, English actress, arrive tomorrow on the Normandie.

HERMAN WOBER, manager of distribution for 20th-Fox flies to the Coast today. He will return to the home office around the first of the year.

ROY HAINES, Eastern and Canadian sales manager for Warners, returned to the home office yesterday after a trip to Toronto.

HAMILTON C. RICKABY, counsel for the Atlas group proponents of the RKO reorganization plan, arrived in New York yesterday on the Santa Pauls.

OTTO C. DOERING, Jr., assistant to William J. Donovan, RKO counsel, returns to New York shortly from Chicago.

GEORGE FRIEL, Jr., International Producer source authorities, returns tomorrow for the Coast.

GEORGE CIROUX, field representative of Technicolor, left New York last night on a business trip.

JOHN W. HICKS, Paramount foreign department head arrived Paris last night on a trip to the Coast.

HALL WALLIS, Warner production exec, arrives from the Coast this week-end.

MORT BLUMENSTOCK, in charge of Warner’s Eastern advertising and publicity, returns from a Southern cruise on Friday.

VINCENT PRICE, Universal player, has arrived in New York from the Coast for a vacation.

HUGH WILLIAMS, English actor, arrives tomorrow on the Normandie to take a role in Samuel Goldwyn’s production, “Whitewing Heights.”

GEORGE JESSEL is scheduled to fly to the Coast tomorrow.

LESLEY HOWARD is on route to the Coast.

MARLENE DIETRICH will arrive from Europe tomorrow on the Normandie. CARY GRANT is a returning passenger on the same ship.

ALBERT HAY MALOTTE of the Walt Disney卡通 studio, and composer of the movie, “ Ferdinand the Bull,” is in New York on vacation.

FILM CENTER

Ninth Ave.

44th-45th St.

A★★★ Building

For the Motion Picture Industry

★ Lowest insurance rates.
★ Projection and inspection rooms.
★ Vaults.
★ Interior shipping platform.

Some buildings have some stars—this building has all stars.

For Space Apply

270 Madison Avenue

CROSS BROWN & COMPANY

New York

katarta 5-7000

Agent

ALONG THE SILLY RIVER WITH PHIL M. DALY

ONE JOB vacancy...and nine guys made happy...

all because of the Loew Theater policy of promoting from within the ranks...here’s what happened...the other week Erle Wright resigned as an old director of the Loew-Poli theaters, headquartered in New Haven...Lou Brown, of the Bronx publicity staff, moved into Wright’s job...Carl Fishman from the Easi Bronx group moved into Brown’s job in the West Bronx group, with headquarters at the beautiful Paradise Theater...Sam Coolick, publicity man in Queens, was moved into Fishman’s spot...Ray Jacobson, of the Loew Brooklyn publicity staff, took Coolick’s place in Queens...Leonard Mayer, home office assistant, moved into East Bronx to work with Coolick...William Slivk, home office assistant, was switched to Brooklyn to fill Jacobson’s last assignment...Morty Tauber, home office assistant, stepped into Leonard Mayer’s spot...George Sharf, formerly of West Bronx, was transferred to the midtown publicity district, replacing Teddy Arow, who was moved to Westchester...in addition, two new office boys at headquarters started their climb...it is interesting to note that three-fourths of the Loew publicity men in the New York neighborhood districts have worked up from jobs as office boys...

THAT FELLER known as Lester Pollock, manager of Loew’s Rochester Theater in the upstate city...is one of the most prolific stunt-pullers and publicity-grabbers in the biz...Les has been doing it consistently for years...the guy never seems to lose his Prolifer Pep...now he kicks in with a Thanksgiving Turkey Dinner Boxer Basket battler...a ticket box was placed in the inner lobby for patrons to drop stubs of coupons presented with purchase of the theater ticket—entitling patrons to a chance on 10 bountiful Thanksgiving baskets...the lobby had the Thanksgiving atmosphere, featuring a big turkey gobbler cutout with a green light for its eye flashing on and off.

Merchandising...equared by Einfeld

(Charitable from Page 1)

operating, and even if the application of merchandising principles brought only a five per cent rise in 10,000 or so—well, figure it out for yourself.

Indeed, Einfeld may have offered the solution to the problem noted by Will H. Hays in his last MPPDA report. The General, you will recall, pointed out that there are still 26,000,000 persons over 12 years of age in the U.S. who do not go to the movies more than five times a year, and that there are millions more who cannot be considered regular patrons of the films.

Expect “Lady and Cowboy” to Stay Six In Frisco

San Francisco — Sam Goldwyn’s “The Lady and the Cowboy,” in for an indefinite run at the United Artists Theater, is expected to be held over for six weeks.

In many West Coast spots, “The Cowboy and the Lady” is topping by 50 per cent and 75 per cent the figures done by “The Hurricane” a year ago.
way, private expressions of confidence that Judge Bondy would probably find the determination immediately voiced were heard from both proponents and opposition counsel alike. However, the court quickly indicated that action must wait. He asserted that he had read some 800 pages of briefs up to yesterday, and that he was prepared now to hear arguments against confirmation.

John Stover, counsel for the Stirm interests, attacked the regularity of consents filed by the proponents, and inferred that somewhere along the line the large proponent interests, if not the holiday shopping sale. Master Alger, must have disposed of some of their RKO stock. This is a contention which bears such a way to the impression that if Atlas or Lehman Bros. had not disposed of stock, the holdings of these two institutions, together with RCA's holdings, would have made the volume of consents now filed considerably less voluminous.

Hamilton C. Rickaby, counsel for the Atlas Group, defended the consents; declared that new ones had been brought down to show that the proponents had taken old consents and checked with transfer agents and eliminated all those who had transferred stock and all those who had given new consents so that no duplication could possibly arise.

Rickaby denied that Atlas had sold stock in interim, and asked the Court to grant proponents relief from a sentence dealing with consents in the plan and to vacate this sentence.

Preview of "Pygmalion" to Aid German Refugees

(Continued from Page 1)

relief organizations for German refugees. The picture opens at the house the next day at popular prices. The preview is held by invitation from Nicholas M. Schenck, president of Loew's, Inc.

Beneficiaries of the special show are American Jewish Joint Distribution Committee, American Committee for Civilian Relief in Russia, Committee for Catholic Refugees from Germany and the American Friends Service Committee.

How About Black Cats?

That the legions of the law are not immune from the spuriousness of the RKO reorg., hearing in Federal Court yesterday. Counsel, on arrival, were told by the elevator operators of the floor occupied, sudden shock to the 13th floor. When the hearing opened on, the Court set Dec. 2 for next session, same time and place. Up spoke a chorus of lawyers: "That's satisfactory, but I find this day charming. And said the sixth floor would be the locale.

Report Wilcox Talking Deals with UA & RKO

(Continued from Page 1)

both UA and RKO for a pix starring Anna Neagle and to be filmed partly in Hollywood and at Denham.

Wilcox, it is understood, contemplates tailoring the film to the American market and proposes to use an American leading man opposite Miss Neagle as well as other Hollywood players.

While RKO released "Victoria the Great" and has "Sixty Glorious Years," the stage was set for a possible new UA affiliation as long ago as the last UA-British convention when Wilcox was introduced and spoke.

Allied May Get Reform Draft by End of Week

(Continued from Page 1)

completed a few days ago, and the finished form will be ready for submission probably by the end of the week.

Discuss Educational Pix at Ohio State U. Confab

Columbus, O.—A conference on the educational production of motion pictures, with educational leaders from all parts of country attended Monday on the campus of Ohio State University.

The conference, arranged by Dr. Edgar Dale, bureau of research and extension, is an experiment in educational production, is sponsored by the university's College of Education, department of photography, the National Council of Teachers of English, and the Film Project of the American Council on Education.

Discussions will take up the problems of relationship of schools and college films to the objectives of general education, with a large portion of time devoted to demonstrations of films in various selected fields, and discussion of technical problems of movie production.

Godowsky Rites Today

Funeral services will be held today at 11:30 a.m. in the Campbell Funeral Apartments, Broad and Polk St., for Leopold Godowsky, pianist and composer, who died on Monday in the Lenox Hill Hospital from complications attending an abdominal operation. Burial will be private. He is survived by a son, Leo, and a Gracie, twin to the Kodachrome process of color photography, and two daughters, Mrs. David Septon and Dagmar Godowsky, the latter a film actress.

Don Lee Files Amendment to Television Application

Washington—FCC announced yesterday that the Don Lee Broadcasting Co. of California has filed an amendment to its experimental television application. The amendment asks for a construction permit for a television license of 42,000 to 56,000 and 50,000 to 56,000. Application calls for 250 watts power. A new television license application has been received from the Milwaukee Journal, operators of Radio Station WTJM, seeking the right to transmit a regular schedule of programs. WTJM desires two 1,000 watt ultra high frequency transmitters. One of these will operate for the picture signal and one for the accompanying sound, cameras for both films and studio, and a complete system of amplifiers and control panels.

Ark. ITO Condemns Circuits Giving First-Runs at 5 Cents

Little Rock—Arkansas ITO, at its convention here, adopted a resolution condemning unfair trade practices of chain operators’ offering first-run pictures at a 5-cent admission price.

Du Pont to Pay $1.50

Wilmington—E. I. du Pont de Nemours & Co. has declared a year-end dividend of $1.50 on common, payable Dec. 14 to stockholders of record Nov. 29. During this year company paid interim dividends of 50 cents each on March 14 and June 14, and 75 cents on Sept. 14.

BERNARD QUTS GB TO JOIN GRAND NAT.

(Continued from Page 1)

At which is described briefly the feature film "The Stars and Stripes Forever," most popular of the Sousa marches. Attorney W. Herbert Adams is counsel for the Sousa estate.

National Theaters Will Set Giveaway Policy in January

stipulated some time ago in one division of NT is generally regarded as successful, a further test period is deemed advisable. If the present trend is maintained, it is stated, kiloeyes will go out generally although there will be a few exceptions.

Spyros Skouras, NT head, and his assistant, Peter Levathes, recently returned from a survey trip of the nation's theaters within the past week-end.

the drive of the circuit was said to be running slightly ahead of last year.

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BERNARD QUTS GB TO JOIN GRAND NAT.
DAWN PATROL
FOR XMAS
ART OF THE NORTH
in Technicolor
FARY FACES

TISFIED FEELING
way WARNERS have come thru!!
**A plain trade bogey**

**This is the Time of Year** when a lot of normally hardworking, aggressive, live wire lads in this industry turn into sad-faced, dyspeptic, kill-joys. Instead of going out after business, as they do the rest of the year, they park on their office chairs and dolefully mourn the coming of what they call “The pre-Christmas slump in picture business.”

According to their sad story, what money there is to be spent in the community during each December belongs to the department stores and the Christmas trade. Any efforts to get people into their theatres by handing them good entertainment, by giving them the lure of exciting exploitation and advertising, they know, are doomed to failure. There’s nothing they can do about this sad state of affairs but take an occasional aspirin tablet. That’s their undertaker’s song. And, boy, do they sing it.

**But Are These the Real Facts?** Go into a department store during this Christmas season and talk with the lads who run it. Talk to any of your local tradesmen who are supposed to own the town’s business this time of year. What will you find? You’ll find that they are far from resting easy. Every day they pile advertising into the papers. Their shelves are stocked with Christmas merchandise. But are people rushing in to grab it? They are not. For the past few years it is an established fact, as any store comptroller’s figures will show you, that the Christmas buying season grows steadily shorter. The idea that from Thanksgiving till Christmas Eve people have no interest in anything but Christmas shopping is no longer true. In fact, the old store theory that Christmas business would take up any slack in the year’s grosses is the bunk and has been for a long time.

**Why Do Stores Go in for Show Business?** All the fancy stuff in the stores, the free entertainment, the exploitation stunts . . . are done simply because the merchants are trying to make their stores look as entertaining as the moving picture theatre. Why? Because they know the motion picture theatre, December just as much as any other month, can pack ’em in, Christmas shopping or no Christmas shopping.
statement about that old pre-Christmas slump!

HOW DO SMART OPERATORS MAKE DECEMBER PAY? Luckily for all of us, the kill-joys, the gloom-splouters, the do-nothings are only a small minority. Luckily for all of us, there are smart theatre exhibitors in every town who know the facts and act accordingly. They know that shrewd exploitation, good showmanship will fill their theatres in December... and they go to the company that has the sure-fire December pictures, book 'em, cash in on 'em, and chalk up a winning score on Christmas Eve.

Paramount’s Pre-Christmas Business Builders!

Ronald Colman, Hollywood’s greatest romantic star, in Frank Lloyd’s greatest screen romance, “If I Were King,” with Frances Dee, Basil Rathbone.

America’s Cavalcade of Aviation is “Men With Wings,” gloriously presented in Technicolor, with Fred MacMurray, Ray Milland, Louise Campbell. Produced and directed by William A. Wellman.

Bob Burns in “The Arkansas Traveler” is the kind of picture which can buck any competition, especially during this most sentimental time of the year.

“Thanks for the Memory,” comedy romance featuring Bob Hope and Shirley Ross and Charles Butterworth, yes, and featuring America’s new number one song hit, “Two Sleepy People.” There’s a natural to get the whole family into the theatre.

“Say It In French,” with Olympe Braudna and Ray Milland is another equally fast-paced, sock entertainment.

And “Little Orphan Annie,” starring Ann Gillis, guarantees you all the daily readers of America’s most popular human interest comic strip.

For hard-hitting action, there’s “Ride A Crooked Mile,” with Akim Tamiroff giving another of his masterly performances, with Frances Farmer and Leif Erikson supplying the love interest.
chairmen, is $45,000 greater than the largest sum ever before raised in the Federation's annual fundraising drive. The 8th Annual Campaign was largely attended by industry leaders.

Speakers, in addition to the two chairman, were John Moss, President of the Beilmark Co., and the Hon. Arthur B. Schwalb, who was announced at the meeting. Contributions made in Hollywood will be credited to the $225,000 quota of the local committee.

Fund-raising for this year will be effected through a series of meet- ings and through a drive into which the Committee is divided. This system was first tried out by the indie theater owners group last year, under the leadership of William and Harry Brandt, and proved so successful that all the allied groups will put it into effect this year.

Warburg pointed out that against the background of present day events, the Federation campaign this year attains a new significance. The two-fold impulse was described as, first, "the age-old human desire to aid the orphaned of the sick and needy" and, secondly, "the desire to pay tribute to and dedicate ourselves anew to the American ideals of tolerance and democratic helpfulness."

Ben Moss reported that he had already organized the committee men for the 1958 campaign, and William Morris, Jr., stated that the artists representatives group was already at work. Meetings have also been set for early in December for the indie theater owners, by William and Harry Brandt; for the legitimate theater group, under the leadership of William Klein, Sam Forrest, Harry Goetz and Markus Hel- man; for the indie producers, headed by Budd Rogers; and for music publishers and composers, under the

WEDDING BELLS

Jack Hurford, manager of the Fox Theatre, and violet bridegroom, Monday to Janet Potter, Marriage took place in the Little Church Around The Corner.

Tom Burney, the News cameraman, was married last Saturday to Miss Zillah Zinman, marooned her hometown as she made her way to the Monthly Banquet. She was the wedding of the bride's parents in Pennsylvania for a honeymoon in Canada.

Pastime, Union City, Sold; Will Become the Colony

Sale of the Pastime Theater Building, 48th St. and Broadway, Union City, N. J., is announced by Berk and Krumgold, theater really firm of 1501 Broadway, New York City, brokers in the deal. Seller was Union Trust Co. of New Jer- sey, and the purchaser was Colonial Real Estate Co.

Name of theater will be changed to the Colony, and the house remodeled at a cost of $90,000. Sum includes appropriations for resuming, air conditioning, new front, marquee, carpets, and up-to- date sound and projection equipment.

"Dybbuk" Held, Suit Charge

Foreign Cinema Arts, Inc., has retained Louis Nizer, industry at- torney, to bring suit for infringement against Commercial Film Enterprises of Denver. It is charged that "Dybbuk" was licensed to play two days at the Bij-E-A-Woo Theater but instead played an entire week at that house and the Palms Theater, both operated by the firm of the same name, of which Nat Wolf is manager.

48th St. Theater to Open

Opening of the newly recon- structed 48th St. Theater, as the "home of Scandinavian pictures," has been scheduled for Aug. 11th, it was announced yesterday by the management. Initial offering will be "Fram For Framgang," a Swedish pic.

chairmanship of Louis Bernstein and Irving Caesar.


B & K Counsel Ask Particulars

in Indies' Clearance Suit

(Continued from Page 1)

exhibitors' anti-trust clearance suit against B & K and the major distri- buting companies. Information desired by counsel is where and when the alleged conspiracy took place, where and when uniform provisions were enforced, and what particular acts of coercion Barney Balaban is charged with, so that the association can properly prepare the defense.

B & K has supplied more than 600 photos of contracts with Warner Bros., exhibitors to whom it is intended to sell, to New York, Fox to Rosenberg, Stein & Rosen- berg, attorneys for the indie ex- hibitors. Work on the balance is being rushed.

Warner Bros. Executives

Will Map 1939-40 Setup

(Continued from Page 1)

Albert Warner, Grad Sears and Charles Einfeld. Meetings are expected to continue throughout the week, with Jack War- ner, Wallis and Einfeld heading Coastwards on Dec. 3 to place their findings before Harry M. Warner.

Philip Smith Disposes of Normandie Theater

Philip Smith, theater operator of Boston, has closed the former Normandie Theater, 600-seat film house under construction at Park Ave. and 53rd St., to the Norman Theater Corp., New York. Also associated with Harry Brandt, it was announced yesterday, David Berk and J. Krum- gold were brokers in the transac- tion.

House opens Nov. 30 with Tri- national's French picture, "Sacrifice D'Hommens," with English titles. Interests representing the Geotel estate are developing the property. Permit for the theater was subject of litigation for several years between the Geotel interests and the City. S. L. Lipson, attorney, represented the buyers and David Stoneman acted for the seller.

Earle Belts, A House Coming

Earle Belts, President of the Harrisburg Film Company, at the House Committee, was the subject of a resolution passed by the House committee last night. At a late hour no motion was made or vote on the movie charge, but Earle is expected to deny it as he has the other charges.
Good Pictures
...not a cure-all

By CHESTER B. BAHN

IT BEGINS to look from this column a vantage point that there may be a couple of things that even good pictures won't cure.

It is this form that the typewriter there rests on the adjacent desk a tear sheet from a Chicago daily—a tear sheet given over to motion picture theater display copy and news.

Among the display copy is that of the Vic, a house at Sheffield and Belmont Ave. One-third of the space used is given over to identifying the theater, its location and its double feature program, "Four's a Crowd" and "Give Me a Sailor."

The remaining two-thirds tell this advertising story:

"FREE—LADIES' SILK HOSIERY
Pure Silk 3 Thread Ringless
Fitted Toe Tailored Heel All Sizes
To Ladies, Matinee or Evening"

"Write your own comment!"

—-

THURMAN W. Arnold, Assistant U. S. Attorney General and possible choice for the post of Solicitor General if and when Robert H. Jackson succeeds Homer Cummings as Attorney General, denies that the Department of Justice desires to control advertising.

Arnold now says that the situation, which drew his fire when the Ford and Chrysler consent decrees were made public was purely an isolated one. It is unfortunate, he said, that this was not indicated in his letter when the Assistant U. S. Attorney General made his original comment. Nor was there any reassuring word from the Department when Wendell Berge, a special assistant U. S. Attorney General, subsequently addressed the American Finance Conference in Chicago.

Indeed, the press services reported that Berge warned, "Advertising used to place competitors at a disadvantage fosters monopoly when such competitors are unable to expend equally large sums for advertising."

It is little wonder that this industry indicted its concern.

However belated it may be deemed Arnold's specific assertion this week that in the Government's equity action he forecasts no curb of advertising is welcomed.

SUGGESTIONS ON INCENTIVE TAXATION SOUGHT BY FINANCE GROUP

WASHINGTON.—Letters have been sent by the Senate Finance sub-committee investigating profit-sharing to Nicholas M. Schenck, president of Loew's Inc., and Will Hays, president of the MPPDA requesting their opinions and suggestions on incentive taxation to encourage the spread of industry profits among employees, it was revealed today.

Thomas L. Walsh, technical ad-
(Continued on Page 3)

ELLIOTT SUIT
SETTLEMENT?

Washington.—Settlement of the anti-trust suit instituted by Herbert J. Elliott against Warner Bros. Theaters and major distributors is a possi-

bility, it was revealed here over the holiday. No confirmation was ob-

tainable, however.

At a hearing before Federal Judge (Continued on Page 3)

ARNOLD SAYS PIX ADS ARE NOT HIS TARGET

Washington.—Thurman W. Arnold, Assistant U. S. Attorney General, didn't have the film industry in mind when, in commenting upon the Ford-Chrysler consent decree, he theorized on the relationship of ad-

vertising to monopoly.

Arnold told newspaper men here that in the Government's equity suit, pending in New York, he foresees no curb of advertising, asserted the anti-trust division of the Depart-
(Continued on Page 13)

20TH-FOX SALES TOPS TO HUDDLE ON COAST

Coast conference of 20th-Fox sales executives scheduled for Dec. 12 at the company's studio has been called in order to hold a round table discussion of organization problems, talk over sales policies and propose plans for the effecting of "certain economies," Herman Wooton, 20th-FOX

(Continued on Page 7)

New Co. Proposed To Take Over Pathe Obligations

A new company to take over sub-

stantially all of the obligations of Pathe Film Corp. is proposed in the proxy statement and plan of liquidation which is to be submitted at
(Continued on Page 7)

RETAIN SPITZ'S FIRM

Chicago.—Leo Spitz, returned from the West Coast, says his firm, Spitz & Adcock, has retained by Universal and RKO for the government suit. He plans East over the week-end for further conferences.
Newsmen's Roundup

"Inaccurate," Says Kennedy

London (By Cable) — Britain's Chancellor of the Exchequer, Sir John Lennon, told the British House of Commons on Wednesday that the Government acted in conjunction with Joseph P. Kennedy, U. S. Ambassador, to trim a newsreel (Paramount News) during the recent Czech crisis on the promise that the result would have "an prejudicial effect" on the Anglo-German relations at that time.

Upon being informed of Simon's statement, the American Ambassador declared that it was "inaccurate to give the impression that he (Kennedy) took any action which caused the newsreel to be changed. What he did do, he asserts, is refer the matter to the New York office of MPDA.

When Simon made his statement before Commons, opposition member cried: "A new tyranny!" and "Government censorship!" The Chancellor denied that either the Government's or Mr. Kennedy's action in connection with the deletion was anything more than an answer to a query from the floor when asked if four films of the March of Time had not been suppressed to comply with deletion.

Vode-Vision Production Waits on Weber's Stand

Recent tour of New Jersey and Pennsylvania towns by a Vode-Vision unit met with no disapproval from the American Federation of Musicians, but no more units will be produced by Vode-Vision until definite and final ruling is handed down by Joseph N. Weber, AFM president, regarding Union's attitude, it was learned yesterday. V-V is ready to go into production on a large scale on 24-hour notice if and when approval is given to plan.

No Agreement Reached on WB-Cosmo. Extension

While Warners and Cosmopolitan are discussing extension of the present deal, thus far it's no dice, it is understood. Neither side will disclose the situation on Wednesday. If and when a decision is reached, it will be on the West Coast, it is believed.

Kirsch Dinner Proceeds for Industry Relief Fund

Chicago—Proceeds from the sale of tickets and the dinner program for a Kirsch testimonial dinner at the Congress Hotel here Dec. 2 will be devoted to an industry relief fund here.

Spend $75,000 on "North"

Warner Bros. have scheduled a $75,000 advertising budget to promote "Heart of the North." The Technicolor production, which is set for release Dec. 10.

Industry Drive Committee To Talk Campaign for 1939

London (By Cable) — The trade understands that "The Mikado," set for a showing on Jan. 11, is the greatest color pic to date. Technicolor production, budgeted at about $1,000,000, was made by Geoffrey Bwallis, who is in the U. S. is still to be set

Aesc Denies Breach

John G. Payne, Aesc's general manager, vigorously denied any breach of contract on Wednesday the report that his organization plans breaking relations with its German and Austrian performing rights groups, STAGMA and AWM.
DAILY THE fortification and NOVEL when 214 • the film the Hays b^ina everybody he making then keys method investigation, it dual wage committee normal rates. "imperative singing, Eastman tee (Continued (R.

We believe that the company's three division managers, William Sussman, Eastern, William C. Gehring, Central, and William J. Kupper, Western, head the home office group leaving by train on Dec. 8 for studio.

Jack Sichelman and Martin Moskowitz, assistants to Wobber, Roger Ferri, editor of Dynamic, company headquarters, have completed complete home office delegation. Others going include: Harry Buxbaum and Joseph Lee, N. Y. exchanges in the P. O'Loghlin, Canadian district manager and Kent Drive leader.

District managers include: Edgar Moss, Philadelphia; Tom H. Bailey, Boston: George A. Roberts, Cleveland; Ward E. Scott, Kansas City, and Harry G. Ballance, Atlanta, Exchange heads: Clyde W. Eckhardt, Chicago; M. A. Levy, Minneapolis; G. D. Ballantine, San Francisco; and J. D. Dillon, Los Angeles, will also attend.

With exception of Wobber, who returns to home office after first of year, all will return to posts before Christmas.

SWPA to Hear Guildsmen West Coast Bureau of THE DAILY Hollywood — The Song Writers Protective Association (SPA) will meet next Monday, Nov. 28, at Victor Hugo. L. Wolfe Gilbert will preside, and one of the highlights of the meeting is that chief spokesmen from Screen Writers' Guild and Screen Actors' Guild will address the meeting.

Accent on Accents

Replied to a request by Mrs. Walter D. Lamar, president-general of the United Daughters of the Confederacy, that the 3:1 screen version of "Gone with the Wind" have natural-color rather than filtered color in speech, David O. Selznick has promised to engage a native Georgian to consult and "make sure" purpose of making all accents the picture acceptable to southerners.

SENATE COM'TEE SEEKS PROFIT-SHARING VIEWS

visor of the committee headed by Senator Clyde L. Herring (D. Iowa) to The Film Daily that replies expected about Dec. 7, Walsh stated that these replies will probably be used as a basis for invitation to appear before the committee to testify. The committee is issuing no subpoenas and the invitations may either be accepted or rejected.

Marion B. Folsom, treasurer of Eastman Kodak Co., who appeared before the committee this week, urged profit-sharing plans upon employers but warned that tax incentives toward that end are unsound and unworkable.

"We believe it is unsound to impose or withhold tax benefits that means to influence or direct action of this type," Folsom said, "but that taxes should be levied for revenue purposes only.

While approving the principle of profit-sharing, Folsom said that profit dividends should not be considered a substitute for wages or given consideration in setting wage rates.

"While the wage dividend is not taken into consideration in fixing wage rates, for tax purposes, it is proper to appear before the individual and as a deductible expense to the company," Folsom declared. Congress shall not be afforded by Congress an individual who would avoid in all cases a possible tendency to lower wage rates to offset profit-sharing.

Besides Chairman Herring other committee members are Senator Arthur Vandenberg (R. Mich.) and Representative Edward Eckhardt (D. Cole), Donald Despain, director of the investigation, declared sharing of industrial income with employees is "imperative as a fortification of capitalism."

Elliott's Philly Trust Suit Settlement Held Possible

(Continued from Page 1)

Welsh Wednesday, the case was held over until Dec. Meanwhile, it was understood, an attempt will be made by the parties concerned to straighten out the credibility of pictures between Warner-Stanley's Lane and Elliott's Fern Rock.

\[\text{Angels' Opens in 214}

Warners' "Angels With Dirty Faces" opened in 214 situations Thanksgiving day, including all keys except Minneapolis and Denver. Pix goes into 140 other houses the Friday and Sunday, giving the company a record 354 playdate total.

\[\text{20TH-FOX SALES TOPS TO HUDDLE ON COAST}

(Continued from Page 1)

\[\text{DAILY}

\[\text{WILL H. HAYS}

\[\text{• • • A DAY in the life of Will H. Hays......being an ex-

cept from a highly informative article on the operations of the film biz that everybody should read......and after reading it, you will realize that the chief of the MPPDA is holding down a very tough assignment, and doing it with quiet courage in the face of some obstacles that would have the average individual worn down and beaten after several weeks Will Hays has been handling his job for years, and he's still smiling......the article is in the current issue of Fortune, out today......

\[\text{• • • ORDINARILY, states the article......Hays puts in a

12-hour day......starting at 8:30......(and that doesn't that show up you execs, who arrive at 10:30)......he goes through his mail and handles urgent departmental reports......then he may have a conference with company representatives on a title dispute or some other matter......then call the State Department in reference to a foreign quota problem......meet the eminaries of a public organization......conduct a meeting of his own staff......confers with a member-company president......lunch in his office......(chat with his son Bill who is now at Yale law school......talk over the treatment of aviation pictures in pictures with a representative of the aviation industry......receive a call from a Hollywood producer......make a call to Breen in the Hollywood office......hold another interview with staff members and another conference with a company president......meet with a group of foreign managers of producing companies......go out for an appointment......return to his office to sign mail, dictate, and have further telephone conversations with Hollywood......and end the day's work by going to a preview of a new picture......}

\[\text{• • • THE ARTICLE sums up Hays' status as follows......he

is respected by the heads of the industry......and by the vast body of common men and women who fill the movies......he has done an enviable job of preserving the screen for entertainment......without too much agony he has reconciled honesty of theme and presentation with the multiplying social, economic and racial prejudices of the world's population......he has been criticized by the lay intelligentsia and by a faction of Hollywood writers and directors for being an inarticulate prude who stifles the cinema's creative impulse......but such criticisms are not directed at Hays, in the final analysis, but at the notion of censorship popularly associated with Hays......such criticisms are ressentent of the fact that motion pictures, an adult form of entertainment, must be mindful of their juvenile audiences......such criticisms overlook the fact that without Hays motion pictures might be under a far more prudish, stifling and capricious censorship exercised by politicians......}

\[\text{• • • NOVEL way to make a contribution to the local Com-

munity Fund Drive......and incidentally being swell publicity for a couple of pictures......when the Standard Theater lads in Oklahoma City ran this ad in local papers: "$125 for one seat to see the biggest double feature this year! 'King of Alcatraz' and 'Touchdown Army.' We believe some place in Oklahoma City there is a man who wishes to see these two excellent features, with one guest, in private, Friday morning from 9 to 11:15 at the Liberty Theater. The entire amount will be contributed to the Community Fund"......}
THAT THE TOP EXHIBITOR REVENUE TODAY CONSISTENTLY FROM ONE PARTICULAR AT
THAT THIS SHOW IS PLAYING TO BIGGER HOI
‘ADVENTURES OF ROBIN HOOD’—ACTUALLY P
OF THE OUTSTANDING MONEY-MAKERS EVER

That’s Why I’m All Set Now To Hold

BROTHE
COMING ACTION—THAT WARNER COMEDY SENSATION
MORE THAN LIVING ONE
DELIVERED

BROTHER RAT
WAYNE MORRIS
PRISCILLA LANE
JOHNNY SCAT DAVIS

Held Over Already in
Louisville (3rd week), Memphis, Balti-
more, Philly, Dayton, Seattle, Boston,
New York (3rd week), Albany, Cleve-
land, Newark, Jersey City, New
Haven, Bridgeport, Hartford, Wor-

More Information, Please
Check any or all of the current en-
gagements for amazing new facts about
THE BUSINESS-BOOM LEADER
OF THE FILM INDUSTRY!

PRISCILLA LANE
WAYNE MORRIS
JOHNNIE DAVIS • JANE
BRYAN • EDDIE ALBERT
RONALD REAGAN • JANE
WYMAN • HENRY O'NEILL
Directed by WILLIAM KEIGHLEY
Screen Play by Richard Macaulay & Jerry Wald
From the Play by JOHN MONKS, Jr. & F. PINKLEHOFFE • A First National Picture
"Pygmalion"
with Leslie Howard, Wendy Hiller
M-G-M
85 mins.
SCREEN TREAT WITH SHAW CLASSIC FINELY DIRECTED AND ACTED SHOULD SCORE HEAVILY
This is a positive screen treat for all filmgoers. A happy combination of brilliant acting, witty dialogue and a first-rate cast are all in perfect harmony. Leslie Howard is the soulful, Quixotic Henry Higgins, who turns upper-class girl Eliza Doolittle into a lady. He is assisted by a fine supporting cast. This production of 'Pygmalion' will provide hours of enjoyment for all filmgoers.

"The Frontiersman"
with William Boyd, George Hayes, Russell Hayden
Paramount
Hollywood Preview: 74 mins.
CORKING HOFALONG CASSIDY PIX OFFERS PLENTY OF ENTERTAINMENT.
Harry Sherman's newest "Hofalong" Cassidy subject offers plenty of entertainment. It offers something new in Westerns, inasmuch as a group of boy singers is used to advantage. They are the St. Brandon boys, who are led by Robert Mitchell and they sing several numbers, including "Home On the Range" and "In Old Virginia." This time the popular trio, consisting of William Boyd, George Hayes and Russell Hayden, are joined by Evelyn Venable, William Duncan, Clara Dall Young, Dickie Jones and team of Charles A. Hughes does excellent work as the "heavy." The outdoor scenes reflect much credit on Cameraman Russell Harlan. Lesley Selander has turned in a splendid job of directing, gaining excellent performances from the principals. Numerous scenes are excellently handled in the screenplay, while Harrison Jacobs furnished additional dialogue. Duncan, mayor of this excellent picture, is the assignment of Evelyn Venable, a Boston girl, as teacher in Crockett, but she wins the support of the cowboys headed by Boyd, Hayes and Duncan. They round up the school and have them attend regularly. Duncan, who is really the head of a gang of cattle thieves, begins his sarcasm toward Evelyn and asks her to marry him. She accepts, although she is deeply interested in Boyd. She is about to leave with Duncan to be married, when one of his henchmen, feeling he is being "double crossed" in a deal, fires on him. The shots go wild, but Evelyn realizes the man is sought by Boyd as a cattle thief. Boyd and his men capture Duncan, and Evelyn leaves for Boston, happy that she has saved Duncan from certain death and that Boyd is her steadfast friend.


CREDITS: Producer, Harry Sherman; Director, Lesley Selander; Based on Clarence Mulford's story; Screenplay, Norman Houston; Additional Dialogue, Harrison Jacobs; Cameraman, Russell Harlan; Editor, Sherman Rose; Art Director, Lewis J. S. Searl; Sound, Earl Sitar.

DIRECTION, Splendid. PHOTOGRAPHY, Fine.

Fred Lawson as the girl's father, Doilitt comes in for special commendation. Smoothly directed and beautifully paced, here is proof that the Shaw genius holds true charm on the screen. If this one does not create a stampede of praise in all critical quarters, it may well be a shock to the reviewer who will be won over by this piece.

CAST: Leslie Howard, Wendy Hiller, Fred Lawson, Marie Lohn, Scotts Underland, Jean Cadell, David Tree, Evelyn Gregg, Louise Allbritton, Emsy Pyn, Rowena O'B. V. 0. Clarence, Irene Brown, Kate Cutler.

CREDITS: Producer, Ernest Pascal; Di-
**DENHAM, PINWOOD STUDIOS COMBINE**

(Continued from Page 1)

Join Denham's board, while Alexander Korda and one other London Films representative join Pinewood's directorate.

Captain Norton will concentrate on studio rentals, leaving Korda free to make more pictures. London Films' program now calls for "Four Feathers," "Thief of Bagdad," another Eustard Kipling "Jungle Book" picture with Sabu, two Merle Oberon vehicles, "Focahontas" and "Buenos Silver." Pinewood has been the production center of British & Dominion Films and Paramount-British. Studio has five stages and a 48-acre lot. Denham has seven floors, 165-acre lot.

The FILM DAILY on Nov. 7 exclusively announced that a British studio group then in the making, Korda would concentrate on production.

**New Co. Proposed To Take Over Pathé Obligations**

(Continued from Page 1)

a special meeting of the stockholders called for Dec. 13. The new company, if approved, is to be formed by Robert R. Young, O. Briggs, T. F. Loach and Arthur Miller. According to the formal offer, the new company agrees to (a) "assume all of the obligations of Pathé (except any indebtedness under bank loans and the obligation to redeem the 7,883 outstanding shares of preferred stock of the company at $100 per share and accrued dividends, which are to be satisfied in full by the terms of the said plan of liquidation) and (b) issue to the stockholders of the company, in proportion to their respective stock holdings, 84,000 preferred shares of the new company in the total face amount of $540,000, pursuant to the terms and conditions set forth in the said proxy statement."

James A. Christie III
Chicago—James A. Christie, RKO district manager, is recovering from a serious illness at the Sanitarium. Tom Cooper is acting during Christie's illness.

**M-G-M Re-signs 2 Directors**

West Coast Bureau of THE FILM DAILY Hollywood—Directors Reinhold Schunzel and Robert Sinclair have been signed to new contracts by M-G-M.

**Cinex Biz Up 10%**

Cincinnati — Business in Cincinnati theater trade last week showed an increase of about 10 per cent and upward increase, since Nov. 1.
CLOSE-UP OF YOUR PATRONS!

The Latest and Greatest of Them All!

The happy Hardy Family... in their newest adventure! When Andy tries to make the Wild West wilder... when Marion tries to lasso a buckin’ cowboy into love’s corral... when the judge outsmarts six-shootin’ justice... the whole world opens its heart to fun, excitement, heart-throbs!

OKAY, AMERICA! HERE’S THE PICTURE YOU’VE BEEN WAITING FOR

OUT WEST WITH THE HARDYS

Screen Play by Kay Van Riper, Agnes Christine Johnston and William Ludwig Directed by George B. Seitz A Metro-Goldwyn-Mayer Picture

LEWIS STONE

"Pop... she’s jilted me! After I gave her the best years of my life!"

"This is the fifth of the Hardy Family stories. We believe you'll like it best of all!"

MICKEY ROONEY

"The children are young... and in trouble! We've got to see them through!"

FAY HOLDEN

THOSE FOLKS ARE HERE AGAIN... AND EVEN FUNNIER THAN IN "LOVE FINDS ANDY HARDY"!

Cecilia Parker

"I'm glad you kissed me! I know now... we were made for each other!"

"Course, I'm only 8 now... but maybe, in 4 or 5 years... we can get hitched!"

Virginia Weidler

"OUCH! Where the West begins! You'll laugh 'til it hurts!"

LEFT:
Newspaper ad
HOW TO CASH IN ON THE GREATEST HARDY PICTURE!

With overflowing heart you'll agree that "Out West With The Hardys" is positively the best of all this amazing series!

There was roaring laughter, there were cheers—and tears—when it was screened in M-G-M's projection room, and you'll react likewise when you screen it!

Never was a picture sitting prettier for smashing business! The millions who literally adored "Love Finds Andy Hardy" are waiting for the new Hardy picture as no previous attraction was ever awaited!

SHOUT the news from your screen, from your lobby, from the pages of your newspapers!

DON'T LOSE ONE single opportunity to tease it along from this moment to your play-date!

BOOK it for extra time immediately, because you'll have to hold it over!

INCREASE your ad space to sock it over!

EXPLOIT it as you've never exploited before!

THE FRIENDLY COMPANY brings you the friendliest picture ever to come to the screens of America—"OUT WEST WITH THE HARDYS"!
SING OUT THE NEWS

⭐ STARS OF STAGE ⭐ SCREEN ⭐ RADIO

will be on hand for the

18th ANNUAL CHARITY DINNER and DANCE

of

THE MOTION PICTURE ASSOCIATES INC.

at

THE HOTEL ASTOR

Saturday Night, November 26th

GRAND BALLROOM, 10:30 P. M.

⭐

Reservations going fast

CALL M. FRAUM-COLUMBIA EXCHANGE

Circle 6-0900

⭐ TICKETS—$7.50 PER PERSON

⭐

Entertainment under personal supervision of

BEN. A. BOYAR (Co-Producer)

“NIGHT OF STARS

⭐

MUSIC BY HERBERT STEINER AND HIS BAND

ARGENTINE FEATURE PRODUCTION UP 25%

By CHAS DE CRUZ

FILM DAILY Staff Correspondent

Buenos Aires (By Cable)—Domestic feature production this year will show an increase of more than 25 per cent, it is now certain. With local studios sensing the possibilities of the Spanish language market below the Rio Grande, a total of more than 40 features will be made before 1938 does a fadeout. Last year, total domestic feature production was 30.

During the first eight months, 374 features were released in this capital, 259 coming from U. S. studios. French product was in second place with 84, while German and Italian features ran neck and neck for third. There were 14 Nazi pix imported, while Fascist studios sent 15 partly documentary, with political propaganda angles.

Other feature imports were: English, 11; Mexican, 6; Spanish, 5; Polish, 1; Yiddish, 1; Indian, 1. Latter was edited here.

Argentina Sono Film has signed Libertad Lamarque to make two pix next year. Star will get 85,000 pesos for each film. Senorita Lamarque has refused an offer from RKO Radio which would have taken her to Hollywood in January for a musical. RKO’s offer was 100,000 pesos.

Third Chi. Week for “Suez”

Chicago — Balaban & Katz are holding “Suez” for a third loop week, at the Apollo Theater, while at the World Theater is in its sixth week with “Moonlight Sonata.” “Great Waltz” has opened an extended run at the United Artists Theater and “Submarine Patrol,” is at the Roosevelt Theater for a similar run.

Donovan on Quint Mission

Frank Donovan, Pathe News production chief, leaves for Callender, Ont., this week-end to discuss details of the new next Quintuplet short subject with Dr. Dafoe. Donovan will also go to Quebec to make plans for production of two Sportscapes about winter sports.

Loew Counsel Designated

Chicago—Mayer, Meyer, Austrian and Platt have been appointed counsel for Loew, Inc. in the Government’s contempt action, which will come up for hearing on Nov. 28 before Federal Judge Charles Woodward.

Howard Stillman Dead

Sheboygan, Wis.—Howard Stillman, 62, former actor and assistant manager of the Sheboygan theater here, was declared a suicide victim here. Funeral services were held in Chicago.
1939 FILM YEAR BOOK
OF MOTION PICTURES
IS ON THE WAY

OVER 1200 pages of informative and statistical data compiled by the FILM DAILY with the enthusiastic co-operation of every branch of the Motion Picture Industry.

IT IS THE RECOGNIZED STANDARD REFERENCE BOOK OF MOTION PICTURES AND HAS BEEN FOR THE PAST TWENTY YEARS.

COMPLIMENTARY TO SUBSCRIBERS TO
THE FILM DAILY

1501 Broadway       New York City
October Admissions Taxes
Show Drop of $370,250

Washington Admissions—A drop of $370,250-57 was registered in admissions taxes collected in October compared to October, 1937, it is reported by the Bureau of Internal Revenue. Total Admissions taxes collected in October, 1938, were $1,596,387 as compared with $1,966,617.57 for the same month a year ago.

The October collections represent a decrease of $724,650.04 over the previous month of September, 1938, which was reported at $1,665,257.04.

The Broadway area figures also showed a decrease for October, 1938, compared to the same month of last year. Total collections reported for the district in October, 1938, were $888,187.57 compared to $1,264,457.66 for October, 1937. This represents a decrease of $376,269.49; more than the area's entire collection for the 1938 figure of October.

Jewish Stars in P. A.

Moiise Oysher, star of "The Singing Blacksmith," is making a p.a. in connection with the Yiddish engagement at the Continental Theater to-morrow and Sunday. Florence Weiss, of the cast also appears. They'll sing Jewish folk songs.

Credit, Not Cash
Paramount's coming release, entitled "Casa Society," threatens to rock the ballyhooed "success" of Paramount's "Casa Clipper." Maury Paul, believed as Cholly Knickerbocker, has instructed his attorneys to enter a qualifying motion to prevent issuance of pic under that title, which has been scheduled for release by Paramount. Paul, or Knickerbocker, asserts he does not want monetary remuneration merely credit for the name.

Tele in British Theaters in 1939 Assured

London (By Cable)—Telecast programs on screens in Caumant British theaters in 1939 are believed virtually assured. BBC, however, is expected to impose restrictions, and in any event, it is not believed all 400 GB television sets will be made available to theaters.

Conferences to set a policy are continuing. Participating are, in addition to BBC, 15 U.S. companies. GB Telecasting Company Limited system is slated to go into 400 GB houses; GB Equipments is the marketing agency for the Balrd sets.

Gov. Earle Denies Sunday Movie Legislation "Sale"

Harrisburg, Pa.—Gov. George H. Earle, appearing at his own request before the House investigating committee conducting an investigation of campaign charges brought by former Attorney General Charles J. Margiotti, denied Wednesday that he participated in an alleged exertion of funds for passage of Sunday motion picture legislation knowing of a $100,000 payment for passage of the bill.

The Governor was asked to do with the Sunday picture bill, he testified, was placing his signature on it. He said he never tried to persuade any member of the House to change the legislation for movie legislation. The probe continues today at 2 o'clock.

Holiday Season Trailer for Movie Drive Completed

Trailer No. 10 of Motion Pictures' Greatest Year, stressing the holiday season, and announcing the closing date of the contest (December 31st), is now completed and ready for distribution, through the usual campaign exchanges.

This completes the campaign's program of screen trailers issued during the drive. The first five trailers announced the Movie Quiz Contest. Trailer No. 6, presented graphically the rules of this contest; No. 7, called attention to the Movie Quiz errors; No. 8, tied in with the football season; No. 9 warned against Movie Quiz "tippers."

1-Day Receipts of 137 Texas Theaters for Nazi Victims

Dallas—Kari Hoblitzelle and R. J. O'Donnell announced Thanksgiving evening that the entire receipts for one day of 137 Interstate and Consolidated Theaters will be donated to the Nazi victims in Germany and Austria. Announcement will be made later of the film companies cooperating in this movement.

Broder Forms Company

Dorothy Reid has been named head of the story department at Monogram, succeeding Arthur Cohn. Mrs. Reid was formerly with Monogram as a supervising editor under Scott R. Dunlap. She produced such pictures as "Paradise Isle" and "Rose of the Rio Grande."

B & K Drop Chi. Scale

Chicago—With Jones, Linick and Schimke operating separately, the Chicago market is expected to shift some business as a result of increasing competition on Randolph St. B & K has reduced matinee top at the Garrick to 30 Cents. The New House also is playing first-run duals.

Metro Signs Ina Claire

West Coast Bureau of THE FILM DAILY

Los Angeles—Metro has signed to long-term contract at Metro and goes into "I Take This Woman."
Italian Stand Breaches All U. S. Pacts, Majors’ View

WARNERS REPORTS $1,929,721 OPERATING PROFIT

See U. S. Pix Moving to Top Position in Switzerland

American Product Drawing

Largest Grosses in

Swiss Theaters

Zurich (By Cable)—Failure of producers in Switzerland to carry on with any marked degree of success the fashioning of full length features; the tendency of local officialdom to frown on the importation of propaganda pictures, notably those of German origin; and the absorption of Austria, formerly a competitive country in this market, by Germany, are the three factors which indicate currently that the remainder of 1938 and the year 1939 will see U. S. films move upward (Continued on Page 5)

“ANGELS” AND HARDYS
CLICK DESPITE STORM

Weather conditions over the nation cut some six to 10 per cent into expected theater grosses on Thanksgiving Day, a national box-office checkup revealed at the week-end.

There were notable exceptions. Warners reported that “Angels With Dirty Faces,” which opened simultaneously in 214 key city situation, was learned yesterday, following the actresses’ arrival from abroad.

Capra to Direct Dietrich
in Columbia Production

Marlene Dietrich’s picture for Columbia under her one-feature contract may be Capra’s “Chopin,” it was learned yesterday, following the actresses’ arrival from abroad.

Upon the completion of her Co- (Continued on Page 5)

Neb. Anti-Ascap Test
Coming Up Next Month

Lincoln, Neb.—Nebraska’s anti-Ascap test comes up in December, according to latest word from the attorney-general’s office here. Office says theater and radio operators are (Continued on Page 5)

PASCAL DEAL WITH
MAJOR DISTRIB., SOON

Deal with Metro or another major company calling for three pictures will be signed by Gabriel Pascal in near future, one to be made in England (Continued on Page 5)

WB BRITISH PICTURES
NET SIZEABLE PROFIT

Warnings’ British production activities will net the company a sizeable profit this year, according to Jack L. Warner, home from Europe (Continued on Page 5)

DOMESTIC

LITIGATION: (Washington) U. S. Supreme Court at week’s outset reaffirmed by 5-2 vote decision of last term that AT & T, WE and Expi were within rights in restricting use on m.p. projection equipment of vacuum tube amplifiers purchased by General Talking Pictures Corp., thus writing final to one of industry’s most important legal battles.

U. S. Majors Presenting United Front
in Italian Dispute; All to Withdraw

NEC Will Start Hearing on Monopoly on Thursday

Washington Bureau of THE FILM DAILY
Washington—First public hearings by the National Economic Committee organized last spring to investigate the monopolistic practices of the major motion picture companies were to be held in Washington today on the Federal Trade Commission application to investigate the alleged unfair trade practices of the film industry.

Majors completing Allied Trade Plan

With tentative drafts of Allied’s proposed fair trade practice plan completed, major sales heads and attorneys are putting the formula into final shape. An all-day session was held Friday when the entire plan was studied piece by piece and drafted into final language. However, the huge task was not completed and the meeting was adjourned late Friday afternoon until today or tomorrow. Indications are that an official announcement will be made before the end of the week. Conferences with the MTOA executive committee are to be resumed Dec. 8 or 9.

THE WEEK IN REVIEW

Electrics Win Again—British Studios Amalgamating

by George H. Morris

Comparison With $5,876,182
for the Preceding Fiscal Year

Warners Bros. Pictures, Inc., and subsidiaries report an operating profit of $1,929,721.32 for the fiscal year ended Aug. 31. This compares with $5,876,182.95 for the preceding fiscal year.

Figures in both instances are after provisions for Federal income taxes including current on undistributed profits and after deducting all other charges.

Profit for the 1938 fiscal year is equal to 41 cents a share on the common after deducting the shares held in the treasury and after providing for the current year’s divi-

ALLIED IS OPPOSED
TO N. D. CASE DELAY

With Dec. 15 now the deadline for Paramount’s appeal to the U. S. Supreme Court from a Federal statutory court’s decision upholding the constitutionality of the North Dakota divorce law, counsel for Allied Theaters of the Northwest (Continued on Page 6)

Zukor to Sail For England
Shortly Before Christmas

Adolph Zukor has delayed his departure for England until shortly before Christmas. Due to arrive here today from the Coast, Zukor, instead, will arrive in New York in about a week. Before sailing for (Continued on Page 5)

Holdes Deposit $18,864,000
of WB 6 Per Cent Debentures

Holdes of Warners’ optional 6 per cent convertible debentures series due 1938, have deposited $18,864,000 principal amount of the issue under the exchange plan pro-
FINANCIAL

NEW YORK STOCK MARKET

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Columbia Picts, etc.

Paramount: 588, 585, 581
Universe: 581, 580, 579
Barnes Bros.: 579, 578, 577
Pathes: 577, 576, 575

BIZ DRIVE EDITORIALS REACHED 30,000,000 PERSONS

Twenty million people in 48 states in the union, were reached by newspapers printing special editorials on the Motion Picture Industry Drive during the past three months, Campaign Headquarters estimates.

The estimate was based on the circulation figures of the 604 newspapers which carried editorial comment. New York led in the number of editorials and circulation figures, with California second and Ohio third.

The drive showed that 356 cities in the United States and Canada were represented in the editorial comment.

700 AT MP ASSOCIATES

Dinner Dance at Astor

Approximately 700 persons attended the Motion Picture Associates Dinner Dance at the Astor Saturday night. A number of celebrities including William Gaxton, Victor Moore, Harry Hershell, Tamara and acts from the Cotton Club and “Sing Out the News” were on hand.

WITNESS, SELZNICK DEPART AFTER PROD. CONFERENCES

John Hay Whitney, board chairman of Selznick International, left for Europe last Saturday in the company of David O. Selznick, president, with whom he is discussing plans for the future. Selznick is scheduled to leave for the Coast today.


FOREIGN LANGUAGE FEATURES

Grand Illusion (World Pictures)—11th week

The Story of a Cheat (Gallis Films)—10th week

Ankara Traveller (Paramount Pictures)—7th week

Ballonina (Arcade-Burbank)—3rd week

Dawn Patrol (Warner Bros. Pictures)—23rd week

FAKE BALLOONINA

(a) Dust bill. (b) Subsequent run.

FOOTNOTE

The estimate was based on the circulation figures of the 604 newspapers which carried editorial comment. New York led in the number of editorials and circulation figures, with California second and Ohio third.

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HOLD ITALIAN STAND
BREACHES U. S. PACTS

(Continued from Page 1)

offices in Italy withdraw on Dec. 31, but the other majors as well. Company, with their own exchanges in Italy, which were under an importation and distribution monopoly, the ENIC, renders null and void all present American distribution contracts in Italy, some of which have four or five years yet to run.

The Italian situation, it is understood, was the result of the majors at two meetings last week, on Wednesday and again on Friday. No statement was forthcoming at the conclusion of either.

In each instance, it is said the majors are preparing to close their present business in the Italian market; any move to halt that must originate with the Italian government, it is known.

Nazi-Fascist Cultural Pact Will Effect Films

Rome (By Cable)—U. S. film distributors here expressed the opinion over the week-end that the new "cultural Rome-Berlin axis" pact will have a definite effect upon Nazi-Fascist film commerce in the future, since the agreement specifically covers motion pictures as well as other arts.

Tokyo (By Cable)—That the extension of the cultural pact between Germany and Italy has a counterpart in an agreement between Japan and Germany is disclosed here on Thursday, last. It provides for a mutual exchange in educational, art, film, athletic, radio and other fields. A Japanese government spokesman declares it is non-discriminatory in respect to other nations.

Japan, the spokesman added, will welcome a similar pact with the U. S., as well as any other country wishing to enter the movement.

Ben Schlanger Moves

Ben Schlanger, theater architect, has moved to 117 W. 46th St.

WEDDING BELLS

Yuma — Arthur S. Lyons, at-
tricial manager, and Ida Rae Curnett, actress, both of Beverly Hills, Calif., were married Thanksgiving Day by Judge Henry C. Kelly, of Superior Court.

West Coast Bureau of THE FILM DAILY
Hollywood—Marsha Hunt, actress, and H. Jerry Hopper, assistant film editor at Paramount studios, are honeymooning in Carmel following a civil wedding ceremony performed in Santa Barbara on Thanksgiving Day.

WB Reports $1,929,721 Operating Profit for Fiscal Year Ended Aug. 27

(Continued from Page 1)

In addition to the operating profit, there has been a net credit in the amount of $1,561,024.55 making the consolidated deficit $327,298.60 on Aug. 27, and capital surplus has been increased by $90,000 to $67,134,330.74.

Warner gross income, after eliminating intercompany transactions, for the last three fiscal years is reported as follows: 1936, $90,655,032; 1937, $100,516,498.65; 1938, $102,205,911.04. The 1936 figure was adjusted to include Continental Lithograph, the 1937 figure to include both Continental and Warnertone.

Company's income for the last fiscal year is given as $87,226,005.92 from film rentals, theater admissions, sales, etc., and $4,278,905.12 from rents and royalties. Entries under "costs of sales and expenses" are: amortization of film costs, $30,278,913.36; other costs, including royalties and participations, $2,585,089.06; operating and general expenses, $57,231,678.71.

Consolidated balance sheet reports current and working assets of $126,826,005.92, down from $144,852,005.92 on March 31, 1937, and $157,876,005.92 on March 31, 1936. Current assets of subsidiaries operating in foreign territories are listed at $507,475,787.99, and investments in subsidiary and affiliated companies at $1,058,995.55.

Goodwill at $8,325,396

Also reported are fixed assets of $134,310,429.00, other assets of $2,385,647.44 and deferred charges of $1,014,134.80. Goodwill is valued at $8,325,396.

In a lettering letter to stockholders, President Harry M. Warner says:

"In view of the economic recovery evidenced during 1936 and the first half of 1937, and in anticipation of continued improvement, a number of pictures were planned and produced on a more elaborate scale and at higher costs than had prevailed during the preceding years, which costs were further increased due to new labor contracts, labor laws and taxes.

"These pictures were released during the fiscal year just ended, and the higher costs are largely reflected in the profit and loss account through amortization of film costs, which increased from $25,445,816.48 for the fiscal year ending Aug. 28, 1937, to $30,278,913.36 for the fiscal year ending Aug. 27.

"These higher costs will continue to be reflected in the profit and loss account for the quarter, ending on Nov. 26, 1938. By that time, however, the greater portion of the costs of these higher cost pictures will have been written off, and for the second quarter which ends on Feb. 25, 1939 there will be a very perceptible decrease in amortization charges.

"The profit for the current quarter cannot be estimated at the present time. However, owing principally to the higher amortization charges, the net profit for the quarter ending Nov. 26, 1938 will show a very substantial reduction as compared with the corresponding quarter a year ago."

Arthur Lee Cited In Suit Against GB Over "Mr. Hobo"

Arthur A. Lee, vice-president and general manager of GB, was ordered on Friday, last, by N. Y. Supreme Court Justice William T. Collins to submit to examination in the action brought by Regal Distributing Corp., asking for an adjudication on dispute over GB's "Mr. Hobo," and plaintiff's French motion picture, "Rothschild," of which plaintiff has U. S. distribution rights. Charges that plagiarism exists in incidents of the pictures have been filed, and the Court has been asked to find that GB is guilty of theft against GB and Lee personally.

Yiddish Pix On Nov. 30

"Two Sisters," Yiddish feature produced in this country, has been set for a premiere at the Continental Theater Nov. 30.

CAPA Gives to Fund

Chicago—CAPA has sent a check for $100 to the Chicago Community Fund.

WB BRITISH PICTURES NET SIZEABLE PROFIT

(Continued from Page 1)

where he spent the past six weeks. Warner said that while the company would make the same number of pix at Teddington next season, the budget for the 16 would be increased. He declared that the company would not produce in France.

The company will give U. S. distribution of the last pix this season, Warner revealed. "The Drive at Night" starring Max Miller and produced by Emlyn Williams, will be brought over.

Company's foreign business will show a large profit, Warner said. He declined to discuss the Italian and European situation beyond saying that civilization had been dealt "a blow under the belt."

Warner expects to remain in the East two weeks before returning to the Coast with Mrs. Warner.

Neb. Anti-Ascap Test Coming Up Next Month

(Continued from Page 1)

waiting quietly, but dance hall men are deluging the office wondering whether or not they have to pay the rates, he adds. He declared the company, under injunction, advises them to see their own lawyers, be-cause any advice from the state legal bar might be considered contempt of court.

Alger Granted Ad Interim RKO Allowance of $27,500

Federal Judge William O. Bondy on Friday allowed Special Master George W. Alger $27,500 ad interim compensation for latter's services in the RKO reorganization.

Alger had left to the discretion of the Court the amount of the fee for his services from Nov. 20, 1936. He had advised Bondy some weeks ago that he had devoted some 100 days to the RKO reorg. matter.

"Ballerina" to Stay

"Ballerina," having set a new high in its first week at the Little Carnegie, remains indefinitely.
**REVIEWS OF THE NEW FILMS**

**“The Shining Hour”**
with Joan Crawford, Margaret Sullivan, Robert Young, Melvyn Douglas
M-G-M 80 mins. TECHNICALLY FINE PRODUCTION WITH STRONG CAST AND DIRECTION PLUS CLEVER DIALOG.

A studiedly clever production in direction, scripting and acting. But more so in the dialogue. Mostly the dialogue has to do with the reactions of the parties concerned to their marriage situation, and how they feel about the other partner who has got mixed up in the marriage problem, for these two girls, Joan Crawford and Margaret Sullivan, have married two brothers, Robert Young and Melvyn Douglas. The latter marries Crawford in New York, and takes her to the family estate in the country, where the Lintons bow under their smug, satisfied way for generations. It seems that the Linton boys’ sister (Fay Bainter) objects to Douglas’ wife from the start and lets her know her objections continuously in speech and action. Crawford is Olivia Riley in the story, a girl of the gay city life who doesn’t help things any. And it makes it very tough for Margaret Sullivan, who loves her husband and wants to keep him. Douglas is nice about his brother-in-law, but he and Olivia do not get over their animosities and keeping the Riley girl from New York. She becomes as smug and decorous and uninteresting in her husband’s family home as the rest of the Lintons with their old traditions and stiffness. Thus there is no contrast to point the story.

CREDITS: Producer, Joseph L. Mankiewicz; Director, Frank Borzage; Author, Keith Winter; Screenplay, Jane Murfin, Ogden Nash; Cameraman, George Folsey; Editor, Frank Hotaling.
DIRECTION, Good. PHOTOGRAPHY, Excellent.

**“Come On Rangers”**
with Roy Rogers and Mary Hart
Republic 56 mins. (Hollywood Preview) INTERESTING WESTERN PLOT AND SPLENDID SINGING COMBINE TO ENTERTAIN.

The disbanding of the Texas Rangers and their reestablishment makes an interesting Western plot. Combining some splendid singing by Roy Rogers with this story, a good outdoor drama has been turned out. Action, fast riding, gun play and the like are provided to a reasonable degree without going overboard on these ingredients. The very pleasing characterization of Rogers, plus his singing, is carried on, and a neat little romance is carried between Rogers and a very attractive young miss. Mary Hart, Raymond Hatton, as scout, is the medium for some comical moments. Joe Kane, the director, has injected into the piece an over-moving tempo, besides handling the players very well. The Original screenplay by Stuart Erwin and Jack Natterford is a well constructed, more or less standard Western plot, with the Texas Rangers and U. S. Cavalry lending in importance. The associate producer, Charles E. Ford, has given the affair nice mounting, the locations were well chosen and nicely photographed by Jack Marta. The music, which is an important factor in this production, was the contribution of Cy Feuer, the musical director. With Texas coming into the union, the governor disbanded the Texas Rangers since he felt that the U. S. Cavalry could keep law and order. Rogers is one of the Rangers. When he sees Mary Hart, daughter of the new commander, he joins the army. Outlaws overrun the state. Rogers’ sister and brother-in-law are killed by the hoodlums who try to exact tribute from the ranchers under the pretense of furnishing protection. Rogers deserts the army temporarily in the interests of some men behind this protective association. He finds them to be the same men who have been responsible for the crimes. Rogers goes to the aid of former members of the Rangers. The governor sees that the army is not able to police the whole state of Texas, so he re-establishes the Rangers which Rogers rejoins. Incidentally Rogers also gets the girl whose charms got him into the army.

CREDITS: Associate producer, Charles E. Ford; Director, Joe Kane; Authors, Gerald Geraghty, Jack Natterford; Production manager, Al McElroy; Cameraman, Jack Martin; Editor, Edward Marine; Musical director, Cy Feuer.
DIRECTION, Good. PHOTOGRAPHY, Good.

**“Pyganma Producer”**
In this Film Daily review of “Pygamaun” on Nov. 25, credit was accidentally given to Ernest Pascal. The producer, of course, was Gabriel Pascal.

**“Exposed”**
Universal 68 mins. POOR MATERIAL ADDS UP TO TOUGH ROLES FOR FARRELL AND KRUGER.

This one makes Glenda Farrell a less hound working for one of those pictorially backup rackets that dash all over the body and being so incredibly clever, and sure of herself, that you feel any moment she is going to get slapped down. Then come into play Kruger, a Grade A actor who has not been done right by either. They make him a lawyer gone to the devil with booze after sending an innocent man to the chair. Glenda snaps him for the mag, the ex-lawyer-burn sues, and Glenda makes a deal with the man to find the daughter of the dead man and make restitution. A partnership is formed, the bum becomes an assistant district attorney again, and first thing you know they are both up to a new scheme by the crooks, matching wits with a gangster who is about ready to bump off the gal with the lens just as the forces of law break in and save everything. Fine Class A play, Kruger as Farrell and Kruger deserve a better break than the script gives.

CREDITS: Producer, Max Golden; Director, Harold Schuster; Screenplay, Charles Kaufman, Franklin Coen; Original idea, George Bilton.
DIRECTION, Handicapped by material. PHOTOGRAPHY, Good.

**Thomas Signs Pact With T-N; Otterson Foresees Results**

Distribution deal with Harry H. Thomas has been closed by Tri-National for the Eastern territory, it was announced by T-N on Friday. Territory includes the New England States, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia and West Virginia.

John R. Otterson, proxy of the company, stated that he expected the company’s product lineup to make a good showing in its first week in release. Releasers have had fine receptions here. “Sacrifice D’Honneur,” T-N pix starring Annabelle, has been seen at the Normandie Theater as its opening attraction when the house opens its doors Nov. 30.

**NFLC Ball on Dec. 2**
Seattle—Annual movie hall of the Northwest Film Club will be held Dec. 2 at the Century ballroom on the Tacoma Highway.

**Switch GN Branch Mgrs.**
Seattle, Wash. — Bob Selig has been transferred to San Francisco as branch manager for Gaumont British.

**“Defying Death”**
(Floyd Gibbons True Adventure)
Vitaphone 12 mins.

The story of a heroic rescue of two children by their mother from a blazing apartment house provides the background for the latest of the Floyd Gibbons series. Gibbons uses his usual rapid fire commentary. A fire breaks out in the apartment building, where Mrs. Kayleby’s husband and two children live. Trapped by the flames, she puts the two children in pillow cases, ties them around her neck and pulls herself across to the next building and safety on a clothes line. Joseph Henabery directed.
**J. S. PIX GAINING IN SWITZERLAND**

(Continued from Page 1)

Possibly the top position in Swiss attendance circles.

A rough France furnishes the most footnoted with Germany next, and then the U. S., according to 1937 figures, the figures are not indicative of the actual status of each in the market. Some American films come in here via both France and Germany where they are synchronized, and hence custom lists them as imported from these intermediate nations.

While no exact figures are available with respect to the grosses rang up by product from various countries, it is an accepted fact that the U. S. product does best business and is looked to as the means through which box-office receipts, which have shown a continued decline, will be raised in the new sea-

Check-up reveals that the combined seating capacity of the 354 Swiss cinemas is close to 135,000, and admission prices, as well as the number of showings, are strictly regulated. Some theaters, in order to boost receipts, have left seats according to regulation, but increased the number of seats in the lower brackets.

Little new theater construction is expected to materialize, the two major reasons being that the districts are now adequately seated for present conditions, and that the Association of Swiss Cinema Owners, which in 1936 and 1937 killed plans for 25 new houses, does not want any more theaters put up, either by their members or non-members.

"U" Signs Richard Arlen

West Coast Bureau of THE FILM DAILY

Hollywood — Richard Arlen has been signed to a long-term contract by "Universal" to star in six pictures annually. They will be outdoor action pictures but not westerns.

**PASCAL DEAL WITH MAJOR DISTRIB. SOON**

(Continued from Page 1)

land and the other two on the Coast, using two G.B. Shaw plays and an announced story for third production, it was learned Saturday when the English producer sailed for England on the Normandie.

Pascal said he would remain in England only two days and would return here on the same boat. He will confer with Shaw, who plans to have personal business in the English capital. He stated that M-G-M was not pleased with reception "Pygmalion" has received, and that he was immensely pleased himself. He will return to England in the Spring and present a picture for General Film Distributors, a carryover on an old deal. He has not selected which Shaw plays he will produce and conferences with the eminent Irish playwright are necessary to work out that problem, he said.

**Holders Deposit $18,864,000 of WB 6 Per Cent Debentures**

(Continued from Page 1)

posed by the company, according to a letter sent to the stockholders over the week-end by President Harry M. Warner.

Total amount outstanding at the time the exchange offer was made last July was $29,400,000, while per cent debentures series would be due in 1948.

Exchange plan will become effective without further action if 96 per cent of the principal amount of the debentures outstanding are deposited and may be declared effective by the company when 75 per cent of the principal amount of the debentures outstanding have been deposited.

**Mitchell Leichter Here on Color Shorts Distribr. Deal**

Mitchell Leichter, Hollywood producer, who arrived in New York on Thursday, last, from the Coast, disclosed on the week-end that his present visit here is in connection with a deal which he is now negotiating with a major company for the release of a series of eight to 12 shorts in color.

**Cash Giveaways Dropped**

Dallas — Interstate Theaters have abandoned cash giveaways.

**STORKS!**

West Coast Bureau of THE FILM DAILY

Hollywood — Boris Karloff celebrated his 51st birthday by becoming the father of a baby daughter born to Mrs. Karloff. Boris is now appearing in Universal's "The Son of Frankenstein."
DOMESTIC
(Continued from Page 1)

lies. (New York) Federal Judge Bondy indicated at hearing on Tuesday that he would render RKO org, decision on Dec. 2, and hinted approval of plan would be forthcoming then. (Philadelphia) Settlement of anti-trust action instituted by Dr. J. Elliott vs. WB Theaters and major distributors. A possibility, it was reported over Thanksgiving holiday, but no confirmation was obtainable.

* * *

PRODUCTION: (New York) UA directorate discussed increasing company's 1939-40 production program. Fox-wow also had as topic Charles Chaplin's decision to make a pix next season. (New York) WB execs., with arrival of Jack L. Warner from Europe, planned huddles to open today at home office, aimed at strengthening 1939-40 lineup. (New York) E. W. Hammons declared Fine Arts and GN have parted and a new set up has been effectuated to supply the GN program.

DISTRIBUTION: (New York) Hammons also confirmed fact that GN will establish a distributing organization in England. Exchanges will number 10, with Jeffrey Bernerd, recently resigned director and general manager of GB there, in charge of proposed setup. (New York) Herman Webber, 20th-Fox general manager of distribution, declared on leaving h.o. for Coast via air on Wed. that company's sales chiefs will hold round table discussion of organization problems, sales policies, and "certain economies" and that confab is slated for Dec. 12 at studio.

* * *

TELEVISION: (New York) Deal was reported in progress calling for distribution of TV exhibition outlets, to offer demonstrations at New York World's Fair.

THEATERS: (Detroit) It was estimated that some $1,750,000 has been spent for theater construction and improvements in the Southern Michigan territory during first 10 months of present calendar year.

20th-Fox Biz in "Good Shape" as Kent Drive Meets End

Windup meeting of the sixth annual Drive was held Friday at the 20th-Fox New York exchange by James P. O'Loglin, Drive leader, who completed his third complete tour of the country with that meeting. W. J. Clark, short subjects sales manager, accompanied O'Loglin on nationwide swing.

Both men reported company business in fine shape. Clark and Webber are here, attending Coast conferences being held by Herman Webber, general manager of distribution, at studio.

EXHIBITION: (New York) Ed Kuykendall, MPTOA party, admitted that he has been considering an MPTOA-sponsored international conclave of exhibs., and a motion picture exposition in connection with his organization's 1939 convention.

* * *

U. S. AND PIX: (Washington) Letters have been sent by Senate director of exhibits, seeking investigating profit - sharing to Nicholas M. Schenck and Will H. Hay's asking their opinions and suggestions on incentive taxation to encourage spread of industry profits among employees, it was disclosed toward week-end. (Washington) Thurman W. Arnold, assistant U. S. Attorney General, declared he didn't have the film industry in mind when, in commenting upon Ford-Chrysler consent decree, he theorized on relationship of advertising to monopoly.

ADMINISTRATIVE: Majors watched with interest activities of H. M. Richey, recently named MPTOA's director of exhibits, relations for RKO, with view to establish similar posts.

FINANCIAL: (New York) Proxy statement and plan of liquidation which is to be presented to a special meeting of stockholders on Dec. 15 will propose that a new company take over substantially all of obligations of Pathé Film.

FOREIGN
(Continued from Page 1)

U. S. distrib. although disappointed at failure of the Anglo-American trade pact to grant alleviation from the stringent provisions of Britain's Films Bill (Quota Act), eyed with optimism the looming probability that forthcoming trade pacts between U. S. and Pan-American nations will expand opportunities for Hollywood product in these fields. (New York) Coincidentally, UA, it was learned, plans concerted action in the development of the South American market, now that the German, Austrian and Italian markets are virtually lost by dint of prohibitory governmental regulation.

ALLIED IS OPPOSED TO N. D. CASE DELA

(Continued from Page 1)

has filed a memorandum with the latter court opposing further extensions of the time limit.

Action by Allied, through Devan and Schwartz, results upon nation of M. H. Fried's desire to establish a Supreme Court precedent in view of its plans to fight for similar legislation in other states next year.

Enforcement of the North Dakota law awaits high court action.

"Test Pilot" Plagiarism Suit Dismissed by Cour

Federal Judge Alfred C. Cox dismissed on Friday the first cause of action for copyright in the story brought by Dolores Lacy Collins against both an individual and administrator of estate of Jimmy Collins. It is well known that Collins owned a test pilot, which sought $1,000,000 damages, injunction, and accounting of profits against M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., and Culver Export Corp. Action charged plagiarism by defendants of plaintiff's literary property, "Test Pilot," in M-G-M's film of that title.

Judge Cox also dismissed a motion for preliminary injunction which Collins had asked.

Schines to Build In Paris

Cincinnati: The Schine Circuit has completed plans to build a new 9,000 seat house at Paris, Ky.
The 17th Annual Nation Wide Poll is under way and the Motion Picture Critics* of America are now voting on the Ten Best Pictures of 1938 for the Film Daily

*LAST YEAR 531 CRITICS VOTED
Capra to Direct Dietrich in Columbus Production?

(Continued from Page 1)

lumbia assignment, Miss Dietrich will return to Europe to appear in a French film for Sorrester Parrant, American indie now producing in Paris.

Miss Dietrich, who takes over her final U. S. citizenship papers in March, is stopping at the Waldorf, planning to leave for the Coast late next week. There is a chance she may be seen on Broadway; Irving Berlin has made overtures.

Two Newsreels Announce All-American Football Teams

Two of the five newsreels, Paramount and Fox Movietone, bobbed up on the week-end with respectively All-American football teams selected respectively by Bill Slater and staff and Ed Thorger and Tom Comiskey.

Paramount choices: Ends, Holland, Cornell, and Young, Univ. of Oklahoma; Tackle, Beimer, Notre Dame, and Wolff, Santa Clara; Guards, Smith, U.S.C., and Heikkinen, Univ. of Michigan; Center, Aldrich, T. C. U.; Quarterback, O'Brien, T.C.U.; Left Half, Cefgo, Tennessee; Right Half, McLesl, Dartmouth; Fullback, Goldberg, Pittsburgh.

Fox Movietone choices: Ends, Brown, Notre Dame, and Daddio, Pittsburgh; Guards, Uphack, Belmar, Notre Dame, and Wolff, Santa Clara; Guards, Smith, U.S.C., and Heikkinen, Univ. of Michigan; Center, Aldrich, T. C. U.; Quarterback, O'Brien, T.C.U.; Left Half, Luckman, Columbus; Right Half, McLeod, Dartmouth; Fullback, Goldberg, Pittsburgh.

News of the Day varied the usual All-American practice by selecting plays rather than players. Reel picked thrill plays executed by McLeod, Dartmouth; Goldberg, Pittsburgh; Uphack; O'Brien, T.C.U.; Aldrich, T.C.U.; Lansdell, U.S.C.; Luckman, Columbus; Jefferson, Northwestern; Buhler, Minnesota; Johnson, Minnesota; Saggar, Notre Dame; and Weis, Wisconsin.

No All-American selections were made by RKO-Pathe or Universal—"just to be different," their news desks stated.

Ulmer to Free Lance

Edgar Ulmer has resigned from Collective Film Producers, Inc., to continue free lance directing. While with Collective, he directed "Green Fields" and "The Singing Blacksmith" which is concluding a four-week run on Broadway.

Schmertz Aids Fund Drive

Cleveland—I. J. Schmertz, 20th-Fox local branch manager, again leads in motion picture division of the Cleveland Community Fund, pledges being collected by Mrs. Georgia Moffett, secretary of the Variety Club.
New United Artists-Selznick Contract Almost Set

(See Column 1 Below)

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Now Twenty Years Old

New York, Tuesday, November 29, 1938

TEN CENTS

Sales Heads May Complete Trade Reform Draft Today

MAJORS FILE BRIEFS IN GOVERNMENT EQUITY SUIT

Oregon Exhibs. to Fight Adverse Bank Night Decision

“Inconvenience” of Non-Patrons Forms “Consideration,” Court Observes

Portland, Ore.—Ruling by Circuit Court Judge Robert Tucker that bank night constitutes a lottery under this state’s laws will be immediately appealed to the Supreme Court, if it is announced by counsel for Carl R. McFadden of the Laurelhurst Theater and other suburban houses.

Judge Tucker’s ruling sustained the demurrer of District Attorney James T. Bain.

It was the contention of the exhibitors that bank nights, which (Continued on Page 6)

UA-SELZNICK DEAL

VIRTUALLY CERTAIN

That Selznick International will sign a new distribution deal with United Artists in the near future is practically a certainty, it was indicated by David O. Selznick, S.J., during his recent East Coast trip.

Freeman Leaves to Assume New Paramount Studio Post

Y. Frank Freeman left for the Coast last night on the Century to take over his new duties as Paramount’s home office contact at the studios. His former post as head of the Eastern office was held by Arthur Slan.

51 Pix Shooting

West Coast Box, THE FILM DAILY

Hollywood — Fifty-one pictures are in production with Warner Bros. leading with 17, MGM has nine in work. Paramount is making seven; 20th Century-Fox and RKO, four each; Columbia and Universal, three each. Republic is making two. Small, Warner, Goldwyn, Rkoach, Monogram, Lesser, Franko, Katzman and Cinema Arts are down for one each.

Final Trade Reform Draft May be Set for Submission to Exhibs. Tomorrow

Chicano Anti-Trust Case Continued Until Thursday

Chicago—Arguments were continued yesterday until Thursday in the criminal contempt proceedings instituted by the government against Balaban & Katz and all the major distributors except Columbia in the

Bill of Particulars Motion Is Backed by 35 Separate Requests

All important defendants, with the single exception of United Artists, filed briefs yesterday in Federal Court in the equity suit brought by the Government against the film industry. The briefs presented requests and arguments in support of defendants’ motion for

COLUMBIA QUARTERLY

LOSS AT $233,612

Columbia Pictures and subsidiaries for the 13 weeks ended Sept. 24 lost a net of $233,612,50, according to a consolidated statement issued yesterday. Figure includes operations of the foreign subsidiary

All Directors Re-elected by United Artists Theaters

All directors of United Artists Theater Circuit, Inc., were re-elected yesterday at the annual stockholders’ meeting.

Slant on Chi. 1Q

Chicago—Each Chicagoan spends about one and a half dollars for motion pictures compared with daily expenditures of two and one-half cents for newspapers and magazines, six cents for gambling and nine cents for liquor, according to an elaborate survey conducted under the direction of Dr. Arthur J. Todd, chairman of the sociology department of Northwestern University.
**FINANCIAL**

**NEW YORK STOCK MARKET**

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**NEW YORK BOND MARKET**

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**NEW YORK CURB MARKET**

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<thead>
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**Boris Morros Leaving Para. Studios in January**

West Coast Bureau of THE FILM DAILY.

Hollywood—Boris Morros, head of Paramount’s music department, announced yesterday that he will leave the studio at the termination of his contract in January.

**Along the Trail with Phil M. Daly**

- • FOURTH ANNUAL Newspaper National Snapshots Awards will be exhibited in the Grand Lounge of Radio City Music Hall commencing Thursday, Dec. 8. - under sponsorship of the Herald Tribune. The cream of the nation’s best amateur photographs will be on display for four weeks. The winning 137 snapshots were selected from hundreds of thousands of entries in a national competition in which 104 newspapers in the nation participated. More than $10,000 in cash prizes will be represented in the exhibits -- a small town clerk in Michigan copied first prize of $1,500, beating the pick of the nation’s amateur photographers with his entry.

- • BACKED by the city council, the school students of Knoxville, Tennessee, now have more appreciation classes in the local theaters on Saturday mornings. The better films will be shown and interpreted by competent people. A three-months’ time of the idea is planned.

- • Joseph Schenk will play a prominent part as vice-chairman of the campaign committee in the drive for a permanent field organization for the National Foundation for Infantile Paralysis.

- • HONORED. . . . Harry Kalmin, zone manager for Warners Theaters in the Pittsburgh territory—has been placed in charge of all entertainment for the Veterans’ Hospital in Aspinwall, Pa., by the State Commander—Harry is Commander of the local Variety Post of the American Legion—on the first Wednesday of each month the Variety Club puts on a show for the veterans at the hospital.

- • Henry Major, well known caricaturist of “Hollywood Celebrities,” will hold his first exhibition of oil paintings at the Reinald Galleries from Dec. 6 to 27. . . . Jennie Goldstein’s first picture, “Two Sisters,” in Yiddish, opens at the Continental tonele. Benny Blake is the producer. . . . Renen Memanoul, director of Columbia’s “Golden Boy,” will compare stage and screen technique in an address at the Museum of Modern Art this evening.

“Californian” to be First Fairbanks UA Production

First picture to be produced by Douglas Fairbanks for United Artists release in 1939 will be “The Californian,” with Raoul Walsh set as the director, which was learned yesterday. Fairbanks and Montague Marks, associated with him in the production venture, sailed for England last week, but will return here shortly after the first of the year.

Pix is scheduled to go into production in January. However, it is very probable that Fairbanks may have to make arrangements for production facilities outside of the United Artists plant, as heavy schedule will get under way there by UA producers around January 1. It is likely that other two pix will be made at UA plant.

Principal cast and set and work on the story has been completed for first pix, but no announcement of cast will be made until Fairbanks’ return, it was said.

61 New Members are Added By N. Y. Allied in 3 Weeks

Allied of New York has added 61 new members during the last three weeks, it was learned yesterday. Most of the new members were obtained in the Buffalo territory.

The New York unit expects approximately 200 persons at its state meeting in Buffalo next Monday. All major companies, as well as the independents, are sending representatives to the meeting.

**Korda and Fairbanks, Jr., Sailing for N. Y. Saturday**

Alexander Korda and Douglas Fairbanks, Jr., have booked passage on the Normandie sailing from England next Saturday and arriving in New York Dec. 8. It was said at the United Artists home office yesterday that the company’s annual stockholders’ meeting would be held during Korda’s stay here, but no date has been set.

**COMING AND GOING**

Y. FRANK FREEMAN left for the Coast yesterday.

DAVID O. SELZNICK, president of Selznick International and MRS. SELZNICK, left for the Coast last night on his Golden Arrow.

ALEXANDER KORDA is scheduled to sail from England Saturday on the Normandie for New York next week.

JOSEPH BERNARD, Warner theater ad, and HARD GOLDBERG, director of advertising and publicity for theater department, left New York yesterday for Chicago.

GORDON S. MITCHELL, manager of the Research Council of the Academy of Motion Picture Arts and Sciences, is in New York.

ARTHUR A. LEE, vice-president and general manager of Gaumont British, leaves today for visits to the company’s branches in Buffalo, Detroit and Cleveland. He returns the end of the week.

WILLIAM SEITER, 20th-Fox director, and his wife, who arrived yesterday on the Santa Elena after a vacation cruise.

WILLIAM F. BARRETT, home office representative of Gaumont British, left New York yesterday to visit Washington, Indianapolis, St. Louis and several other Midwestern branches.

DONALD M. MERSEREAU, general manager of THE FILM DAILY and RADIO DAILY, returns from Hollywood and Chicago tomorrow.

ARTHUR W. EDDY and MRS. EDDY are at the Park Central; they leave for the Coast Saturday.

DOUGLAS FAIRBANKS, JR., expects to sail for New York Saturday on the Normandie.

Arthur and David Loew Return to N. Y. Dec. 27

Arthur Loew, vice-president in charge of Loew’s foreign department, returns to New York Dec. 27 from a South American tour. With David Loew, who is vacationing, he arrived in Buenos Aires from Santiago yesterday by plane. They will head north on Dec. 6. Both Loews are accompanied by their wives.

**A T & T Gets 10 Days More**

Washington Bureau of THE FILM DAILY.

Washington—The FCC has granted the AT&T an extension of 10 days in which to file briefs in the investigation being conducted by the Commission. The company has asked for two weeks or more.

**Happy Birthday**

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

NOVEMBER 29
Harold Beaudine
Mildred Harris
Loa Rae
Kay Johnson
Genevieve Tobin
Inez J. Rieder
more definite statement by the Justice Department of its allegations of the petition and for a bill of particulars setting forth in detail the charges made.

(Continued from Page 1)

More than 100 requests, as argued, to answer, and to prepare their defense without necessity, (2) to aid the Court in evaluating the dispositions of the allegations that the defendants have contracted, combined and conspired to restrain interstate trade and commerce, in the production, distribution, exhibition of motion pictures; and (c) the manner and means of the defendants as to when violations commenced, and the nature of these violations with respect to the specific instant the plaintiff has in mind or of record. Also the Government is asked for the names of all those engaged in the business, all of whom are alleged to have been committed so that the industry can prepare its defense.

Louis D. Frohlich, of the law firm of Schwartz & Frohlich, as counsel for Columbia filed the latter's brief which asked the Government for a more definite statement of charges and for an order extending the time of the defendant, together with officers and directors of the corporation, to answer.

No Major, Says Columbia

Text of the Columbia memorandum declares Columbia "is at a loss to understand why it was made a party to this suit;" took issue with the definitions of industry terms in the complaint, denying that it is a major producer in the sense that other principal film organizations are; declares that the petition should be dismissed and that if the Government should proceed with it if the Government should proceed, the Court should dismiss it on its several definitions; and criticizes the plaintiff's request for declaratory judgment, which makes Columbia a party to an action in an unjustified manner.

Ordinarily, it is cited in the briefs filed yesterday by the various defendants, in a civil suit under the Anti-Trust Laws brought by an individual, the defendant would have an opportunity to examine the petitioner before trial, but that liberty does not exist where the Government is the petitioner. The only individual whom defendants may examine before trial are those who were, according to the Government's claims, victims or participants in the alleged conspiracy. Until the names of those persons are known until all the acts claimed to have been committed are disclosed, it will be impossible for the defendants to take advantage of the New Rules of Civil Procedure which were intended to aid both the courts and litigants in saving issues defined in advance of the trial so as to save time and expense on the part of all concerned, as those were contended by the film companies.

Waltzing Copper

(Detail — Patricia Ann Friedland and Gene De Maro won the local "Great Waltz" contest and will represent Cleveland for the district competition Dec. 7.

New UA-Selznick Deal

Almost Set—Selznick

Continued from Page 1

lywood last night with Mrs. Selznick on the Golden Arrow.

'A reduction in percentage has been made in terms of new UA contract offered to us, and majority of important matters have been worked out with only a few details left to be discussed to make terms of contract satisfactory to myself and John Hay Whitney, board chairman," Selznick said.

He stated that the deal would probably be for two years. No set number of pictures has been stipulated as yet, but Selznick said that probable minimum of six per year would be final figure.

Conferences between Whitney and Universal, Silverstone and further hurdles on the Coast between Whitney and Selznick will be held before deal will be closed, it was said.

He said that both parties would be signed after Whitney's arrival on the Coast in January unless there is a hitch before that time.

Question of whether or not he could produce pictures for release away from UA has not been discussed, Selznick said.

May Complete Trade Reform Draft Today

(Continued from Page 1)

the approvals of the boards of directors of Allied, MPTOA and the affiliated organizations. It is understood that Allied will call a board meeting as soon as the draft is ready for presentation.

One of the chief difficulties which faced the distributors, it was learned, was the matter of designated programs. This issue has created a great deal of interest in trade circles and the manner in which it is to be handled under the proposed plan is being awaited anxiously.

It is also believed that a system of arbitration will be presented. It is understood that a majority of Allied leaders are in favor of arbitration, with the acceptance or rejection of the plan hinging on the wording of the proposal.

MPTOA's executive committee is due in New York Dec. 8 or 9 to study the trade practice plan.

Skihall to Coast Friday to Launch GN Production

Jack Skihall, Grand National production head, leaves for the Coast on Friday to launch the company's production schedule. First picture, as yet untitled, goes before the cameras on Dec. 12. Skihall will remain at the studios permanently.

C. W. Thornton Quits GSS for Post With Ed Small

West Coast Bureau of THE FILM DAILY

Hollywood — Edward Small has signed C. W. Thornton as executive business manager. Thornton resigns as secretary-treasurer of General Service Studios to immediately assume his new duties.

Mrs. Hamlin's Father Dies

Mrs. Stella Hamlin, publisher of Film Corp., flew to Cheyenne last night to attend the funeral of her father, G. Baker, who died there Sunday morning at the age of 78. Besides Mrs. Hamlin, two other daughters, a brother and Mrs. Baker, survive the deceased.
"ANGELS WITH DIRTY FACES"
Starring
JAMES CAGNEY
PAT O'BRIEN
THE "DEAD END" KIDS
HUMPHREY BOGART • Ann Sheridan
George Bancroft • Directed by MICHAEL CURTIZ
Screen Play by John Wexley and Warren Duff • From a Story by
Rowland Brown • Music by Max Steiner • A First National Picture
Receipts *never* stacked so high and fast as at all 354 houses simultaneously beating everything with Warners' *ANGELS WITH DIRTY FACES*
EXHIBS. TO FIGHT ORE. BANK NIGHT DECISION

(Continued From Page 1)
they deemed vital to their existence, involves no consideration in the participation of drawings inasmuch as certificates are passed out in front of the theater immediately before the drawings.
In his 16-page decision Judge Tucker summarized: "All the authorities hold where coupons are given in connection with admission tickets, the consideration is included in the price of admission and that if the drawing is held exclusively with respect to those paying admissions there can be no question but what all the elements are present and that the plan is a lottery.

The courts are somewhat in conflict with respect to the consideration when the coupons are distributed exclusively by the theatre, but the majority of the decisions hold that the last resort in the various states have held that people who come to the theatre and pay admission have contributed a consideration in the writen, it is not in the general advertiser's sense, which is the purpose of the bank night.

"In addition to this, a great many people, going to the theater without the idea of paying for an admission later change their minds and enter the theater, thereby increasing the box-office receipts.

"The bank night has been considered to be a violation of the post office department, and the U.S. Courts have declared that the bank night plan is not subject to copyright, and the name cannot be registered as a trade-mark in front of the bank night, and therefore all the elements going to make up a lottery are disclosed, namely, price, chance consideration and consideration.

J. Wilson Roy, 70, Former Critic, Dies In Albany

Albany—J. Wilson Roy, 70, father of Andy Roy, manager of The Strand, and the noted critic for The Billboard, died Nov. 25 and was buried Saturday in Albany Rural Cemetery.

Roy was born in Glasgow, moving to London in his youth to handle advertising for Sir Thomas Lipton and then served with the British Army in WWI. He later moved to London to the manager of London Music Hall, Roy after migrating to this country, went into the music business.

Surviving are his widow, a daughter, Miss Dorothy Roy, and a second son, John W.

WARNs OF UNSOLVED TELEVISION PROBLEMS

(Continued From Page 1)
from city to city. Hence television networks are not yet practiced. While it is true that television transmitters can be piped by very special wire circuits and by means of special radio transmitters, neither of these methods is in existence today nor do they appear economically possible in the near future.

"The second technical problem is the limitation of range or distance. A fairly high power television transmitter might now limit to a radius of not more than 40 or 50 miles. This immediately indicates that a great many transmitters will be required to provide a national service. . . . Extension of service to remote areas in the United States and areas will necessarily be slow."

Dr. Baker emphasized that there are still other difficulties facing commercial television.

"Probably the primary problem is that of educating the public as to what they may expect from television at this stage," adding "that people believe that television will immediately bring them the events of the world and the picture three by four feet."

Freeman Leaves to Assume New Paramount Studio Post

(Continued From Page 1)
of Paramount's theater operations will remain unaltered for the time being, with Prexy Barney Balaban directing theater activities temporarily.

Robert Gilham, advertising and publicity director, plans to leave today or tomorrow for Hollywood. He plans to return in about two weeks to supervise the distribution with crutches, due to a sprained ankle sustained while playing badminton on the week-end.

Film Execs. Among Those At Banquet For H. M. Riches

Detroit—Friends of H. M. Riches, director of exhibitor relations for RKO Radio Pictures, turned out in force for the farewell banquet given for him last night at the Book-Cadillac Hotel by his former associates in Detroit where for many years he was active in exhibitor association activities.

Among film executives and the stern present were Neil E. DePinette, vice-president of RKO, and Jules Levy, general sales manager for that company; W. A. ("Al") Stettiner, former manager of the Minneapolis Variety Club; George W. Trendle, president of United Detroit Theaters; David M. Idzel, manager of the Fox-Theater; Don E. Carlison, chief banker and David Newman, secretary, of the Detroit Variety Club.
READ WHAT HAPPENED!

SPRINGFIELD (Lincoln) — Biggest opening of the season except “Alexander’s Ragtime Band.”

ALBANY (Palace) — Opening day even bigger than “Alexander’s Ragtime Band.”

SAN FRANCISCO (Paramount) — Opening day topped “Suez” — third day of run topped “Suez” opener!

RICHMOND (Byrd) — Biggest opening of the season except “Alexander’s Ragtime Band.”

PORTLAND (Paramount) — Running ahead of everything but “Alexander’s Ragtime Band.”

NORFOLK (Norva) — Season’s biggest opening except “Alexander’s Ragtime Band.”

BUFFALO (Century) — Opening topped all 20th hits at this house this season.

MILWAUKEE (Wisconsin) — Record opening topped even “Alexander’s Ragtime Band.”

That’s 20th’s Sensational ‘SUBMARINE PATROL’
The new Judge Hardy Family picture “OUT WEST WITH THE HARDYS” in its first 34 engagements is the biggest M-G-M hit in a season of hits! It is doing the best business of the entire Hardy series, including the previous record-breaker “Love Finds Andy Hardy.” It is beating “Boys Town”, “Too Hot To Handle” and all the biggest M-G-M “A”tractions!

(AS WE GALLOP TO PRESS! “Out West With The Hardys” Held Over 2nd Week in 29 Out of 34 Openings!)

Metro- Goldwyn- m“A”yer, the Friendly Company
Intimate in Character
International in Scope
Independent in Thought

U.S. Distributors Are Facing Drop in Indian Exports

PARA, DU MONT, MORRIS AGENCY IN TELE PROJECT

Action on Trade Reforms in Dominion Expected Today

Pix and Radio
... and television

By CHESTER B. BAHN

At first glance, it might appear that the film industry has only a casual interest in the present investigation of the radio industry by the FCC and the parallel moves by the National Association of Broadcasters to formulate a code of self-imposed regulation.

Actually, however, the film industry has a definite stake in both, and it is predicated upon something more than the fact that the first is concerned with "chain" broadcasting and alleged "monopoly" and the latter bears a distinct resemblance to the film industry preliminaries which netted the "Mans organization" or MPDA. The explanation, if you haven't guessed it, is television.

DAVID SARNOFF in his prepared statement read before the FCC as the investigation started, specifically directed attention to television, and it is reasonable to assume that the self-regulation code which the RCA proxy suggested and the NAB proposes to evolve will govern television as well as radio.

It is in the cards that the film industry must and will play a major role in the development of commercial television. There is the motive of self-preservation, if no other, in this connection, bear in mind the report of the Academy Research Council committee which sees "definite entertainment quality" in present-day television and envisions films and television as competitive.

If you can't tick 'em, jive 'em is a principle of strategy which applies to show business as well as to politics, and the active alliance between Paramount and Du Mont can be accepted readily as the forerunner of others linking film and television-radio enterprises. Parenthetically, there is RCA's investment in RKO, not forgetting Winners' subsidiary, Transamerican Radio & Television Corp.

As a further slant on television and films, there is the virtual assurance that television stations will rely largely upon motion pictures for program material.

So make no mistake about it: Whatever (Continued on Page 2)

Film Section of Toronto BOT to Take up Clearance, Score Charges

Toronto—All sections of the Canadian film industry are watching—decisions expected to be reached by the conciliation committee of the Film Section of the Toronto Board of Trade at the meeting scheduled for today. Action is expected on clearance changes, revision of the Canadian License Agreement and score charge elimination.

The recommendations regarding (Continued on Page 3)

SCHINE TESTIMONIAL DINNER TO DRAW 500

Albany—Attendance of 500 is indicated at the testimonial dinner for Meyer and Louis Schine, scheduled for the Hotel Ten Eyck on December 19. Guests are expected from virtually every city in New York, Ohio and Pennsylvania. (Continued on Page 5)

Execs, to be Examined in Orange County Suit

Federal Judge Edgar A. Conger set the following dates yesterday for examination before trial in the action brought by Orange County Theaters (Continued on Page 6)

High Import Duty, Rigid Selective Basis Cutting Into Indian Exports

Further Warner Product Meets on Coast in Jan.

Warner product meetings, now in progress at the home office here, will be continued at the Burbank studio in mid-January when Grad Sears, sales chief, arrives there at the conclusion of his swing around

High import duty and the more rigid selective basis applied to U.S. films are currently hampering major companies in their shipment of features to India, and, as a consequence, Hollywood product is likely to show a considerable numerical deficit during the current year as compared with 1937, It was learned yesterday by THE FILM DAILY. Sources conversant with this (Continued on Page 7)

INVITE DISNEY 'SHARE' VIEWS

Senate Committee Bids Producer to Capitol

Washington—Another effort to formulate the film industry's reaction to profit-sharing was made on Capitol Hill yesterday when the Senate Finance Sub-committee now holding hearings on the subject wired Walt Disney, inviting his appearance to testify on his own "profit-sharing" company set-up as well as his "philosophy of employee relations" here next week.

Donald Desplain, director of the (Continued on Page 7)

HOPE TO FINISH TRADE REFORM DRAFT TODAY

Sales managers of major companies and their counsels last night expressed the belief that a written draft of the fair trade practice formula would be completed today. The task of putting the proposals in writing probably would have been finished late yesterday, following an (Continued on Page 7)

Telecasts of Indoor and Outdoor Events Planned for Halls and Para. Theas.

West Coast Bureau of THE FILM DAILY

Hollywood—Negotiations now underway will call for the widespread coverage of television yet attempted. Deal will also mark the first entrance of a talent agency into the television field—the William Morris agency, widely known in films and the theater. Tangible results of negotiations are expected before the end of the year.

The Du Mont Laboratories-Para. (Continued on Page 7)

MONOPOLY PROBE MAY NET PATENT FORMULA

Washington Bureau of THE FILM DAILY

Washington—While the N.E.O.'s widely-heralded monopoly investigation starts tomorrow with the auto industry patent situation first on the agenda, presentation of testimony is not expected to start until late this week or early next week.

Film industry interest in the early (Continued on Page 3)

Kuykendall and Depinet to Speak at Charlotte

Charlotte, N.C.—Ed Kuykendall, MPTOA presy, and Ned Depinet, RKO sales chief, will be the principals (Continued on Page 6)

UA in Circuit Deals

UA yesterday closed additional important circuit deals with Interstate and Consolidated (Hoblitzelle-O'Donnell) in Texas and Schine, operated in New York, Ohio, Kentucky and Maryland.

Harry L. Gold and Hugh Owen acted for UA and R. J. O'Donnell for the circuits in the former; Charles and Bert Sears represented UA and Meyer and Louis Schine and George Lynch the Schine interests in the latter.
Pix and Radio... and television

(Continued from Page 1)

the FCC may find and whatever the NAB may formulate is of direct concern to the film industry, if not today, then most certainly tomorrow.

“Pygmalion” Preview Now
Set for Dec. 7 at Astor

Invitation preview of “Pygmalion,” previously planned by Nicholas M. Schenck at the Astor Theater tonight will take place once week from tonight, Dec. 7. The proceeds of the benefit play will go to four relief organizations for refugees from Germany: the American Friends Service Committee, the Committee for Camps and Refugees from Germany; the American Jewish Joint Distribution Committee and the American Committee for Christian Germany.

Following this single performance, the Astor will open its doors to the public at 10:30 A.M. daily, at popular prices. After the New York premiere, “Pygmalion” will be seen in the keys at pop prices in an unusual policy combining features of regular release and road show.

Two National Campaigns
for Wanger, Roach Films

UA will back Wanger’s “Trade Winds” and Roach’s “Topper Takes a Trip” with national magazine and co-operative newspaper campaigns, with about $50,000 allowance for keys for the latter, it was announced yesterday.

“Trade Winds” will play a Christmas holiday engagement at the Radio City Music Hall. Lynn Farnol flies to the Coast today to check connection with the campaign’s plans and will be gone for a week.

Universal, 20th-Fox Sign
With N. J. Booking Co-op

Universal and 20th Century-Fox are the latest major companies to sign contracts with Associated Theaters of New Jersey, booking organization headed by Irving Dolinger. RKo and M-G-M previously signed, and a deal with a fifth major is expected to be closed this week.

Wilkie to Divide Time
Between N. Y. and Coast

Robert Gilham, advertising and publicity chief for Paramount, left last week for the Coast. Although the publicity department is silent on reports that the Coast publicity department will be revamped, it is understood that Al Wilkie, publicity director in New York, will divide his time between here and Hollywood but will retain his headquarters in New York. Gilham is due back in two weeks.

May Legalize Sweepstakes
In Lieu of Admissions Tax

Ottawa—In a move to satisfy the universities which have suggested a tax of one cent on each ticket to theaters as a source of revenue for the institutions, a proposal to legalize national sweepstakes in the Dominion will be presented at the coming session of the Canadian Parliament in January. The measure will provide for a division of the lottery proceeds between the colleges and hospitals as an addition to the present Government grants.

The success of the Irish “Sweep” and the evident participation of many Canadians in the Dublin lottery is encouraging the consideration of a similar gamble by Canadian law-makers and its adoption would obviate the necessity for a revival of the amusement tax in Ontario.

Specially Designed Eastman
Camera for N. Y. Fair Pix

Shooting of the experimental pictures to be used by the New York World’s Fair in the Perisphere was completed this week. Pix were taken with specially designed Eastman Kodak camera and Kodakchrome roll film. Arrangements of slides on a drum will project pix on walls of buildings which have been specially treated so as to serve as a huge screen.

Final work will be done in latter part of December. Warren Murray was the supervising-director for the Fair. Eastman is also doing the experimental work at the Fair to be used in its exhibit. Method of taking pix with new camera is said to be revolutionary.

Rites for W. A. Leach, Vet.
Exhibitor, Held in Miami

Miami, Fla.—Funeral rites were held here yesterday for William Alfred Leach, 80, pioneer Miami motion picture theater owner, who died here at his home. In partnership with S. A. Lynch, Leach operated 12 movie theaters in this area before he sold his half interest to Paramount. In a letter to the widow he is survived by two sons, William D. of Miami, and H. A. of New York City, also a daughter Mrs. Carolyn Leach Hunt of Roseland, Va.

Interment was in the Woodlawn Park mausoleum.

Massachusetts County
Would Ban Bank Night

Boston—District Attorney E. R. Dewing of Norfolk County has issued a statement this week that he supports legislation to stop Bank Night in theaters, charging that the game is a lottery. In all probability, a test case will be instituted in the county courts.

PROGRESS FILM LIBRARY

STOCK SHOTS

of Every Possible Description

Cautiously Catalogued.

729 SEVENTH AVE. (N.Y.C.)
NEW YORK 19, N.Y.
ALONG THE REALITY

WITH PHIL M. DALY

- - - FINAL SCENES have been photographed in the filming of Harold Orlob's new feature, "The Story of a Nation." It has been in production at the Eastern Service Studios in Long Island City...the picture is now in the cutting-room and will be a Paramount release...it was completed within its predetermined budget and on schedule...according to Charles L. Gleit, vice-president in charge of operations at the big Astoria studios....

- - - AN EXCITING episode in the new feature is the night fire scene on the tenement house set, built outdoors on the studio lot...through one Saturday night, the cast headed by Sylvia Sidney and directed by Dudley Murphy, enacted a realistic version of the night fire which climaxes the story...William Miller supervised the camera...

- - - THE STUDIO staff in general has reason to be proud of the block-long street set, one of the largest and most spectacular ever built for film purposes in New York....it was designed by Walter Keller, art director responsible for all of the settings in the production...and erected under the supervision of George Noffke, studio manager....the set measured more than 100 feet along a practical street portraying a dead-end intersection in a slum neighborhood...Noffke utilized for the first time in a movie set a new resilient pavement material, laid in a single day....

- - - JOYS and sorrows of the property master were shared in about equal proportions by Arthur Koenig....who had his troubles in dressing the extensive settings...he had to provide the fire engines and apparatus, as well as the fire...the latter carefully planned to appear dangerous but without being destructive...the Western Electric Sound System was under the direction of Reeve Strock, sound director, at the console....

- - - EYE-ARRESTING...is the word for that ad tribute which appeared in yesterday's N. Y. Journal pluging the Capitol Theater's engagement of "The Great Walz"....what you call timely copy....emphasizing the need of a soothing musical picture in these troubled days, and signed by ork leader notables such as Kay Kyser, Cab Caloway, Paul Whiteman, Eddy Duchin, Benny Goodman, Richard Himber and Guy Lombardo....the ad was designed to appeal to the jitter-bugs and jive-bounds as well as lovers of classical music, in stressing the musical-romance angle of the Strauss-inspired film....Oscar Doob prepared the copy....

- - - AT THE farewell banquet to H. M. Richey, director of exhibitor relations for RKO Radio....at the Book-Cadillac hotel in Detroit, given by his former associates in that city....Abram Myers presented him with a complete silver service voted by the National Allied board of directors....

- - - PHONE CALL just this minute received from Postmaster-General Farley...urging all you film gals and boys to get your Xmas Cards and packages mailed EARLY....

** See Canada Acting on Trade Reforms Today **

(Continued from Page 1)

clearance changes and license agreement revision looked for by the commission committee, will be based, it is expected, on proposals by the Independent Theaters Association of Canada and presented to the committee by N. A. Taylor, who in addition to his committee position, is vice-president of the ITA.

Adjourmed Meeting of UA Board to be Held Today

Adjourmed meeting of United Artists' board of directors will be held today. Unfinished business from the session held Nov. 18 will be considered. It is expected that James A. Mulvey, Eastern representative for Samuel Goldwyn, will report on the latter's future plans. Mulvey has conferred with Goldwyn on the Coast since the last board meeting.

Further data on Charles Chaplin's production plans also are expected to be revealed.

** Pathé Film Injunction Argument Set Monday **

Hearing of stockholders action against Pathé-Film Corp., asking for an injunction to prevent stockholders meeting called to vote on liquidation plans, has been set for Monday in N. Y. Supreme Court before Justice Phillip J. Mc Coy. Affidavits of Pathé officers will be presented by their attorneys, Phillips & Nizer, and case will be argued.

** Declare $3.50 Dividend **

Montreal—Marcus Loew's Theaters, Ltd., declared a dividend of $3.50 per share on account of arrears on the 7 per cent cumulative preferred stock, covering the half-year ended June 30, 1933. This brings the total payment for the current year to $10.50 per share and leaves arrears on this stock of $38.50 per share. The dividend is payable Dec. 15, to shareholders of record Dec. 3.

** Finally Okay "Last Mile" **

Ottawa—"The Last Mile" has finally been approved by the Ontario Board of Moving Picture Censors for general showing in theaters; it was banned about five years ago.

** WEDDING BELLS **

Columbus, O.—Julian Lesser, son of Hollywood's film producer, Sol Lesser, was married here Monday to Regina Minnick of this city. The couple will honeymoon in Bermuda.

The parents of the groom journeyed from the Coast to attend the ceremony.

** MONOPOLY Probe May Net Patent Formula **

(Continued from Page 1)

inquiry moves results from the fact that, in all probability, some phases of the auto industry's use of patents will be suggested as a formula which well might be adopted by, or adapted to, other fields, including planes.

The film industry's own patent situation has been brought sharply into relief by the impending FCC report on its A T & T investigation and the U. S. Supreme Court decision in the General Talking Pictures (Schlesinger) case, coupled with the Department of Justice's stand in the latter.

It is expected that the first few days of the NEC inquiry will be taken up by a general introductory statement on the national economy by Isidore Lubin of the Bureau of Labor Statistics, Dr. Willard Thorpe, Dun & Bradstreet economist, and Lewis Henderson, NEC executive secretary.

The NEC is expected to consider both the restriction of the use of patents in a pool as well as the possible price fixing factors.

** New Patent Inquiry Planned By Representative Sirovich **

Washington Bureau of THE FILM DAILY

Washington—Creation of a national advisory council to conduct a broad inquiry into the operations and effects of patent laws is announced by Rep. William L. Sirovich of New York, chairman of the House Patents Committee.

The study, Sirovich said, will guide Congress in possible revision of patent laws, safeguarding against monopoly. Sirovich said the study was launched to ally what he has described as business men's fears of the NEC inquiry which starts tomorrow.

** Ask Ont. Exhibits to Bar Kids from Horror Bills **

Ottawa—Children's Aid Society of Ontario has requested exhibitors, to refuse admittance to juveniles under 16 when so-called horror pix are billed. Horrific themes getting a heavy play from province's theaters are: "Dracula" and "Frankenstein," "The Invisible Man" and "Mr. Moto Takes a Chance" and "The Bat Whispers" and "The Walking Dead.

** For the Book! **

Pittsburgh—A group of film and theater men were studying the possibilities of the Pitt football team winning its Duke game Saturday when one widely known exponent, who has an artificial eye of which very few people are aware, called football fans and the faithful follower of the team, excitedly exclaimed: "That is the only thing that will win," with that popped out the eye, wherein two of the men panted out cold and the others turned all shades of green and purple.
ISTMAS
PATROL
problem point to the fact that the standard rate of duty alone, imposed by his country's customs tariff, is 37½ per cent ad valorem on exposed film. This levy, added to the fact that India's importers discriminate sharply in their rates for American film stars, and fail to patronize features without favorite personalities in the lead roles, keeps U. S. pro-
ducer-distributors, from sending certain product to India for fear of financial loss.

Two other factors are discernible, it is said, namely the growing competition U. S. features face in India from home production; and the fact that the censor board is careful not to approve a film which might have adverse political or social con-
sequences.

Approximately 300 U. S. features went into India in 1937, according to government sources. Of these RKO had 75; M-G-M, 46; Warners, 41; Universal, 40; Colum-
bia, 34; Paramount, 34; UA, 11; RKO,
public, 3; GN, 2; and 14 from other American sources.

Shorts shipped from the U. S. to
India totaled 809, or slightly more than two-thirds of the grand total from all countries. Britain was next with 201, followed by Australia, Germany, Japan, China, New Zealand, Czechoslovakia and Russia furnished 19 combined.

Available statistics, regarded as official for 1937, placed number of producing concerns in India at 110; distributors, 99; and theaters at 990, exclusive of itinerant and other show sources. Employees directly dependent upon the film industry for a livelihood numbered about 30,000.

Execs. to be Examined

in Orange County Suit

(Continued From Page 1)

First National, and Chicago, is the United Artists, Inc., against Eugene Levy, associated with the film in the case.

Curtis Publishing Co., Paramount Pictures, 20th-

Fox, Big U, RKO-Radio, UA Corp. and Joseph Lee; Harry Buxbaum and Joseph Lee, Dec, 5; Sidney E. Kent, Dec, 6; Neil Agnew and Milton Kussel, Dec, 7; George Walsh and Eugene Levy, Dec, 13; and William Susman, Dec, 21.

Defendants must produce books and records covering release of all films in Newburgh from 1915 through 1937. Harry Friedman, president of Orange County The-
aters, Inc. must also submit to examination.

Action of the plaintiff is for $225,000
damages because of its alleged inability to get product, and charges defendants with monopolistic prac-
tices in violation of the Sherman anti-
trust laws.

Joins Mono. in Dallas

W. J. (“Dutch”) Cammer has been appointed office manager and booker of Monogram's branch office in Dal-
las.
PARA, DU MONT PLAN
BIG TELE PROJECT

(Continued from Page 1)

mount Pictures Corp. combine is invol-
— in the deal with the Morris ac-
ancy. Plans call for the use of the
Du Mont transmitter, new under
construction, and a chain of theaters
and public halls where telecasts will
be put on view for audiences willing
to pay to see television pictures of
important events of the day as they
take place.

The scheme involves gaining the
rights to telecast baseball and foot-
ball games, track and field meets,
concerts, prize fights and the like;
indoor spectacles such as benefits,
pageants, ice shows, rodeos and
six-day bicycle races.

Events will be telecast from the
scene of action to indoor auditor-
iums such as the Paramount the-
aters and halls fitted with screens
capable of showing the pictures on
a large enough scale to be viewed
by audiences.

Plans have not yet been com-
pleted, but it is understood that the
William Morris agency will act in
a managerial capacity and be finan-
cially interested in the project.
Legal aspects of the deal are now
being studied and it is hoped that
all the difficulties confronting the
parties to the project will be re-
moved by early spring.

Invite Disney to Air
Views on Profit-Sharing

(Continued from Page 1)

profit-sharing survey, told THE FILM
DAILY he had not as yet received
replies from either Will Hays or
Nicholas Schenck to committee let-
ters previously sent requesting sug-
gestions. However, Desplain said
that in a recent conversation with
Will Hays in Chicago the MPPDA
prexy expressed ideas "quite in
line" with those expressed before
committee by GE's Gerard Swope.

Adele Nathan Appointed
GN Eastern Story Editor

Adele Gutman Nathan has been
appointed Eastern story editor for
Grand National by J. H. Skirball,
vice-president in charge of produc-
tion. Mrs. Nathan was director of
plays for the Federal Theater of
New Jersey until early this year.
Her previous film work includes
direction of several short subjects for
Paramount and Educational.

Skeleton Staffs

Paris (By Cable) — Labor’s strike
against Premier Daladier to pre-
serve the 40-hour week attained only a
few
years ago, went into effect yesterday.
But affected many motion picture
theaters and many houses in important
cities of the country were working last
night with but skeleton staffs.

Ladies’ Choice

Shubertan Falls, Wis.—Falls Theater
here offers its lady patrons a choice
on disk night between three cups
and soups or four fruit dishes and sher-
berts and one large grill or two soup
bowls.

Further Warner Product
Meets on Coast in Jan.

(Continued from Page 1)

the company’s exchange wheel.
Sears left last night on the trip
which takes him to Burbank on
Jan. 15.

President H. M. Warner will su-
pervide the Coast sessions, which
will be attended by Jack L. War-
ner, Hal B. Wallis and Charles Ein-
feld, now participating in the par-
leys here together with Major Al-
bert Warner and Carl Leserman.
Plans are being made at the home
office meetings for merchandising
releases during the Sears Drive.
Heavy campaigns will be used.

GB’s $1,197,417 Suits vs.
Para.—Publix Disallowed

Federal Judge Alfred C. Coxe yester-
day dismissed and expelled two
claims of GB Theaters Corp. against
Paramount Publix Corp., in the
amount respectively of $780,120 and
$667,297.

GB has consented to these claims
being dismissed, since in 1929 it
paid two indentures, and then in
1930 Paramount Publix purchased
a substantial part of GB Theaters’
assets and assumed obligation of
debentures. Later Paramount Pub-
lix transferred to Olympia Theaters,
Inc., the assets, and Olympia as-
sumed the obligation.

Now Olympia is in receivership
and GB Theaters has had its claims
paid in that estate and is therefore
consenting formally to expunging of
the claims against Paramount Pub-
lix.

MPTO of Oklahoma May
Defer Parley Till Spring

Oklahoma City—Despite announce-
ment of Morris Loewenstein, presi-
dent of the Motion Picture Theater
Owners of Oklahoma, that the orga-
ization would hold its annual conven-
tion in early December, it appears
now that the convention meet may
be postponed until early Spring.

Loewenstein is at present contact-
ing members of the association board
of directors to determine whether or
not it will be advisable to hold the
meeting just before the Christmas
holidays. Besides election of new offi-
cers and consideration of possible
theater legislation, other business
was to be considered.

Altec Signs Skouras Houses

Skouras Theaters Corp. has signed
an agreement with Altec Service
Corp. to service the 68 the-
aters operated and controlled by the
firm. Jules Cataiff negotiated for
Skouras, and Bert Sanford, Jr. for
Altec.

You Will Find It
In The Year Book

WHETHER you want to
know the work of a play-
er, or the number of theaters
in a town, or the personnel of
an organization or when a pic-
ture was released, or a thou-
sand and one other facts, you
will find it up-to-date in the
coming—

1939 FILM DAILY
YEAR BOOK
of
MOTION PICTURES
NOW IN WORK

Your check for $10.00 (for-
eign $15.00) brings you this
unsurpassed reference vol-
ume in addition to FILM
DAILY and the FILM DAILY
SERVICE.
SCHINE TESTIMONIAL DINNER TO DRAW 500

(Continued from Page 1)

 renovate the lineup of speakers. Metropolis also will provide the entertainment, program being arranged by M. N. Grassgreen. One of the speakers will be Rep. Frank Crowther who represents the Schine home district.

Invitations have been extended as well to Gov. Herbert Lehman, U. S. Senator James M. Mead of Buffalo and the Mayors of Syracuse, Albany, Schenechetta, Buffalo, Gloversville and Amsterdam.

Reservations thus far made include:


Ben Schwartz Resigns

Canton, N. — Ben Schwartz, for the past 18 months manager of Warners' Ohio here, has resigned.

Off Coast Wires

West Coast Bar, THE FILM DAILY

Hollywood—News 'o the day: Britons in film colony have cabled pleas to King George and Queen Elizabeth to include Hollywood in their American itinerary this winter. "Better Days and Cat and the Canary" will have Bob Hope and Bing Crosby. Alfred Hitchcock, David Niven goes into Goldberg's "Wuthering Heights," William Demarest will be "broken of "The Kid From Turt'!"... John W. Condit, Jr., has a new silver buttonhole, wears a new silver ash tray, a farewell gift from 25 members of the Paramount Talent School—WILK.

Charges Legion of Decency Hampers Films Development

St. Louis—The Legion of Decency and similar organizations are hampering the development of films into one of "the greatest and most influential arts of all time," Ernest Bernbaum, professor of English at the University of Illinois, charged in an address here before a section of the National Council of Teachers of English in convention at Hotel Jefferson.

Prof. Bernbaum, who conducts a course in motion picture appreciation, asserted:

"There are two kinds of unsound ways of talking and writing about the movies. One of these is to ask questions such as: Who is the star? Will it help me escape from the dullness of ordinary life or from the weariness of the guaranteed conditions by taking me into a world which is delightful and exciting? The escapist theory of literature, in a sense, can perhaps be true, however untrue to real life they may be.

"The other unsound way of judging a motion picture is the way of the Legion of Decency and similar organizations which ask only: Is there anything morally objectionable (according to our own standards of morality) in this picture? Does it show a leg? Does it utter a damn? Does it disclose that babies are begotten and born? Does it betray the fact that alcohol, sex and violence are powerful forces in life as it actually is?"

Denies Para. Will Drop

"one-third of a nation..."

Dudley Murphy, director of "one-third of a nation...", yesterday vigorously denied Coast reports that Paramount had dropped the picture from its release schedule because of "propaganda situations" now in the production. Murphy said that Paramount execs, were so pleased with the picture that they wanted to advance the release date.

Murphy is preparing his next picture which will be based on a story by Helen Meinardi, author of "I Met Him in Panama." Work is being done on the script and the story will be made at Eastern Service Studios. No distribution deal has been set but it is understood that negotiations are on with Paramount.

New "Hardy's" Clicking

Metros' "Out West with the Hardys" has topped "Boys Town" grosses in some situations, company's home office reported yesterday. Gains ranging up to 30 per cent over "Love Finds Andy Hardy" were registered in other spots.

Free Rides to F & M St. Louis First-Run

St. Louis—Free trolley or bus transportation to patrons of Fanchon & Marco's first-run engagements is being offered by the company. It's a deal with the St. Louis Public Service Co. and the People's 2 Motorbuses Co. Refund slips are issued by trolley conductors and bus drivers and, at the theater, serve to knock off 10 cents from the b.o. tariff.

New State Wage-Hour Act May Be Sought in Okla.

Oklahoma City — A new state wage and hour law providing for a 44-hour week in 1939 may be sought at the upcoming session of the state legislature, W. A. Murphy, state labor commissioner, has announced. He said that he would not decide about asking the new law until the State Supreme Court rules on constitutionality of the present state wage-hour legislation.

He said the proposed new bill would provide a 42-hour week in 1940 and a 48-hour week in 1941, in order that firms doing business solely within the state would be on the same basis as interstate firms under the new Federal wage-hour law.

Law passed by the 16th legislature setting the number of hours of or a specific wage but leaves this to the Industrial Welfare Council. Most of the codes call for a 64-hour week for men and 48 hours for women.

Thomas on Swing to Set

Tri-National First-Runs

Harry H. Thomas, who this week completed arrangements for the distribution of Tri-National films throughout the East, left New York yesterday for a short trip to arrange for first-run openings of Tri-National's program of imported films. Thomas will return to New York in two weeks. Thomas, a veteran among indie distribs, believes that 1938-39 will prove the dreamer's best year for foreign films, with "2 Sisters" Premiere Take to Aid German Refugees

"Two Sisters," starring Jennie Goldstein and produced by Ben K. Blake, had its world premiere last night at the Continental theater before an audience composed of many outstanding names in the theatrical world as well as Jewish societies. The entire proceeds of the opening go to the Young Men's Philanthropic League to take care of refugees, orphan asylums and hospitals.

$160,542, Sonotone Net

Sonotone Corp. yesterday reported a net profit of $160,542, equivalent to 20 cents per share for the first three-quarters of 1938. In corresponding nine months of 1937 the net profit was $166,327, or 21 cents per share.

Bingo Okeyed In Athol

Athol, Mass.—By a vote of 334 to 218 citizens of this town have approved a bingo at a coming town meeting.

QUEENSLAND LICENSE CONTROL IN PROSPECT

Brisbane (By Cable) — Government legislation to control liquor licensing in Queensland is in prospect.

Proposal is backed by the Queensland Liquor and Temperance League, and a government investigator, whose president, R. F. Stephens, ascertain that uniform state control by legislation is imperative. In Greater Brisbane, there is seat for every six residents. Towns of 500 population with two theaters are not extraordinary. Situation in Townsville is cited as another example; seven houses are now operating, two more planned.

Sydney (By Cable) — Proposed amendments to the 1937 New South Wales Liquor and Cinematograph Films Act, formulated by a governmental investigations committee of three, are before Premier Stevens.

The committee, embracing Under Secretary E. B. Harkness, Film Inquiry Commissioner F. W. Marks and Government Statistician W. T. Waites, exhaustively investigated:

(1) Standards of accommodation required for theaters and public halls. (2) Amount of fees prescribed for the granting of any license for such theaters or halls. (3) A general quality of films that have been or are being exhibited, including artistic, photographic merit, appeal to the public interest, entertainment value in any particular locality. (4) Methods for adoption of adequate safeguards for public health, comfort, safety and convenience. (5) Methods (if any) to be provided for discarding admission charges together with minimum rates necessary. (6) Any relevant comments on affecting public interest in relation to theaters or public halls or film exhibition therein. (7) Any new laws as approved by Committee to be legislated in N.S.W. in connection with above.

Meanwhile, trade interests have submitted a further memorandum to the New South Wales Government asking for additional measures to encourage the native industry, while in Victoria, the Chief Secretary has indicated the local quota operations might be made a dead letter until Australian production could meet the demand.

Student Loan Funds

Los Cruces, N. M.—Two loan funds of $50 each, known as the Mission Theater Loan Fund and the Rio Grande Theater Loan Fund, have been made available to the students of the New Mexico State College here through the generosity of the two theaters. The loan funds represent a small portion of the income from the student discount tickets to shows for the 1938-1939 season. It is expected that this amount will continue from year to year.
Ascap Denies Benefits From Exhib. Score Charges

GROUP OF PIX TO BE PRODUCED ON COAST BY KODA

Put Finishing Touches to Trade Reform Proposals Today

Rodgers Expects to Issue Statement Late Today

Finishing touches on the trade reform proposals, as formulated by the distributors' negotiating committee following conferences with exhibitor groups, are expected to materialize today.

William F. Rodgers, spokesman for the distributors' group, told THE FILM DAILY last night that he was confident that the committee would be in a position to issue a statement late today.

Counsel for the majors met yesterday. (Continued on Page 4)

BLOCK-BOOKING HIT AS TRUST VIOLATION

Indianapolis—Testimony seeking to establish that block-booking is a violation of the Sherman anti-trust act was presented to a Federal court jury yesterday in the trial of a damage suit brought by the old Indianapolis Amusement Co. The action has been pending since 1931. The suit was brought against Para- (Continued on Page 7)

Marquee Ordinance Under Attack by Exhibitors

At a hearing yesterday afternoon before the General Welfare Committee at City Hall, film industry representatives launched a bitter attack upon a proposed ordinance which (Continued on Page 7)

Ascap Would Block Tenn. Law by Writ

Knoxville—Hearing will be held here this morning in the action involving the State of Tennessee and Ascap, with the latter stating, through its counsel, Louis D. Frohlich, of the New York law firm of Schwartz & Frohlich, to seek a temporary injunction restraining the State from enforcing an anti-Ascap law.

Session will be held in Federal Statutory Court before Judges Gove, Hicks and Martin.

Frohlich arrived here yesterday from New York.

TRUST SUIT IN TENN. NAMES FOUR MAJORS

Four major companies and two circuits are named in a $100,000 anti-trust suit brought by the Peerless Enterprise, Inc., of Knoxville, Tenn., according to a copy of a civil action complaint received in New York yesterday. Named in the suit are Crescent Amusement Co., Vitagraph, Columbia, 20th Century-Fox, Paramount and Cherokee Amusement Co.

Peerless, which operates the (Continued on Page 7)

West Virginia Exhibitors Plan Fight on Censorship

Charleston, W. Va.—Joint meeting of the ITO of West Virginia and the West Virginia Managers Association will be held here on Jan. 3. (Continued on Page 7)

UA Talking No Pix Deal With Steffes for Alvin

United Artists is talking no product deal with W. A. Steffes, Allied Northwest cheifestman, for the 1,488 (Continued on Page 7)

Anti-Ascap Moves Loom in Iowa, Colo. as Exhibs. Rebel Over Score Charges

Threat of anti-Ascap legislation in Iowa and Colorado as the alleged result of movements growing out of exhibitor belief that the "score charge," charged by producers in their billings to exhibitors, constitutes a "double tax" assessed by Ascap which in turn receives a share of all or any sums collected from exhibitors under this heading, led the

WARNER TERRITORIES

Warner Theaters, Philly Musicians in Year Deal

Philadelphia—One year deal with musicians union has been closed by Warner theaters for this territory, it was learned yesterday. Principal change made in new pact permits Fox Theater to be orchestral. 15

(Continued on Page 4)

Korda Pix to Have Definite Appeal for So. American and U. S. Markets

Alexander Korda plans to start his American production activities shortly after Jan. 1 and will make several pictures in Hollywood, Maurice Silverstone, general manager of United Artists, stated yesterday following an adjourned board of directors' meeting. Korda, who arrives here from England next Thursday, probably will remain several months, Silverstone said.

It was explained that Korda will produce pictures not only with a strong American appeal but with an eye towards the South American (Continued on Page 4)

ZUKOR, HICKS, ROSE TO CONFER IN N. Y.

A conference among Adolph Zukor, John W. Hicks and David Rose will be held in New York prior to Zukor's departure for England where he takes over his new duties as co-ordinator for Paramount's production, exhibition and distribution.

(Continued on Page 7)

Griffis Denies Reports He Will Head Para. Board

Reports that Stanton Griffis would succeed Adolph Zukor as chairman of Paramount's board of directors were denied yesterday by Griffis himself. Griffis, who is chairman of the executive committee, said

(Continued on Page 4)

Graham Joins Dufay

London (By Cable) — John Cecil Graham, former managing director for Paramount in the United Kingdom, has been appointed director for Dufaycell, the parent organization of Dufaycolor. Graham recently resigned from Paramount after 18 years of service.
SYDNEY R. KENT returns to New York today from a short vacation in the South. 

JACK L. WARNER, MRS. WARNER, HAL WALLIS and MR. and MRS. CHARLES EINSTEIN leave tomorrow on a trip to Hollywood. Warner execs huddled here on product lineup.

GEORGE J. SCHAFFER, RKO exec, leaves tomorrow for Hollywood.

WALTER J. HUTCHINSON, director of foreign distribution for 20th-Fox, leaves South Africa for his Sunday night flight for France.

DONALD M. MURSESEGER, general manager of THE FILM DAILY, is in London, via Chicago, yesterday.

MAX MOLDER, managing director in England for Warners, arrives here next Thursday on the Normandie.

JACK COHN, vice-president of Columbia, arrives today on the Queen Mary.

JOSEPH BERNHARD, Warner theater head, and HARRY GOLDSCHEL, ad. and pub. chiefman for the theater department, return to New York today.

ABE MONTAGUE, Columbia's sales chief, leaves Friday next week for the company's sales meeting in San Francisco and from there will go to Honolulu for a vacation.

HUNT STROMBERG, M-G-M producer, is at the Airport.

LOUIS D. FROHLICH, counsel for Aasco, arrived in Knoxville yesterday from New York.

JEAN CAISON DE CAVAIGNAC, French producer, and his wife, and TODD DUNCAN, English actor, arrive today on the Champlain.

E. M. HARTLEY, manager of National Theater Supply sound department, is on a tour of the company's Southern branches.

IRENE LEW, Warners' studio story editor, has returned to her desk after a two-week stay in New York.

EDGAR H. KERNER sails tomorrow on the Cantica for Trinidad as assistant manager of Columbia's branch there.

JACK SCHUMLER, Syracuse trade newspaper man, and MRS. SCHUMLER, are seeing New York.

COUNTLESS KELLER, who with her husband, COUNT FRIEDRICH KELLER, produced "World War II for UA, arrives on the Normandie Dec. 8.

ROSALIE STEWART, agent, is at the Sheraton New York.

GEORGE SHEELER, actor, has arrived from Britain.

W. A. SCULLY, sales manager for Universal, and F. J. A. MCCARTHY, Eastern sales manager, return to New York today for a visit to Southern branches.

SAM MAZZA, Columbia story editor, is back at the Coast after six weeks in New York. 

GEORGE JESSEL is on route East by train from the Coast.

SIR SAMUEL WALDER, director of National Pictures in Sydney, Australia, JOHN STANAGE, head of the Stanage radio transcription firm in New Zealand, and GEORGE MOFF, managing director of the Australian branch of London, have arrived in Hollywood on board the Messina and Eddie Belin to attend the Coast tomorrow.

MARY BOLAND is Coast-bound, after New York radio appearance, to read scripts for her next Paramount picture.

FRANKLYN WARNER, head of Fine Arts, arrives in New York tomorrow from the Coast.

RUBE JACZTER, assistant sales manager for Columbia, returns Tuesday for the Frisco sales meeting of the company.

JULIAN L. LESSER, son of Sol Lesser, and MRS. LESSER, leave for New York Thursday, shortly for Bermuda where they will spend several weeks.

CLAUDE THAWERT, having finished her first straight dramatic role in Paramount's "Ambush," will arrive in New York Dec. 15 to remain over the holidays.

JACK BENNY and MARY LIVINGSTON, accompanied by their two script writers, BILL MORROW and EDDIE BELIN, arrive here today from the Coast.

HERMAN ROBBINS, president of National Screen, who has returned from the Coast.

GEORGE W. TREMBLE, Detroit theaterman, is in the city.

J. CARLOS BAVETTA, managing director of Beverly for 20th-Fox, is due to arrive tomorrow Dec. 22 for conferences with foreign representatives of the firm.

JOHN P. BRADFORD, of March of Time's cutting department, has returned from a Caribbean cruise.

ILONA MASSEY, M-G-M player, has returned to Hollywood after a New York visit.

JANE MURFIN, scenarist of the French, arrives here today from Paris.

GARY COOPER is expected to sail from England Saturday on the Normandie.

ARANDA VARELA, Argentine actress, flew to the Coast yesterday to take a role in the next Tugo Pictures picture which will be distributed by the Spanish Speaking countries by Paramount.

RANDOLPH SCOTT is at the Sherry Netherland.

JANE BRYAN, Warner player, arrived on the Coast from New York today.

Countess Keller Coming for Meets With UA Execs.

The Countess Keller, the former Eleanor Savoy of opera and society, arrives from London on the Normandie Dec. 8 to confer with UA execs, on American distribution plans for the World War II for UA, produced by her husband, Count Friedrich Keller.

Kent Returns From Texas

Sidney R. Kent returns to the 20th-Fox home office today from a short stay in Texas. He will leave for the Coast the latter part of next week to attend the sales huddles. Herman Wober will hold the door for him and to confer with company execs, at the studio.

Weinberger Claim Against Paramount-Publix Settled

Federal Judge Alfred C. Coox yesterday approved the settlement of a claim of $86,000 filed against Paramount-Publix by Louis Weinberger and the Guarantee Trust Co. of N. Y., as trustees for the estate of Elissa P. C. Weinberger for $15,000 in cash and a release of the proceeds of stock valued at $3,700.

Warner May Disclose New Fine Arts Plans Tomorrow

Franklyn Warner, arriving here from the Coast tomorrow, is expected to disclose new distribution plans for Fine Arts productions, made necessary by the withdrawal from Grand National. It is understood that some of Warner's plans have two deals under consideration.
"Don't do it!

"I mean don't take chances when it comes to booking attractions for Holiday time.

"For instance—I guaranteed great business for Thanksgiving with 'OUT WEST WITH THE HARDYS.'

"IT DID THE BIGGEST BUSINESS IN 6 YEARS ON THE LOEW CIRCUIT (in snow-storms!)

"'OUT WEST WITH THE HARDYS' A CLEAN-UP EVERYWHERE! WAY AHEAD OF 'BOYS TOWN'! TWICE THE BUSINESS OF 'LOVE FINDS ANDY HARDY.' IMAGINE!

"Now I give you another tip:
Ask smart showmen everywhere, in large towns, in small towns what they're booking for the fat and luscious New Year's trade—

"ask them what picture they're banking on for the most valuable playing time on their calendar:

"it's JEANETTE MacDONALD, NELSON EDDY in 'SWEETHEARTS' (Technicolor) now being booked solid throughout America for the holidays.

"I guaranteed 'OUT WEST WITH THE HARDYS' for Thanksgiving and it's terrific!

"I now guarantee 'SWEETHEARTS' for the New Year's! It's the biggest and best holiday show in years!
KORDA TO PRODUCE GROUP IN HOLLYW’D

(Continued from Page 1)

market which UA seeks to stimulate. UA executives are of the opinion that Korda should stay on the Hollywood scene so that his product can have even greater appeal for the world market. He will probably produce at the Samuel Goldwyn studio and will use American technicians.

UA’s quota requirements for the current season are completed, Silverstone said. Already in the cans are “The Thief of Bagdad,” “Over the Moon” and “Four Feathers.” Each of these is a triple-quota picture.

Silverstone said yesterday’s board meeting would be resumed after the arrival of Korda. He said only routine matters were discussed.

Griffis Denies Reports
He Will Head Para, Board

(Continued from Page 1)

that such a move could be authorized only by the directors but that such action had not even been contemplated.

Griffis said that Zukor’s position as board chairman would remain unchanged.

Warner Theaters, Philly Musicians in Year Deal

(Continued from Page 1)

weeks next summer. A few adjustments were made, but salaries remain unchanged for Earl set up. Fact also covers the Stanley in Camden. Recent differences between Warners and union threatened to close Earl.

Bernhard, Goldberg Back

Joe Bernhard, managing director of Warner theaters, and Harry Goldberg, advertising director for the company’s theaters, return to the Warner home office today after meetings in Chicago on Tuesday and in Pittsburgh yesterday.

DATE BOOK

Dec. 2: Northwest Film Club movie ball, Century Room, Congress Hotel, Chicago.

Dec. 2: Jack Kirsch testimonial dinner, Gold Room, Congress Hotel, Chicago.

Dec. 4-5: Theater Owners of North and South Carolina, Inc., convention, Charleston, S. C.


Jan. 3: Joint meeting of ITO of West Virginia and West Virginia Manager’s Association, Charleston, W. Va.

Feb. 4: Cleveland Variety Club Ball.


TRADE REFORMS REACH FINAL DRAFTING STAGE

(Continued from Page 1)

yesterday again to debate legal phraseology employed in the draft. The film attorneys have been going over the several proposals with a fine-tooth comb, and, instancing the attention given the draft, it is reported that 4% hours were spent on exactly seven lines.

When the legal lights adjourned yesterday, there were still some points to be cleared up, necessitating an additional 24 hours’ delay before the draft will be deemed ready for reference to MPTOA, Allied and the non-affiliated exhibitors.

New S. D. Exhibitor Group to Co-operate With Allied

Canton, S. D.—South Dakota Theater Owners Association, recently organized with Dean Nash of Canton as presy, will co-operate with Allied States but will not affiliate. The new unit has a membership of about 70 exhibitors.

Officers in addition to Nash are: vice-president, J. L. Anderson, Plankinton; secretary-treasurer, A. F. Sorenson, Akese; board of governors, Ike Sorenson, Chamberlain; Ralph Bloom, Redfield; Charles Lee Hyde and Robert Hipple, Pierre; Bert Johnson, Rapid City.

Big News

As seen by the press agent

Lana Turner wears a new evening slipper with extra thick sole, allowing the upper part to be one shade and the under sole another color.

—M-G-M.
**REVIEWS OF THE NEW FILMS**

*“Peck’s Bad Boy With the Circus”* with Tommy Kelly, Ann Gillis, Edgar Kennedy

Paramount 80 Mins.

**SPLENDID PERFORMANCE BY CHARLES LAUGHTON IN TROPIC ISLAND DRAMA.**

This is a British Mayflower production, based on a story by Somerset Maugham, whose stories essentially are based on character delineation and psychological reactions. Charles Laughton does marvels with his role of the beachcomber. Elsa Lancaster is also excellent as the prim missionary who sets out to reform the beachcomber, and succeeds beyond even her expectations. However, some sequences are rather dray, with a lot of incidental action and considerable action among the cast. Tyrone Guthrie as the medico missionary and brother of Lancaster; Robert Newton as the controller in the Dutch Indies; Gielgud as the beachcomber; Nigel Patrick as the drink-besotted Englishman gone to the dogs in the tropics. Stranded on a barren island one night as their small boat stalls its rudder, the missionary lady learns that the beachcomber really is a gentleman, as he treats her like a lady and does not take advantage of her helpless plight. From then on she starts to save his soul and body, and browbeats him into helping her as an apostolate of an island near the mainland. The climax shows the two of them married, and back in England running a pub tavern that he had had his heart set on years ago. Put this down as a fine exposition of Laughton’s supreme acting ability.


**CREDITS:** Producers: Erich Pommer, Director: John M. Stahl, Author: Somerset Maugham, Screenplay: Bartlett Cormack, Closing Credite: Jules Kruger; Editor: Robert Hamer.

**DIRECTION:** Fair. PHOTOGRAPHY: Good.

*Loew Stockholder Suits Go to Trial in New York*

Trial of the nine constituted stockholder suits against Loew, Inc., and officers and directors of the organization opened yesterday before Supreme Court Justice Louis A. Valente. Suit charged excessive bonuses and salaries paid to officers, and alleged mismanagement and waste. No testimony was taken, but the hearing being confined to preliminary statements made by Emil R. Ellis, attorney for the plaintiffs, and Joseph M. Proskauer, attorney for defendants.

**DIRECTION:** Good. PHOTOGRAPHY: Okay.

*Horror Bill Grosses 10 Times Normal Opening*

Mankato, Minn.—Test engagement of the horrific dual, “Dracula” and “Frankenstein,” at the Grand theater, proves with grossing nearly 10 times normal biz.

As a result, John J. Friedl, prexy of the Mankato Amocos theater, has decided to give the dual a play in a number of important circuit spots despite the fact that singles are the rule.

*The Beachcomber* with Charles Laughton, Elsa Lancaster

Paramount 80 Mins.

GAITED FOR THE SMALL THEATER TRADE WITH TYPICAL SMALL TOWN FAMILY ATMOSPHERE.

Designed for the family trade in the small towns, this is the first of a series of family pictures featuring a stock group including father and mother and two daughters, around whom revolves the action and story interest in the series. This family named Headley lives in a small midwest town, with the head of the family (Grant Mitchell) the town banker; his wife (Betty Bronson) a social climber, the older daughter (Evelyn Venable) romancing with her reported sweetheart (Robert Whitney), and child interest represented by the baby of the family (Alice Adams). The small town characters will no doubt prove one of the main attractions of the series. With the comedy of Vincent Barnett as the town druggist and Benny Rubin as the kibitzer doctor bringing the laughs at frequent intervals. The story details efforts of Mrs. Headley to impress her social circle with the fact that her husk banker is a good pal of a national town financier in New York, who is coming to visit the town of Archdale. The fact of the matter is that the banker only knew him slightly as a classmate in college. Everything is a series of amusing and exciting situations with a crook impersonating the great financier, stealing funds from the bank and being trapped at the party that Mrs. Headley gives for the famous man.


**CREDITS:** Producers: B. W. Richards, Director: Harry MacNab, Authors: Carrington North, William Miles; Screenplay: Carrington North, Nicholas Belsa; Cameraman: Harry Forbes; Editor: Holbrook Todd.

**DIRECTION:** Fair. PHOTOGRAPHY: Okay.

*To Produce Commercials* West Coast Bureau of THE FILM DAILY

Hollywood—Lawrence Fox, Jr., head of the newly incorporated General Commercial Film Co., which will not only produce and distribute commercials but plans to finance other producers in the commercial field, Irving Starr of the “Crime Club” is chairman of the executive committee.

*Selznick-Birdwell, Partners* West Coast Bureau of THE FILM DAILY

Hollywood—J. B. Birdwell is reported planning a public relations enterprise with David O. Selznick as a partner. Birdwell now heads S & I’s publicity-advertising setup.

*S. SHORTS*

“Bird Dogs” RKO

Excellent Sport Reel

An excellent short on every count, this reel will provide a real thrill for audiences and particularly for dog lovers. Printed on sepia, the film which was taken in the upstate New York hunting country, has been immersively enhanced. Three champion bird dogs and one triple champion are seen in the reel and anyone who doesn’t get a tremendous kick out of watching the sport hunters go about their business can’t be pleased by anything. An English Setter, Pechor, a Irish Setter, a Springer Spaniel, the triple champion, and a cocker, are the dogs seen. First we see the puppies being trained to work, going through the training phases until they become finished performers in the field. Then comes the big thrill. The two Setters and the Pointer are sent out to get a bird and their swift quartering tactics and then their freezing to a point is beautiful to watch. The two Spaniels retrieve birds and the Springer also hunts. Andre Baruch gives an interesting commentary. Frederic Ulmann, Jr. produced and Frank Donovan supervised.

“Costa Rica” (Paramount Color Cruise) Paramount 10 mins.

**Nice Scene**

Done in Cinecolor, this subject presents the little known Costa Rican town of Alajuela which contrasts the modern city with the older civilization as exemplified in quaint customs of the natives and the life in the Butterfly Valley and the populous centers. Directed by Palmer Miller and Curtis Nagel.

“Disobedient Mouse” (Walter Lantz Cartune) Universal 8 mins.

**Gangster Motive**

The gangster theme is used, with Baby-Face Mouse disobeying its mother and landing in the territory of Rat Enemy No. 1. The gangster starts to turn the little mouse into a member of the gang, till the recuit gets so tough he knocks the other cold and becomes a hero and wins the police reward. Back home though, he gets spanked for crossing the railroad tracks into bad territory.

*You’re an Educator* (Merrie Melody) Vitaphone 7 mins.

The action in this cartoon takes place on various travel folders. The main character is the Vitaphone character who has been purchased through a number of famous cities by assorted police departments. In Technicolor, the piece was produced by Leon Schlesinger.
ASCAP DENIES BENEFIT FROM SCORE CHARGES

(Continued from Page 1)

Society yesterday to mail a denial to all licensed exhibitors. E. C. Mills, chairman of ASCAP’s administrative committee, told the Film Daily last night that much of the present hostility of exhibitors toward the Society has been due to “an exaggerated belief that some hocus-pocus ASCAP double - taxes them through the score charge fees which they pay to producers in addition to the fees which they pay directly to us.”

It is absurd, he added, that ASCAP should continue to be the innocent victim of such an erroneous belief, and with this in mind he has reported to a meeting of MPPDA in the hope that the latter would initiate suggestions to its producer-distributor members that they aid in correcting the erroneous impression under which the exhibitors at large are laboring.

On Nov. 29, he stated, he received a letter from Gabriel L. Hess, general attorney for MPPDA, advising that MPPDA is without jurisdiction or control over the affairs or business policies of its members, and therefore it would be of no avail to act upon ASCAP’s suggestion that its position on the score charge matter be clarified via MPPDA. Subsequently, Mills declared, he asked that Will H. Hays be apprised of the situation.

The concluding paragraph of the ASCAP pamphlet to exhibitors advised: “If you are one of those exhibitors who feels that the ‘score charge’ was collected for ASCAP’s benefit please ascertain the fact from him. There is no score charge in film exchange. If any person makes any statement with variance to the contents herein (the pamphlet) please advise us.”

Rabinovitch Contract
With Darieux is Valid

Paris (By Cable) — Paris Arbitral
trional Court, from which there is no appeal, has ruled that the contract signed by Danielle Darieux to make pictures for M. Rabinovitch, representing the French company, Cino Alliance, is valid, and that the actress must have her permission to make pictures either in France or America.

Rabinovitch declares that he has no objection to her appearing in Hollywood pictures, if it does not interfere with her work for him. She is scheduled to start in a film for Rabinovitch next April.

Mrs. Glazer Hospitalized

West Coast Bureau of the Film Daily

Hollywood—Mrs. Barney Glazer, the former Sharon Lynn, film star, is in Cedars of Lebanon Hospital suffering from an infected arm.

REVIEWS OF NEW FILMS

“Marika”
with, Lia Szeps, Paul Javor
Danubia Pictures. 82 Mins.
AMUSING COMEDY WELL PROJECTED BY TALENTED HUNGARIAN CAST.

The latest comedy from Huns will find favor with the Hungarian fans. Picture is cleverly put together, and an able cast makes the most of the opportunities offered. Lia Szeps and Paul Javor, two Magyar favorites, essay the lead roles skillfully. Picture also marks the century point for Hungarian pictures here, being the 100th release distributed in this country. Lila is adopted by Javor after his wife dies. However, when she reaches the age of 19, Javor discovers that she is more attractive than any of the women he knows. There is the usual amount of complication and Javor, realizing that her foster father will make a better husband than any of the young women he knows.

CAST: Lia Szeps, Paul Javor, Joseph Juhasz, Zita Perczell.
CREDITS: Produced by Budapest Films; Director, Lajos G. Gere; Presented at the Modern Playhouse with Hungarian dialogue and no English titles.
DIRECTION, Smooth. PHOTOGRAPHY, Good.

“The Glory of Faith”
with Gabriel Farguette, Jacqueline Francell
Select Attractions. 70 Mins.
RICH Theme IS MOVING BUT PIX LACKS IN GENERAL ENTERTAINMENT VALUE.

For faithful religious and those of the Catholic faith, this new French picture may be interesting, but it lacks entertainment value for the average theatergoer. Supposedly based on the story of St. Theresa, the film depicts her life in a sparse group of flashbacks which are only incidental to the picture. Technically the film is faulty, the camera work is weak, and the camera work, and the direction is below par. The story concerns the love and faith of Gabriel Farguette, youthful son of a rich French family in the family’s financial trouble. Jacqueline Francell, a deeply religious girl. There is a robbery, a subsequent attempt at kidnapping and the boy suffers a death almost kills him. He recovers only when the family rehires Jacqueline, who left when she was questioned concerning the theft. The film is well acted. The cast is adequate, but the story lacks cohesion.

CAST: Gabriel Farguette, Jacqueline Francell, Alice Trott, Raymond Galle, Jean Gaffner, Samuel Sarno.
CREDITS: Produced by the French Film Exchange. Presented at the Squire Theater with French dialogue and English sub-titles.
DIRECTION, Poor. PHOTOGRAPHY, Spotty.

“Niskavuoren Naiset”
(Women of Niskaviour)
with Tauno Palo, Iriu Lautia, Sirikka Sari, Olga Tainio
European News & Film Co. 78 Mins.
NOBLE STORY WELL ACTED BY ABLE CAST; PIX IS AIDED BY FINE TECHNI- CAL WORK.

The first Finnish talking picture to hit this country, the release will make a strong bid for favor with Finnish-speaking people. The story is simple, told directly and an able cast projects it on the screen. The technical work is good. The direction of Valentia Vaala is smooth. Story tells of a conflict between old and new orders of living in this far-away Republic. Palo marries Miss Lautia because his mother, Olga Tainio, tells him it is his duty as the eldest son to marry a wealthy girl. However, the attractive Miss Sari, a school teacher, arrives in the village to cause confusion. The eldest son Palo falls in love with her. Ending is neatly worked out.

CREDITS: Produced by Suomi-Film; Director, Valter Vaala. Presented at the Thalia Theater with Finnish dialogue and English titles.
DIRECTION, Good. PHOTOGRAPHY, Good.

“Stardust”
(Broadway Brevity)
Vitaphone 22 mins.
FAIR POPULARITY, EDITED REPRINT, TRUTHFUL.

Benny Davis, the noted singer-play- er, goes through an elaborate and not very amusing buildup before he is allowed to sing a collection of his songs. He takes a party of friends through his factory, and workmen break out in a rash of dances and song numbers. Davis winds up recital by singing number of songs.

“Robbin Good”
with Louis Zingone
Vitaphone 16 mins.
CLEVER EXPOSÈ.

Louis Zingone, expert trickster, with cards and other gambling games goes through his paces as crooks employed by crooks. He appears as a witness at a trial of two alleged crooks. The judge gets him to show how the crooks have been cheated and the ambidextrous Zingone discloses the secrets of the crooked gamblers for the benefit of the pub- lic.

EXPLOITENTS

Dual L. A. Premiere
“Great Waltz” Campaigns

TRULY comprehensive was the “Great Waltz” campaign for the Los Angeles dual premieres at Loew’s State and Grauman’s Chinese theaters. Two weeks in advance 25,000 sheets, carrying both theater names, were distributed in choice locations. Three thousand poster cards were mailed to music lovers listed by the Hollywood Bowl and the Los Angeles Symphony organizations. The theaters utilized three trailers in advance. Two were the opening a special teaser trailer was employed; the regular trailer was used one week in advance, and another special dealing with M-G-M’s national-wide “Great Waltz Contest,” was used in the four top L. A. houses.

Radio listeners were introduced to the thrilling voice of Milburn Rai, days before the premiere through a transcription broadcast over the two major national chains on the Sunday before. This program was also used numerous times by six local stations three days before and during the first four days of the run. Musical events and Shine local program devoted an entire session to Strauss music, with picture credits. A number of one-minute spot announ- cements also were played on popular programs.

The poster competition was tied in with 17 local night clubs and numerous ballrooms and dancing schools holding com- petitions. Finals were staged at the Coconut Grove, with music furn- ished by Wayne King, nation- ally known as the “Waltz King.” Four windows were obtained at a prominent store, each with a painted backdrop, two of which represented scenes from the pro- duction. Sheet music from the picture was featured in 10 music shops. Another tie-up was with Victor Red Seal recordings. Twelve Los Angeles beauty shops displayed special “Great Waltz” posters.

—State and Chinese Theaters, Los Angeles.
NEWS FLashes off Coast Wires

Hollywood—Bob Burns may appear in an original by Irvin S. Cobb for Para.

Larry Dammons as stenographer, "The Guilty," third in the Bill Elliott series for Colum-

bia. Julian B. Rodgers gets the female lead in Warners' "Each Dawn I Die." 

Metro has added Charles Butterworth to "Song of the West." 

RKO has cast Lucille Ball opposite Ronald Reagan in "12 Crowded Hours." 

Tex Ritter's "Little Tenderfoot" becomes "Song of the Backwoods." 

Don St. Luke Charities will sing in Sol Lesser's "Fisherman's Wharf." 

Metro has handed a new part to Jacques Davel—"Wild.

Disenble Unable to Appeal

Before Profit-Sharing Com.

Washington Bureau of THE FILM DAILY

Washington — The profit-sharing sub-committee of the Senate Fin-

ance committee announced last night that it had received a telegram

from Walt Disney in Hollywood expres-

sion of interest in the committee's work and his regret that he could not take advan-

tage of the invitation to testify on his company's behalf because of his

firm's business.

The sub-committee expects to complete its hearings next week.

Warner's Four In December

Warner will release four pix during

December, with "Dawn Patrol" selected as the Christmas week re-

lease. Others are "Coney Island Broad-

way," "Heart of the North," Dec. 10, and "Going Places,"

Dec. 31.

STORKS!

Washington Bureau of THE FILM DAILY

Washington — John J. Payette, general zone manager for Warners in this territory, and his wife, the former Dorothy C randall, are

celebrating the advent of a seven-and-a

half pound son, christened Ronald Con-

rad Payette, born at the local Columbia Hospital on Tuesday morning last. The new arrival is the fourth member of the Payette

offsprings, Dolores is now 12 years old; John, Jr., eight; and Robert, two.

A baby girl was born on Tuesday,

last, in the Harkness Pavilion of Newnan, Ga., Hospital, to Mrs. Allen

Matton Sjoberg, daughter of Mr. and Mrs. Carl Nielsen of 100 River-

side Drive.

Carl Nielsen was for many years

in charge of 20th-Fox interests in

Sweden, headquartered in Stockholm.
Lincoln Local "10 Best" Contest Tieups Set Record

Trip to Hollywood Will Be First Award; All Theaters Co-op

Lincoln, Neb.—The fanciest tie-up in the United States with The Film Daily's Ten Best poll on record has been effected here by all theaters and the Sunday Journal and Star. Ideas has been promoted by Bert Teet, the newspaper's theater editor and radio commentator.

Top price for the general fan poll will be on Sunday until paid jumpline, which will be the price for the first edition in Metro, one day, at 20th-Fox and one day at Warners. Winner will be announced the representative for the paper and send back a story each of the three days on the trip by Teet, the newspaper's sports editor, and Teet Carter, arranged to care for the winner at their own plans.

In addition to the top prize, there will be eight annual passes given away, with eight for six months, for eight for a month, and a flock of prizes. Should there be ties for the top prize, there will be a final examination given on KFOR with Oldfield doing the quizzing.

Theaters—J. H. Cooper Enterprises, Nebraska Theaters, Inc., and Billy Deluxe, Independent Capital—are putting up the money for the jaunt. Newspapers will carry two daily story stories each week and one on the last day of the poll, Dec. 31. Judgement will be on the basis of THE FILM DAILY's critics' poll.

"Birth of Baby" Case Goes to N. Y. Appellate Division

Albany, N. Y.—Opinion of "The Birth of A Baby," handed down by Supreme Court Justice Russell A. Troy, uphold the contention by counsel for the Board of Regents that the case should be transferred to the Appellate Division. Henness plea for a review by a jury in the Supreme Court special term was not granted.

The ruling hinges on article 78 of the Civil Practice Act. Construction by Judge Russell of the film was substantially the entire evidence to be considered by the reviewing court.

Trial before a court review was sought by producer Sam Citron and the American Committee on Maternal Welfare, Inc., represented by Ellis Staley, a few days after the Board of Regents refused to override Censor Irwin Emsom on denial of application for the issuance of a license to the film. Action was for an order against the two companies.

The scene is now scheduled to shift to the Appellate Division, Third Department, at Albany, with further action likely early in 1939.

SHORT SHOTS FROM EASTERN STUDIOS

By SID WEISS

Milton SchwarczWal swings into action again on Dec. 12 at the Eastern Service studios on five shorts featuring as impressive an lineup of talents as he's yet assembled. Among the "names" he's signed are Gus Van, J. Harold Murray, Minor & Maxie, The Two Messers, The Eight Razzle Dazzles, Rosita Ortega, Sisters Virginia, The Three Wiles, Five Amaze Sisters, Bob Parker, John Wily, Ted Houston, Bury and still others. Gershenson is musical director and Jack Schaidlin does the arrangements, to correct a recent misquote.

Among the newcomers to the film ranks: Margretta Hamill, daughter of former Fox, James A. Hamill of Jefferson, who has his debut under the name of Cecily Francis—Harry Cordero, son of a millionaire Havana tobacco planter—and Fred Catania, Maxie Boer's former sparring partner.

Personality sketch. Bernard P. Atwood, bus. mgr. for DeFore Prod. . . . Has been in every dept. of the motion picture field with the exception of the camera and exhibition. A friend of the area, and—assistant director on the "Tweedy" comedies—casting director for Selznick directed sequences for Screen Snapshots—and for five years was personal assistant to the late Roxy. . . . He recently completed a 105,000 word novel titled "Dead Man's Aution," and a play, "Whispers of Wanting Will," is a regular genius at installing cost and budget systems and has devised a breakdown chart for daily production that is a revelation on control of cost.

Heinie Louise Linken's play, "Four Letter Man," which was presented last spring by the Morning Players at Columbia University, will have another showing in January. Play has been considerably tightened up and will not be offered for Broadway consumption.

Notes on the cuff . . . Bill Howard's picture is in its final week of production on the Astoria lot and from what this observer has seen it should be another winner for Howard to release. . . . Ben Schwab has returned from Washington where he directed one of the "Washington Parade" series for Columbia. . . . Bill Miller did the camera work. . . . Incidentally, Miller has returned to Washington to work on the Metro's "Crime Doesn't Pay" series.

Sylvia Sidney may do another feature in the East . . . Sam Marino starts next week on "All Girl Football," the third in a series of variety shorts he is producing. . . . He recently completed "All Girl Life," and another on "Jai-Alai." . . . Wally Ford is adding to his stable; he just bought another thoroughbred. . . . Bally Hammer and Florence Cali- fano are assisting Jack Murray in the editing of Bill Howard's pictures.

20th-Fox Contract List Now Contains 229 Names

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth Century Fox's studio contract list now numbers 229 names, Darryl F. Zanuck, vice-president in charge of production, announced. The list includes 56 stars, featured and principal players; 54 writers; 18 directors; nine associate producers; 24 young women who are stock players; eight assistant directors; 14 cameramen and technicians; nine composers and lyric writers.

Jimmy Durante On Coast

West Coast Bureau of THE FILM DAILY

Hollywood — Jimmy Durante trained to town from Philadelphia a man about six days before returning to New York where he was born, "I left Dwight Wiman's musical Durante is here to confer with Hecht & MacArthur and if arrangements can be made I will go to "Sung of the West" in a sold-out picture "Song of The West" which M-G-M is making.

DUPONT BEGINS SUIT IN PATHÉ FILM DEAL

(Continued from Page 1)

that stock cannot be sold or transferred to anyone else before it is offered to the plaintiff company to purchase.

Action states that the plaintiff is willing and able to purchase all or any part of the 3,500 shares under the terms of its contract. The suit asks that the court restrain the transfer unless stock is first offered to the Pathé company for purchase on terms equal to plan of transfer to stockholders.

It is further asked that in the event the court does not enter an order of liquidation proceedings, that the stock be stamped to the effect that it is subject to the contract between Pathé and the plaintiff. It is expected that the plaintiff will make a motion asking for a temporary injunction to prevent an order of liquidation vote by stockholders. Violation of the Pathé-Dupont contract is threatened by the stockholders' meeting, action asserts. The complaint indicates Dupont does not want the transfer made as stockholders would presumably be sold to an open market, allowing stockholders to vote and establishing a wide spread distribution of the stock.

DuPont's Move Will Be Resisted, Briggs States

Pathé Film Corp. will resist any attempt by E. I. du Pont de Neurmers & Co., Inc., to limit in any way the rights to the du Pont Film Manufacturing Co stock it owns, it was stated yesterday by G. Henry Briggs, Pathé prexy.

Statement issued by Briggs said that the original contract entered into by the two companies, which stipulated that the du Pont stock could not be "sold or otherwise disposed of," had since been superseded by later contracts which stipulated that the stock could not be "sold." Statement declared that a sale would not take place, only a transfer of ownership.

The du Pont complaint does not seek to enjoin the liquidation of Pathé, the statement said. Suit of Pathé stockholders seeking to restrain liquidation vote will be contested by Pathé in an effort on the basis that the plaintiffs have no standing in the court, and have based their complaint upon the theory that all the directors who are voting to dissolve, whereas, it is the stockholders.

Has "Birth of a Nation"

Amos Paggiol, 630 Ninth Ave., is now distributing "Birth of a Nation."
Ascap Granted Writ Blocking Tennessee's "Anti" Law

COLUMBIA TO ESTABLISH FRENCH DISTRIIB. SETUP

U. S. Urged to Effect Closer S.A. Relations via Films

Interdepartmental Committee Recommends Appropriation of $176,500

WASHINGTON WASHINGTON BUREAU OF THE FILM DAILY
WASHINGTON: — In a report just submitted to President Roosevelt by the Interdepartmental Committee, composed of representatives from 13 government departments and agencies, including Frank R. McNicholas of the Federal Communications Commission, it is urged that the sum of $176,500 be made available for effectuating closer relationships between the U. S. and the South American republics through the medium of motion pictures.

The report recommends that $30,000 be made available for the production of five 16mm feature films in each of the Latin American republics. (Continued on Page 3)

Bondy’s RKO Reorg. Opinion Imminent

New York’s Film Row was plopped yesterday anticipating that the written opinion of Judge William O. Bondy might then be filed in Federal Court, thus terminating the long-drawn-out proceedings attending the RKO reorganization. However, up ahead of the RKO reorganization will be the consolidation of affiliated branches of the four A’s into “one big union” which is probable for some time to come, due to numerous obstacles; however, a number of moves are slated which will strengthen the organization and help to reduce operating costs, Ken Thomson, executive-secretary of the Screen Actors Guild, told THE FILM DAILY yesterday.

GFD Exec. Here to Talk "Mikado" Distrib. Deal

Negotiations for the American release of the Technicolor feature, “The Mikado,” will get under way this week via Joseph Somlo, associate producer of General Film Distributors, Ltd., who arrived in New York yesterday aboard the Queen Mary.

Somlo declared that a major release for the production, which was made by Gilbert & Sullivan Films, Ltd., and produced by Geoffrey Toye and directed by Victor Schertzinger, is in the offing here and that the British premiere is slated to take place in London next month.

He said the picture cost very close to $1,000,000 to make, and that it will be followed shortly by other releases. (Continued on Page 3)

U. S. Court’s Writ Blocks Enforcement of Anti-Ascap Measure in Tennessee

Knockout of Tennessee’s anti-Ascap law, enacted in May, 1937, was blocked here yesterday when Federal Judge George C. Taylor and two associates, sitting as a Statutory Court, granted Ascap’s application for an injunction.

Writ enjoining the State’s Attorney General was filed yesterday in the United States District Court of the Middle District of Tennessee with a view to blocking the enforcement of Tennessee’s anti-Ascap law. (Continued on Page 3)

More Reform Talks

Industry attorneys yesterday were unable to complete the draft of the fair trade practice formula and will continue their deliberations today. Austin C. Krouth, general counsel for Paramount, said last night that the attorneys were hopeful for a conclusion of the issue today.

Warners Will Rush Nazi Spy Feature

WARNERS’ RUSH OF "Confessions of a Nazi Spy" into production, with the expectation of having it ready for release early in 1939, Story is by Leon G. Turnau, ex-FBI agent who figured largely in the investigation which locked the arrest and conviction of three Nazi spies here. Milton Krantz, Warner scenarist, and other WB production aides quietly attended the spy trial sessions. Turnau will go to the Coast later.

'One Big Union' of AAAAA Affiliates Faces Delay, Says Thomson of SAG

Consolidation of affiliated branches of the four A’s into “one big union” is improbable for some time to come, due to numerous obstacles; however, a number of moves are slated which will strengthen the organization and help to reduce operating costs, Ken Thomson, executive-secretary of the Screen Actors Guild, told THE FILM DAILY yesterday.

Warners is here to confer with Mrs. Florence Marston, eastern head of SAG, and executives of the AAAAA and other organizations. He expects to return to the Coast sometime next week. The SAG exec stated that the union was in good shape financially, and that the new regulations were working out satisfactorily. New indie producers will be able to use the SAG contract. (Continued on Page 7)

DICKINSON APPOINTED PARA. U.K. SALES CHIEF

London (By Cable)—C. J. Dickin-son has been named Paramount’s general sales manager for the United Kingdom, succeeding Montague Goldman who recently re- signed. Appointment was made by Major treasurer. (Continued on Page 3)

Mandell to Succeed Dowd as RKO Theaters Ad Head

John Dowd, director of publicity and advertising for RKO theaters, is leaving the company next week after 21 years of service with the Keith organization. Dowd will be succeeded by David Mandell. (Continued on Page 3)
Judge Bondy's RKO Reorg.  
Opinion Held Imminent

(Continued from Page 1)

to a late hour in the afternoon, the document was not forthcoming.

Observers close to the situation held to the view that there is little likelihood that Judge Bondy will render an oral opinion from the bench today. However, his hearing which is slated to be held at 2:30 p.m. in Federal Court. That the hearing, however, will probably be the final one, no dissenter, since it is pointed out, all briefs and evidence are in the Court's possession for the first time in the annals of the action. The last brief was filed on Wednesday, last.

Today's session is expected to find "clean up" argument presented. It is learned Judge Bondy, himself, intimated at the last hearing that it is very desirable to reach a decision before the present year ends.

3,500 Movie Quiz Entries

Reaching Drive GHQ Daily

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ASCAP WRIT BLOCKS
TENN’S “ANTI” LAW

(Continued from Page 1)

ney General and his assistants. Attorneys Louis Frohlich and Herma Finkestein, of New York, and Cordalis, McKinney and Gilbert of this city represented the society. Finkestein told The Film Daily that the action here probably would rest with the temporary injunction pending outcome of appeals by both sides in other states.

Finkestein argued before Judge Taylor that the law in question prohibits combining to sell use of copyright music unless each piece of sheet music is licensed on an individual rate. He declared this practically prohibited licensing through the society.

Legislation more or less prohibiting combine license-selling has been passed in five states. Yesterday’s court picture was that in three states, Tennessee, Florida and Nebraska, Ascap had obtained temporary injunction to prevent enforcement. In Montana, after a year, a decision on the injunction petition has not been delivered. In the fifth state, Washington, the injunction proceedings has been thrown out on the grounds less than $5,000 was involved. The society has an appeal from that decision pending.

Defendant attorney-general were represented here today by Edwin F. Hunt, of the State’s Attorney-General’s office at Nashville.

To Improve the Circle

Indianapolis—The Circle Theater, one of the first de luxe motion picture houses in the United States, will close tonight for a three-week period of redecoration and renovation.

UA Closes Product Deals
with B & K, Great States

(Continued from Page 1)

important runs in the Chicago territory.

L. J. Schlaifer, western division sales manager, represented UA in the B & K negotiations, with Walter Immerner acting for the circuit. Jules Rubens represented Great States.

Scophony U. S. Financing
May Be Set Next Week

(Continued from Page 1)

learned yesterday. Solomon Sagall, founder and managing director of the company, and Arthur Leron, a director, expect to sail Dec. 10 on the Normandie. Plans for an exhibit at the World’s Fair are also nearing completion, it was said.

Premium Biz Picks Up

Detroit—Hal Burris, distributor for Cotterl Productions, just opened a new display room, designed in a moderne Gothic style. Burris reports pickup in the business.

Mandell to Succeed Dowd
as RKO Theaters Ad Head

(Continued from Page 1)

come associated with the World’s Fair in the promotion department. Harry Mandell, a division public-ity representative, moves into Dowd’s post, effective next Friday.

Dowd has spent all of his years with the company in the advertising department and handled vaudeville when Keith-Orpheum showed up in their hey-day.

C. J. Dickinson Appointed
Para. Sales Chief in U. K.

(Continued from Page 1)

John W. Hicks, vice-president in charge of the foreign department, who, accompanied by David Rose, sails for the U. S. tomorrow.

Dickinson has been with Paramount for several years as super-visor of branch sales.

URGE CLOSER U.S.-S.A.
RELATIONS VIA FILMS

(Continued from Page 1)

000 be made available for sound tracking in Spanish and Portuguese the six governmental pictures depicting the activities of the U. S. Government.

A further sum of $18,500 is recommended for the distribution, exploitation and promotional advancement of these films, including a film exchange.

The committee also recommends that the U. S. embassies in South America be supplied with projection equipment, the sum of $36,600 being recommended for this purpose.

The report also recommends increased exchange of radio programs between the U. S. and the South American republics.

GFD Exec. Here to Talk
“Mikado” Distribution Deal

(Continued from Page 1)

Gilbert & Sullivan works. Those under immediate contemplation are "The Gondolier" and "Yeomen of the Guard."

He expects to remain in New York for some two weeks and to spend the Christmas holidays in Hollywood.

U. S. Would Distribute
Biz Campaign’s Short

The U. S. Department of Commerce is seeking to distribute "The World is Ours," short produced for the industry pep drive, as part of its program to exhibit American indus-tries throughout the world. It is the aim of the Department to distribute pictures of U. S. business and "The World is Ours" probably will be the film industry’s contribution.

A decision on the matter will await the return of George J. Schaefer, campaign chairman, from the Coast.

STORKS!

The stork has paid a visit to Mr. and Mrs. Sheldon N. Trent at Harrison. Trent is an Altec service engineer covering theaters in part of the Bronx and Westchester County. Baby’s name is Richard Louis.

Martin Schiff of the Warner home office foreign department is passing out cigars this week on the occasion of the birth of a baby son, born to Mrs. Schiff, at the French Hos-pital. The boy will be named Martin, Jr.
ACADEMY OFFERING

“BALANCING FILMS”

Research Council of the Academy of Motion Picture Arts and Sciences has announced that, to help present a better show to the public, “Balancing Films,” recorded in Hollywood studios especially for this purpose, are now available for all theaters desiring them.

These films, the Council states, make it possible to balance machines so that one will not reproduce louder or softer than the other, and present an entire show without unwarranted changes in the loudness, and softness of the dialogue or music.

Production of the films is under direction of the Research Council Theater Standardization Committee, chairman, by John K. Hilliard.

A folder containing complete directions and photographs illustrating the use of the films has been prepared by the committee and a copy will be sent out with each set.

Studios co-operating in this project include: Columbia, M-G-M, Paramount, Republic, RKO Radio, Hal Roach, 20th-Fox, UA, Universal and Warner Bros.

Ebberson to Design Three Theaters for Met. Life

Designation of John Ebsen as architect for the Metropolitan Life Insurance Co.’s three theater units contemplated for its new $85,000,000 housing project in the Bronx, and that plans for the first unit, seating 1,700, are now under way, was announced yesterday.

Coincidentally, it was learned that Ebsen has also been awarded the architectural trust in connection with a 32-story office building to be erected in Houston, Tex., costing approximately $8,500,000. While this project contemplates no theater, selection of Ebsen as architect is said to be predicated upon his having designed a number of outstanding film houses in the Southwest and Middlewest.

Among other current activities involving Ebsen are (a) the scheduled opening on Dec. 22 of Warners’ Beverly in Washington, D. C., which house he designed; (b) his selection to supply the design and functional decorative features of a restaurant of extraordinary appearance in Warners’ Earle office building in Washington; (c) and the breaking of ground on Monday, last, for the new 1,000-seat film theater being built in Hayattsville, a Washington suburb, by the Globe Amusement Co. for Sidney Lust.

The Mohler Construction Co. of Washington has been awarded the contract for the erection of the new Kennedy Theater in the nation’s capital. Harris Schaper is owner; Warners’ Circuit, lessees; and John Ebsen, architect.

John McNell, general contractor of Floral Park, L. I., has been awarded the contract for Prudential Playhouses’ new theater in Greenport. This is also Ebsen designed.

EQUITY

THEATERS

• ILLUMINATION
• Air Conditioning
• Negative Film

"Typewriter" Sign

Chicago—Irving Naxon, whose laboratory is located at 2101 W. Walnut St., has invented a device, which he says, will revolutionize the sign industry. He has obtained 40 patents on the device, which uses large neon tubing and is capable of forming, many new word combinations, transmitted to it through control keys conforming to the standard typewriter keyboard. The keyboard can be operated by a radio hookup from remote points, and can flash the same message to other signs anywhere in the country. Messages can be changed constantly.

A new 16 mm. portable Continuous Projector, which is being placed on the market in both silent and sound models by Victor Animatograph, Davenport, Iowa, embodies a patented “advance-feed” principle which insures trouble-free performance, and protection against film destruction, it is announced by the company.

Filmmaker: To introduce Portable Projector

Regarding factor of continuous projection up to now, it is pointed out by Victor engineers, has always been the eventual tightening up of, and the loss of freedom in the film windings in the film magazine or around the film driving rollers, but the new “advance-feed” principle eliminates this former liability.

In the Victor continuous, film is wound loosely around two large wheels which are driven synchronously by an endless belt, which, also acts as a conveyor for the film. Latter literally hangs from the upper wheel, which actually carries the film instead of drawing it alone, it is asserted.

FILMMAKERS

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Christmas B. O. Boosters

FILMMAKERS

FILMMAKERS

FILMMAKERS

FILMMAKERS

A new “Christmas Quiz Night,” suggesting Santa on the stage in person asking the audience 25 timely questions about Christmas, its origin, its history and its legends, with cash or merchandise awards of the films current and who should be awarded, from the audience, one of the $100,000 box-office ideas in the new 24-page circular covering Christmas trailer both silent and sound, will be issued by Filmaker Trailer Co., Chicago.

The circular, adequately illustrated and featuring many new December ideas, has been mailed 15,000 theater men. It was produced under the direction of Kroger Babb, new advertising department head at Filmaker.

Charles Ross, Inc.

Formerly Motion Picture Lighting and Equipment Corp.

We Furnish

Electrical Lighting and Equipment of Any Kind

244-250 West 49th Street

New York City

Tel. Circle 6-5470-1

EQUITY

AUDITOR

By FRANCIS

Nela Park Engineering

BECAUSE of the almost torments, with influences modern, and from the both ever conceivable lighting a questionably, architectural played a far more important and safe and seeing.

The purposes of auditor investigation we are chiefly vision and how to provide well.

IN ORDER to visualize the torium lighting, they are

1. Comfortable Vision to darkened interiors and standards;

2. Convenience: People seats without annoyance to which is expensive;


4. Program Approach “plus” value that secures aid in countereacting seasonal grams or holiday celebration in filmmaking. It makes people
to.

5. Cleanliness: Light As previously stated, it is in factors in lighting an auditor, the one factor of ocular co.

IN THE past we were def. brightening met. from the analysis of brightness conditions any given seat. Few professional terms. A great deal Lighting Committee of SM.

This need has been met, and the reports from time to time instrument, the L. Sible to focus the instruments and the brightness of the 10,000 footlamberts. The

per square inch, or in the r.

The foot lambert is the very diffuser emitting one luminary, the footlambert is the footcandles illuminating a square millimeter of the surface candle on white.

(In a succeeding issue the audience of the Lighting Institute at Nela comfort in the film theater.)

Complete Decorating and Draperies

Mural-Draperies-Stage Curtains

Specialists in Creation of Smart Interiors

NOVELTY SCENIC STUDIOS, 91 
350 W. 48th St., New York City J. A. Keeler, Ed.
ROYAL INTRODUCES NEW CASHIER CHAIR

Chicago—Working on the premise that many film theater cashier chairs in use are more or less unsightly, the Royal Metal Mfg. Co. has announced that, following many months of designing and experimentation, the company has created a new model of this type line which is asserted to be a radical departure from predecessors and is known as the No. 920.

It has heavily upholstered seat and back which greatly reduce fatigue, according to its designers, even though the occupant is seated for many hours. The back is pitched right to help achieve this aim, and a practical footrest contributes new comfort.

Upholstering is obtainable in any of Royal's 28 different leatherette colors. Seat is 15½ inches deep and 16 inches wide. Chair also has a revolving screw adjustment which permits height to be raised from 27 inches to 33 inches.

Royal Metal has also issued its new 1939 catalog containing important contributions to the furniture field.

Ampro Named Sales Agent For Syncro-Sound Camera

Chicago—The Ampro Corp., manufacturer of 16 mm. silent and sound motion picture projectors, has just completed arrangements as the exclusive U. S. sales agent (east of the Rocky Mountains) for the Syncro-Sound 16. Professional Sound-on-Film Camera as manufactured by Gumbiner Syncro-Sound, Inc., of Los Angeles.

Curtistrip Introduced

Chicago—Curtis Lighting Co. is offering the trade a new type of fluorescent lamp under the trade name Curtistrip. The new line will step up lighting intensities, without increased wattage consumption, according to the company.

"Angels with Dirty Faces"

Crime doesn't pay—and neither does a shabby theatre. It's the house with the luxurious-looking, inviting and restful interior that pays its own dividends. Alexander Smith Carpet will go a long way toward making your theatre look that way ... which is one reason you will find it in the majority of the country's most successful theatres.
Theater Closings

ARIZONA
McGehee—New (11-12-38); Owner: Mrs. B. Baradale; Fire destroyed part of equipment in projection room.

CALIFORNIA
Laguna Beach—Laguna (11-1-38); Owner: South Coast Theaters; Open during Summer.

IDAHO
Pocatello—Capitol (11-9-38); Owner: Henry C. O'Leary.

ILLINOIS
Sycamore—Fargo, 491 seats (11-5-38); Owner: Sonnie; Previously closed 11-2-38.

LOUISIANA
Rosedale—Palace, 362 seats (10-1-38); Owner: Saenger Affiliated Houses.

New Theater Openings

CALIFORNIA
Los Angeles — Royal, 650 seats, Nov., 1938; On Whittier Blvd.

IOWA
Pegram—Strand, 250 seats (9-1-38); Builder: Ellison Hoben; Cost: $4,500; House Manager: Ellison Hoben.

LOUISIANA
New Orleans—Regent, 400 seats (11-1-38); 316 St. Charles Ave.; Builder: M. A. Weingrun; Cost: $10,000; House Manager: M. A. Weingrun.

NORTH CAROLINA
Randolph—Fox, 375 seats (10-21-38); Builder: Dr. L. Fox; Architect: O. L. Holland; Cost: $8,000; House Manager: Luther Yandell.

OREGON
Pineville—Pine, 400 seats (9-24-38); Pine Building, Main St.; Builder: Hart Building Contractors; Architect: Isted; Cost: $5,000; House Manager: K. Piercy.

Pennsylvania
York—The Southern, 425 seats (11-18-38); Jackson St.; Builder: R. C. McDonald; Architect: R. C. McDonald; House Manager Chas. McDonald.

Theaters Under Construction

ALABAMA
Georgiana—Ritz, 375 seats; East R R St; Builder: Peoples Theaters; Architect: Aoleman; Cost: $8,500; Operator: Peoples Theaters; To be completed 1-1-39.

CALIFORNIA
Angels Camp—Angels, 660 seats, Main St.; Builder: Harvey Amusement Co.; To be completed 1st or 15th of January, 1939.

 CONNECTICUT

COLORADO
Pueblo—Rio, 728 seats, Main St.; Architect: Mr. Bowler; Cost: about $30,000; Operator: Westland; To be completed 12-25-38.

MONTANA
Havre—Lyric (11-1-38); Owner: Joe Moore; Renovation.

NEW JERSEY
Princeton — Arcade (12-17-38); Owner: Fred Survey; Sold.

NEW YORK
Old Forge—Brown's Strand (11-14-38); Owner: G. H. Brown; Will be closed for a short time due to complete remodeling.

Theaters Planned

ILLINOIS
Carmi—New, 750 seats; Builder: Strand, Inc.; Operator: Mr. Barnes.

INDIANA
Shelbyville—Ritz, 875 seats, Broadway off Harrison; Builder: Nate Kaufman; Cost: $10,000.

MICHIGAN
Lansing—New; North Lansing; Operator: Bud terfeif.

MISSOURI
Richmond Heights — New, 2,000 seats; Between Terrace by Bond; Builder: C. J. Kohary; Architect: Robert O. Boller; Cost: $250,000.

TEXAS
Waxahachie—New, 500 seats; Operator: Robb & Rowley.

Renovations Planned

COLORADO
Frinta—Elberta; Work Planned; New seats, completely refinished in 1938; Architect: Weiseman; To be completed 2-1-39.

IOWA
Waterloo—Co-Op; Work Planned; Complete remodeling equipment, etc.; Owner: Board of American Mission of the United Lutheran Church.

Mississippi
Pascagoula—Nelson; Work Planned; General repairs, painting and decorating; Owner: E. F. Grant & J. O. Cole.

North Dakota
Minot — State; Work Planned; New seats, carpets and stage setting; Owner: Minnesota Amusement Co.; To be completed 1-1-39.

New Mexico
McAlester—Tulsa; Work Planned; Remodeling building interior and exterior; Owner: R & R United, Inc.

South Carolina
Bennettville—Ed wallin; Work Planned; Remodeling; Owner: H. H. Anderson; To be completed 12-10-38.

Change in Ownership

Arizona
Clarksdale—Grand, transferred to Verde Valley Theaters, Inc., by Joe Becchetti; House Manager: Joe Becchetti.

California
Long Beach—Stanley, transferred to Feder Bros. by J. S. Lineberger.

Delaware
Laurel — Waller, transferred to Schine by T. J. Waller Estate; House Manager: Alond Waller.

Iowa
Northwood—Northwood, transferred to Nathan Sandler by Geo. W. Haight; House Manager: Foster C. Ingram.

Kentucky
Princeton—Savoy, transferred to Crescent Amusement Co. by Malco Memphis; House Manager: Mr. Simmons.

Louisiana

Maryland

Minnesota
Stewart—Stewart, transferred to C. R. Davis by John Heil; House Manager: C. R. Davis.

North Dakota
Kenmore—Lyric, transferred to M. W. Bzdek; House Manager: M. W. Bretz.

Rodeo—Rodeo, transferred to Ed Horob; House Manager: Ed Horob.
**REVIEWS OF NEW FILMS**

"I Am a Criminal" with John Carroll, Martin Spellman, Kay Linaker

Monogram

(1937)

**FRENCH DISTRIBUTION SETUP FOR COLUMBIA**

"Hawk of the Wilderness" (12 Chapter Serial)

Republic

Fast-moving Action Thriller

With fast action and a good plot disclosed in the opening episode of this new serial, it bids fair to rank with the best of the thrillers that Republic has turned out. Herman Brix, a powerful athlete and able actor, portrays the role of the hawk naturally, and the supporting cast has been well chosen. Mala Powers, playing the role of Brix's sidekick, is an excellent piece of casting. However, the major interest of the serial will come in the treatment of its plots which, as in previous Republic serials, are well handled and well acted.

Nizer to be Toastmaster at Foundation's Benefit

Spirited demand for reservations for the benefit dinner dance of the McGregor-Hastings Memorial Foundation will be held on next Sunday at 6:30 p.m. in the Grand Ballroom of the Hotel Plaza, to be reported by Maurice N. Babbitt, Foundation president.

The event, which is under the direction of Alfred J. McCook, president of WOR, and Harry Harriff, noted cartoonist and humorist, with Louis Nizer, film actor, acting as toastmaster, will bring together a noteworthy assemblage of celebrities.

Colonel Theodore Roosevelt is honorary chairman and Charles E. Murphy, honorary treasurer, of the committee which numbers more than 100 notables, including Major Edward Bowes, Ruby Valley, Jack Alacote, Lowell Thomas, Boris Morris and Morris Gest.

Music will be provided by two popular orchestras and an elaborate variety show will be staged by radio and television stars. Reservations may be made at the office of the Foundation, 122 East 42d St.

Sam Dembown Resting

Sam Dembown is home to rest; doctor's orders.

**JACK KIRSCH TESTIMONIAL**

In Chi. to Attract 500

Chicago—Attendance of 500 is indicated at the testimonial dinner for Jack Kirsch, president of Illinois Allied, which will be held at the Congress Hotel tonight. It was announced yesterday by Henry Elman, general chairman.

Alderman Jacob Arvey, chairman of the County Central Committee will be toastmaster with Jack Miller, veteran theater manager, as assistant.

Among out-of-town guests expected are W. Ray Johnston, president of Monogram; W. F. Rodgers, Tom Nizer, George West, New York; Charles Trannen, Milwaukee; Abram F. Myers, Washing- ton; William Carver, Eastern Coast, Sidney Samuelson, Newton, N. J.; Mayor Edward J. Kelly will attend.

Regrets have been received from Gov. Harry Horner, who is in Florida. Joe Rosenberg and Alan L. Stein, Allied attorneys, and Eddie Silverman will be at the speakers' table; Senator Scott Lucas is expected to attend.

The entertainment program will be under the direction of Johnny Jones, of Jones, Linick & Schaefer Circuit; Eddie Silverman, Frank Smith, RKO Palace Manager; James Coston and Charles Ryan of Warner Bros.

Joe Kaufman Under Knife

Chicago—Joe Kaufman, film buyer for Balaban & Katz, Chicago headquarters, was operated on for appendicitis at St. Luke's Hospital here. His father, Abe Kaufman, who has been ill for some time, has so far been well during the operation, according to the last report. He has been in the job as head film buyer for the B & K circuit.

**MOTIOGRAPH COMPLETES INSTALLATION ORDERS**

Chicago — Motograph, Inc., has completed the following installations:

Royal Theater, Los Angeles, Mir- raphonic Sound; Liberty Theater, To- ldeo, O., Projectors; Center Theater, New Hampton, N. Y., Mir- raphonic Sound; Liberty Theater, To- ledo, O., Projectors; Center Theater, Durham, N. C., Projectors and Mir- raphonic Sound; Wallace Theater, Shreveport, Tex., Mir- raphonic Sound; Westbury Theater, Westbury, L. I., Projectors.
Three Outstanding NEW FILMS

EASTMAN announces three important new negative films for the professional motion picture field. ...Plus-X: fast, fine-grained. Unsurpassed for general studio work. ...Super-XX: super-speed, surprisingly small grain. For difficult newsreel shots, or for use wherever exposure is a problem. ...Background-X: ultra-fine grain, ample speed. For backgrounds. Also excellent for all-round exterior work. ... These films not only make dramatic advances along their particular lines, but offer the high reliability and photographic quality typical of Eastman sensitized materials. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX...Background-X
Majors PRANING to Cut Number of Lower-Budget Pic DISTRIB. REFORM DRAFT BEFORE EXHIBITOR UNITS

Warners to Set 1939-40 Budget After Coast Parleys

Emphasis on Action and Human Interest Stories to be Continued

Two semi-final conferences, in one of which H. M. Warner, Jack L. Warner, Hal B. Wallis and Charles Einfeld will participate, while Gladwell L. Sears, Carl Leserman and Mort Blumenstock will take part in the other, will pave the way for a final huddle between all officials, and as a result of the latter, Warners will determine its 1939-40 production budget for both features and shorts. It was disclosed Friday night as three WB execs—Jack L. Warner, Wallis, and Einfeld—left New York for the Coast (Continued on Page 6)

REFUGEE ART FUND GETS WIDE SUPPORT

Manny Silverstone of United Artists and Dick Murray of Paramount have appointed treasurers of the Motion Picture Art Fund for German Refugees, which will conduct a raffle of paintings with the proceeds going for refugee relief.

At a meeting Friday, Vincent Zukor arrives for meets before sailing for London

Adolph Zukor arrives in New York this morning en route to England where he is slated to assume his new duties as coordinator of Paramount's production, distribution and exhibition interests in the British Isles.

Three Metro Debuts

Three M-G-M pictures open simultaneously on New York screens next Thursday. 'Peg-Leg' has its premiere at the Astor, 'Out West with the Hardys' goes into the Capitol and 'Dramatic School' opens at Radio City Music Hall.

FDR's Son Joins Goldwyn as Executive

James Roosevelt, son of the President and until recently a member of the White House staff, today joins Samuel Goldwyn, Inc., Ltd., at vice-president, filling the gap left by the resignation some months ago of David E. Rose, then Goldwyn financial adviser. Roosevelt's duties will be defined during the day, it is understood.

RKO REORG. OPINION DEFERRED BY BONDY ON COAST IN MARCH?

Federal Judge William Bondy's expected opinion in the RKO reorg. matter is not likely now to be filed for another fortnight or more. Another hearing is set for Dec. 16 at Hollywood.
The Broadway Parade

The Great Waltz (Metro-Goldwyn-Mayer)—2nd week.
Capitol
The Cowboy and the Lady (United Artists-Goldwyn)—2nd week.
Roxy
Angels With Dirty Faces (Warner Bros.—Pictures)—2nd week.
Strand
Stray
Just Around the Corner (20th Century-Fox)—Roxy.
Rex
Singing Madsen (Metro-Goldwyn-Mayer)—Criterion.
Shadows Over Shanghai (Grand National)—Radio.
Shanghai (20th Century-Fox)—Glendale.
The Mad Misfits (RKO Radio Pictures) (a-b).
Palace
Next
All Quiet on the Western Front (Universal Pictures) (a-d).
World
The World Alone (a-d).

FOREIGN LANGUAGE FEATURES

Grand View (Universal Pictures) — 2nd week.

FILMARKS
The Story of a Cheat (Gallic Films)—11th week.
5lh Ave. Playhouse
Professor Mamlock (Aminoff)—5th week.
Cameo
Baffler (Mayer-Burton)—4th week.
Little Cinema
Abused Confidence (Columbia Pictures)—Belmont
Sacrifice d’Honneur (Tr-Di National Pictures) — Palace
Two Sisters (Foreign Cinemas Art)—Continental
Rancho Grade (Mexican Pictures) — World
Neighborhood (Jewish comedy) — Square

FUTURE OPENINGS

Thanks for the Memory (Paramount Pictures)—Dec. 7
Out West with the Harveys (Metro-Goldwyn-Mayer)—Dec. 8
Capitol
Puddles (20th Century-Fox)—Dec. 8
Paramount
Dramatic School (Metro-Goldwyn-Mayer)—Dec. 9
Music Hall
Storms of Heaven (Columbia Pictures)—Dec. 9
Rex
Thanks for Everything (20th Century-Fox)—Dec. 9
Roy
Dance of the Redheads (Arrow Pictures)—Dec. 9
Roxie
Heart of the North (Warner Bros. Pictures) (a)
Rivoli
That’s My Boy (RKO Radio Pictures) — Palace
Raffa
Salman of the Patrol (20th Century-Fox)—Dec. 8 (a-b)
Service de Luxe (Universal Pictures) — Dec. 8 (a-b)
Palace

Author of “Marshali Ney” Sues Loew’s for $250,000


The author contends that he submitted his story to the defendants in 1937 and that it was read by directors, agents and employees of the company. He charges that a picture was made from his book and that it was a piracy of his copyrighted story, embodying all the essential elements of his book.

The court has been asked to impound the film.

Press Agents Should be Licensed, Says Birdwell

West Coast Bureau of THE FILM DAILY

Los Angeles — That all press agents be licensed for good of publicity clients, public and editors, was proposal expounded Friday by Russell Birdwell in address before advertising and sales club of Long Beach on “Purging Publicity.” Birdwell said it was not too far-fetched to recognize the need of a licensing board, polled by press agents themselves, which would draw up a code of qualifications which every man and woman who enters the field must pass.

Birdwell declared that with more than 90 per cent of the press agents ogling other fields of endeavor, it is only natural that Hollywood is not being properly nor conscientiously publicized.

Plans are being crystallized by the National Board of Review for its 14th Annual Motion Picture Conference, which was learned on the weekend. Dates for the conference are set for Feb. 2 to 4, 1939, inclusive. As has been the practice in past years, sessions will be held at the Hotel Pennsylvania.

Emergency State Taxes Expected to be Retained

Albany — Emergency state taxes which this year are expected to net $140,000,000 will be continued, it is indicated by financial sharps on Capitol. This point out that a substitution of mounting government costs is in the cards.

National Board Planning Conference Here Feb. 2-4

Col. Sales Execs. Off for ‘Frisco Conference

Last of the Divisional Sales meetings being held by Columbia will be at the St. Francis Hotel, San Francisco, on Saturday and Sunday, Dec. 10 and 11, with A. Montgomery, general sales manager, presiding. Montague left Friday for the Coast, while Rube Jaekel, assistant sales manager leaves today. Headed by Western manager, Jerome Safron, the six western exchanges which will be represented by their managers and salesmen are Denver, Salt Lake City, Seattle, Portland, San Francisco and Los Angeles.
HATE HIM!... You'll love him in Paramount's
"RIDE A CROOKED MILE"

"RIDE A CROOKED MILE"
A Paramount Picture with
Akim Tamiroff • Leif Erikson
Frances Farmer • Lynne Overman

"Brilliant performance by Tamiroff."—Box-Office
"Definitely establishes Tamiroff as a character star."—Hollywood Reporter
"Most convincing and vigorous acting achievement of the year."—Motion Picture Herald
"Distinguished by superb characterizations by Tamiroff."—Daily Variety.
RKO REORG. OPINION DEFERRED BY BONDY

(Continued from Page 1)

3 p.m., in Room 518, Federal Court. This action featured the session on Friday afternoon, together with the Court's declaration that "it is desir-"bly to bring the proceedings to an end."

Hamilton C. Rickaby, counsel for the Alliance Group, expressed the view that the amended plan, declared in court that objections to contests are "defensive," but further data might be submitted. He also moved to vacate two sentences in provisions of Article 14 of the order of June 25, 1938, which, by interpretation of John Stover, counsel for the Stirn interests of Milwaukee, require physical presentation of stock certificates and of other securities.

Judge Bondy said that the order should be amended, but Stover entered his objection to Rickaby's motion. Latter petitioned the court to grant permission for the formal filing of the motion in Judge Bondy's chambers at any time the document is ready prior to the Dec. 16 hearing.

Graetz Firms to Produce French Pix for Columbia

Paris (By Cable)—Paul Graetz, head of Transcontinental Film and Paris-Export-Film has closed a deal with Columbia which calls for the French producing firms to make the French pictures which Columbia will distribute in the United States and throughout the British Empire.

The first French picture to be made for Columbia release will be produced by Julien Duvivier and the second by Marcel Carne. M. Levy Strauss will be producing manager. Duvivier is scheduled to start production early in 1939.

It is understood that, if contracts permit, American technicians and some American actors will be brought to France to make simultaneous versions of the productions in both English and French.

Join Producers’ Board

West Coast Bureau of THE FILM DAILY

Hollywood — J. R. McDonough, vice-president and director of RKO Radio, and Cliff Work, Universal studio chief, have been elected to the board of the Association of Motion Picture Producers.

‘Snow White’ a ‘Must’

Lincoln, Neb.—"Must!' picture for inclusion in the local ‘10 best’... pop appears to be ’Snow White.’ Every entry coming to the boil in the lobby of the Stuart, Capitol, Variety, Orpheum, Lincoln and Kins Theaters as well as the ones mailed to the Sunday Journal and Star lead off with the Disney car- toon classic. Beginning from the lobby is wide. Prizes in the local poll, conducted in conjunction with THE FILM DAILY survey, include all-expense trip and a week at Hollywood for first, a string of passes from annuals and trips making a total of 56 prizes.

MAJORS PLAN CUT IN LOWER BUDGET PIX

(Continued from Page 1)

departments which show that these productions are getting but little dough at the box-office.

Survivors in the reduction vote will principally be the series pictures which have established definite audience followings and player values.

20th-Fox Sales Executives Expect Biggest December

With the annual Kent drive staged by the 20th-Fox sales organization nearing its climax, sales executives are looking forward to the biggest December the company has ever had, with bookings for this month running way ahead in numbers and over any previous call for December. It is expected Friday.

Plans have been completed for the studio conferences being held by Herman Webber, general sales manager, starting Dec. 12, with eastern delegation leaving New York next Thursday. Jack Sichelman, assist-ant to Webber, has arranged plans for the Coast trip.

Sales by the company’s Overseas division are also well ahead of last year, it was reported by the foreign department.

$5,000,000 Said Involved in Denham, Pinewood Deal

London (By Cable)—Agglomera-
tion of Denham and Pinewood stud- ios, now under way, is reported as a $5,000,000 deal. Both studios under single control will continue to operate as before, presumably with personnel little affected.

Tronolone Rites Today

Funeral services for Mrs. Eliza- beth Tronolone, 72, mother of Nick Tronolone of Pathe Film and Charles Tronolone of Movie Lab., will be held from the home, 251 Ninth St., Ho- boken, this morning. Interment will be in the Cemetery of the Holy Name, Jersey City. Mrs. Tronolone died at the residence Friday following a brief illness.

Party for Arleen Whelan

“Thanks For Everything” cock-tail party will be given for Arleen Whelan, 20th-Fox star, tomorrow afternoon at the Stork Club for 200 members of the trade press, mag- azines and dailies. Incidentally, 20th-Fox pix of same name, star-ring Miss Whelan, opens Friday at the Roxy.

WEDDING BELLS

REFUGEE ART FUND GETS WIDE SUPPORT

(Continued from Page 1)

Trotta, acting chairman, reported that outstanding personalities of the industry had endorsed the purpose of the raffle, and Charles Leonard, acting for the West Coast group, wired a list of celebrities who have pledged their support. The Motion Picture Art Fund was organized by art directors, advertising and publicity representatives of major film companies.


Henry Rittenberg, internationally famous portrait painter, was elected an honorary member of the art committee Friday.

The winning tickets will be drawn in New York on Lincoln's Birthday, Feb. 12. Sale of tickets will end Feb. 1.

The group meets again Wednesday in the Penthouse of the Piccadilly Hotel.

Dallas—Ticket sale for the refugee relief shows to be staged in all theaters of Interstate and Texas Consolidated circuits on Dec. 7 started with a bang. Proceeds will be turned over to the Joint Distribution Committee in New York.

Films for the benefits are being donated by all distributors except two which demurred on the ground that the precedent would be dangerous. It is understood that they may co-operate otherwise.

Wrigley-Lasky-RKO Radio Show to Make Bow Jan. 8

(Continued from Page 1)

be aired Sundays from 6:30 to 7 p.m., EST.

Program is described as "an original and irregular introduction to undiscovered cinema stars," and Lasky will help direct. Entry applications will shortly be released through the RKO theaters.

Winners will receive six-month guarantees at $125 a week at the RKO Radio by arrangement or featured under the monikers of Alice Eden and Jack Archer.

Text of Trade Reform Draft

(Continued from Page 1)

The exhibitor's election to exclude each of the motion pictures within 10 days after the mailing by the distributor of the first notice of availability thereof. If any dispute should arise as to whether or not the exclusions have been made in the manner provided for in the license agreement, such dispute shall be determined by arbitration. Upon the exclusion of each feature motion picture the license therefore and all other agreements therefore shall end and the exhibitor shall have the right to eliminate a total of 10 per cent of five pictures, then not more than one picture from the next highest bracket, not more than one picture from the next highest bracket and the remaining one picture from the lowest price bracket, or all or any part may be eliminated from the lowest price bracket.

Exhibitors shall have the right, in addition to the exclusion privilege provided for above, to exclude from the license agreement any picture which may be locally offensive on moral, religious or racial grounds provided that exhibitor shall give distributor written notice, within 14 days of the time of exclusion, of any such objection.

F. C. WALKER MAY BE NAMED WPA CHIEFTAIN

(Continued from Page 1)

week-end. Walker, who was National Emergency Council director during President Roosevelt's first administration, may, according to reports, assume the WPA leadership in the event that Harry Hopkins replaces Secretary of Commerce Hopkins.

When the President accepted Walker's resignation from the NEC three years ago, he did so "with the understanding that you will return to government service in Washington as soon as your private business has been put in order." It is understood that Walker has been invited to accept a key spot in the government.

Walker currently is vacationing in Warm Springs, Ga.

M-G-M District Managers In Chi. Product Confab

Chicago—With William F. Rodgers, general sales manager, and other home office executives in attendance, a meeting of M-G-M district managers was held here Saturday. Meeting featured discussions on 1938-39 sales progress and an outline of product to be released in the future.
Para. Theater Meet
On Coast in March?

(Continued From Page 1)
ter head and now home office rep, at
the studio. Angle presumably is
that it will permit the production
forces to learn, at first hand, the
exhibitor slant.

The Para. partners' convention
has been planned for the next few
months. Last one was staged in Miami in
March, 1937.

Next assembly looks as of ex-
traordinary importance due to the
Government's moves for theater
divorce via the equity suit.

RKO Theaters' Publicity
Dept. Personnel Realigned

Realignment of RKO Theatres' public-
ity department places John A.
Cassidy as general press repren-
tative for Greater New York.
Cassidy has been with the organi-
tation for 17 years and formerly was
assigned to the C. B. McDonald divi-
sion.

It was announced Friday by J. J.
O'Connor, head of RKO Theaters,
that Harry Mandel had been ap-
pointed national director of advertis-
ing, publicity and exploitation to
succeed John Dowd, resigned.

Other changes in the department
include the shifting of Maurice
Harris, who has been doing explo-
itization, to the recently formed Bronx
division under the supervision of Sol
Schwartz, and the moving of Pat-
rick Grosso from the vaudeville de-
partment to the McDonald division.

Fred Hewkowitz continues with
Division Manager Louis Goldberg.

Edward Snideman remains with the
K. H. Emden division and Blanche
Decker is in charge of trailers and
newspapers.

Zukor Arrives for
Meets
Before Sailing for London

(Continued From Page 1)
United Kingdom. He is being ac-
companied by Mrs. Zukor.

Zukor will await the arrival of
John W. Hicks, foreign depart-
ment chief, who sailed Saturday from
England on the Queen Mary and
accompanied by David Rose, head of
English production. Following a
series of conferences with the two
men, Zukor will sail for his new
post.

Donovan to Produce Five
For Imperial on Coast

Frank P. Donovan will produce five pictures for RKO for the 1938-
1939 season. They will be: "Mystery of the Wax Museum," both screen
adaptations of original stories by J. Donald Wilson; "The Smiling "
Faces," adapted from the novel by Arthur Conan Doyle; "Murder by
Principle," from the novel by William Percival Rosseau; and "The Man

WB Will Set Budget
After Coast Parleys

(Continued From Page 1)
aboard the 20th-Century Limited.

Confabs will take place, it was
learned, at Warners' studios in Bur-
lington between Jan. 15 and 16, 1939.

The line-up for next season, Ein-
feld confirmed, will be about nu-
merically what it was last year's,
within the framework of the studio's
season's schedule, with accent again
on pictures coupling action and high
human interest. Several color fea-
tures are contemplated, but their
determination specifically, as well as
budget allocation, will be decided
for the forthcoming January pow-
ners.

Policy of abandoning "B" product,
which is already in force, will be
continued, subject to the single excep-
tion of a handful of series pictures.

While in the East on the visit to
just-concluded, Einfeld launched
and set special campaigns for "Angels With Dirty Faces," "Wings
of The Navy," "Hearths of North," and
"Dawn Patrol." He expects to
return to the home office next March.

Mrs. Jack L. Warner and Mrs.
Einfeld accompanied their husbands
westward.

Warner Execs. Entertained
in Chi. by B-laban, Mayor

Chicago—Mr. and Mrs. Jack L.
Warner, Hal B. Wallis and Mr. and
Mrs. Charles Einfeld were the guests
Saturday of Mayor Edward J. Kel-
ly, who returned the courtesy ex-
tended to him by Warner on a re-
cent visit to the company's studios.

The Warner executives and their
wife and guest were given a lavish
luncheon in their honor by John Balaban.

British Indie Exhibs. May
Ask Parliamentary Relief

(Continued From Page 1)
predicament are stirring the indies
into action.

Jack Prendergast has warned
"steps are being taken to make
Parliament aware of the perilous
position which the indie exhibs.
of this country are facing."

Prendergast claims that the Brit-
ish indie exhibs. pay $30,000,000 a
year in film hire and $7,500,000 for
distribution, and that their houses'
aggregate gross is $90,000,000.

Holway Funeral Held

Funeral services were held on Sat-
urday for Edward T., the 58-year-
old brother of Ed-
ter Edward Taylor Holway, 76, secretary-
treasurer of the Trans-Lux Corp.,
who lived at his home in Pelham on
a Thursday, last, following an illness
of four months. Surviving are his
widow, Mrs. Clara Luce Holway; a
son, Edward Taylor Holway of cur-
rent Ellicottville; and a daughter, Mrs. Harold P. Butler of Pelham.
EXHIBITOR UNITS GET TRADE REFORM DRAFT

Text of Trade Reform Draft

(Continued from Page 6)

or another exhibitor for the sole reason that the new or other exhibitor is a customer of the distributor in the same or other territory, no dispute as to whether or not a distributor has licensed its product away from the territory, in the sole reason that such other exhibitor is a customer of the distributor in the same or other situations shall be determined by arbitration.

6. Short Subjects, Newsreels and Trailers

No exhibitor shall be required, as a condition of licensing feature motion pictures, to license short subjects, newsreels or trailers, but nothing herein shall be deemed to prohibit any effort by the distributor to license short subjects, newsreels and trailers.

7. Score Charges

In respect of license agreements commencing with the season of 1938-39 all score charges, if any, for pictures based on a flat rental basis shall be added to and consolidated with the film rental and commencing with the season 1939-40 there shall be no score charge in respect of pictures licensed on a percentage basis.

8. Allocation of Pictures

Except as to first runs in key cities, each exhibitor shall upon giving notice of availability of each picture, notify such licensee to whom such notice is given, of the price classification of such picture.

9. Non-Theatrical Competition

Feature pictures will not be licensed to a non-theatrical account if such non-theatrical account shall have been determined by arbitration to constitute unfair competition to a regularly operated motion picture theater, provided, however, nothing herein contained shall be interpreted to prohibit the licensing of motion pictures for exhibition at Army posts or Government camps or on board ships of the U. S. Navy or ships engaged in carrying passengers to foreign or domestic ports or at educational, or religious institutions where attendance is confined members of such institutions, or in institutions housing "shut-ins," such as prisons, hospitals, orphanages and the like.

10. Form of License Agreement

Each distributor will use its best efforts to simplify its form of license agreement.

11. Selective Contracts

Whenever an exhibitor shall have the right to select a minimum number of pictures out of a larger number, such exhibitor shall be required to exercise such right with respect to each picture within 21 days after the date of malling of the list of pictures. Where no list of pictures is selected, or if any picture. Upon the exhibitor's failure to give such written notice within 21 days after the date of malling of the list of pictures, such picture shall be deemed to have been selected by the exhibitor.

12. Playing of Pictures in Order of Release

If under any license agreement the exhibitor shall be required to play pictures in the order of release, the distributor will not refuse to deliver a picture in the failure of the exhibitor to exhibit prior pictures of such distributor to make the prior pictures available.

13. Acquiring Theaters

No distributor shall coerce any exhibitor to enter into any contract for the exhibition of motion pictures, by the commission of any act, unfair to, or an attempt to build or otherwise acquire a motion picture theater for operation in competition with each exhibitor, but this provision shall not in any way abridge the right of a producer or distributor to build or otherwise acquire a motion picture theater in any location.

14. Box-Office Statements

The practice of rendering to a distributor false reports of the box-office receipts in respect of the exhibition of picture in the film rental of which is based in whole or in part upon a percentage of such receipts is condemned by exhibitors as well as by distributors as a practice which not only results in loss of earned revenue to the distributor, but is also unfair and detrimental to the business of honest exhibitors. Exhibitors will endeavor to discourage and eliminate such practices.

15. Arbitration

The principles and factors involved in the matters to be arbitrated, the rules and regulations to govern submissions, hearings and awards, the methods of selecting arbitrators and other matters in connection with the arbitration proceedings have not yet been fully discussed. Subject to agreement thereupon, all masters herein specifically made the subject of arbitration, all controversies concerning performances of existing contracts between a distributor and its customers and all claims that clearance or zoning now or hereafter existing is unreasonable and that an exhibitor has maintained pictures there are not required shall be subjects of arbitration.

Conciliation also may be found to be the substitute method of settling certain classes of disputes preliminary to or in lieu of arbitration as may hereafter be determined.

16. Effective Date

These provisions shall become effective with the license agreements for the season 1939-40 and continue thereafter, except that nothing herein contained shall be deemed to affect any license agreements now in effect.

ALLIED MAY TACKLE DRAFT NEXT MONTH

(Continued from Column 1)

chairman and general counsel, so advised The Film Daily by telegram over the week-end.

The annual meeting at the Capital usually is held in mid-January.

The report stated that the Negotiating Committee must first consider the distributor proposals, and added, "Do not wish to make any predictions until draft is received, analyzed, forwarded to members of the Negotiating Committee and their impressions canvassed."

Industry Disputes Can Be Fairly Adjusted—Rodgers

Chicago—Industry controversies can be fairly adjusted, William F. Rodgers, Metro's sales chief and spokesman for the distributors' negotiating committee, told a representative audience at the testimonial dinner for Jack Kirsch, president of Illinois Allied, here Friday night.

Rodgers, who announced that the trade reform draft had been completed and submitted to the exhibitors' organizations for consideration, asked that no judicial action be taken, and declared that a mutual respect between distributors and theater owners and a common understanding will bring harmony.

"I want no personal glorification for my efforts," Rodgers said earnestly.

Metro's sales head praised the local film charity fund, which will receive $1,000 from the dinner. He also suggested that all present contribute to the relief of European refugees.

C. C. Petijohn, MPPIA general counsel, also spoke and welcomed Chicago exhibs. co-operation with the distributors.

John Balaban, Walter Immerman, Morris Leonard and Nat Platt head a surprise B & K delegation at the dinner.

GTE Sets 25c Dividend

Directors of General Theaters Equipment Corp., at a special meeting declared a dividend of 25 cents per share on the capital stock, payable Dec. 22 to stockholders of record Dec. 12. This brings total dividend disbursements for the year to $1 per share.

Spoor Abbe Sign With SAG

Chicago—Spoor Abbe Laborato- ries, Inc., has signed a Screen Actors Guild agreement.

In Hosiery Biz?

Chicago—Five more Chi. houses are advertising free silk hosiery for feminine patrons, and in one instance display copy devotes a third of the space to silk hosiery. The giveaway is in the form of 25c cards. All five houses play deals.
you can afford it!

"I always thought National Screen Service was too rich for my blood... figured my little theatre out here in the sticks couldn’t afford your trailers... but I guess the best is the cheapest when it comes to trailers..."

Right you are, sir! National Screen Service is geared up to serve the smallest, most obscure theatre in the land... and from there, right up to the biggest first-run Palace...

And the same showmanship, the same thought and care goes onto every one of the 12,000 screens we serve.

No form of theatre advertising costs so little as National Screen Service Pre-vues. This is one form of advertising that the smallest theatre can use at its best; can equal every other theatre in showmanship and quality. Every theatre can afford National Screen Service! In fact, NO theatre can afford to be without it.

CHECK RESULTS AGAINST COST...
THERE'S TICKET-SELLING SHOWMANSHIP IN NATIONAL SCREEN PRE-VUES!
ITOA Will Get Moss Cash Giveaway Elimination Plan

NEW STANDARD EXHIBITION CONTRACT IN PROSPECT

Supreme Court May Hear UA-W. Va. Tax Case Thurs.

State's Acting Tax Commissioner Appealing from UA's Victory

Washington Bureau of THE FILM DAILY
Washington—The State of West Virginia vs. United Artists, tax case before the U. S. Supreme Court has been tentatively set for argument Thursday. Robert G. Kelly will represent UA while C. W. Meadows and W. Holt Woodrell will appear for West Virginia. The Appeal is brought by Ernest Lawrence of New Palz; E. Thornton

N. Y. ALLIED NAMES COHEN PREXY AGAIN

Buffalo—Max A. Cohen, of New York City was re-elected president of Allied Theater Owners of New York, Inc., at the state meeting here yesterday. Regional vice-presidents are: William Snalley of Cooperstown; Charles Wilson of Troy; Treasurer, Joe Rosenweig of Troy; Assistant Treasurer, Thomas

Wash.-Fla. Ascap Cases To Be Argued in January

Briefs are being prepared in connection with the Florida and Washington actions involving Ascap, and argument in both instances is expected to get under way before the U. S. Supreme Court in Wash-

(Continued on Page 6)

N. Y. C. License Commissioner to Offer Cash Giveaway Elimination Plan

Quick Decision Expected in Suit Against Pathe Film

Roosevelt's Pact, 5 yrs.

Coming East This Week to Study Distribution

West Coast Bureau of THE FILM DAILY
Hollywood—James Roosevelt yesterday announced that his contract as vice-president of Samuel Goldwyn is for a five-year term. His provisions were not disclosed. Reports that it called for a $50,000 annual salary brought a laugh from Roosevelt. He leaves this week for New York where he will spend two months studying distribution. It was said that Roosevelt plans to learn the pix biz “from the ground up.” The belief is current that eventually Roosevelt will function in the public relations field.

Talk Trade Reforms at Car. Mpto Meet

Charlotte, N. C.—The Mpto of North and South Carolina, in annual convention here yesterday, heard official explanation of the new con-

(Continued on Page 6)

Drafting Indicated in Memorandum on Trade Reform Proposals—Formal Action by Justice Dept. on Plan Said Legally Impossible

A new standard exhibition contract, embodying the provisions of the proposed fair trade practice plan, is likely to be ushered in with the start of the 1939-40 season, provided, of course, that exhibitor organization approves the trade reform draft.

This belief was expressed yesterday by industry attorneys who stated that the contracts of each company would be revised individually or drafted into a uniform pact. As revealed exclusively in New York yesterday by THE FILM DAILY, the 10th point in the memorandum indicates a possible change in the

(Continued on Page 3)

Para. Plans Strong Brit. Unit—Zukor

Adolph Zukor shed little light on his pending activities in England yesterday when the Paramount board chairman arrived from the East on route to his new post in London. Zukor said that he would

(Continued on Page 9)

“Movie Quiz” Made Basis of Copyright Litigation

Charging infringement on a copyrighted game known as “U-Spot-

(Continued on Page 9)

A T & T Objects

Washington Bureau, THE FILM DAILY
Washington—In a 230-page answer to FCC's proposed report on its in-

(Continued on Page 9)

San Jose (By Cable)—Costa Rican Government, acting at request of Min-

(Continued on Page 9)
COMING AND GOING

WILL HAYS arrived in New York yesterday from California for a vacation here and in Bermuda.

DR. HERBERT T. KALMUS, president of Technicolor, arrived in New York yesterday; sailing for England Dec. 16.

JAMES ROOSEVELT, vice-president of Samuel Goldwyn, Inc., Ltd., leaves the Coast this week for New York.

FRED QUIRBY, manager of M-G-M's short subject department, arrived yesterday from the Coast.

SHERMAN COWDIN, chairman of the Universal board, is expected to return from the Coast this week.

C. C. PETTITTOH, general counsel for the MFDCA, returned Sunday from Chicago.

JOHN HAY WHITNEY, board chairman of Selznick International, returned to New York yesterday after a short stay in the South.

ROWLAND BROWN, writer and producer, and MRS. BROWN, are at the Waldorf, arriving from Hollywood over the week-end.

DR. E. E. JELLEY, of the Eastman Kodak research department, arrived from London yesterday to see the President Roosevelt.

SAM BISCHOFF, associate producer for Warner, and his wife, leave the Coast today, en route to New York and Europe for a two months' vacation.

RUBE JACKER, assistant sales manager for Columbia, left New York yesterday for San Francisco.

WILLIAM TINLING, director, leaves the Coast shortly for a vacation here and in Bermuda.

WILLIAM FERGUSON, director of exploitation for Loew's, Inc., and St. SEADERL, advertising manager, returned to New York yesterday from Chicago where they attended M-G-M district managers meeting.

NORMAN Z. MELEOD, director, and MRS. MELEOD, are expected here this week from the Coast on a vacation trip.

JACK CHERTOK, M-G-M shorts producer, leaves the Coast around Jan. 1 to produce four Robert Benchley shorts here.

JAMES R. GRAINGER, Republican president and general manager of distribution, returned to the home office yesterday from a trip to St. Louis, Chicago and Cleveland.

L. W. CONROW, president of Altex Service Corporation, is in Washington for several days on business.

EDDIE GOLDEN, vice-president of Monogram, returned yesterday from Chicago.

MARC LACHMAN, national exploitation manager for 20th-Fox, leaves today for Frankfurt, N.Y. He will accompany special delegation of Kentucky, headed by Governor Chandler, to the Coast for preview of "Ken- tucky" Dec. 14 at the Carthay Circle.

RANDOLPH SCOTT left for the Coast yesterday.

CHESTER MORRIS and his wife are stopping at the Waldorf.

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Whitney Back from South; To Meet With Silverstone

John Hay Whitney, board chairman of Selznick International, returned to New York yesterday after a short stay in the South. He is expected to confer with Maurice Silverstone, U.A. chief, regarding terms of a new distribution deal for S-1. Whitney is scheduled to leave for the Coast around Jan. 1, and there is every indication that his arrival will be after his return unless some hitch occurs in the meantime.

11% of Cleveland Houses Vacant, Survey Reveals

Cleveland, O.—Theaters in Cleveland this year are 11 per cent vacant, according to the Real Property Inventory report of Howard W. Green, as compared with a 20 per cent vacancy in 1932 and a 7 per cent vacancy in 1937.

Stockholders Add Charges

Actual trial of stockholders' suit against Loew's, Inc., got under way yesterday in Supreme Court, session being devoted to reading of depositions of Louis B. Mayer and J. Robert Rubin. Some 85 exhibits in the form of contracts were admissible as evidence. Complaint was amended on application of plaintiffs to add 20 supplementary charges.

Movie Camera Giveaway

Cleveland — Knickerbocker Theater, operated by Associated Theaters, is giving away weekly a moving picture camera and projector outfit. Lake Shore Sales Company, Film Bldg., handles the deal with merchant tie-ups at no cost to the theaters.

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Letter from the AAAA asking for a closed shop for all AAAA affiliates at World Fair concessions has been sent to Grover Whalen, World's Fair head, with a request that reply be forwarded by Dec. 20, it was learned yesterday. The AAAA board has indicated that it will take definite action if this request is not met.

Meeting of the AAAA International Board has been set for to-morrow afternoon, with Ken Thomson, executive-secretary of the SAG, scheduled to attend.

Group Buying for Service Made Available by Altex

Altex Service Corp., as a result of a period of commercial research, has developed a plan which will enable exhibitors to obtain the advantages of group buying for service through recognized exhibitors' organizations, it was disclosed yesterday by prexy L. W. Conrow.

Edward Bucey Dead

Peninsula, O. — Edward Bucey, former stage manager of the Palace Theater, Cleveland, and well-known among theater people throughout the country, died Nov. 30.

Four-A Seeks Decision On World's Fair Status

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MISTER AVERAGE MAN

... as artist STEIG KIDS HIM!

"The Average Man is the guy who talks as he eats... he comes forward in times of trouble... he is the keynote of the world's greatest democracy!"

Christmas comes but once a year... but a comedy idea like this comes once in a lifetime... and 20th has it!

"THANKS FOR EVERYTHING"

(Released December 22d)
UA-W. VA. TAX CASE MAY COME UP THURS.

(Continued from Page 1)

K. James, Acting Tax Commissioner of West Virginia, to collect taxes assessed against UA under the West Virginia business and occupation tax law. The U. S. District Court for the Southern District of West Virginia granted UA an injunction restraining the state from collecting the tax. James contends that UA is engaging in business within the state as it leases pictures to exhibitors within the state and thus receives income from the use of real and personal property and that UA is not engaged in interstate commerce. UA contends it is only in interstate commerce and thus exempt from state taxes.

Majors' Counsels Discuss 44-Hr. Wk. for Pix Industry

West Coast Bureaus of THE FILM DAILY

Hollywood—Attorneys for major companies yesterday discussed plans for a 44-hour week for the picture industry, but no details of the conference were disclosed.

Elmer F. Andrews, wage-hour law administrator, has stated that prior union pact for longer hours would not apply now and that his department favors giving two men 30 hours each per week rather than 60 hours of employment to one man.

As a result of Andrews' ruling that employees cannot agree to work more than 44 hours without payment of time and a half for overtime, it is expected that 54- and 60-hour production schedules will be eliminated.

Jess Fishman Suddenly Stricken in Cleveland

Cleveland — Jess Fishman, Warners' theater district manager for the Cleveland zone, died here suddenly yesterday morning from a heart attack which he suffered in a his office. Death occurred as he reached a local hospital. His wife and two daughters survive.

Happy Birthday

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

DECEMBER 6
Jack Henley
Vivian Land
E. Mason Hopper
Kathryn McGuire
Harry G. Lenoble
Sammy Cohen

NEW STANDARD EXHIB. PACT IN PROSPECT

(Continued from Page 1)

standard contract in the following words: Each distributor will use its best efforts to simplify its form of license agreement.

Although a copy of the draft, which was completed officially Friday by major company attorneys, has been sent to the Department of Justice at Washington for examination, it is reliably reported that the Attorney General cannot legally approve or reject the proposals.

It is understood that the memorandum was sent to Washington because the major companies had promised to confer with a request, but that the effectiveness and workability of the plan depends entirely on the reaching of a final agreement by the distribution and exhibition branches of the industry.

Exhibitor leaders here and elsewhere who served on the negotiating committees yesterday declined to comment extensively on the draft until they had had more time to study it.


(Continued from Page 1)

Jury clears Majors in suit brought by Indpls. Amuse Co. in $450,000 triple damages.

Named in the suit were the MPPDA, First National, M-G-M, Universal, United Artists, Fox Films, Pathe, RKO, Educational, Vitagraph and Indianapolis Film Board of Trade.

Supreme Court Move to End Ga. Sunday Pix Show Fail

Atlanta, Ga.—By a tie vote, the Georgia Supreme Court refused to enjoin the Royal Theater, at Hogansville from operating on Sunday. The decision followed an attempt by William Y. Atkinson, solicitor general of the Newnan Circuit Court, to enjoin the operation of the theater on Sunday.

Evidence showed that the theater was operated on Sunday for charity by a committee of the Hogansville Welfare Committee, appointed by the city council. Judge Lee B. Wyatt denied the restraining order and the case was appealed by the solicitor general.

Accent on Merry

Cleveland — All newshub shots dealing with war and terrorism have been eliminated at local RKO houses during the holiday period, according to RKO Great Lakes Division manager Nat Holt. Purpose is not to censor newshub but to keep the public in a happy frame of mind when they come to the theater.
We’re Playing Our Ace This Xmas!

ERROL FLYNN

Dawn!

Directed by
Edmund Goulding

Screen Play by Seton I. Miller and
Dan Totheroh • From an Original
Story by John Monks Saunders

Music by Max Steiner
Coming at you with a terrific holiday send-off! Full-page ads in Life, Look, Click and 14 other top-line magazines! A great campaign for another great show from the producers of 'Angels'—WARNER BROS.

with

Basil Rathbone • David Niven
DONALD CRISP • Melville Cooper • Barry Fitzgerald • Carl Esmond
DOMESTIC

LEGAL LIGHTS: (New York) All important defendants, with excep-
tion of U.A. Gled briefs in Gov-
ernment's equity action against fil-
mland. Columbia, filing separately, asserted it is not a major in sense other companies are, and that it is at a loss to understand why it was named in suit. Other pit outlets seeking bill of particulars made 35

definite requests and arguments sup-
porting their motion for the bill. (Knoxville) Statutory Court on
consecutive application in 1928. blocking
enforcement by Tennessee of its
anti-Ascap legislation. (Portland)
filming in Oregon by Circuit Judge
Norton that bank night constitutes
a lottery under State's laws will be immediately appealed to the Supreme
Court, counsel for bank has declared. (Knoxville) Crescent Amuse-
ment, Vitagraph, Columbia, 20th-Fox, Paramount and Cherokee
Amusement Co., were named in
$100,000 anti-trust suit brought by Peerless Enterprise, Inc., which
charged block booking as anti-trust
violation.

TRADE REFORMS: (New York) Finishing touches were put on
proposals as formulated by distri-
butes' negotiating committee in wake of conferences with exhib.,
groups.

FINANCIAL: (New York) Warner
ners and subsidiaries reported oper-
ating profit of $1,929,721.25 for
the fiscal year ended Aug. 27. This
comparisons with $5,876,183.95 for pre-
ceding fiscal year. (New York) Co-
olumbia and subsidiaries for the 13
weeks ended Sept. 24, last, reported a net loss of $233,612.50. Figure
included foreign subsidiary opera-
tions for the three months ended
Aug. 27, 1938.

TELEVISION: (Hollywood) In-
cident deal calling for telecast of
indoor and outdoor events, involving both Paramount and Paramount
theaters, was reported under way twist Par., Du
Mont Labs, and the William Morris
agency, with latter supplying tal-
ent.

DISTRIBUTION: (New York)
Training out for Hollywood, David
O. Selznick indicated that S-I's deal
with UA is virtually a certainty.

PRODUCTION: (New York)
Maurice Silverstone, UA's general
manager, asserted that Alexander
Korda, head of Production A., will start on the Coast shortly after
Jan. 1, next, and that he will
make several pic there.

(Editors Note: This review covers the Nov.
26-Dec. 2 period.)

FOREIGN

COLUMBIA'S DEALS: (New
York) Arriving from Europe on
Thursday, Jack Cohn, Columbia's
vice-president, disclosed that while
he had closed deals with four
separate French producers to sup-
ply one feature each for general
release by Columbia. Cohn added
that this is purely a distribution
arrangement and involves the company in no way as regards production. He also
revealed that his organization is
setting up some six offices in
France, these to be under direction
of A. Stein, and that French prod-
uct acquired will be handled in the
U.S. and in other fields by the Co-
olumbia subsidiary, Famous Foreign
Films.

Prove Argument Tomorrow

Harrisonburg, Pa.—Supreme Court
will sit in Philadelphia tomorrow to
hear argument on the right of
Dauphin County District Attor-
ney Carl B. Shelley to remain as
prosecutor in the Grand Jury in-
quiry of grant and sale of
Sunday movie legislation against
Gov. George H. Earle and 18 asso-
ciates.

Prof. Moses Stein Dead

Richmond, Va.—Prof. Moses Stein,
84, died from heart attack, is the
last survivor of the U. S. Mar-
ine Band when John Philip Sousa
was bandmaster. Professor Stein
was the first to be leader at the Acad-
emy of Music.

W. H. Prisk Dead

Worcester, Mass.—W. H. Prisk, 71,
cub in the old Poli Theater orchestra, who was in the employ of the Poli chain for 30
years died in City Hospital.

WEDDING BELLS

West Coast Bureau of THE FILM DAIL
Hollywood—Richard Pease, busi-
ness manager of Warners casting department, and the former Sue Evans of New
You are honeymooning at the Jacquil
Cocharne Inn ranch.
S O C K

"LITTLE ORPHAN ANNIE"

HITS the Screen for Paramount

Who's 'Little Orphan Annie'

LISTEN...
SHE'S the kid 19,000,000 comic strip readers, 61,500,000 radio listeners LOVE!

...on account of

SHE makes 'em LAUGH
SHE makes 'em CRY
SHE makes 'em CHEER!

Don't delay, put them on your MARQUEE!

LITTLE ORPHAN ANNIE
A Paramount Picture with ANN GILLIS
Quick Decision Due in Pathe Film Suit

(Continued from Page 1)

of Phillips & Nizer represented the defendants in hearing. Nizer pointed out that the plaintiffs represented ½ of 1 per cent of the stock and that they were trying to prevent the other 99½ per cent from carrying out their wishes. Nizer also said that the tax benefits would amount to more than $1,000,000 if the plan went through.

Judge McCook said the liquidation plan appeared fair and complete and that he did not feel that the Supreme Court should interfere with the expression of 7,000 stockholders on the matter of business judgment.

Briefs are to be filed today and Judge McCook said he would render a decision quickly.

"Movie Quiz" Made Basis of Copyright Litigation

(Continued from Page 1)

client, Milton Spitz, yesterday filed suit against Motion Pictures' Greatest Year, Inc., film companies and two theater operating corporations.

The complaint alleges that the Movie Quiz contest and the manner in which it is operated is patterned on an original work which was copyrighted March 26, 1898. Spitz places the value of his game at $500,000 and seeks an injunction restraining further distribution of the Movie Quiz booklets, profits accruing from the contest and damages deemed right by the court.

According to the complaint, the U-Spot-It game was created by Ernest Maas and Edward M. Spitz, who received the rights to Milton Spitz. Identification of scenes and incidents in pictures is involved in the latter's game and it is charged that the Movie Quiz is an infringement.

Named in the suit, aside from Motion Pictures' Greatest Year, are Columbia, M-G-M, Paramount, RKO, 20th Century-Fox, Universal, United Artists, Warner Bros., Monogram, Bobbs-Merrill, Inc., and Mordell Realty Corp., the latter two being operating entities of the Globe and Capitol Theaters, respectively, in New York City.

Harry Brandt, whose circuit operates the Globe Theater, said yesterday he could not predict what the court will say on how his house could be named in the suit inasmuch as the Globe never participated in the Movie Quiz contest.

Pittsburgh V. C. to Install

Pittsburgh — The installation of other theaters represented by the Variety Club will take place tomorrow. After the usual ceremonies a buffet supper will be given at the Variety Club by the new Chief Barber, Ira Cohn.

Reviews

"Dramatic School"

with Luise Rainer, Paulette Goddard, Alan Marshal

M-G-M

80 Mins.

PERFECT VEHICLE FOR TALENTS OF LUISE RAINER, AND SHE SCORES IMPRESSIVELY.

A vehicle designed to display the historic range of Luise Rainer, and from this standpoint, it is highly successful. It is not a great vehicle (Alan Marshal) but praise for the material, which, adapted from a Hungarian play, wanders in and out of a variety of situations that seem a repetition, and the result is too high theatricality to make convincing on screen fare. All in all, it is a highly glamorized Cinderella tale that has the poor little girls of the dramatic school spending their lives being entertained at court ceremonies, and watching with cynicism, envy and admiration, according to their natures, the romantic affair of Luise Rainer, the poorest of the students of the school. When the poor little girls works in a factory all night so that she can have enough money to attend the school during the day, Luise falls from exhaustion, and incurs the enmity of the great dramatic instructress, for Luise has become her pet pupil. When the teacher shows the class how to play the Juliet balcony scene. There is a lot of delightful whimsy in the production, and Luise gives a perfectly natural and consummate artistry, and she does. This whimsy has to do with her day dreams concerning the great Luise Rainer and patron of the theater. Her whimsy comes true, for the patron takes a fancy to her, and lavishes everything upon her in a perfectly gentlemanly way of course. His intentions are honorable, and they are even discussing marriage. But he is fickle, and she is left to herself. Luise has not only the advantage of being a good actress, but her co-star, the great Luise Rainer, is so much like her, that the audience is convinced of her goodness.

"Other People's Money"

with Spencer Tracy, Myrna Loy, Urban Breneider, Jeff Donnell

M-G-M

90 Mins.

GOOD STORY CASTED RIGHT BUT STORYLESS.

The story is a financial drama and concerns the management of a small city bank by two brothers. The elder is "a man named Thomas P. Lothman," who is the prototypical banker, with a strong sense of duty and a reputation for upholding the highest standards of integrity and ethics. The younger brother, "Tom," is a dissolute gambler who is eventually exposed as the true owner of the bank.

The story is well cast, with Spencer Tracy as the elder brother and Myrna Loy as the wife of the elder. However, the story is not particularly gripping, and the characters are not particularly compelling. The film is directed by William Dieterle.

"Curtain!!"

with Luise Rainer, Paulette Goddard, Alan Marshal

M-G-M

80 Mins.

PERFECT VEHICLE FOR TALENTS OF LUISE RAINER, AND SHE SCORES IMPRESSIVELY.

A vehicle designed to display the historic range of Luise Rainer, and from this standpoint, it is highly successful. It is not a great vehicle (Alan Marshal) but praise for the material, which, adapted from a Hungarian play, wanders in and out of a variety of situations that seem a repetition, and the result is too high theatricality to make convincing on screen fare. All in all, it is a highly glamorized Cinderella tale that has the poor little girls of the dramatic school spending their lives being entertained at court ceremonies, and watching with cynicism, envy and admiration, according to their natures, the romantic affair of Luise Rainer, the poorest of the students of the school. When the poor little girls works in a factory all night so that she can have enough money to attend the school during the day, Luise falls from exhaustion, and incurs the enmity of the great dramatic instructress, for Luise has become her pet pupil. When the teacher shows the class how to play the Juliet balcony scene. There is a lot of delightful whimsy in the production, and Luise gives a perfectly natural and consummate artistry, and she does. This whimsy has to do with her day dreams concerning the great Luise Rainer and patron of the theater. Her whimsy comes true, for the patron takes a fancy to her, and lavishes everything upon her in a perfectly gentlemanly way of course. His intentions are honorable, and they are even discussing marriage. But he is fickle, and she is left to herself. Luise has not only the advantage of being a good actress, but her co-star, the great Luise Rainer, is so much like her, that the audience is convinced of her goodness.

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HARRY S. WEBB
President

METROPOLITAN PICTURES CORP.

Presents

8 BOB STEELE* 8 MELO-PLAYS

ACTION WESTERNs

"FEUD OF THE RANGE" "THE PORT OF HATE"
(Ready for Release)

"WILD HORSE VALLEY" "STREETS OF PARIS"

"PINTO CANYON" "MESQUITE BUCKAROO"

"RIDERS OF THE SAGE" "EL DIABLO RIDES"

"SMOKY TRAILS" "THE MAN FROM TEXAS"

with ALL-STAR CAST

"THE PORT OF HATE" "MISSING BLONDES"

"STREETS OF PARIS" "GYPSY SECRETS"

"SHEIK OF STAMBUL" "DAUGHTER OF THE TONG"

"BOYS OF FATE" "60 SECONDS TO GO"

MR. EXCHANGEMAN—
AND I DO MEAN YOU

GUARANTEED DELIVERIES!

*These are the new series of Bob Steele's and are not to be confused with RE-ISSUES.

HARRY S. WEBB
Metropolitan Pictures Corp.
5106 Hollywood Blvd.
Hollywood, Calif.

WM. STEINER
Salesmanager
723 Seventh Avenue
New York City
UA Attacks Gov't Charges in Equity Suit as "Flimsy"

WHITNEY, SELZNICK INTERESTS IN FAIRBANKS FIRM

Importance of Conciliation Setup Stressed by Myers

ALLIED BOARD MEETS IN WASH. JAN. 17-18

$10,000,000 STUDIO MERGER SET IN ENG.

Odeon-GB Merger to be Set by Jan. 1?

London—Odeon (Oscar Deutsch)-Gaumont British (Ontiers) merger is reported well on the way to materialization. Announcement of effectuation before Jan. 1 would not surprise the trade here.

ALLIED'S ANALYSIS OF REFORMS SPEEDED

An analysis of the memorandums of trade practice proposals, completed last week by industry attorneys, is being prepared by Allied leaders and will be sent to the association's negotiating committee this week. It was announced yesterday in a bulletin issued by Abram F. Myers, Allied's general counsel.

Further action by Allied, it was

(Continued on Page 8)

Operators in St. Louis Nabe to Receive Boost

St. Louis—The operators' union has signed a new contract with 138 pix theaters in St. Louis and St. Louis County. For the greater majority of the projectionists the wage

(Continued on Page 2)

Rights of Interpretive Artists May Be Protected

Geneva (By Cable)—Advisability of adopting international regulations to safeguard the rights of interpretive artists is being studied by committee of experts appointed by

(Continued on Page 2)

British and Swiss Financing Also Made Available to New Company

Douglas Fairbanks, Sr.'s new producing unit is to be known as Fairbanks-International and is to be financed by American capital, represented by the David O. Selznick-John Hay Whitney group, by British capital represented by Sir Adrian Baille, Bart, M. P., and Montague Marks, and Swiss investment interests. Initial capital will be £2-500,000.

This was announced yesterday by United Artists, following a cablegram from London.

Whitney clarified the position and interest of Selznick-International in the new company by saying that his group had not made, nor did it contemplate making, any financial investment in the company.

ADMISH TAX THREATS IN MISSOURI, ILLINOIS

St. Louis—Introduction of two measures adversely affecting the picture industry is expected at the January session of the Missouri and Illinois state legislatures, according to a warning to exhibitors from Fred Wehrenberg, proxy of the MPTO.

Allyn Butterfield Quits as RKO Pathe News M. E.

Resignation of Allyn Butterfield, managing editor of RKO Pathe News, was announced yesterday. Butterfield has been in that post for the past three years, and previously was editor-in-chief of Uni-

(Continued on Page 4)

Sagal and Levey in Wash. For Scophony Conferences

Solomon Sagall, managing director of Scophony, Ltd., English television firm, and Arthur Levey, a director, went to Washington last

(Continued on Page 6)
operators in St. Louis Nabs to Receive Boost

(Continued From Page 1)

scale is unchanged. An increase of $1.21 a week, however, has been granted to the men employed at about 50 of the smaller nabs and suburban houses.

All Amusement Stocks, Except 2 on Curb, Active Yesterday

Yesterday was a most unusual day in amusement stocks, all issue having been traded in on the New York Stock Exchange, all bond issues were active and all issues on the Curb market except two were traded in. Every over-the-counter issue was also active. Declines on the big board were fractions while the price over Curb were 7/8 to 3 points. Eastman Kodak was up 3 points, the preferred 1%. Universal preferred was up 3 to 70, that stock being declared as having had no annual dividend for the year, 70%, while Warner pf. was up 2, closing at 40. More than half the bond issues were up fractionally.

O'Donnell Again Heads Variety Club of Dallas

Dallas—R. J. O'Donnell has been re-elected chief beaker of the Dallas Variety Club. Other officers named: R. C. Griffith, first assistant chief beaker; James O. Cherry, second assistant chief beaker; Lloyd Rust, secretary, and Jack Underwood, treasurer. Louis Charnin-sky, Ed Wilson, Meyer Rachofsky, W. G. Underwood, Wallace Wallis, and Harry Sachs were elected directors.

Maxwell Will Distribute Buchanan's Next Picture

London (By-Cable) — While a UA-Jack Buchanan deal has been reported on the fire here, it was announced yesterday that Buchanan's next picture will be distributed through John Maxwell's ABP.

GN Moves Friday

Transferring the Grand National and Educational home offices to New York City, GN gets under way Friday. Move had been slated for last Friday but labor troubles resulting from a dispute between the company and the Historical workers' union delayed the transfer.

On "Mme. Curie" Script

West Coast Bureaus of THE FILM DAILY

Hollywood—Lazzlo Vadyan, noted Hungarian playwright, and F. Scott Fitzgerald have been assigned by M-G-M to work on a story, "Mme. Curie," a starring vehicle for Greta Garbo who is to give the screen portrayal of the discoverer of radium.

Rights of Interpretive Artists May Be Protected

(Continued From Page 1)

the International Labor Office, and it is indicated that they will recognize the right of enjoyment of royalties on the prints now in the hands of Warner Bros., for the films produced in 1931.

Acts, radio artists and musicians are classed by ILO as interpretive artists. Findings of committee state that no competitive television broadcasting in recent years has seriously cut employment of these people. It is pointed out that people have stayed away from theaters and concert halls because of radio station and recording increases.

However, the committee also recognizes that many radio stations would be put out of business if they were not required to completely eliminate recordings. Some 60 nations having membership in ILO will be represented here in June, with governments and labor representatives attending from each nation.

Groainer to Boston, Then Philadelphia for V. C. Dinner

James R. Groainer, Republic's president and general manager in charge of distribution, arrives in Boston today from the home office, and continues to Philadelphia where he will attend the Variety Club dinner Saturday night.

He is scheduled to return to New York on the week-end.

Small Wins Court Fight

Albany—Court of Appeals here yesterday unanimously agreed with the right of Frederick Small to obtain a license to erect a film theater on Broadway Ave., New York City. Opinion by Judge Irving Lehman held that License Commissioner Moss to be without power to refuse this license. Previously, the Supreme Court had decided in favor of Small.

M.P. Associates to Nominate Next meeting of Motion Picture Associates will be held during the first week in January, with nomination of officers scheduled to take place. Report on the annual dinner and dance and proceeds derived by the Journal will be given at the meeting.

108 "Dawn Patrol" Dates

In its drive to equal or better the record of 214 day-and-date Thanksgiving Day bookings set on "Angels with Dirty Faces," Warners reports 108 dates already set on "Dawn Patrol" for Christmas Week.

"Duke" for M. H.

West Coast Bureaus of THE FILM DAILY

Hollywood — W. S. Van Schmus has booked "The Duke of West Point" to open at Radio City Music Hall, December 15.

COMING AND GOING

Wednesday, December 7, 1936

JAMES R. GRANGER, president and general sales manager of Republic, arrives in Boston today from Philadelphia and returns to the home office over the weekend.

WILLIAM F. RODGERS, general sales manager of M-G-M, returns to the home office today.

ED KUYKENDALL, president of the MPTO arrives in New York today.

LYNN FARNOL, director of advertising for M-G-M, who has been acting as publicity director for Unitied Artists, has returned from the Coast.

TAY GARNETT and his wife are back at the Waldorf.

IRA H. COHN, manager of the 20th-Fox branch in Pittsburgh, will sail for a 52-day American cruise next week on the Niss Amsterdam.

MARCEL HELLMAN, English producer, arrives from the Coast Monday night, and returns Hollywood tomorrow.

SOLOMON SAGALL, managing director of Scophony, Ltd., and ARTHUR LEWY, a direct consultant to sail for England Sunday for an Austra.

DAN ALLAN ROY DAFOE is at the Sher St. Nether.

MARY PICKFORD is off for New York last night to return next week.

HERBERT WILCOX is scheduled to arrive from the Coast today or tomorrow.

ALEXANDER KORDA, GARY COOPER, DOUG LAS FAIRBANKS, JR., and JAMES WHALE, are here from Friday on the Aquitania.

ALLAN JONES and his wife, IRENE HERVEY are at the Warlick.

JOHN GARFIELD, Warner star, plans in yesterday from the Coast to visit his father who is seriously ill.

SAM JAFFE, who recently completed a role in "General Died" for RKO, is in Pittsburgh rehearsing for a new play.

ARLEEN WHELAN, plans in from Washington yesterday.

Loew Case Is Continued

Trial of Loew's stockholder action continued yesterday in the Court of Chancery with reading of excerpts from various defendant depositions, including those of J. Robert Rubin and M. Schenck, and oral and partial testimony of Bernard J. Reis, accountant, who declared that Meyer, Rubin, Schenck, Thalberg, Bernstein and Arthur Loew received some $12,800,000 in payments from 1934 through 1937, while common stockholders received about $21,612,000.

The Film Daily
CONCILIATION VALUE STRESSED BY MYERS

(Continued From Page 1)
ment on it inasmuch as it had already printed in the trade press. He stated that Allied had insisted on the public machinery of the conciliation boards being specified and this did not appear in the memorandum. He said that the industry was said for the first time to recognize the need of proper and fair administrative machinery.

Cities Interpretation Angle

Further, he pointed out that the importance of the committee rested in the interpretation of various clauses Legislate and buying the4. For example, in the clause regarding forcing of shots, newsreels and trailers, he pointed out that it might be difficult to prove where forcing stopped and coercion began. In such a matter, the conciliation group would be important.

If the address was the highlight of the meeting, which saw the new Allied unit on the definite road to organization, Preliminary summaries have already been taken, a charter has been applied for, the financing is being set. About 45 theatre men, representing 60 theatres, signed up for a year's dues, and pledged more than half the 1939 budget, which appears to be about $25,000.

Other speakers were Morris Wax and Sidney Samuelson, the latter prominent in the organizing. Samuelson and Myers both called upon the organization not to restrict itself to Philadelphia alone but to encourage small town membership for the benefit of all movie investors.

Three "Enemies Within"

Myers, in commenting on organization strength, said that the one exception to the determination of exhibitor organization was three, all inside these were leaders who were subordinated, leaders who had an odd reputation to the distributor and the scatterbrains who accepted any small concession from a distributor as a great victory.

The meeting clearly indicated that the strength of the new organization would come from former UMPTO members who are dissatisfied with the UMPTO setup. Observers were of the opinion that the new organization would definitely become a strong factor in exhibitor, distributor relations. It will be affiliated with Allied nationally.

Allyn Butterfield Quits

As RKO Pathe News M. E.

(Continued From Page 1)
versal News, he became E. U. Ulman Jr., vice-president of Pathe, stated that no successor to Butterfield would be named at this time.

Booth will be edited by Ulman and Frank Donovan, production manager, until post is filled, it was learned. Reports that H. V. Kaltenborn, vice-president of Pathe, has been denied by Ulman and Kaltenborn's representatives.

Columbia Marks Time

Washington Bureau of THE FILM DAILY

Washington —- Columbia Pictures Corp. yesterday filed another amendment to the take-over date of its pending registration statement before the SEC.

UA ATTACKS GOV'T CHARGES AS 'FLIMSY'

(Continued From Page 1)
cally, it charges that the Department of Justice allegations relative to UA and UA defendants, "are a flimsy and meager charge that is substantially doubtful to prove any case of action or claim upon which this Court may grant relief is incomparably greater than the mere liberal interpretation of the rules of pleading and New Federal Rules of Civil Practice."

Further, it is contended that, as from the general charges made in the language of the statute an amounting to no more than conclusions of law, the presence of UA is in the suit "depends upon inferences ensuing and insinuation."

Unless granted a detailed bill of particulars, it will definitely be unable to properly prepare its answer and defend the company contentions. Further, it points to the fact that UA stands entirely outside of the offenses charged, both in its historical and legal aspects and in the immediate charge of wrongdoing as summarized in respective paragraphs of the petition. The petition of the organization is not a film producer nor an exhibitor and it owns no theaters, controls nor has affiliated theaters or chains of theaters.

It is also called to the attention of the Court that UA is not charged in the petition as a principal participant in the violation of the Sherman Anti-Trust Act, but merely as an incidental or minor participant in the violation of the Sherman Anti-Trust Act, but merely as an incidental or minor participant.

The memorandum specifically seeks the striking out of the "Offenses Charged," entitled respectively, the following:

Trade Practices Imposed Upon Independent Exhibitors; and Benefits, Privileges and Advantages Extended by the Distribution of Films with these charges, UA declares, are irrelevant and immaterial, and charge no offense against the company and no charge offense under the Sherman Anti-Trust Act.

It is also emphasized, in connection with the trade practice offenses, that block-booking is confined to producer-exhibitor defendant or defendants with affiliated theaters, thereby excluding UA, and that the organization is also excluded according to the description of arbitrary designation of playdates, and "protection."

Amended to the memorandum, body of which comprises 25 pages, is a table of comparison showing items of particulars requested on amended petition and all similar items requested in the "consolidated motion."

Wednesday, December 7, 19
“Ride a Crooked Mile”
with Akim Tamiroff, Frances Farmer, Leif
Erikson
Paramount
78 mins.

EROMOUS NEW TYPE OF VILLAIN
OF BY AKIM TAMIROFF GOES BIG IN
THRILL ROMANCE DRAMA.

Obviously this romantic meller was writ-
ten specially for the talents of Akim Tami-
roff, and it serves as a splendid vehicle for
his colorful and lusty heroics. It also
provides juicy acting parts for Frances
Farmer and Leif Erikson, and altogether
adds up as a most satisfactory piece of en-
tertainment. It packs plenty of suspense and
gets over a nice patriotic plug for the
Stars and Stripes, very timely at this time,
and not made too obvious. Tamiroff plays
the role of a Cossack who has migrated from
Russia to the United States, and be-
comes powerful and rich as a racketeer in
the meat packing game. That is purely
incidental, only serving as the method to
get him tangled with the federal investi-
gators, who finally corner him and send
him for a long stretch in Leavenworth.
Meanwhile he has built up his son
(Leif Erikson), whom he has not seen since
he was a babe when his estranged wife
took the child away. Amazed and de-
lighted to find that his boy is a tough
hombre like himself, almost licking his
powerful dad in a rough and tumble fight,
they join forces for good or ill. The im-
prisonment of his dad leads him to join
the cavalry regiment stationed at Leaven-
worth, where he can work out a place to
free his dad. This is accomplished,
but in the getaway the boy realizes his
allegiance is first to his army oath, and he
goes after his father to bring him back.
It works up to a strong and punchful
climax. Tamiroff gives one of the most
powerful he-man characterizations of the
season. Frances Farmer does nobly by a
rather slender romantic part. This Leif
Erikson is headed for big things, for he
has everything that physique, looks, per-
sonality and real acting ability can give
a young player.

CAST: Akim Tamiroff, Frances Farmer,
Leif Erikson, Lynne Overman, Vladimir
Sokloff, Wade Crosby, Dewey Robinson,
William Newell, John Beifer, Slex Wol-
oshin, James Flavin.

CREDITS: Producer, Jeff Lazarus; Direc-
tor, Alfred E. Green; Assistant Director,
Raykey, John C. Moffitt; Screenplay, James
Caldwell, William Mollor.

DIRECTION, Very Good. PHOTOGRAP-
HY, Excellent.

WEDDING BELLS

Richmond, Va.—Gordon Culley, as-
istant manager, Venus Theater, and
Miss Anne Thompson will wed on
Dec. 21.

Richmond, Va.—Elizabeth Randol-
ph Copeland, movie editor, News
Leader, was married recently to
Fillmore Norfleet.

“THE LAST WARNING”
with Preston Foster, Frank Jenks,
Joyce Compton
Universal-Crime Club
62 Mins.

(HOLLYWOOD PREVIEW)

VERY ENJOYABLE COMEDY MYSTERY,
RATING AS ONE OF THE BEST OF CRIME
CLUB SERIES.

A very enjoyable comedy mystery is this
Crime Club production. It is one of the
most sensitive and restrained the
screen has produced. Preston Foster and
Frank Jenks, seem to like their fun, even more
than their line of endeavor and therein lies a good
amount of humor. Suspicion is reasonable
in the mystery part of the set-up as worked
out in Edmund Hartmann’s screenplay from
Jonathan Latimer’s novel. The director, Al
Rogell, has gotten the material to the
screen in a manner whereby suspense car-
rying a story line and an action pace is
maintained. Foster and Jenks make their
characters light, breezy, devil-may-care be-
ings, and Joyce Compton plays a light-
going, slightly earthy character, just
right for the mood.

Delightful Ski Fun

“A delightful winter sports real
that catches the spirit of the ski
enthusiasts perfectly. The film was
shot in the Quebec country, starting
from the old Frontenac Hotel, and
then taking the ski clan by special
motor bus to a place in the province
ideally suited to the popular out-
door winter sport. Here the skiing
fraternity are shown in closeup,
medium and long shot, doing their
difficult and thrilling twists and
turns as they come tearing down
the slopes for miles, through
forests and over dangerous terrain.
This short is of particular interest
who are the thousands who raise
participants in this sport, for it
shows the amateurs enjoying the
fun, not a lot of professionals.
There are innumerable spills and
thrills, with an accompanying nar-
ration that catches beautifully the
spirit of the fun.”

“Ski Thrills of New France”
Douglas Rothecker
10 mins.

SHORTS

dpi@ stay Soh. enee nee

“Jaipur—the Pink City”
(FitzPatrick TravelTalk)
M-G-M
8 mins.

Beautiful Scenic

One of the most lovely of the FitzPatrick travels, showing the
gorgeous city of East India in its
natural colors. The Technicolor
shots are beautiful, especially those
that display the coral-pink stone
that is used in the architecture of
so many of the city buildings.
A visit to the market place is fine-
done, showing the natives working
their intricate and magnificent
embroideries in open shops along
the market place.

“Little Blue Blackbird”
Universal
7½ mins.

There are several laughs in this
Walter Lantz cartoon which tells
the story of the mother blackbird
who hatches out two normal off-
spring and one featherless nitwit.
The dumb one refuses to learn to
fly and otherwise learn about life.
A visit when (and if) it battles
wicked hawk and saves his (or her)
brothers (or sisters) from being
gobbled up, all is forgiven.

BERNHARD TO CLEVELAND

Cleveland—Joseph Bernhard, gen-
eral manager of Warners’ theaters,
and Harry Goldberg, director of pub-
licity-advertising for the circuit,
will confer here tomorrow, with
Nat Wolf, local zone manager, on
polices and exploitation angles.

Nu-Art Gets Rights

Nu-Art Films, Inc., 145 West 45th
Street, has acquired the exclusive 16
mm. foreign rights to “Phew’s Bad
Boy,” a Fox Film release starring
Jackie Cooper with Thomas Meighan,
produced by Sol Lesser.

MISTER AVERAGE MAN
BEAUTIFUL MAN!

WALTER LIPPMANN

But WALTER LIPPMANN

doubts if he is even!?

“I never met an over-
age man. One hears about
them only at a distance, but close
no one such person seems to exist.”

Now Hollywood gives Mister Average Man the
works—in a scandalously funny picture!

“THANKS FOR EVERYTHING”
(Released December 23rd)
Timed by 20th for big holiday business!
REVIEWS OF THE NEW FILMS

“Nancy Drew—Detective”

with Bonita Granville, Frankie Thomas, John Litel

Warner

60 Mins.

LIVELY DRAMA OF ADOLESCENT LIFE WITH BONITA GRANVILLE SCORING STRONGLY

This is the first of a series built around the well known “Nancy Drew” stories, and it looks like a winner to capture the juvenile trade, especially the youngsters of high school age. Bonita Granville as Nancy is well supported by her “boy friend,” the son of the next-door neighbor in town, played to the hilt by Frankie Thomas. Here we have a real American girl and a typical American boy, and they should go great guns with the younger generation everywhere in the land. The plot is keyed to the excitement angle, with Nancy doing a lot of keen detective work and solving the problem with the help of her schoolmate. By the way, the story also has the point that she is just an imaginative youngster with a psychopathic complex, imagining a crime where there is none. But Nancy persists in her belief that the spitter, who has disappeared just as she was getting ready to give the girls’ school an endowment, has been set free by the criminals. After many exciting adventures, and some really tough touches and fine suspense, the two youngsters succeed in solving the case, thus becoming the district attorney who gets to try it out in the courts, and this makes the plot a success.


CREDITS: Director, William Clemens; Author, Carolyn Keene; Screenplay, Kenneth Gamet; Cameraman, L. Wm. O’Connell; Editor, Frank Magee.

DIRECTION, sympathetic. PHOTOGRAPHY, Good.

Sagall and Levey in Wash. For Scophony Conferences

(Continued from Page 1)

night for conferences with FCC officials in Washington about the possibility of Scophony’s invasion of the American television field. Indications are that an American deal is about to be consummated. Sagall would not comment on the report that the FCC shortly would grant a license for a television station here.

Sagall arrived here Nov. 3, announcing ambitious plans for an American division of his company. Eddie Cantor is reported to be interested in the project and may be one of the principal backers.

“Gun Bullets”

with Robert Kent, Anne Nagel

Monogram

80 Mins.

HIGHLY SUSPENSIVE GANGSTER DRAMA PACKS PUNCH WITH NEW ADVENTURE SCOUTS TWISTS

This gangster film gets away from the routine formula with a very interesting plot, marked by some clever twists and turns that keep the suspense mounting and interest high. Morgan Wallace plays the part of a gangster chief who has been too clever to allow the district attorney to get anything on him. Charles Trowbridge as the d.a. has as his assistant, Robert Kent, who is in love with his superior’s daughter, Anne Nagel. As the racket in the city become more brazen, and the district attorney’s office seems powerless to bring the gang chief to justice, one can hardly help but guess that the d.a. is part of the racketeering system. A series of letters signed “Janius” appear, giving inside facts purporting that the d.a. is part of a racket.


CREDITS: Producer, E. B. Deer; Associate, Frank Melford; Director, Lambert B. Cameraman, Arthur Martinelli; Screenplay, John T. Neville; Editor, Russ Schonaroth.

DIRECTION, Very Good. PHOTOGRAPHY, Fine.

“Say It In French” Contest Launched For Skouras Mgrs.

Paramount exploitation contest in connection with “Say It In French” has been inaugurated in all Skouras branches throughout the U.S. There will be a prize split by house managers who contribute outstanding promotional campaigns to obtain best cooperation. The contest, similar to the Neil F. Agnew Exploitation Contest, terminates March 8. P. Skouras, E. F. Zelon and George H. Balados are judges for comparative theater grosses and profits and Alec Moss will judge the promotion. First prize for local promotion is $250, second prize is $150 and $100.

Levy with Big Features

Cincinnati—George Levy is the new branch manager for Big Features’ Indianapolis branch.

“Sharpshooters”

with Brian Donlevy, Lynn Barrie

20th-Century-Fox

64 Mins.

ROMANTIC THRILLER OF IMAGINARY KINGDOM DONE IN MODERN STYLE CARRIES FINE KICK

This is a very slight movie, but it is a movie that will carry the kick. The story is of a youngster, the result of an illegitimate affair, who is raised in the foreign kingdom somewhere in Europe, who meets the beautiful American girl (Lynn Barrie) whom he later finds to be the governor of the young kingdom. There are no less than three arch villains, headed by the regent, who are striving to carry the king’s uncle and the young prince out of the way so that they can rule the country. The hero newsman gets mixed in accidentally in all this, and comes off as a hero.


DIRECTION, Very Good. PHOTOGRAPHY, Fine.

Shumow Elected Prexy of Omaha Variety Club

Omaha—H. H. Shumow, Metro branch manager, heads Omaha Variety Club as chief banker, replacing W. M. Green of Fepco Theater Advertisers. Shumow was the club’s first chief banker and is now on a vacation trip through Mexico.

Edward Shafton, industry attorney, is the club’s new attorney. Other officers are John Gillin, radio station WVOA manager; Kenneth Stein, local circuit manager, treasurer; Walter D. McLucas, U.A. last-Mondenhall, Paramount; William Foley, Columbia; Roy Palmquist, Universal; Elmer Perkins, WB; Joe Rosenberg, National Screen; J. Frank Sjavics, General Outdoor Advertising; Morris Cohn, exhibitor, and George Green.

Convention delegates are Green and Mondenhall.

“Abus de Confi anse”

(Confidential Confidence)

with Danielle Darrieux, Charles Vanel, Valentine Tessier, Therese Monjauze, Columbia

78 Mins.

STRONG DRAMATIC STORY EXPERTLY PROJECTED ON SCREEN BY FINISHING WELLS

The engaging Miss Darrieux and a strong supporting cast make this new French film engaging screen fare. Similar to other French films, the story is complicated, making each incident as dramatic as possible without a letup. For the French fans, foreign and audiences who like their films longer by a few minutes, it will fit the bill nicely. Darrieux, left alone in the world, makes false representations to a writer, claiming she is his illegitimate daughter. She takes her into his home and she is able to continue her law studies. She redeems herself through defending a girl faced with the problems she the Keat, and is able to cope with. Valentine Tessier, Charles Vane and Therese Dorn are good in important roles.


CREDITS: Produced by Brochec Productions; Director, Henry Decoin; Screenplay, Henry Decoin and Jean Boyer; Story, Pierre Wolf. Presented at the Belmont Theater with French dialogue and English titles.

DIRECTION, Good. PHOTOGRAPHY, Good.

“Two Sisters”

with Jennie Goldstein, Sylvia Dell, Muni Seroff

Foreign Cinema Arts

80 Mins.

DRAMATIC STORY CAPABLY HANDLED BY GOOD CAST AND SMOOTH DIRECTION

This new film will appeal to Yiddish speaking audiences who appreciate heavy drama, but its exhibitor must naturally be limited to its own sphere. English subtitles supplement the Yiddish dialogue. Ben K. Blake directed the picture knowing the limitations of the dramatic story and keeping the players well in line. Jennie Goldstein, Sylvia Dell, Muni Seroff and a large number of Yiddish stage players have been recruited for the picture. Some amusing comedy touches are injected by Michael Rosenberg, an able veteran. Story has triangle complication which is plausibly worked out.

CAST: Jennie Goldstein, Sylvia Dell, Muni Seroff, Michael Rosenstein, Celia Buizin, Betty Blair, John Carol, Elizabeth Dorn, Beulah Wecker, Betty Jacobs, A. Teitelbaum, Rebecca Weintraub.

CREDITS: Produced by Foreign Cinema Arts; Director, Ben K. Blake; Original Story and Screenplay, S. H. Cohen. Presented at the Continental Theater with Yiddish and English shows.

DIRECTION, Good. PHOTOGRAPHY, Good.
SELZNICK INTERESTS IN FAIRBANKS FIRM

(Continued from Page 1)
vestment. However, he added that negotiations were under way for
construction of facilities to be made available to Fairbanks and the new
unit on a basis of participating in rental charges. These negotiations have
passed the preliminary stages, Whitney said, and discussions are ex-
pected to be continued during the next turn of Fairbanks and Marks to the
U.S. on Friday.

It is believed that Fairbanks will use the Selznick studio for produc-
tion.

Fairbanks is expected to devote himself exclusively to the produc-
tion of the film, the details of which will be made public in due time.
Production will be centered in Culver City, Denham or Pinwood and
perhaps other locations, depending on story requirements.

Three pictures are planned for 1938, the first being "The Californian,"
which will be made on the Coast. Fairbanks is negotiating with Raoul Walsh to direct. Second pic-
ture is to be "The Tenth Woman," based on the life of Lord Byron.
Third will be "The Three Musketeers." It has not been decided where
these two pictures will be made but both will be produced in Techni-
color.

Marks sails from England on the Queen Mary Saturday while Fair-
banks, who also is in England, will sail for the U.S. in about three
weeks to complete organization plans. All his pictures will be re-
leased through UA.

ITALY SUSPECTED OF MOVE TO DIVIDE U. S. DISTRIBUTORS

(Continued from Page 1)
producer-distributor home offices, which have been making pronuncia-
tion which they regard as im-
nate.

Basis for the expected action is purported to be the dispatch a few
days ago in Rome of telephone calls allegedly made by a Fascist official
to two U.S. producer-distributor
branches advising the latter that the
extension is forthcoming.

Well-informed industry observers
told The Film Daily last night that
their suspicions are aroused that the
Italian scheme, in notifying two
of the U.S. distribution offices in
Rome without informing the other
company branches, is evident-
ly designed to divide the "united front" being presented by the Amer-
ican distributors against the de-
cree's oppressive consequences.

WASHINGTON BUREAU OF THE FILM DAILY

Washington — Inquiry by the
Film Daily yesterday at the Italian
Embassy here revealed that officials
and attaches know nothing of the
reported postponement of the de-
cree's enforcement.

REVIEWS OF NEW FILMS

"The Miracle of Salt Lake" (A Miniature)

11 mins.

M-G-M Very Impressive

A very absorbing and impressive
recording of the coming of the
Mormons to Salt Lake. Carey Wil-
son does the narrating, and describes
the arrival of Brigham Young and
his followers into the arid coun-
try where they felt safe in founding
their colony, away from other set-
tlers who had previously ousted
them from their former land be-
because of its fertility. The trials and tribula-
tions of the Mormon pioneers are
shown, and after they had raised a boun-
tiful wheat crop, a great horde of
locusts swept down and all seemed
to be lost. Then, as if by a miracle,
their arid soil supports crops and
develops a thriving culture.

"The Miracle of Salt Lake" is
an exceptionally well-made produc-
tion and the distribution of the film
is expected for next summer.

"Opening Day" (Robert Benchley)

9 mins.

M-G-M

Funnv

Bob Benchley backs his first
original picture, "The Treas-
urer's Report," in the current of-
ference in its series. It is substi-
tuted for the mayor of the town
to throw out the first baseball of
the season at the ball park. But he
launches into a speech on city
finances in his capacity as an offi-
cial in the finance department,
and keeps the crowd yawning and
peering around until he throws the ball to the
waiting team. He throws the ball
clear out of the park to the amaze-
ment of all.

"Football Romeo" (Our Gang Comedy)

10 mins.

M-G-M

Football Fun

Alfalfa, the football hero of the
team, gets sore when Darla flirts
around with Butch, the captain of
the rival Assassins team. So he
decides to go away and become a
hermit. The team is being slaugh-
tered by the Assassins, when Darla
has Alfalfa's ma lure him to the
game. She sends him in to carry
the ball, which he does when he
learns that she has tucked a note
for him in the lacing of the pigskin.
Alfalfa turns the tide to victory
and learns after he has become the
hero that Darla was just flirting
to see how much he cared.

Walters Book "Ballerina"

World Pictures' "Ballerina" has
been booked to play the Warner
houses in Philadelphia.

ALLIED BOARD MEETS IN WASH. JAN. 17-18

(Continued from Page 1)
falls on a Sunday, when exhibitors
do not like to be away, the follow-
ings Tuesday and Wednesday
would be more suitable.
A "Founders' Day" dinner is
scheduled for the night of the 17th
to honor the man who contributed
to much time, money and effort to
the organization.

SECOND LA CROSSE MANAGER FACING LOTTERY CHARGE

LaCrosse, Wis.—William Freise,
manager of the La Crosse Theater
Co.'s Rivoli Theater here, has been
released on a $500 surety bond per-
d pending trial on charges of conduct-
ing a lottery at the theater in con-
nection with the playing of Bank Night.
A warrant is practically identical
to one served on Ted Bolnick, man-
ger of the Hollywood theater here
last September, who was acquitted
by a County Court jury.

VAUDE IN SPRINGFIELD

Springfield, Mass. — Vaudeville,
long absent from the local theaters,
is to return at E. M. Loew's Court
Square Theater three days a week
on a split with Worcester.

M

While his gem
of a femme
manufactures
a mystery!

MELVYN

is delvin'
in criminal
history...

W

Douglas and
Virginia
Bruce

A COLUMBIA PICTURE

directed by Alexander Hall
ADMISH TAX THREATS IN MISSOURI, ILLINOIS

(Continued from Page 1)
St. Louis, Eastern Missouri and Southern Illinois.

They are:
First, an admission tax bill. Second, a two-men-in-the-booth measure.

Wehrenberg advises that exhibitors do not protest, assuming lightly, citing that additional state revenue is direly needed and that both legislation in St. Louis already has cost each theater owner several thousand dollars.

Texas and N. Y. Benefits Raise Funds for Refugees

(Continued from Page 1)

ton indicated the advance was equally good.

Internal Revenue Dept. ruled yesterday that the 50 cent tickets would be tax free, assuring that theater proceeds from he benefits, spotted in 137 situations controlled by the Karl Hoblitzelie-R. J. O'Donnell interests, would go to the American Jewish Joint Distribution Committee, Committee of Catholic Refugees, International Relief Association for Victims of Nazism and United Palestine Appeal.

The Texas Quality Network is plugging the benefits. Dallas ministerial association yesterday adopted resolutions applauding the circuit's action.

Tonight at 8:50, at the Astor Theater, Nicholas M. Schenck will have a special preview invitation performance of the M-G-M presentation of Gernreich's "Pygmalion." Entire proceeds will go to the American Jewish Joint Distribution Committee, American Committee for Christian German Refugees, Committee for Catholic Refugees from Germany, and American Friends Service Committee. Pix starts regular run tomorrow.

Henry R. Eittenberg, internationally famous portrait painter, has agreed to do a portrait of the person drawing the first winning ticket in the raffle sponsored by the Motion Picture Art Fund for German Refugees. The Art Fund group meets today in the Hotel Piccadilly.

"Cossacks" Opens Dec. 25

"The Cossacks in Exile," a Ukrainian feature-length operetta, will have its Broadway premiere on Dec. 25, according to an announcement by Michael J. O'Sullivan, associate producer with Avramenko Film Co., Ltd., who made the picture. Edgar Ulmer directed at the Newton, N. J., studio. Two more features are planned by Avramenko, the first of which will go into production within a month.

SHORT SHOTS FROM EASTERN STUDIOS

By SID WEISS

THIS column is a personal tribute to William K. Howard, the director . . . To his magnetism, his charm and very crooked . . . Those who know Bill do not need these words as a vindication of their opinion. Those who do not will find the column hardly adequate in its description of the man . . . Perhaps Wally Ford expresses it best when he said that "Bill Howard doesn't deserve any credit for being what he is. He couldn't be any different. It's the William K. Howard mold and that's all that need be said" . . .

All of which came to pass the other afternoon when the Odesco Co. completed the celebration of its first picture finally titled "Back Door to Heaven" . . . The cameras stopped rolling fully a week under schedule and the entire unit gathered that day in feature occasion at Blyeg's in Astoria. . . .

The party itself was a riot—going from the extreme in slapstick comedy with Wally Ford and Bert Frohman supplying the belly laughs in the role of waiters—to a degree of sentiment seldom reached in this matter-of-fact business . . . Hal Roach, ace photographer from the Coast, praised the Eastern gang lavishly and said he hoped it wouldn't be his last picture here. But it was an all William K. Howard day—the personality of the man dominated the story—the plot, the set and the celebration . . . Every member of the cast laid a personal tribute at his feet—each deeming it a privilege to work with Bill, very close to being choked up with sentiment, explained why the story was so close to his heart . . . It was the story of his birthplace—his youth—his buddies . . .

It is a story of the fates that overlook each one of them and Howard makes it clear that it was only by the sheerest of margins that their fates weren't shuffled in the dealing. . . .

The party was also a personal victory for Wally Ford . . . As master of ceremonies, he played on the moods of his listeners like a master musician, pulling the string whenever sentiment weighed too heavily and jerking the mood back with a sudden wisecrack . . . In my book, Wally rates tops as a master of ceremonies . . .

Other highlights of the party: Pat Ellis' singing of "Things in My Heart" with Bert Frohman's fast-paced patter and singing—Pierre Norman's piano playing of some of his outstanding long songs (Pierre Norman is in reality Father Joe Connor of West Orange, N. J., and the only clergyman in the A-F-R-A-C) and Johnny Walker's well-timed words on Bill Howard and their association of many years . . .

And, oh yes, the marvelous beef steak served by confere Eddie Bagley (Ask George Connolly—he ate most of it) . . .

Allied Sees No Linking Of F. D. R.'s Son to Suit

(Continued from Page 1)

dismissal or abandonment of the government's prosecution against the Roosevelt picture.

Describing the rumors as "an insulting reference," the bulletin asserts that "this Imputes to the President a motive so unworthy that no one who seriously reflects on the matter can fairly entertain it."

James Roosevelt, the bulletin continues, could not afford to place himself in a compromising position by seeking to make terms with the Department of Justice, or by lobbying against the Neely Bill, or by engaging in other activity where he could be accused of trading on the power and prestige of the White House. There is no reason why this appointment should be coupled with the relations between the motion picture industry and the government. To do so is to insult Mr. Roosevelt.

Set Great States Pact

Chicago — Filmack has closed a trailer contract with Great States.

ALLIED'S ANALYSIS OF REFORMS SPEEDED

(Continued from Page 1)
said, must await the consideration of the proposals by the negotiating group and the ultimate decision in reference to the proposals rest with the board of directors.

The committee is handicapped by the fact that its chairman, Col. H. A. Cole, is in Dallas hospital for an operation and will not be available for active work for several weeks. This, however, does not mean necessarily that the committee will be delayed for that length of time in formulating its policy in reference to the distributors' proposals.

Montana Exhibs. Organize With Joe English as Prexy

Helena, Mont.—Joe English of the Washoe theater, Anaconda, is president of the newly organized Independent Theater Owners of Montana.

Jens Hansen, of the Rialto, Deer Lodge, vice-president and Johnnie Griffin of the Orpheum at Chinook is secretary and treasurer.

Pix Doubly Commercial

Chicago — That new National League pix is doubly a commercial. Not only does it plug the league, but it boosts General Mills Wheaties.

HULL HOTELS

THOMAS E. HULL MANAGING DIRECTOR

IN HOLLYWOOD

HOLLYWOOD ROOSEVELT HOTEL
"Home of the Stars"
Convenient to motion picture and broadcasting studios.
Rates from $3.50 Single

HOLLYWOOD PLAZA HOTEL
"Aviation Headquarters"
Featuring "IT" Cafe, Hollywood's Swankest Night Spot.
Rates from $3.00 Single

IN LOS ANGELES

HOTEL MAYFAIR
"In the Heart of the City"
Free Garage Adjoining Hotel for Transients
Rates from $2.50 Single

IN FRESNO

HOTEL CALIFORNIA
Completely Air Conditioned throughout the year.
Rates from $2.50 Single

HULL HOTELS — STARRING IN HOSPITALITY AND SERVICE

IN SACRAMENTO

HOTEL SENATOR

Overlooking the famous Capitol Park.
Rates from $3.00 Single
Quick Effectuation of Trade Reforms Urged by MPTOA

20TH-FOX TO TAKE OVER GB DISTRIBUTION HERE

Scophony Execs. in "Exploratory" Conference at FCC

 Warners Planning Four-Reel Shorts

By WILFRED FESSEY
FILM DAILY Staff Correspondent

Warners will include several four-reel shorts as part of production policy for the 1939-40 season, it was definitely learned yesterday. Several story properties are under consideration, including the script of "Lincoln in the White House," and another dealing with the Mannes Doctrine as its theme. Executive sources state the company is intent upon amplifying its shorts having patriotic angles, and that color will be employed whenever advisable.

 Revised Schedule of Clearance on 'B' Product Recommended in the Dominion

A decision in favor of Pathe Film Corp. was handed down by Supreme Court Justice McCook yesterday in denying an injunction sought by minority stockholders who opposed a plan of liquidation. Pathe was represented by Louis Nizer and Robert Benjamin of Phillips & Nizer.

The plaintiffs' attorneys were Shawne & Weinrib.

Nizer argued that the minority group, which represented less than 1/4 per cent, should not be permitted to interfere with the holding of a special stockholders' meeting on Dec. 13 at which 7,000 stockholders (Continued on Page 7)

Revised Schedule of Clearance on 'B' Product Recommended in the Dominion

Plan provides that clearance will be on a revised schedule on "B" product, with latter defined as those which do not play as first features at Loew's Imperial or the Uptown theaters. Representatives of Famous Players Canadian present at the committee session said that they would (Continued on Page 7)

D OF J DROPS THREAT OF AN INJUNCTION

Deal Reported in Closing Stages, Following Kent-Lee Parleys

By HOLLIS KENNAHAN
FILM DAILY Staff Writer

Deal whereby 20th-Fox will take over sales, distribution and physical handling of all Gaumont British-Gainsborough product in this country, and the English organization will undertake production of all quota requirements for the American company with Robert Kane and Maurice Oster as joint producing heads, was virtually closed yesterday following a lengthy conference between Sidney R. Kent and Arthur A. Lee, GB chieftain (Continued on Page 6)

MPTOA Exec. Committee to Study Reform Draft, Refer It to All Units

Marquee Measure Sent Back to City Council

Mayoral LaGuardia yesterday morning sent the Keegan Bill, dealing with the regulation of film theater marquee dimensions back to the City Council, and took similar action on the Kingsley Bill because of its relation to the Keegan measure (Continued on Page 12)

MPTOA favors putting the proposed fair trade practice plan into effect as quickly as possible and not defer its effectuation until the new selling season. This was stated yesterday by Ed Kuykendall, president, who announced that the meetings scheduled for today and tomorrow of the organization's executive committee with the distribution field (Continued on Page 6)
Para. Sets Dividends; FPC to Pay Extra 20c

The regular quarterly dividend of $1.50 per share on the first preferred stock and the regular quarterly dividend of 15 cents per share on the second preferred stock were declared yesterday at a meeting of Paramount’s board of directors.

At the same time, it was learned, Famous Players Canadian Corp. Ltd., declared an extra dividend of 50 cents per share in addition to the quarterly payment of 15 cents.

The Paramount dividends are payable Dec. 24 to stockholders of record on Dec. 16. Both Canadian dividends are payable Dec. 22 to share- holders of record on Dec. 16.

A dividend of 30 cents was paid June 15 and another of 15 cents on Oct. 1 by F. P. Canadian. The latest declaration thus brings total disbursements for the year to 80 cents per common as compared with 60 cents in 1937.

SAG Modification Contracts for 8 Eastern Producers

Meeting yesterday between Ken Thomson, executive secretary of the Screen Actors Guild, and eight eastern producers to discuss modification contracts to supplement present pacts with the SAG ironed out final details, with early signing of the contracts indicated, Thomson said last night.

Thomson expects to leave for the Coast tomorrow. Mrs. Florence Marston, Eastern head of the SAG, was unable to attend session due to critical illness.

Lloyd Asks Particulars Bill in Brentano’s Suit

A motion for a bill of particulars was filed yesterday by Louis Nizer, attorney for Hapgood, Lloyd, in a plagiarism suit brought by Lowell Brentano. It is charged that Lloyd’s picture, “Professor Beware,” was based on an original story by Brentano. A hearing is scheduled for next Tuesday before Justice Cox in the U.S. District Court for the Southern District.

Convention Visitors Send Chicago Gossips Upwards

Chicago—Loop gossips are moving upwards, thanks to the influx of convention visitors, among other things. Result: “Great Waltz” goes a third at the Apollo and “Men With Wings” ditto at the Garrick, while “Angels With Dirty Faces” plus a p.a. by John Boles stays a second at the Chicago. Other current p.a.’s: Lola Lane at the Oriental, “Boy’s Town” at the RKO Palace.

Universal’s Preferred at 73 for a New High

Universal Pictures preferred hit a new high for the year on the N. Y. Stock Exchange yesterday, closing at 73, a three-point gain.
THE STOCKHOLDERS
LOSE LIQUID'N FIGHT

(Continued from Page 1)

... voted on the plan. He pointed out that the plaintiffs had made the actual errors involving sums more than $300,000 in their actions. He urged the court to strike the injunction immediately so as not to interfere with the best interests of the stockholders. Justice McCook decided that the defendants had been forced to concede costs of at least $100,000 in their fees. He further stated that the action plan would effect a tax saving of more than $1,000,000. Justice McCook found that the directors and officers were attempting to serve the most valuable assets the corporation; namely, the Dugas stock.

D. Henry Briggs, the president, stated in his affidavit that the directors and officers were merely using their duty in submitting a plan on which the stockholders could be and approve before the end of the month, so that the tax benefits under the new revenue act would be available to them.

Eighty percent of the stockholders must approve the plan be- it can become effective.

agency Bails at Lombard appearance in SAG Air Show

The J. Walter Thompson agency which has signed Carole Lombard and the Kellogg air show has balked giving her a waiver to appear in a Gulf Oil-Screen Actors Guild Relief Fund show which will be held a week before the show goes on the air. Although there are no competitive gles in the two shows, the agency is under the Shell account, a rival Gulf.

Kenneth Thomson, SAG executive secretary, said last night that plans of the relief fund are showing progress satisfactorily.

THE DAIL

with PHIL M. DALY

D O J DROPS THREAT
OF AN INJUNCTION

(Continued from Page 1)

from a high Department official who pointed out that the government and industry have reached "at least a temporary accord" on maintenance of the status quo in exhibition house expansion.

A gentleman's agreement, understood to have been worked out at least on a temporary basis through correspondence between the Department and Col. William J. Donovan in New York, calls for a specific report on any exhibition expansion in return for the Department's dropping of the temporary injunction threat.

New Gary Co. To Acquire 3 Kansas City Theaters

Washington, D.C.- The FILM DAILY DAILY

WASHINGTON-Pix Theater Circuit, Inc., of California, Inc., yesterday filed a registration statement with the SEC covering 50,000 shares of $5 par value. A common stock to be sold at a market price of $6 per share. Proceeds of the sale are to be used for purchase of three theaters in Kansas City, Mo., operation of the theaters and further acquisitions.

The corporation intends to commence operations by purchasing three K. C. theaters at a total cost of $26,500. These theaters are the Colonial, the Mary Lou and the Ritz. The first two are being purchased from E. E. Webber for $24,500 and the Ritz is being purchased from Harry H. Barrett for $2,000.

Samuel B. Nissley is president, Samuel H. Nissley, is vice-president, and Alexander C. Etholos is secretary-treasurer.

Warren-Franklin Corp. of Chicago is the underwriter. It is proposed to offer the issue three days after the effective date of the registration statement.

Second Negro House Ready

Fort Worth, Tex.-The Ritz, city's second colored theater has opened. The $100,000 structure is owned by the Bijou-Fort Worth Corporation, of which Milton Starr, Nashville, Tenn., is general manager. M. C. Maxwell, old-time negro magician, is manager of the house. Houston & Smith, Dallas architects, supervised construction.

B I G NEWS

AS SEEN BY THE PRESS AGENT

Each of Alice Brady's nine pet dogs are named after favorite roles she has played on stage or screen.—DAVE IPSTEIN.

Best wishes from THE FILM DAILY to the following on their birthday: DECEMBER 3 Bryan Fry William S. Hunt Wallace Worley Paul Conran Fred Heberlein

Happy BIRTHDAY
WRITE YOUR OWN TICKET!

"I WANT BIG PRE-HOLIDAY ATTRACTIONS WHEN I NEED THEM MOST!"

Okay Mr. Exhibitor, here's "DRAMATIC SCHOOL" starring Luise Rainer, Paulette Goddard. World Premiere Radio City Music Hall, now playing. It's the most powerful heart drama since "Stage Door" and in its Hollywood Preview has been acclaimed one of the strongest box-office hits of the year.

Other current M-G-M money attractions to keep your house packed are "OUT WEST WITH THE HARDYS," latest sensation of this famed family, beating even the previous one, "Love Finds Andy Hardy." Also Joan Crawford, Margaret Sullavan, Robert Young, Melvyn Douglas in "THE SHINING HOUR." Also "THE GREAT WALTZ" starring Luise Rainer, Fernand Gravet, Miliza Korjus. Also "THE CITADEL" starring Robert Donat, Rosalind Russell.

You get these big productions now, when your box-office needs them most!
"I WANT THE FINEST CHRISTMAS FEATURE EVER MADE!"

Okay, Mr. Exhibitor, here’s "A CHRISTMAS CAROL." Please screen it immediately and we’ll guarantee that with tears in your eyes, happiness in your heart, you’ll agree it’s the fullest 7 reels of audience thrill and joy you’ve seen since M-G-M’s previous Charles Dickens masterpiece, "David Copperfield." And "A CHRISTMAS CAROL" is a knockout attraction for any season of the year!

"I WANT A NEW YEAR’S SHOW AS BIG AS A $6.60 BROADWAY MUSICAL HIT!"

Okay, Mr. Exhibitor, here’s "SWEETHEARTS" starring JEANETTE MacDONALD, NELSON EDDY. Entirely in Technicolor and the most magnificent production that ever combined star names, hit-songs, soul-stirring love story and unique spectacular presentations! It will play day-and-date in hundreds of theatres across America, a positive clean-up for the most popular theatre-going time of the year! "SWEETHEARTS" will write new box-office history for the greatest number of simultaneous bookings and for attendance beyond all previous records.

METRO-GOLDWYN-MAYER, THE FRIENDLY COMPANY
20TH-FOX TO HANDLE GB PICTURES IN U. S.

HOLLYWOOD

Off Coast Wires

NEWS of the day: 20th-Fox will co-star Tyrone Power, Alice Faye and Al Jolson in "Rose of Washington Square" which, musically, will span the last 20 years. . . . Albert J. Smith joins the cast of Metro's "Broadway Serenade." . . . Standard is seeking Dick Purcell, Muriel Evans for "20,000,000 Witnesses." . . . Adele Buffington has completed a new novel, "Black Blizzard." . . . Warners will star Dick Powell in "A Young Man's Fancy," straight drama. . . . Ohio U. may confer an honorary degree on Dimitri Tiomkin. . . . Claude居家 taken to Medical Arts Center. "Used to be a Newspaperman Myself." . . . Stephen Slesinger will establish a branch office here. . . . Charlie Ruggles goes into Paramount's "Sudden Money." .

Mendes' Travels

Films that he has personally shot with an amateur camera in his world travels during the past decade are being cut and assembled by Lothar Mendes, the director, for independent release as a novelty personality travelogue.

Levine on "Women in White"

Nat Levine's first production for M-G-M will be "Women In White" to be directed by S. Sylvan Simon. Florence Rice, Alan Marshall, Kent Taylor, Una Merkel, Buddy Ebsen, Jessie Ralph, Ann Butherford and Mary Howard are in the cast.

"Sheldon" Completed

Cinema Sales, Inc. has completed "Sheldon Goes to Town" for Stewart-Warner Corporation. It was directed by Wallace Fox and the cast includes Leon Ames, Emmett Vogan, Sid Saylor and Edward Earle. Harry Jackson handled the photography.

Manlok Claims Soviet Pix

Based on His Life, Sues

Suit was filed by Hans J. Manlok yesterday in Supreme Court against Pal In, a New York distributor of Koninov's "Black Power." Charges made by the producer in his letter to S. Levine.

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Golfing Turnesas Suing Over Alleged Adv. Plug

Suit was filed yesterday in Federal Court by the seven golfer Turnesas brothers against Pathe News, RKO-Radio, RKO Distributing Corp., and R. H. Macy, the plaintiffs charging that they made a Sportscope subject for RKO, titled "Brother Golfers," and that they were shown using a golf ball known as a "power ball," exploited by Macy. They claim that the advertising "plug" was inserted in the footage without their knowledge and assent. RKO's motion to dismiss was rejected.

Ligitation is a transfer action. RKO claims permission for the "plug" was given by the plaintiffs.

Mrs. Marston, SAG Eastern Head, Ill from Pneumonia

Mrs. Florence Marston, Eastern head of the Screen Actors Guild, was in New York yesterday, following a sudden collapse in her hotel from pneumonia. Her husband, who was with her, reported last night as being fair.

"Human Wreckage" Appeal To Be Argued Tomorrow

Albany, N. Y.—Motion seeking to set aside the verdict of Censor Irwin Esmond and the State Regents will be heard before Judge Francis Berg- an in Supreme Court here Friday on the matter of "Human Wreckage," the film submitted by Cinema Service Corp., New York, last April, for licensing and rejected by Esmond as "indecent" and "immoral." The appeal of Cinema Service to the Board of Regents resulted in the upholding of Esmond's decision.

STORKS!

Omaha—Keith Wilson, film critic for the Omaha World-Herald, is the proud father of a baby daughter born this week. The baby will be named Diane Elizabeth Wilson.

MPTOA URGES QUICK REFORM EFFECTUATION

(Continued from Page 1)

tors would be postponed until further notice.

"It is obvious," Kuykendall said, "that these proposals require study by MPTOA's committee and are not ready to be submitted to our various units for immediate consideration. While they do not include some of the things on which the MPTOA has insistently pressed, the draft "does show a high degree of sincerity of purpose in its approach," Kuykendall said, adding: "At this time it is not advisable to go into a full analysis of the distributor proposals as it might not reflect the attitude of the MPTOA Board of Directors in its entirety. However, these proposals are a new thought with us and being discussed over a period of years, we have very definite ideas as to that which should prevail at an agreement with the National Distribution Committee. There can be no question that some of the proposals as to trade practices are close approach to our viewpoint."

It was pointed out that the board of directors at the recent national convention had insisted that the proposals become effective immediately. It was said the organization did not object to the submission of the draft to the Department of Justice for consideration, yet "we deplore the delay in the procedure which necessarily entails."

Mrs. Arthur Ofé Dies

Omaha—Mrs. Arthur Ofé, wife of the assistant manager of Capitol Theater, Omaha, died recently after a brief illness. Mrs. Ofé was formerly chief of service at the Omaha Theater here.

FILM CENTER BUILDING

144th St. Ninth Ave.

For the Motion Picture Industry

- Lowest insurance rates.
- Projection and inspection rooms.
- Vaults.
- Immediate shipping platform.

Some buildings have some stars—this building has all stars.

For Space Apply

270 Madison Avenue
N. Y. City

Tel. CALEDONIA 5-7900

WEDDING BELLS

Omaha—Onslow Anderson, Tri-States Theater Corp. sound engineer, was wed recently to Elisa Eastern of Omaha.

To Announce 20-Fox British Plans at Coast Sales Meet

West Coast Bureau of THE FILM DAILY

Hollywood — English production program of 20th-Fox for next season will be announced at the sales meeting to be held here Jan. 1 and end of selling season next year, with more pictures either completed or in work now.
CHASE SELLS 50,200 SHARES OF 20TH-FOX

(Continued from Page 1)
50,200 shares of 20th Century-Fox Corp. were sold by Burrows. Universal Corp. also reported that Peyton Gibson acquired 400 common voting trust certificates and now holds 600 of the certificates, through Standard Capital Co. Daniel M. Sheaffer reported acquisition of 500 certificates and now holds 10,000 certificates. Gibson stated he holds no common voting trust certificates directly but holds 111,283 through Standard Capital Co. Sheaffer also stated he holds none of the warrants directly but is an indirect owner through Standard Capital Corp.

Universal Pictures Co. reported that Universal Corp. acquired 2,000 shares of common in September and now holds 230,927 shares of common. Universal Corp. also reported holding 220 shares of 8 per cent cumulative preferred and 20,000 shares of 2nd preferred. Both are September reports.

Jack Cohn stated he holds 542 shares of Columbia Pictures Corp. common stock after acquiring 13 shares in September. Cohn also acquired 810 common voting trust certificates in September, it was reported, and disposed of 1,400 of the certificates in the current report. He now holds 31,817 certificates, it was reported.

Leo W. Inc., report stated that Leopold Friedman disposed of 200 shares of common and now holds 612 shares.

The summary listed Preston Davie as a new director of Universal Corp. with holdings in common voting trust certificates through Standard Capital Co., and 111,283 common voting trust certificates warrants through the same arrangement.

REVIEW OF NEW FILMS

"Santa Fe Stampede"

with John Wayne, Ray Corrigan, Max Terhune

Republic 55 Mins.

RIP-SNORTING WESTERN HAS PLENTY OF EVERYTHING IN THE WAY OF FAST ACTION.

The Three Mesquiteers ride again, and with action aplenty in this new release. The western fans will be more than pleased with this one. The Mesquiteers' performances are up to standard and William Farnum and June Martel assist neatly. Le Roy Mason is one of the most desplicable villains seen on a screen in many a day, good for a six-barreled hissing from any audience. George Sherman keeps the film moving at a fast clip and the action never lags. Farnum strikes gold and sends for his friends, the Mesquiteers, to help him out. Mason, crooked mayor of a nearby attempts to get the mine and Farnum is killed. Wayne is accused by the crooks of murder and a lively bit of action ensues until the forces of law and order gain the upper hand.


CREDITS: Associate Producer, William Berke; Director, George Sherman; Screenplay, Luci Ward and Betty Burbridge; Original Story, Luci Ward; Camera, Reggie Lanning; Editor, Tony Martinelli.

DIRECTION: Fast. PHOTOGRAPHY, Good.

"Scouts To The Rescue"

(12-Chapter Serial)

Universal 21 Mins. Mainly for Kids

Jackie Cooper stars in this chapter-play and turns in a good performance as a junior scout master of a Boy Scout troop. First three chapters are short on plausibility, but there is enough action to satisfy the juvenile trade for which the serial was intended. It's good propaganda for the Boy Scout movement and should get the support of local troops. The story concerns the finding of a buried treasure map by a boy, Bill Cody Jr., who turns the chart over to Cooper and his scouts. The troop digs up a trunk full of currency which turns out to be counterfeit and young Cody (later becomes innocently involved. The Scouts are endangered by both the counterfeit gang which is seeking the money and a tribe of strange Indians who resent the presence of the Scouts in their territory. There are several good fights, including one in the air, a plane crash and the attack by Indians.

FOREIGN

"Fram For Framgang" (Road To Success)

with Jussi Bjorling, Aino Taube, Ake Ohberg

Scandinavian Talking Pictures 85 Mins.

AMUSING COMEDY STARS NEW SWEDISH SINGER WITH ENTERTAINING RESULTS.

The Scandinavian film fans will find good entertainment value in this new Swedish importation. Starring Jussi Bjorling, Swedish tenor who is currently here to appear at the Metropolitan, the film gives him ample opportunity to use his fine voice. There is an amusing story that has a number of comedy complications which are finally unraveled satisfactorily. Aino Taube and Ake Ohberg share the stellar honors with Bjorling. Bjorling attempts to break into radio assisted by two friends. Their mutual efforts almost become disastrous until they finally work their problems out.


CREDITS: Produced by Svensk Filmindustri; Director, Gunnar Skoglund. Presented at the 48th Street Theater with Swedish dialogue and English titles.

DIRECTION, O.K. PHOTOGRAPHY, Good.

DOUGLAS • VIRGINIA BRUCE

THERE'S THAT WOMAN AGAIN

DIRECTED BY ALEXANDER HALL A COLUMBIA PICTURE

TOR, CONCILIATOR IN CLEARANCE AGREEMENT

(Continued from Page 1)
ask the company to adopt the plan. J. T. Bragg, FPC secretary, is chairman of the committee.

Action on revision of the Canadian License Agreement and score

Doubt New Decrees Affecting U. S. Pix Interests in France

(Continued from Page 1)

ing of film regulations in that country, producer-distributor sources declared last night that while there has been a great deal of "loose talk" on this subject recently, it is doubtful whether any decrees affecting American film interests in France will materialize.

Observers point to the fact that movements are continually under way in France to rectify the internal setup there, but much agitation is unlikely to lead to steps having much of a bearing on U. S.-French film commerce. In substantiation of that opinion, it is cited that the U. S. and France are mutually committed to a status quo as the result of the existing trade treaty between the two countries.
Columbia is first with its expose of the far-flung spy network! Now... when all the nation's newspapers are talking espionage...we give you the sensational start of a brand-new cycle!
A Calendar of Feature Releases

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Out West with the Hardys (M-G-M) | 12-30-38 |

Mickey Rooney, Lewis Stone, Fay Wray | 2-1-39 |

Sunday, Bloody Sunday | 9-24-38 |

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<td>10-15-39</td>
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<tr>
<td>Robert Young</td>
<td>1-6-39</td>
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<td>The Big Broadcast of 1939 (20th-Fox)</td>
<td>12-28-38</td>
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<tr>
<td>Radio City (Col.)</td>
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<td>Shenandoah (Rep.)</td>
<td>12-28-38</td>
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<td>Frank Morgan</td>
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Not for Glory (Col.) | 12-24-38 |

Off the Record (WB) | 9-24-38 |

Pat O'Brien, Joan Blondell | 10-28-38 |

Alabama Kids (M-G-M) | 9-24-38 |

James Cagney, Roselane Rose | 12-30-38 |

One, two, three (M-G-M) | 1-1-39 |

Sylvia Sidney | 12-30-38 |

Orphans of the Street (Col.) | 12-30-38 |

James Cagney, Robert Frazer, Josslyn | 1-1-39 |

Out West with the Hardys (M-G-M) | 12-30-38 |

Mickey Rooney, Lewis Stone, Fay Wray | 2-1-39 |

Sunday, Bloody Sunday | 9-24-38 |

John Wayne, Ray Corrigan, Louise Brooks | 12-24-38 |

Sixty Glorious Years (RKO) | 11-17-38 |

Anna Neagle, Alfred Wulsin | 12-28-38 |
Chicago Spends $1,500,000 for Theater Improvements

Says Tele 20 Times More Costly Than Radio
Montreal—Telecasting entails a capital cost 20 times greater than that of radio broadcasting while the cost of producing telecasts is from five to 15 times above that of radio program production according to Milton H. Sargent, chairman of the Canadian Westinghouse Co., who addressed the Quebec Radio Trade Association here. Hunter declared that it will be probably several years before even the metropolitan centers of the Dominion can expect to see a series of telecasts. Referring to the cost of a coaxial cable, Hunter said that it would be almost as costly to install and maintain as a two-lane concrete highway.

Marquee Measure Sent Back to City Council
(Continued from Page 1)
ure. The Kingsley Bell deals with regulatory ordinance for marquees in the Bronx.
A hearing is expected to be held within a few days on the Nugent Bill whose provisions have been drawn up to apply to marquees along upper Broadway, Mhattan, from 69th St. to 120th St. This measure is being bitterly opposed by film interests and their theaters that are on or near the strip.
W. French Githens, president of the Newsreel Theaters; Loew’s Inc.; and RKO have already gone on record as against the Nugent Bill, and are being supported in their stand by labor and other organizations.

Jack Pickett Honored at Troy Testimonial
Troy—Jack Pickett, for 10 years assistant manager of Proctor’s, was feted at a testimonial banquet last night at the Elks’ Club. Pickett is leaving the Fabian Theater Circuit to become general agent for the Continental Insurance Co. here.
Toastmaster was Harry Black, manager of Proctors and Pickett’s immediate superior. Gift was presented by Lou Golding, district manager, and among those present were: Mayor J. F. Hogan of Troy, Lou Golding, Fabian district manager, Sidney Deneau, assistant district manager, Joe Shure, manager, Stale, Schenectady, Dick Murphy, Proctor’s Schenectady, Phil Rapp, Strand, Schenectady and Robert Fox, Plattsburgh.

L. K. Ansell Elected Proxy of St. Louis Variety Club
St. Louis—Louis K. Ansell, head of the Ansell Bros. Circuit, has been elected chief banker of the St. Louis Variety Club and will be installed at the annual banquet Monday night.
Other new officers are: A. L. Matrecci, manager of the Uptown Theater, first assistant chief banker; Harry Hynes, assistant manager; Universal Pictures exchange, second assistant chief banker; Herbert Washburn, National Screen Service, property master, and Joseph Ansell, Ansell Bros. Circuit, dough guy.

Masonic Funeral Tomorrow for Epes Winthrop Sargent
(Continued from Page 1)
1466 E. 9th St., Brooklyn. Cremation will follow Saturday.
Sargent died suddenly Tuesday midnight following a stomach hemorrhage; he had suffered from a liver ailment and diabetes for some time, but on Tuesday night as usual had helped to edit and send Variety to press.
Surviving are his wife, Mrs. Evelyn Sargent, and a son, Epes, Jr., now with CBS in Chicago.
Funeral arrangements were specified in a letter of instructions which Sargent left, addressed to the family.
A native of Nassau, Bahamas, Sargent broke into show business as an usher at the Bijou, Washington, D.C. His first trade paper job was with the Old Musical Courier. Later, he was with the New York Sunday Mercury where his nom-de-plume, Chicot, originated, with the Morning Telegraph, Variety, and, briefly, with his own Chicot’s Weekly.
Sargent served as general press agent for the Proctor circuit, joined the William Morris agency, became scenario editor for Screen J. Stuart Blackton’s early film ventures, and wrote extensively on the theater, authoring a number of authoritative textbook titles, “Theater Management.” Ten years ago, he rejoined Variety.

300 Chi. Area Bookings for “U’s” Horrific Dual
Chicago—Universal Exchange reports more than 300 bookings in the Chicago territory for “Dracula” and “Frankenstein” horror show, with demand continuing.

Alliance, O.—Booked originally to play a midnight show at the Strand, “Frankenstein” and “Dracula” additionally went into the Coliseum, New World, and the Roxy. Houses are operated by Tri-Theaters, with Ray Wallace as general manager.

“Le Micoche” to Fadiman
Edwin Fadiman announces the acquisition by National Pictures Corp. of “Le Micoche,” French production. U.S. releasing title will be “40 Little Mothers.”

Chicagoland theater management
Chicago—Approximately $2,000,000 has been spent for theater construction and equipment, including both lighting and air-conditioning machinery. A $500,000 investment in new theater buildings, of which, the Esquire theater opened, early this year, is outstanding.
Year in the Chicago area has been featured by the erection of houses in the $50,000 class in residential districts to cater to the family trade. Latest, now nearing completion, is the 70-seat Road on W. Roosevelt Rd., which Charles Nelson will operate.
The Balaban & Katz circuit has begun a leader in the modernization of older theaters, installing the latest RCA sound equipment in the Chicago theater, the Granada, the Marboro and several district houses.
The Warner circuit, invested $50,000 in new theater fronts for several of its South Side theaters.
Other circuit expenditures for remodeling and new equipment include:
Joles, Linick & Schaefer, $15,000; Essaness, $10,000; Scheinest, $90,000; Goodman & Harris, $10,000; GCS, $100,000; Indiana and Illinois, $50,000; Gregory Theater Corp., $75,000; Beck, $25,000; Lubliner & Trinz, $50,000; KS Realty Co., $25,000. More than $200,000 will be invested in a new 20th century Exchange building, now under construction at 13th and Wabash Ave. The, 1,250 South Wabash Avenue House, built by A. M. Brown, will erect the structure leased to the film company for 15 years. A smaller structure south of the Fox Exchange will be erected for Monogram.

Mayor Glenda Farrell Orders Hollywood Street Cleanup
West Coast Bureau of THE FILM DAILY
Hollywood—Glenda Farrell, new mayor of Hollywood, who defeated Bing Crosby in the recent election, has announced a program calling for flowers in all vacant lots, a rubbish can for every street corner, and a daily morning scrubbing of the streets. Mayor Farrell will be installed as mayor tonight with Mayor Fletcher Bowron of Los Angeles officiating.

Bursten—Mayer Distribute
“Ballerina” is being distributed by Joe Bursten and Arthur Mayer and not by World Pictures, as was reported erroneously yesterday.
20th Century-Fox to Enter French Production Field

NEW MOVE TO ELIMINATE GAMES LAUNCHED IN N.Y.

ITOA Plans General Exhibitor Discussion of Reforms

Meeting Expected to be Set for New York City on Dec. 21

ITOA will invite all interested exhibitors to attend its next meeting for the purpose of discussing the trade reform draft. Date for the session has not been set but it probably will be held on Dec. 21.

Meanwhile Ed Kuykendall, MPTOA president, and Lewen Pizor, a member of the executive committee, yesterday continued their study (Continued on Page 11).

TRI-STATE CONCLAVE MAY ACT ON REFORMS

Memphis, Tenn. — First MPTOA affiliate to formally indicate its reaction to the distributors' proposals for trade reform may be the MPTO of Arkansas, Mississippi and Tennessee which will convene in the Hotel Gayoso here Sunday and Monday.

Ed Kuykendall, MPTOA prexy, ar-

Mrs. Roosevelt Buys First Ticket for Refugee Raffle

Mrs. Eleanor Roosevelt and Jack Benny co-starred in their own skit yesterday, before newsreel cameras, Benny sold the President's wife the first ticket on a raffle of paintings sponsored by the Motion (Continued on Page 12).

Dallas Refugee Benefit Nets More Than $70,000

Dallas—It is estimated that receipts from the benefit of German refugees given in the theaters of the Hoblitzelle - O'Donnell Interstate Circuit in 157 locations, is in excess of $70,000. The Dallas Variety Club contributed $1,000 to the fund, (Continued on Page 11).

World-Wide, GB And 20th-Fox Deal Next?

Contract closing 20th-Fox-Gaumont British-Gainsborough distribution and producing deal was officially signed yesterday morning by President Sidney R. Kent of 20th-Fox and Arthur A. Lee, vice-presi-
dent and general manager of GB. Pact calls for 20th-Fox to fulfill all GB contracts regarding distribution of pictures on the latter company's announced program.

Poet does not include world-wide (Continued on Page 11)

Harry Hummell New Prexy of New York Film Board

A new slate of officers with the exception of that of treasurer has been elected by the New York Film Board of Trade, it was announced yesterday. Election was held Wed-
nednesday night.

Harry Hummell, of Warner Bros., (Continued on Page 11).

Agreement Near On Theater Expansion

Washington Bureau of THE FILM DAILY

Washington — Final confirmation of the proposed agreement between the Government and major film companies — calling on the one hand for the latter to refrain from theater acquisition during progress of the current equity action unless such moves are known and approved by the Government, and, on the other hand, for the Government to lift the threat of a temporary injunction, (Continued on Page 10).

Arguments in Chicago's Contempt Case Continue

Chicago — Federal Judge Charles Woodward will continue to hear argu-
ments on the defense motion for a bill of particulars in the criminal contempt proceedings instituted by the Government against B & K and the majors, except Columbia.

The defendants are represented by (Continued on Page 12).

20th-Fox Enters French Prod. Thru Deal Closed With Andre Davene

New York Circuits Talk Contract Terms with AFA

Meeting yesterday in the office of G. C. Moskowitz, head of Loew's theater operations, labor representa-
tives of large New York circuits discussed terms of an American Federation of Actors contract with (Continued on Page 6).

Twentieth Century-Fox has closed a deal to enter the French production field next year. Four pictures are scheduled to be produced in France by Andre Davene and will be distributed in Europe by the 20th-Fox organization, it was learned yesterday from an author-
tative source.

Deal was signed recently on the (Continued on Page 3).

UA LIABLE TO W. VA. TAX, COURT IS TOLD

Washington Bureau of THE FILM DAILY

Washington, United Artists is liable to intra-state taxes of West Virginia because it derives revenue from exhibition of its films within the state in theaters that come under the Business and Occupation Tax Law, the U. S. Supreme Court was told yesterday by C. W. Meadows, representing the state, as arguments (Continued on Page 6).

RKO Reorg. Hearing Today To Clarify Stock Waiver

Hearing on the RKO organization, called by Federal Judge William Bondy to take place at 5 p.m. today in his chambers, is slated to clarify the question as to whether physical presentation of stock certificates should be waived with respect to the filing of consents. Possibility loomed last evening that (Continued on Page 12).

Zanuck, Wurtzel's 20th-Fox Pix Through May Finished

All releases scheduled by 20th-Fox through May that are on the Darryl F. Zanuck and Sol Wurtzel programs (Continued on Page 12).

D of J Agent "Listens In" on Squawks

Seymour Kreiger, a member of the Department of Justice, "observed" remarks made yesterday by independent exhibitors during the meeting for the discussion of theater games at the Hotel Astor. Kreiger took down the names and addresses of those who complained of certain trade practices. He has been making similar sur-
vays here over a period of several weeks. Kreiger left last night for Washington.
B & K Takes Out $6,000,000 in Employee Group Insurance

John Balaban, secretary and treasurer of B & K, announced yesterday one of the year's most important group insurance transactions, which provides group life, health accident and hospitalization protection for employees of B & K theaters, Publix Great States Theaters, Dec., subsidiaries, the amounts and coverage of which amount to some $6,000,000. More than 2,200 employees of the family of companies are fully covered in over 100 theaters in Chicago and throughout Illinois, Indiana, and Ohio will be favored by the plan.

Coverage is with The Equitable Life Assurance Society, which declares that this is the first counterpart group insurance plan thus far offered by a company and is completely paid for by an employer. The four-way protection plan becomes operative on Dec. 15.

K-A-O Board Declares Dividends for 1935-36

The Board of Directors of K-A-O Corp. declared a dividend, out of capital surplus, of 9,50 per share, payable on Dec. 31. The company's home office, 1935-36, payable on Dec. 28, to the holders of record of said stock at the close of business on Dec. 19.

Laemmle Takes Second French Film for Coast

Sale of the West Coast rights of “Ballerina” to Carl Laemmle Sr., was announced yesterday by Arthur Mayer and Joseph Baryshnik, distributors of the French picture in this country. This is the second French picture Laemmle has brought to the attention of the public, the first was “Mayerling.” “Ballerina” is currently in its fourth week at the Little Carnegie Playhouse here.

Gillmore to See Wagner on Salary Surtax Plan

Conferees with Senator Robert F. Wagner will be held Friday by Frank Balaban, head of the CO. the latter part of this month to discuss the possibility of levying the surtax on patronage. The conference was disclosed yesterday. Gillmore has been active for some time on this plan.

Montreal Catholics Urge Moral Films for Schools

Montreal — Advocating continuation of the pitx theater ban for children under 12, the pedagogical council of the Montreal Catholic School Commission submitted a report urging that films not be shown to children of juvenile audiences should be shown in schools.

1,069 Theaters Have Booked Warners’ “Heart of North”

Checkup yesterday at Warners’ home office revealed that a total of 1,069 theaters have already booked company’s feature “Heart of North” and therefore have their playdates mentioned in the full page Warner ad on the attraction set for publication in the Dec. 12 issue of the American Weekly, the Sunday magazine supplement carried in hundreds of newspapers over the country.

One of salient purposes of the ad is to ballyhoo local engagements, and give strong stimulus to the attraction at box-offices.

British Empire Films Exec. Arrives Dec. 15

British Empire Films, Ltd., distributors of Republic's product in Australia, is planning a “Gordon Ellis Montem” showing January, a cable to Republic's home office yesterday declared. Ellis, managing director of the company, made a trip to New York abroad the Queen Mary on Dec. 15, and the drive is being arranged as a personal tribute to him during his absence from Australia.

Three Metro Releases

Off to Big N. Y. Starts

—Pygmalion“ opened at the Astor Theater, Broadway, to capacity business yesterday. Because of the crowds it was necessary to stop the sale of tickets five times during the day, the theater reported.

Two other M-G-M pictures, “Our West With the Hardys” at the Capitol, and “Dramatic School” at the Music Hall opened to heavy business, it was reported.

Decency Pledge Renewal

To be Asked on Sunday

Renewal of pledges to the Legion of Decency, timed against immoral pictures and pictures glorifying crime and criminals will be requested at Catholic masses on Sunday, it was learned yesterday.

FTC Drops Title Case

Washington — The FTC has dismissed without prejudice its complaint against Grand National Films, Inc., charged with unfair competition in the sale and distribution of a motion picture produced under the title “His Steps.” In dismissing the case, the Commission notes that there will be no further public interest is involved.

Extend Lapidas Territory

Pittsburg — Jules Lapidas, who was made Middle Atlantic district manager of the Lapidas National several months ago, covering the Pittsburgh, Philadelphia, Washington and Cleveland territories, has just taken over supervision of the Cincinnati, Detroit and Indianapolis territories also.

COMING AND GOING

SINDY R. KENT, press, and CHARLES E. MCCARTHY, advertising and publicity director of the 20th-Fox, leave today for the Coast.

ED KUYKENDALL, MTVO chief, leaves today for Memphis and then goes to his home in Illinois.

SAM GOLSTEIN, treasurer of Consolidated Wilcox, British producer, and ANNA NEAGLE, star of his “Sixty Glorious Years,” return today from New York from Hollywood.

WALLACE FORD entailed yesterday for Hollywood to visit his family. He will return in January to star in a Broadway play, “Harry,” which William K. Howard will produce and direct.

B. A. ROLFE, symphony orchestra conductor, and his wife, will sail today on the Santa Rosa of the Grace Line for France.

JOSEPH F. KENNEDY, American Ambassador to England, sails Saturday on the Queen Mary for New York. Pictures, return today on the Washington following a seven weeks’ European trip on company’s account.

J. P. O’LOUGHLIN, Kent driver lead for 20th-Fox, WALTER CLARK, short subject sales manager, JERRY OSIYAN and MARTIN MOSKOWITZ, assistants to Herman Webber, called from Hollywood to attend an all-staff meeting.

JACK BLOOM of the home office, HARRY H. BUXBAUM, N. Y. exchange manager, JOSEPH J. LEE, Division Managers EDGAR MOSS of Philadelphia and TOM H. BAILLY on Boston and Division Manager WILLIAM SUSSMAN, WILLIAM C. O’MEEGAN and WILLIAM J. KUPPER left last night on the Commodore to attend the 20th-Fox Coast conference.

DR. CARL BURHAN, general and Eastern European representative of NBC, sailed today on the S. U. Liner Washington for Europe.

WALTER WARD, who made his film debut in RKO’s “The Pure in Mind,” has returned to New York to spend the holidays.

—ROGALIE STEWART, Coast agent, leaves for Hollywood tonight by train.

JOHN CANFIELD, WB player, called here by his father’s illness, returned to the Coast Dec. 16.

—EDWARD SAGALL, head of Scopiphony, expects to sail for England around Dec. 17. He will confine himself to Scopiphony, plans to sail this week-end.

JANE BRYAN, WB player, arrives on the Coast Dec. 16, following her six weeks’ stay in New York.

JIMMY RITZ and his wife arrive in New York Dec. 16.

—GEORGE ARLOSS, ALEXANDER KORDA, CHARLES F. FRANKS, JR. and MR. & MRS. GARY COOPER arrive from Europe today on the Aquitania.

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

DECEMBER 9
Douglas Fairbanks, Jr. — Frederick W. Fox — Edward J. Dowling — Bert Sprotle — Mark Hamilton — R. M. Blumenhal

DECEMBER 10
Victor McLaglen — Sidney Fox — George Louis — Syd Well — Ura Meckel

DECEMBER 11
Sally Eilers — Gilbert Roland
NEW MOVE TO DROP GAMES IN NEW YORK

(Continued from Page 1)

various theater men expressed their ideas, it was decided that Harry Brandt, ITOA president, should appoint a committee of six, comprising two independent exhibitors, two representatives of affiliated circuits and two independent chain operators, which would meet with Commissioner Moss, the latter acting as chairman in the situation.

Several small theater owners declared that they could not stay in business if giveaways were abandoned. Brandt, in reply, said that the giving away of items was a practice that had been going on for years and that it was not his intention to dispense with premiums until merchants and large commercial enterprises dropped the practice.

Commissioner Moss, in asserting that the giveaway situation constituted a menace to the industry, said that if there is a conviction against the Jewel Theater on a bonding-tort charge, he would cancel the license of the house. This statement brought some bitter replies from several exhibitors who insisted that giveaways were essential to their livelihood. It was pointed out that if the so-called "artificial stimulants" were thrown out, more than one-half of the city's theaters would have to close.

Whether efforts will be made to stop giveaways in one borough at a time or in the entire city in one swoop probably will be decided at the committee meeting with Commissioner Moss, who will ask the mayor also to be present.

C. C. Moskwitz, head of Loew's theater operations, repeated the attitude expressed by his organization when this question was brought up last year—that Loew's would quit the giveaway practice when the others agreed to do likewise.

Oklahoma City-A special luncheon in honor of W. Ray Johnston, Monogram president, and George W. Weeks, general sales manager, was sponsored yesterday by the Chamber of Commerce. Guests included Governor Marland, Governor-elect Leon Phillips, exhibitors and leading business men. Industry representatives included Dinty Moore, T. B. Noble, Ralph Talbot, J. C. Hunter, Phil Ialey, William Moran.

Champ. Critic??

Lincoln—Barney Oldfield, film critic of the local Sunday Journal and Star, is again bidding for laurels as the busiest U. S. reviewer.

Of the 462 pix listed on the official film Daily "110 Best" ballot, Oldfield has caught all but seven. Additionally, he's reviewed 700 films in the Jackie category. That's a total of 275 features for Oldfield so far this year.

His motto is, "Don't let any gluton say she's seen 524.

Theater Employment Held Not Hazardous in Okla.

Oklahoma City—The state supreme court in review of proceedings establishing an award of the State Industrial Commission to Albert George Johnson from Oscar Perry of the Fox Theater, ruled in favor of the theater owner.

Ruling held that state laws do not limit employment in theaters as hazardous employment "because there is an electric motor and other moving picture machines in the booth or projection room of a theater does not constitute the same as a workshop within the definition of 'artificial stimulants' or 'workmen's compensation law.'

Justices Osborn, Bayless, Welch, Corn and Hurst ruled with Riley, Gibson and Davison, absent and Danner, not participating.

Exhibs. Expect Healthy Biz Improvement—Richey

H. M. Richey, director of exhibitor relations for RKO, yesterday reported that exhibitors in various sections of the country were looking forward to a healthy improvement in the showing. This observation was made following his return from a two-weeks tour of the Midwest and as far south as Charlotte.

Richey said that the showmen he talked to were optimistic and that there was more talk about a return to old-time intensive methods of exploitation and showmanship than he had heard in years. He was of the opinion that exhibitors felt that the placing of a few one-sheets no longer constituted a campaign.

Scophone Execs. Silent on Launching of U. S. Co.

Declining comment as to how soon Scophone, the company will launch its American-controlled company, Solomon Sagall, organization's managing director, accompanied by Arthur Levey, Scophone director, arrived in New York yesterday from Washington where both held lengthy conferences with FCC officials on the proposition of a television station license.

Sagall expects to leave New York for England on or about Dec. 17, while Levey plans to sail for there this weekend.

N. D. Divorce Appeal Jan. 6

Fargo, N. D.—Paramount has been granted a time extension from Dec. 15 to Jan. 6 in perfecting its appeal to the Superior Court in the North Dakota theater divorce action.

First Facsimile Paper Makes Bow in St. Louis

St. Louis—World's first regular broadcast on ultra high frequency of specially prepared facsimile newspapers was inaugurated here on Wednesday on experimental radio facsimile station W9XZY, operated by the local Post-Dispatch.

First issue of the Post Dispatch's radio venture consisted of nine pages, each of which requires 15 minutes to transmit. Range of the station is from 20 to 30 miles using 31,600 kilocycles. Broadcasts will be continued daily and Sunday at two p.m.

Currently, 15 receiving stations have been placed in homes of members of the station's staff. RCA, expects within the next month to supply receivers at a unit cost of about $200.

To Rebuild Burned House

Montreal — Cinema D'Amour at Amqui, owned by J. D. Rioux, was destroyed by fire. It will be re-built and re-equipped.

20TH-FOX TO ENTER FRENCH PROD. FIELD

(Continued from Page 1)

Coast by Davone while President Sidney R. Kent was conferring with studio execs. Whether or not the four pictures will be dubbed or given English sub-titles so that they can be distributed in this country depends on quality and market value of pix, it was said.

Simone Simon and Albert Prejean will be starred in one film, with budget tentatively set around $120,000, and Charles Boyer will be starred in another of the four. Remaining two have not been cast, but equally prominent French players are being sought, it was learned. Other pix will be budgeted in same bracket as Simon film, it is asserted.

Financing is being put up in part by 20th-Fox in return for distribution rights.

Herman Alteman Rites Today

Funeral service for Herman Alteman, brother of Jack Alteman, owner of the Savoy Theater, Jamaica, L. I., will be held at 1 p.m. this afternoon at the Riverside Memorial Chapel.

MISTER AVERAGE MAN

AS WE SNAPS UP TO ARTIST'S

But let MISTER AVERAGE MAN make your audiences laugh for themselves in this scandalously funny picture!

An entertainment idea as brightly new and different as the new Nickels!

"THANKS FOR EVERYTHING"

(Released December 22nd)

The joy-time show for big-time grosses!
Is it possible you've guessed?...

"MISTER AVERAGE MAN" IS WHAT THE FUN IS ALL ABOUT!

20th's priceless, business-zooming flair has unearthed a new gold-mine of merriment!

DIFFERENT! With America's Mister Average Man (poor Haley!) tricked and picked on by Menjou and Oakie just to see what makes him tick! And in bad with his sweetheart, too!

A SHOW to make neighbors laugh good-naturedly at each other...and howl together!

PLUS exploitation stunts by the bushel! PLUS a World's Fair beauty contest! PLUS Gordon & Revel hits!

TIMED by 20th for top holiday grosses!

SO DATE IT IN for the jolliest Christmas your audiences ever celebrated!

THEY'LL THANK YOU FOR EVERYTHING!

Thanks for
Everything

with

ADOLPHE MENJOU • JACK OAKIE
JACK HALEY • ARLEEN WHELAN
TONY MARTIN • Binnie BARNES
GEORGE BARBIER • WARREN HYMER

Directed by WILLIAM A. SEITER

Associate Producer Harry Joe Brown • Screen play by Harry Tugend
Adaptation by Curtis Kenyon and Art Arthur • Based on a story by
Gilbert Wright • Music and lyrics by Mack Gordon and Harry Revel

DARRYL F. ZANUCK
in Charge of Production
on the UA-West Virginia tax case got under way.

Yesterday's session lasted only about 15 minutes before Chief Justice Hughes arose at 4:30 p.m. to end the day's proceedings. The case will be continued tomorrow when Meadows will finish the arguments of the appellant and Robert G. Kelley will present the view of UA to the high court.

Meadows opened the hearing with explanatory remarks on the business of UA and how the films are shipped to exhibitors in West Virginia. He declared that although many of the films are shipped from New York to other points through interstate commerce, sometimes UA's films are shipped from one exhibitor to the state to another within the state, constituting in-state commerce. He told the court that West Virginia seeks to collect the taxes, not upon the shipment of the films but upon their use in the theaters, which come under the real property clause of the tax act. The tax is one per cent of the gross income, Meadows said.

"The respondent UA exercises such control over the exhibitor in use of its films as it is actually in business in West Virginia," Meadows contended. Local advertising of the respondent's films is controlled by the owners, Meadows said. In response to a question of Chief Justice Hughes, he said that theaters paid the tax on the basis of their use of the theater property and then declared that the films were valueless to the owner until they were exhibited alone, then to them, thus making the use of the personal property for exhibition of the films basis for collecting the taxes.

New York Circuits Talk
Contract Terms with AFA
(Continued from Page 1)

Harry R. Gaulkisbn, chief organizer for the AFA, and Charles Mosconi, AFA treasurer, Exces, representing theater circuits asked for clarification of several points in contract following general discussion.

C. C. Moskowitz, Major L. E. Thompson, RKO, Frank Phelps, Warners, Jack Partington and Irving Lesser, Roxy, Robert Weitman, Paramount, and Stanley Reed, of Fabian theaters, attended session.

UA LIABLE TO W. VA.
TAX, COURT IS TOLD

(Continued from Page 1)

**17** Issues at Highs

For a second successive day, Universal Pictures preferred bound to a new high for 1938 on the N. Y. Stock Exchange yesterday. Closing the preceding day at 73, the stock opened at 81, and closed at 77%, a net gain of 4½. Universal Pictures also had a new high for the day's session. The Curb, closing at 90%, a gain for the day of 1%. Previous Curb high was 85.

**ALONG THE**
**KALO**

**WITH PHIL. M. DALY**

- WHEN Cliff Work stepped in as studio chief of the Universal studio...one of the first things he did was to do a face-lift job on the exterior with a lot of paint...for he realized the necessity of working in pleasant surroundings...and put proper value on the effect of a modernized studio upon the studio workers.

- A VISIT to the studio of this New Universal shows conclusively that its slogan is correct: "Universal is on the way up..."...and so we doff our cap to Nate Blumberg for his excellent choice in Cliff Work as studio head....and we look to this organization to do many big things this season...most surely they are on the way "way up" with such attractions as Charlie McCarthy, Edgar Bergen, Lillian Atwell, Rochelle Hudson, Charles Ruggles, Danielle Darrieux, Wendy Barrie, Jackie Cooper, Boris Karloff, Bela Lugosi, W. C. Fields, Deanna Durbin, Basil Rathbone...this New Universal gives one the feeling of confidence that is evident in all other progressive and successful studios.

- STORY-TELLER...with an engaging style all his own...William K. Howard...at the AMPA luncheon he told several delightful stories...and we particularly liked the one that sketched the background of his current production just completed at the Eastern Service Studios in Astoria...the story took root in events of his college days...three pals...Jim Tully, Bill Howard and another who became a Dillinger monster through a trick of fate...and Howard put the final dash on his tale by showing that Tully might have been Howard, or either one of them might have been the gangster meeting a bullet death...just a typical American youth who got shunted off the safe highway the other two traveled...this Howard is a story-teller par excellence...and if he has caught that same absorbing quality and charm in his camera narration, then the world is going to see a really great production.

- ONE OF the things that we will remember about Bill Howard...was the quiet yet sincere way in which he gave credit to the "adequate" personnel at the studio in Astoria...to his own company of players and staff...and to the studio facilities...for much of the merit that his production contains...one of the most charming speakers who has ever graced the AMPA days.

- THE TWO principals in the Howard production...Patri- cia Ellis and Wally Ford...supported their chief in fine form...Patricia sang two "personality" numbers delightfully...and Wally sent them out laughing with a brace of pip stories...told with the comedy flair that is peculiarly his own.

- HIS MANY friends are rooting for the swift recovery of George Gerhardt...ill at his home in the Beauch Arts on East Forty-fourth Street.

- BOARD of Governors of the National Motion Picture Councils will attend a dinner at the Town Hall Club this eve...to launch plans for a campaign directed at improvement of speech in America...a natural tie-in with Metro's "Pyramida." for the show comedy shows how improved speech transformed a London flower girl into a lady.

**DATE BOOK**

Today: Balaban & Katz Employees Athletic dinner-dance, Palmer House, Chicago.

Dec. 11: Philadelphia Variety Club dinner-dance, O'Neill's, Philadelphia.


Dec. 14: New Haven Poli employee dinner-dance, Seven Gables Inn.

Dec. 17: Bridgeport Poli employees Christmas dinner-dance, Stratford Ballroom.

Dec. 18: Harrisburg operators 25th anniversary dinner, Penn-Harris Hotel.

Jan. 3: Joint meeting of ITO of West Virginia and Washington [-] Manager's Association, Washington, D.C.


Feb. 4: Cleveland Variety Club Ball.


Carole Lombard Ruled Off
SAG Air Show by Ad Agency

Carole Lombard will not appear on the initial broadcast of the SAG Airport Shows. However, Walter Thompson agency has ruled Miss Lombard under contract for the forthcoming Kellogg show which will appear during the first week in the SAG program in January.

West Coast Bureau of THE FILM DAILY

Los Angeles — Dankei JWT vice-president, in denying that Miss Lombard will appear on the SAG show, cited the terms of her contract which prohibit any air appearance 30 days prior to the opening Kellogg show. Clarelom Young & Rubican executive, however, cites his contract with SAG to deliver names of his choice.

Frank Morgan, Gulf president, apparently felt it necessary to put a firm stand to establish precedent and is insisting that Miss Lombard go on and, if it is understood, desires Danker to change his mind as the show's proceeds go to charity. Miss Lombard signed the Kellogg deal before Gulf was set and it now offers the Guild $5,000 to drop the matter. Morgan, however, doesn't approve of this move, because of the "principle of the thing." Kellogg is also dickering with the Marx Bros., Ronald Colman for equally big deals. Danker will emphasize a permanent cast of high-cost name talent.

**Benefit Nets $1,548**

Nicholas M. Schenck's "Pyramida" premiere benefit at the Astor Theater on the opening night of $1,548 for Broadway. The money was turned over to the government for refugee relief, it was learned yesterday. Next will be shared by four organizations engaged in refugee relief.
**Friday, December 9, 1938**

**REVIEWS OF THE NEW FILMS**

*Thanks for Everything*  
with Adolphe Menjou, Jack Oakie, Jack Haley, Arleen Whelan  
20th Century-Fox  
70 mins.  
(in THE WEEKLY PREVIEW)  
*CARRY COMEDY WITH MUSIC BONDS OR, RESH MATERIAL AND SHOULD DO HEALTHY B. O. BUSINESS.*

Tucker, has fresh material and treatment and has been expertly directed by William A. Seiter. Harry Joe Brown functioned as associate producer. It is a merry comedy with music and gives Jack Haley his best role to date. He delivers solidly as "the average man," whose reactions to foods, clothes, and cigarettes are greedily sought by Adolphe Menjou and Jack Oakie, operators of "Guidance," Inc. who advise manufacturers what to make. Haley's predictions are good, since he is offered enormous fees by a foreign country to learn what reasons would make an average American purchase Menjou and Oakie are forced to use fake head-lines, bombs, and other devices to make Haley believe the United States is being attacked and that he should enlist. Haley finally turns the tables on Menjou and Oakie, makes them pay a $25,000 radio prize they have been withholding from him and all. Arleen Whelan, Menjou and Oakie had used Renie Riano in their scheme to keep Haley and Arleen apart, and Oakie had invented his father, George Barbier, to oppose the romance. Kurtz Kenyon and Art Arthur wrote a clever screenplay based on the story by Gilbert Wright. Tony Martin sings four songs written by Mack Gordon-Harry Revel duo, with the title song likely to prove the most popular. George Barbier, Binnie Barnes, Warren Hymer, Renie Riano, Andrew Tombes and Gregory Gaye are among the principals who do good work. Lucien Andriot's photography is high-grade.


CREDITS: Associate Producer, Harry Joe Brown; Director, William A. Seiter; Author, Gilbert Wright; Screenplay, Harry Tugend; Adaptation, Curtis Kenyon, Art Arthur; Cameraman, Lucien Andriot; Art Directors, Bernard Herbert, Mark-Lee Kirk; Editor, Robert Simpson; Music and Lyrics by Mack Gordon and Harry Revel; Musical Director, Louis Silvers.

DIRECTION, Expert. PHOTOGRAPHY, Very Good.

**Chaplin Synchronizations**

Exhibitors Pictures, Inc., have synchronized 12 Charlie Chaplin re-leasings for distributors. Pix will be ready for release in April.

**"Orage" at Waldorf**

The Waldorf Theater inaugurates its new first-run foreign pix policy tomorrow with the French feature, "Orage."

**Williams Enterprises Buy De Queen Theaters**

De Queen, Ark. - Sale of the Grand and Queen Theaters here to the K. Lee Williams Enterprises, film distributors of Oklahoma City, has been announced by H. T. Head, co-owner with G. D. Hughes and O. L. Kemp of Heavener and Poteau, Okla., and the De Queen theaters. Remodeling of the Grand has been started. New seats and sound equipment will be installed.

**Curry Here for Deal**

Harry Curry has arrived from London to confer with J. H. Hoffberg on a product deal, it was reported yesterday. With return of Hoffberg on Tuesday from a nationwide sales tour the two men will huddle on deal.

**"The Little Adventuresses"**

with Edward Follohs, Richard Fiske, Cliff Edwards  
Columbia  
61 mins.  
STOCK PLOT OF RACETRACK ROMANCE MELLER OFFERS NOVELTY WITH LITTLE GIRL JOCKEY.

The writers have not overlooked anything vital in the standard practice for the race-track thriller-romances. Edward Follohs is the little girl who is all wrapped up in the horse that nobody thinks is any good, except the horse's handler (Cliff Edwards). Later they get another cooker (Richard Fiske), who is the little girl's cousin who once owned a racing stable but has gone broke, but is loved by a rich girl (Jacqueline Wells). The horse is really a curious wonder horse that has a radic eye for the horse and the only worry the little girl has is that the circus horse might stop while passing the grand stand and take a couple of bows and lose the race. From the time cousin Dick takes a hand, things happen. They sell the car and trailer in which they have all come west to the coast, and move into a barn, and barn burns, and for a time it looks as if the horse will die from his injuries and the story right there, but here the authors take a tip from "Stablemates" and with tender care save the horse. Then an Aunt Hattie has the sheriff seize the horse for debt, because she wants her little niece to stay away from stables and horses and cousin Dick. But Dick outsmarts Aunt Hattie with the help of his rich fiancée, who puts up the dough to redeem the horse. Then into the big race, with some skulduggery afoot as the crooks bribe the jockey to lose. But justice triumphs, and in the end the little girl wins the enthusing of players in a brand new plot.


CREDITS: Director, D. Ross Lederman; Authors, Michael Simmons, Paul Jarrico; Screenplay, Michael Simmons; Cameramen, Henry Freulich; Editor, Al Clark.

DIRECTION, Handicapped by material. PHOTOGRAPHY, Good.

**Mrs. Marston Improved**

Mrs. Florence Marston, Eastern branch of Screen Actors' Guild, suffering from pneumonia was reported yesterday to be considerably improved. She was taken to the Medical Arts Center Hospital on Wednesday following a collapse.

**Para. S. A. Sales Meet Dec. 12**

Paramount sales representatives in Argentina, Uruguay and Paraguay will meet in Buenos Aires Dec. 12 and 13 for the purpose of discussing sales. Exhibitors' Sessions will be conducted by John B. Nathan, managing director for the territory.

**"Orphans of the Street"**

with Tommy Ryan, Robert Livingston  
Republic  
64 Min.  
PLEASING HEART-T热 DRAMA OF A BOY AND HIS DOG CARRIES PLENTY OF APPEAL.

Built up for the human interest angle contained in the situation of an orphan boy and his faithful dog. The story is further bolstered by the actual news paper story involving the trial of a dog for murder. Tommy Ryan is the youngster who is sent to the boys home where the financiers of his father's estate are exhausted, and force him to leave a military school. He runs away from the charity home with his smart police dog, and eventually meets up with a New York reporter (Robert Livingston) who is on his way to cover a dog show in a hospitable room where Tommy hopes to enter his dog for the big money prize. Some good human touches are developed through the interest of the reporter in June Storey, granddaughter of Harry Davenport, who plays the role of a genial and big-hearted vet who beholds the human drama with dispassionate eyes and all work together to get the youngsters out of a scrape with the law due to his dog's attack on a man who antagonized the animal. The man is later found murdered, and the dog is close by, and the police close in. Then into the courtroom, the sentence of death with the submission of circumstantial evidence. Tommy then escapes with his four-footed pal, and together they score the actual criminal in a very strong thrill climax. The picture has lots of little human touches to recommend it, and should please generally as a family offering with the boy-dog angle its chief appeal. Tommy Ryan is a likeable kid, but the honors go to Harry Davenport as old Doc Ramsey, the veterinarian. He does a fine character study that stands out.


CREDITS: Producer, Herman Schloom; Director, John H. Auer; Author, Earl Felton; Screenplay, Eric Taylor, Jack Townley, Olive Cooper; Cameraman, Ernest Miller; Editor, Ernest Nims.

DIRECTION, Very Good. PHOTOGRAPHY, Okay.

Republic Closes Deal With Lucas & Jenkins

Atlanta — Republic's office here, under management of Carl Floyd, has completed details of a contract calling for Republic's product to play the 37 houses in Georgia operated by Lucas & Jenkins Circuit. Pact, which was initiated by James K. Grainger and temporarily suspended when it was revealed to the illness of William K. Jenkins, gives Republic best representation it has yet secured in this territory.
CAN YOU STAND IT?

THE MENACE OF RATHBONE

THE FRIGHTFULNESS OF KARLOFF

THE TERROR OF LUGOSI

THE HATE OF ATWILL

1939's SCREEN CHALLENGE TO COURAGE!

NATIONAL RELEASE JAN. 13
The greatest fear figures in screen history... All in Universal's NEW Cavalcade of Profit-Horror!

Basil Rathbone
Boris Karloff
Bela Lugosi
Lionel Atwill

in

"SON OF FRANKENSTEIN"

Josephine Hutchinson

with

Emma Dunn · Donnie Dunagan · Edgar Norton

A ROWLAND V. LEE PRODUCTION
N.S.W. Quota Bill Expected

Sydney, March 31—A new quota bill in New South Wales, similar to that in England, is forecast by Premier Stevens. The government has passed two quota bills in previous years. The present act, an amendment to the 1935 act, requires rentals to acquire 3 per cent of Australian films for this year and the same for 1939. Future percentages are to be fixed by order. Exhibitors, under the present act, are required to show 2½ per cent of Australian films this year and next. British pictures are not required to be offset by Australian ones.

Czech Cut French Film Impts.

Paris—Distributors in Czechoslovakia have contracted with imports of French films, following the accord of Munich, will be reduced 90 per cent, 300 of its cinemas having been "amputated" to the profit of Germany, with 200 more being split between Poland and Hungary. Number of film theaters in Czechoslovakia has been reduced from 1,851 to slightly more than 1,300.

Ads to Boost British Tele

London—Radio Manufacturers' and British Broadcasting company are planning a concerted publicity and advertising campaign to sell television sets. Campaign at first would be directed to the London area, newspapers and other media being used. Leading manufacturers have expressed their willingness to cooperate by subscribing to the necessary fund.

Eight Features Lined Up at Teddington by Warners

London (By Cable)—Definite announcement of eight features, among others planned for the 1939 lineup at Warner Bros. First National Producers. Teddington Studios, is made here by Jerome J. Bernstein, executive producer, under whose administration they will be produced.


Corrected Petitions Filed in Momand-Anti-Trust Suits

Oklahoma City—Corrected petitions in the A. B. Momand-Anti-trust suits pending in U. S. District Court here have been filed in conformity with instructions of Federal Judge A. P. Murrah at the last hearing. Judge Murrah ruled that orders of his colleague, Judge Edward S. Vaught, in the previous Momand suit must be followed and this petition in the current $4,500,000 suits amended to conform to those orders of Judge Vaught. In definite points have been clarified in the amended petition which also index "block-billing," "blind buying," and "protection."
**World-Wide, GB and 20th-Fox Deal Next?**

(Continued from Page 1)

Distribution of the British company's product, although a separate deal at this end may be effected, is not yet decided. Present deal calls for distribution by 20th-Fox throughout the United States—Olive and the United Kingdom.

Gb contract for their present starters runs until March, and Lee will maintain his office there. No official status for Lee under the new setup was announced yesterday.

Official announcement of the deal, made jointly by Kent and Lee, stated it was "in the interests of economy."

"We have handled the physical distribution of Gaumont-British for several years in this country," said Kent.

"Naturally, there has been considerable duplication of costs in his arrangement, so, under the new plan, we will be able to operate several economies both for Gaumont-British and ourselves."

Complete details of the deal were first printed in the Film Daily on Thursday. Notice will be given to all employees of GB today that their services end, with exception of a skeleton staff in home office. Notices were sent to the field force by overnight on Wednesday.

**Harry Hummell New Prexy of New York Film Board**

(Continued from Page 1)

was elected president to succeed Leo Abrams of Universal. Hummell formerly was first vice-president. Jack Bowen of M-G-M was re-elected treasurer.

Other new officers include Edward Bell, Paramount, first vice-president; Robert Fannon, Republic, second vice-president; Myron Satter, Paramount, and David Levy, M-G-M, sergeant-at-arms.

Installation of officers will be held in January.

**"Edge" Set in Philly**

"Edge of the World," being distributed in this country by Pax Films, has been booked into the Studio Theater in Philadelphia. A state's rights deal is also pending in New England.

**Dallas Refugee Benefit Nets More Than $70,000**

(Continued from Page 1)

and an unidentified woman handed to R. J. O'Donnell in the Interstate offices an envelope containing 10 $100 bills. Collections in the theaters and in the lobbies were large.

Sales of tickets for the benefit fund are still coming in from various remote villages and rural districts.

**Theater Men Give $16,000 to Jewish Charities Fed.**

Approximately $16,000 was pledged to the Federation of Jewish Charities by New York theater men yesterday at a meeting at the Hotel Astor. A plea for support was made by Postmaster Goldman who said that both Jewish and Christian citizens were contributing to the cause.

Among the larger donations were those of Harry and Billy Brandt, who gave $1,000 each; C. C. Moskowitz, $1,000; Walter Reade, $2,250 and Sel Fialian, $1,000.

**Boston Trans-Lux Plan Nets Refugees $25,000**

Boston—Acting upon instructions from Major Leslie E. Thompson, president of the Trans-Lux Corp., of New York, and Percy Furbur, board chairman, the manager of the local Trans-Lux Theater, A. W. Ludder, announced here yesterday that 100,000 tickets of admission have been placed at the disposal of Catholic, Protestant and Jewish organizations, to be converted into a cash fund of $25,000 for the relief of German refugees.

Books of ten tickets, each ticket priced at 25c, the regular price of admission to the theater, will be sold for $2.50 by the members of the selected organizations. Unique feature of the plan is that none of the money received will ever pass through the hands of the tickets' donors.

**Named Hoffberg Rep.**

Miss Helen Mindlin has been appointed as special representative of J. H. Hoffberg Co., Inc., for the West Coast and Hawaii to handle 16 mm. releases of the company's new product.

**News Flashes Off Coast Wires**

W. C. Wilson, News of the Day: Warners will film "Elizabeth, the Queen" in Technicolor next spring... Dolores Costello will be opposite Adolph Menjou in Ed Small's "A Plot of Earth"... Metro will sign Rowland Brown's "Ten Penny Course"... Paramount has cast Madeleine Carroll and Fred MacMurray in "Angel in Paris"... Monogram has bought "Little Big House" by N. S. Hall and Ray Trampke for Frankie Darro... Sammy Lee is releasing 100 boys and girls in the LeCagno for Metter's "Rebecca...

"Moomie"... Hitting a new production high, Los Angeles is completing six cartoons in a month... Wilbur G. Kurtz of Atlasses is here to serve as technical adviser on "Gone With the Wind"... Jack Chertok flies to New York shortly after Jan. 1 to produce the balance of the Bob Benchley shorts and four others in the East.—WILK.
Argentina Paves the Way for Trade Treaty With U.S.

French Gov't Film Commission

Washington—Following announcement from Buenos Aires that the Argentine Government has set up an inter-departmental committee to negotiate trade agreements, possibilities of such a pact, supplementing any present understanding, looks large between the U.S. and Argentina. It is declared by observers here that the liaison has now provided the working machinery to effectuate closer relations on films and other commodities.

This committee is substantially corroborated by the recent stand of Secretary of State Cordell Hull who has expressed the advisability of closing loopholes between the U.S. and her neighboring Pan-American republics.

Added significance is read into the Argentine developments since since their announcement appeared timed with the arrival of Secretary Hull and other representatives at the current conferences at Lima, Peru.

With a determined effort to be made by film interests in the U.S. to increase trade with South and Central America, the prospect of an Argentine trade pact holds unusual interest at this time.

Through the medium of film trade, closer neighborly and cultural bonds can be effectuated between the U.S. and Argentina, if such a plan is now. It is pointed out. Alert to this, the U.S. Government already has its own plans which, if carried out, will make American embassies film theaters for the exhibition of Federal pix.

Arguments in Chicago's Contempt Case Continue

(Continued from Page 1)

Robert Golding, appearing for B. & K. Fred Burnham, appearing for Loew's, David Levinson, appearing for UA, and Edmond Adcock, appearing both for RKO and Universal.


Warners Buy Leichter Short

"Point on Pointers" short produced by Mitchell Leichter and Del Frazer, has been bought by Warners. Leichter, who closed the deal, has returned to the Coast.

Pix to Follow Play

Dallas—Pix version of "You Can't Take It With You" opens in local nabe on Sunday, day after the stage play leaves the Melba. Pix had its first run here five weeks ago.

Mrs. Roosevelt Buys First Ticket for Refugee Raffle

Picturre Art Fund for German Refugees. The scenes were shot on the seventh floor of the Paramount Bldg., by Richard Ross, Arleen Whelan and Kitty Carlin, who was more than一次 shot of "horse play" which should get some chuckles when the scene is reproduced on the screen. Mrs. Roosevelt, it is with great pleasure that I solicit you the first ticket on a raffle sponsored by the Motion Picture Art Fund for German Refugees."

Said Mrs. Roosevelt: "Thank you, Mr. Benny. How much do I owe you?"

Whereupon Benny informed her that the price was 25 cents for one ticket. Mrs. Roosevelt handed him a one-dollar bill and asked if he had change.

"I don't have any change," replied Benny, "but I'll be glad to send it to you if you would stay long enough in one place."

A Christmas entertainment and dance, the total proceeds from which will be donated to the needy refugees of all faiths, will be sponsored by the employees of the Hotel Astor and held in that institution's grand room on the 28th. It was announced yesterday by Robert K. Christenberry, the hotel's vice-president and general manager, will preside.

Some 3,000 persons are expected to attend. The Hotel Astor's employees roster comprises a cross-section of 38 different nationalities.

V. C. Opening Tomorrow

Cincinnati—Queen City Variety Club will open its new enlarged club rooms in the Netherlands Plaza Hotel tomorrow. Chief Barker Joe Oulahan of Paramount; Allan Moritz; Col. Mike J. Gresko, 20th-Fox, and Col. Francis Farenden, RKO Theaters general manager form the committee of arrangements.

Cammer With Monogram

Dallas.—W. J. Cammer has been appointed office manager of the Monogram branch here, it is announced by John Francon and Ed Elsmenthal, franchise holders for the Texas territory. Cammer has been associated with United Artists and Educational in the past in this region.

Zanuck, Wurzel's 20th-Fox Pirh Through May Finished

have been completed, and some 12 of these pictures will be screened during the five-day huddle on the Coast next week of sales executives, and district managers, it was learned last week when the New York delegation trained out on the Commodore Van- derbilt.

Coursey, R. Kent and Charles E. McCarthy, ad. and pub. chief, left tonight, meeting a special train in Chicago which is taking Governor and Mrs. Rockefeller and part of the New York delegation to Hollywood for the preview of "Kentucky," and they leave from there on the Super Chief.

Zanuck is expected to outline the 1939 production plans to the visitors and Herman Wolber, general manager of distribution, who will preside at the meeting, and Kent, Joseph M. Schenck, board chairman, and Mc- Carthy will also address the sales forces.

Kent is expected to outline the company's plans for the next few years and will make an inventory of what has transpired in the company since he became president six years ago. Huddle will mark first meeting of this type that Wolber has presided at as general manager of distribution.

Nominations will be made by the members of the company's management, with appointee slated to serve in that capacity for the next two years. Edgar Moss, Philadelphia district manager, will represent Minnesota for a vacation following the huddles and Jack Siegelman, assistant to Wolber, will also remain on the Coast for a vacation.

RKO Reorg. Hearing Today To Clarify Stock Waiver

(Continued from Page 1)

proponent interests may not have had time sufficiently to prepare their case on the motion in time for today's hearing, and that the hearing may therefore be adjourned.

Another hurdle which must be surmounted as far as further legal de- lay is concerned appears to be the affidavit filed in Federal Court on Tuesday evening by the Strim模特億 of Milwaukee through counsel, John Stover. This affidavit is in connection with the voting proxies in 1931.

Va. Town Bans Carnivals

Blackstone, Va.—Fairs and Carnivals have been banned here by Council ordinance.
Paramount to Complete all British Plans This Week
MAXIMUM 20TH-FOX CONCESSIONS IN DRAFT—KENT
Korda Here to Study Possibility of U. S. Production

London Films Head May Make "Pocahontas" as First Effort in U. S.
Alexander Korda's plans for production in Hollywood have not been clearly defined as have been indicated by the London Films head. He said Friday upon his arrival from England on the Aquitania.

Bondy Will Modify '34 RKO Order
If Consistent With Chandler Act

Federal Judge William Bondy, at a hearing on the RKO reorg. plan in chambers Friday, declared he would grant modification of that section of the order signed in 1934 by Federal Judge Coxe relating to the manner in which stockholders' consents shall be filed.

THE WEEK IN REVIEW
Trade Reforms in Draft Form—20th-Fox in France

DOMESTIC TRADE REFORMS: (New York) Text of a memorandum covering understandings reached in principle at confabs between distrib. and exhib. trade practice negotiating committee was issued to interested participants and exclusively published in the East by The Film Daily as the week opened. Memo.

Hicks and Rose Arrive for Confabs; Graham's Successor to be Announced

Film Execs. Among 1,000 at Philly's V. C. Dinner

Philadelphia—With over 1,000 in attendance last night, the Philly Variety Club dinner was the largest affair of its kind that has ever been

20th-Fox Proxy Confident Exhibs. Will Okay Reform Outline
By HOLLIS KENNAHAN

Sidney R. Kent, 20th-Fox proxy and chairman of the distributors' negotiating committee, on entraining for Hollywood Friday night, told the Film Daily that—

1. He expects the trade reform proposals now before exhibitor negotiators and the Department of Justice will be adopted.

2. 'The draft presents a fair—

HEARINGS COMPLETED ON W. VA. TAX CASE

Washington Bureau of THE FILM DAILY

Washington—Arguments in the West Virginia-United Artists tax case before the U. S. Supreme Court ended Friday when Robert G. Kelly, counsel for UA, and W. C. Meadows, counsel for W. Va., finished their cases. The court is expected to rule within a month.

"Snow White" Finally Gets 2nd Run in Detroit House

Detroit—The "return engagement" of "Snow White" to the United Artists Theater ended the (Continued on Page 4)

Hollywood to Ask Exhib. Co-op in War on Nazism

West Coast Bureau of THE FILM DAILY

Hollywood—Plans to extend Hol- lywood's war on Nazism to the (Continued on Page 10)
The Broadway Parade

Theater

Picture and Distributor

Angels with Dirty Faces (Warner Bros.)—3rd week. Street

Up the River (20th Century-Fox)—2nd week. Street

One Way Ticket (the Harry Cohn picture).—5th week. Capitol

Dramatic School (Metro-Goldwyn-Mayer)—Music Hall

Thanks for the Memory (Paramount)—Estrella

Thanks for Everything (20th Century-Fox) — Ralino

Storm Over Benga (Republic Pictures)—Criterion

The Last Warning (Universal Pictures)—Palacio

Pygmallon (Metro-Goldwyn-Mayer-Pascal) — Avila

Screams of a Hare (Universal Pictures)—Globe

Submarine Patrol (20th Century-Fox) — a-b. — Palace

Service de Journal (Universal Pictures)—Cinema

FOREIGN LANGUAGE FEATURES

RELIGIOUS

International (Universal Pictures)—5th week. Capitol

The Elephant Man (Pathe)—7th week. Capitol

The New Moon (20th Century-Fox) — 3rd week. Warner

The Woman in White (Metro-Goldwyn-Mayer) — Palace

THE CARPET BAGGERS (M.G.M.) — Palace

CRIMINAL

The Barbarian (Universal)—3rd week. Palace

The Unholy Three (Metro-Goldwyn-Mayer) — 2nd week. Capitol

The Young Christian (Gaumont-British)—1st week. Capitol

THE ROXY

Eleanore

Capitol

Cameo 1

Astor

the Normandie

Los Angeles

Warner

25%.

20 weeks

NEW ROKO THEATERS DUTIES

Harry Mandel, recently appointed advertising and publicity director of RKO Theaters, took over his new duties officially on Friday. Mandel said that no other changes in the department, aside from those previously announced, would be made. Reports were submitted by Milton Green, Ralph Pieow, and J. A. Ross. Take

Harry Mandel Takes Over New RKO Theaters Duties

Mier, Mexican Producer, Here for UA Conferences

Felipe Mier, president of CISA (Cinematografica Internacional S. A.), leading Spanish-language film producer in Mexico, arrived here Saturday for the S.S. Mexico for conferences with UA home office executives.

Mier's Artists' intention to further develop the Latin-American market was recently disclosed by Maurice Silverstone.

The company has completed a year's production schedule under a contract with UA and is soon to launch a feature starring Felicia Toranzo and Marina Tamayo, the first time this production of his new season's line-up.

Announce Schine Dinner

Speaking List This Week

Albany — Local branch managers, who form the committee arranging testimonial dinner to be held in the Ten Eyck here Dec. 19 for Maurice and Louis Schine, met Saturday in the offices of Philip C. Fox, chairman.

Fox reported that more than 200 reservations already have been received and the original estimate of 200 guests has been expanded upward. Speakers and toastmaster are to be named early this week. Reports were submitted by Odessa Grossman, Ralph Pieow, and J. A. Ross. Take

Shirley Ross arrives here today from Hollo-

wood for personal appearances at the Para-

mount Theater starting Wednesday.

Col. Stoopnagle left for the Coast Fri-

day to appear at guest star on the Rudy Vallee radio hour, with an option for further appearances.

Louis Rousseau, assistant to Frank Don-

ucle production manager for RKO-Pathe, is in San Francisco on a swing about the country. She returns to New York the first of the year.

Bert Cunningham, Pathé director, is tak-

ing a camera and sound crew to Delawares and

will shoot additional scenes for the Spyboke

and Highwayman series. He returns to New York January 1.

H. A. Ross, president of Ross Federal Serv-

e Ice, has returned to the home office from a trip to Los Angeles, San Francisco and Chicago.

Lloyd Wright, Grand National trustee, left for the Coast yesterday.

Josefa Grammatica, Italian actress and former protege of Eleanore Duse, has arrived in New York to make her first appearance on the American stage in January.

Happy Birthday

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

December 12

Harry Connery

Karen Morley

Maurice Silverstone

Herbert Cogarin

George M. Lopchitz

J. J. Fisher

December 13

William F. Rodgers

F. J. A. McCarthy

William A. Scully

Max Molden
"Who's afraid of Ghosts?"

Donald ("Small Fry") O'Connor and his pal, Billy Cook, valiantly invade an eerie graveyard for clues in Paramount's "TOM SAWYER, DETECTIVE", the Mark Twain comedy released by Paramount for your Christmas trade. No one has to be told that the boys are those immortal favorites "Tom" and his pal, "Huckleberry Finn." Nor does any smart exhibitor have to be told that in "Tom Sawyer, Detective" Paramount has a boxoffice natural for the holidays.
BONDY MAY MODIFY THE 1934 RKO ORDER

(Continued from Page 1)

proponent counsel, Hamilton C. Rickey, and argument on Friday found John Stover, attorney for the Stirm interests of Milwaukee, assailing the step.

Stover declared that if the motion is denied, it will be in the interest of orderly procedure, and that the Court must supply a similar order if the proceeding order of Judge Coxe is changed.

Although the hearing in chambers yesterday was informal, Stover strongly intimated that, should the present amended plan be approved, recourse might be taken to the Appellate Division.

Judge Bondy expressed the belief that the order signed by Judge Coxe had been done so inadvertently, and that it is ridiculous to expect stockholders to file through difficult procedure their consents when such stockholders are in all quarters of the globe; nor was it reasonable to hold that stockholders must come into court waving their consents.

Considerable interest was evidenced on the part of attending counsel when Judge Bondy called attention to an opinion, bearing on the obtaining of consents under the C-P-M Act, handed down last Monday in the “Old Algiers” case by the Circuit Court.

He further declared that there are two courses open, namely, to apply the Chandler Act, which would mean that the plan could be approved and then consents obtained, or to clarify now the questions surrounding consents and approve the plan subsequently, if he find the approval course to be the commendable one.

Action of Judge Bondy in granting modification of the 1934 order signed by Judge Coxe, firmly moved the reorganization plan one step nearer to a definite decision which is still expected among observers to be one for approval.

“Snow White” Finally Gets 2nd Run in Detroit House

(Continued from Page 1)

long delay in the booking of this film for second-run in Detroit.

Film was originally booked by United Detroit for the first day-and-date engagement in the history of Detroit theaters. After a run of about six weeks at the United Artists and Madison Theaters, the film has remained on the shelf, as far as this city was concerned.

The present engagement is at the new picture house of Detroit and is at regular first-run admission prices.

Hop Big Chief

Ed Kukyndall, MPTO president, Friday was proudly displaying a picture of himself clothed in an Indian blanket. Photo was taken during the Oklahoma City convention when Kukyndall was made a member of the Osage tribe and was given the name of “Big Chief of the Moving Shadows.”

PARA. TO ANNOUNCE ENG. PLANS SHORTLY

(Continued from Page 1)

Friday by John W. Hicks, vice president in charge of the foreign department. Hicks and David, head of Paramount’s production, have arrived in New York on the Aquitania.

Hicks declined to comment extensively on duties that Adolph Zukor will perform in the latter’s recently appointed post in London. However, all such matters will be determined before Zukor sails for London within the next few weeks.

Rose announced that Paramount will place its own distribution unit into operation next month. The first feature, “French Without Tears,” will be a double quota picture, while another, "Hatter’s Waltz," will come under the triple quota regulations. Paramount will make between seven and nine features during its first year of English production and from 10 to 12 during the second year. Rose said that most of the product made in England, he said, will be released for the world market.

Rose returns to England on Saturday. Whether Zukor will go with him is not known.

Commenting on the Italian situation, Hicks said that Paramount was ready to close up its Rome office by Dec. 31 despite reports that the Italian Government would grant a six-months’ extension of its decree. Hicks said he had not heard about the extension until informed by the trade paper representatives who met him on board ship, but in any event, Paramount is withdrawing from the Italian market, he added.

Hicks said that the company’s English business this year was the biggest in history. French business is running ahead of last year, he declared, and added that good conditions were prevailing in the Scandinavian countries.

No Precedent

Washington, D.C.—The Film Daily—Decision of the Federal Trade Commission to dismiss the anti-trust case against Grand Moving Pictures, Inc. in the “in His Steps” case does not establish a pattern that spokesmen told THE FILM DAILY over the weekend.

It was explained that the dismissal does not affect the question of whether or not use of a well-known title with subsequent change of story constitutes unfair competition.
UNITED ARTISTS announces

GREAT Entertainment from Walter Wanger
for
CHRISTMAS
AND YOU'LL HAVE A GRAND TIME WITH TRADE

NAMES WITH BOXOFFICE MAGIC
FREDRIC MARCH hot on the trail of JOAN BENNETT, who starts a new craze with her jet black hair... RALPH BELLAMY...ANN SOTHERN

TOPS IN ENTERTAINMENT
A romantic detective story that has a howl when you least expect it
CRIME WITH A TWIST
That begins in San Francisco and chases breathlessly across the Pacific and back to the Golden Gate...

PRODUCTION VALUES
The most glamorous cities on this earth, actually photographed during Director Tay Garnett's three year cruise... as a setting for a heel detective, trying to catch a dame that wasn't exactly helpless.

IT'S EVERYTHING IN Entertainment AND...
Entertainment MEANS EVERYTHING AT THE BOXOFFICE

Walter Wanger presents

FREDRIC MARCH
JOAN BENNETT

TRADE WINDS

with

RALPH BELLAMY • ANN SOTHERN
SIDNEY BLACKMER • THOMAS MITCHELL • ROBERT ELLIOTT

a TAY GARNETT production

Released thru UNITED ARTISTS
REFORM DRAFT OFFERS FAIR FORMULA--KENT
(Continued from Page 1)

James Whale, director, is negotiating with Douglas Fairbanks, Jr., for the top role in "The Man With the Iron Mask," which the former will make for Edward Small Productions. Whale and Fairbanks arrived Friday from England on the Aquitania. "Man With the Iron Mask" originally starred Douglas Fairbanks, Sr., and Whale believes young Fairbanks is well suited for the role. Fairbanks, Whale said, is regarded as the successor but so far they are apart on the money question.

This Milder, managing director of Warner Bros. in England, was another Aquitania passenger. Milder stated he was there for a brief vacation and would return to London on Dec. 26.

Gary Cooper also returned on the Aquitania, for Monday to start work on "The Last Frontier" for Samuel Goldwyn. Irving Asher, George Arians, Gabriel Pascal, Robert Ritchie, and Captain Von Keller, who were reported to be arriving on the Aquitania, were not aboard but are expected at later dates.

Decision Reserved in Du Pont's Pathe Liquidation Injunction

Application for a temporary injunction to restrain transfer of du Pont Film stock by Pathe Film Corp. under a proposed liquidation plan was filed in Federal Court Friday by E. I. du Pont de Nemours and Co., Inc., with Judge Alfred C. Conklin reserving decision on the application after both sides had argued the case.

Du Pont argued that it had an agreement with Pathe which would be violated by this action. Affidavit of O. Henry Briggs, proxy of Pathe, was submitted by defendant. It stated that "the association has not been one of cooperation and mutual assistance in matters involving the business welfare of Pathe, and its interests have frequently been disregarded and has been contributed to losses of Pathe in its processing laboratory business."

This lack of cooperation has been "one of the inducing causes of the proposed dissolution," Briggs contract between du Pont Film and Pathe which had given Pathe favorable terms for the purchase of raw stock, and stated that it had been terminated by du Pont.

"Angels" Big In 2nd Week

Second week holdover engagement at Warners "Angels With Dirty Faces" are going far ahead of the grosses for a similar period of "The Adventures of Robin Hood," the home office reports.

DeVry Planning Third Factory, Prexy Reveals

The DeVry Corp., manufacturers of motion picture equipment, and already operating two factories in the Chicago area is currently making a survey with an eye to acquire a third in order to expand present operations. It was declared on the week-end by Herman A. DeVry, organization's president, as he left New York for Chicago headquarters.

Film Execs. Among 1,000 at Philly's V. C. Dinner

(Continued from Page 1)

held. George Jessel acted as toastmaster and a number of top ranking industry execs, state, civic, labor and leaders of different religious faiths made addresses. William P. Clark was installed as chief banker for 1939, succeeding Jack Beresian, who retired.

Among those who had reservations were: Nate J. Blumberg, Ned E. Depinet, William Scully, Former Governor Harold Hoffman, Governor Harry Niece, Governor Richard McMullen, Ed Kuykendall, James R. Grainger, William Scully, Mayor S. Davis Wilson, Joseph Bernhard, Louis Krouse and Jules Levy.

Also Former Ambassador William E. Dodd, William Rock, Jack Cohn, John B. Kelly, John P. Harris, Ted Schlanger, Rabbi Louis Wolsoy Dr. John R. Hart, the Rev. Sylvester McCarthy, Arthur Lee, Dr. Leon Levy and Neville Miller.

James F. Clark was chairman of the banquet committee. Joe E. Lewis was ringmaster for the entertainment program and Dave Weaver planned the show.

HEARINGS COMPLETED ON W. VA. TAX CASE

(Continued from Page 1)

state attorney general, completed their pleas.

Kelly refrained all arguments advanced by Messrs. Mead to the extent that UA in reality was in business in West Virginia because it collects money on exhibited films. UA is solely in interstate commerce, Kelly argued, adding that the "tax is an invalid burden on interstate commerce."

Meadows previously had argued that the distributors came under the Business and Occupation Tax Law because it derived revenue from exhibition of its films within the state.

Cambridge Theater Aids Refugee Scholarship Fund

Boston — The Harvard Refugee Committee gave a benefit show at the University Theater in Cambridge in a plan to raise $10,000 for expenses of 20 student refugees from Germany who will be granted scholarships. UA donated "Bene- brand" and Stanley Sumner gave the use of his theater.

Eddie Cantor inaugurated the campaign by addressing 2,000 Harvard undergraduates and donating $1,500. Harvard is the first college to provide scholarships for refugees.

Photo: "The Mystery's Curious!"

Melvin Douglas • Virginia Bruce

There's That Woman Again

Directed by Alexander Hall

A Columbia Picture
H'WOOD TO ASK EXHIB. AID IN NAZI FIGHT

(Continued from Page 1)

American theater front took shape here over the week-end following adoption of a new "declaration of independence" by a committee of 55 organizations at a meeting at the home of Edward G. Robinson, Melvin Douglas presided at the rally. Clark Eichelberger was the chief speaker.

The declaration, addressed to President Roosevelt and the Congress, urges that "all economic connections between the governments of the United States and Germany be totally severed until such time as Germany is willing to perform the family of nations in accordance with the humane principles of international law and universal freedom.

Early signers here include Jack L. Warner, Walter Wanger, Carl Laemmle, Sr., John, Jr., and Ogden Stewart, Fred Astaire, Robert Montgomery, Gale Sondra Garder, Joan Bennett, Claudette Colbert, George Cukor, Miriam Hopkins, Rosemary Lane, Annette Laitvak, Alice Mahaleon, Paul Muni, Groucho Marx, Fay Bainter, Ginger Rogers, Claude Raines, Martha Raye, Gloria Stuart, Helen Gahagan, Ira Gershwin and Betty Davis.

Through the medium of newsmen publicity and theater solicitation, it is expected that more than 20,000,000 signatures will be obtained.

Film division of the Theater Arts Committee, meeting at Union Methodist Church Wednesday night, will hear Sydney Kaufman discuss "The Effect of Fascism on the Film Industry" and Jay Allen on "Fascism's Threat to America." Lester Fuller will preside.

Monogram to Increase Current Pix Budgets

Monogram plans to increase budgets on its current season pictures, it was learned over the week-end. Favorable react to product released to date warrants the hike in production costs, Edward Golden, vice-president, said. Amount of increase over the previously set budgets has not been determined. Golden said, but it is understood that W. J. Bay, president, will reveal the new plans when he returns today from Oklahoma City.

Meanwhile, it was announced from Oklahoma City that Monogram's picture based on the life of Al Jennings, Oklahoma's most colorful bandit, will be titled "Beating Back." The Jennings story will be produced to coincide with Oklahoma's Golden Jubilee Year.

Johnston and George W. Weeks, general sales manager, were the guests of honor last week at a luncheon tendered by the Oklahoma City Chamber of Commerce.

REVIEWS OF NEW FILMS

"Out West With the Hardys"
with Lewis Stone, Mickey Rooney, Cecilia Parker
M-G-M
SCORES BULL'S-EYE AS ONE OF BEST OF THIS POP SERIES OF FAMILY LIFE

One of the best of this popular family series. There are more laughs than usual in this production, and the play has been given to Mickey Rooney throughout, and he gets ample opportunity to bring the chuckles. Mickey never misses a cue, and the laughs in the Capitol theater where this was caught on Broadway were heard every time this clever young actor was before the camera. The Hardys go west to the ranch of old friends of the family, the Northcates (Ralph Morgan and Nana Bryant). Morgan is having trouble with another rancher who controls the water, but is trying to force him to sell his ranch. This part of the plot is merely incidental, just an excuse to get the Hardys in a locale that will give them a chance for adventure and amusing incident.

The interest centers around Mickey Rooney, and the manner in which his dad gives him enough rope to hang himself and teach him a needed lesson that he cannot go through life being so cocksure. This comes in his association with little Virginia Weidler, who plays the part of their foreman's child. The young western woman teaches the tenderfoot plenty, and does it with laughs. This Weidler kid is grand. Meanwhile the western stars make Cecilia Parker, the daughter, go sentimental over the handsome widowed foreman, but she is cured also when dad lots her have horse-play, to realize that western ranch life is not meant for an eastern girl with social ambitions. Back home in the little midwest town everybody starts straight for collision, and the Hardy family has learned a lot more about life and one another. Lewis Stone is excellent as the head of this interesting family unit, and the best of the picture is certainly under his understanding wife, Fay Holden.


CREDITS: Director, George B. Seitz; Screenplay, Kay Van Riper; Agnes Christie, John Hall, John William; Scenery, Fernand Lascault; Animal Trainer, Isador Felder; Gordon Jones, Ralph Morgan, Nana Bryant. Tom Neal, Anthony Allan.

DIRECTION. Excellent. PHOTOGRAPHY, Fine.

Eugene Saunders Dead

Harvard, III.--Eugene Saunders, 68, operator of the Saunders Theatre here, died in a Chicago hospital. He is survived by his wife, two sons and a brother.

Stirley Catskill House

Catskill, N. Y.--Bill Stirley, Schenectady nube exhib., is reported planning to build a house here.

Kallet in Old Forge

Old Forge, N. Y.--It is reported that the Kallet circuit of Oneida will build a house here.

Monday, December 12, 1935

B & K CONTEMPT CASE
MOTION RULE 1A

(Continued from Page 1)

ment's criminal contempt proceed-

ings instituted against B & K, and

all major exceptions column.

Argument on the motion was con-

cluded on Friday, with Otto Kogel

of New York appearing for 20th

Fox. Other defense counsel was

Robert Golding, appearing for B & K, Fred Burnham, appear-

ning for Loew's, David Levinson, ap-

pearing for UA, and Edmund Ac-

cock, appearing both for RKO and

Universal.

Robert Wright, Assistant U. S. Attorney General, who appeared for the Government, contended that the Department of Justice complain of the contempt information regarding the charges.

The defendants' motion to quash the subpoenas and the Government's request to impose contempt will be held in abeyance pending Judge Woodward's decision on the bill of particulars motion.

Ben Bernie Luncheon Will Highlight Charity Drive

(Continued from Page 1)

the highlight of the 1938 efforts of the Amusement Division on behalf of the New York and Brooklyn Federa-

tions of Jewish charities, it is announced by David Bernstein and

Maj. Albert Warner, chairman of

the Motion Picture and Theatrical Division of Federation.

A committee of 50, representing every branch of the amusement business, has joined with Cantor to assure the success of the Bernie luncheon.

It will be held at the Waldorf Astoria, with other major luncheons and divisions and committees at a report meeting at the Hotel Astor tomorrow.

Serving with Cantor on the luncheon committee are: Willard Alex-


ly and Isroy Norr.
THE WEEK IN REVIEW
Trade Reforms in Draft Form—20th-Fox in France

DOMESTIC

(Continued from Page 1) Random covered 16 points,—cancellation privilege, trade announcement, exhibitor's limited playing time, prevented a step nearer when the dropping customers, short subjects, newspapers and trailers, score charges, location of pix, non-theatrical competition, form of license agreement, selective contracts, playing of pictures in the order of release, acquiring theaters, box-office statements, arbitration and effective date.

(Continued from Page 1) New York] In wake of text's recent, a new standard production contract, to be initiated at out of 1939-40 season, loosened as possibility contract as possible and not delayed effect until the new selling season. (Toronto) Adjustment of the clearance dispute in Canada, if done, would be possible.

EXHIBITION: (New York) Renewed efforts were made by ITOA to eliminate games in New York City theaters. License Commissioner Moe's condemned games at the Hotel Astor, meet hosted by ITOA.

FOREIGN

(Continued from Page 1) Foreign presented in the Italian film situation.

PRODUCTION: (New York) Reports were rife that 20th-Fox has closed deal calling for entry into the French production field next year. Four features, to be made there by Andre Davenne, were declared as the lineup at present. Product will be distributed in Europe by the 20th-Fox organization, according to informing sources.

TRADE RELATIONS: (New York) Authoritative industry channels characterized the possibility of decrees in France affecting the film trade of the U. S. with that country as "loose talk," since a trade pact between the two nations, embodying filmic laws, calls for specific rights and maintenance of the status quo as long as the pact is in force.

THE COLUMBIA SCOOOP

IS YEAR'S BIGGEST
PAGE ONE STORY

LOBBY "STORAGE" UP AT MEMPHIS PARLEY

Strand Theater at Alexander City, Ala., will introduce the subject, of unusual interest in the Southwest where merchants and newspaper associations are on the warpath against lobby "store" merchandising as "opposition."

The Tri-State association is the first to give the problem official attention since merchant groups in Texas took to the warpath and started a move that bids fair to be taken up by similar organizations in other Southern and Western states.

Today's first business session is timed for 10 a.m. with President X. Williams of Oxford, Miss., presiding. Second business session, at which officers will be elected, starts at 2 p.m. Others expected to speak, in addition to Jackson, are: Ed Kuykendall, MPTOA proxy; M. A. Nightman, Ray Morrow, M. S. McComb and Sal Sachs.

Mono. In New Haven
Now Haven-Monogram has taken office space in the former United Artists quarters in the Film Building here, and will open office immediately, with Philip Sherman in charge. Nat Furst will make monthly visits from Boston.

(Continued from Page 1) and if he decides to make pictures in this side of the Atlantic, the first move will be "Pocahontas." Loca-

KORDA MAY PRODUCE
6 "POCAHONTAS" HERE

L. B. Mayer’s Deposition Read at Loew Stockholder Hearing

At continuation of the Loew stockholders’ suit trial Friday, depositions of Louis B. Mayer, John R. Bial, David Lotz and Edgar Mannix were read before Justice Louis A. Valente in Supreme Court. E. K. Ellis, attorney for the plaintiffs, following the session, stated that he expected to close his case in three days. Judge Joseph M. Rescuer, attorney for loew’s, said he expected his defense to take four days.

Justice Valente indicated he would rule on the case by the end of the week when the session closed.

In Mayer’s deposition the Norma Shearer contract was defended, and it was stated that Miss Shearer had in offer of $250,000 per picture plus 20 per cent of the profits from Samuel Goldwyn. Mayer also testified that studio payroll had been cut to $400,000 per week recently from a figure of $480,000 a week.

Get it while it’s HOT

SMASHING THE SPY RING

COLUMBIA'S SCOOP

IS YEAR'S BIGGEST
PAGE ONE STORY

Ascot Brief Ready

Ascot’s brief, in support of its attack on the “aff Platform legislation in the State of Washington, will be filed in the U. S. Supreme Court Monday day. It was learned over the weekend. The brief is being prepared by Schawitz & Frohlich, Ascot counsel. A ppel is to the Supreme decision in a lower Federal Court last June.
He killed without mercy...stole without fear...till a boy touched the heart that bullets couldn't reach!
C-14, No. 124
New York, Tuesday, December 13, 1938
Ten Cents

Com. on Giveaway Elimination in N. Y. Meets Wed.

N. Y. EQUITY SUIT SLATED FOR TRIAL IN SPRING
Tri-States MPTO Re-elects R. X. Williams President

200 Attend Semi-Annual Convention at Memphis
Memphis—More than 200 attended the semi-annual convention of the Motion Picture Theater Owners of Arkansas, Mississippi and Tennessee, Sunday and yesterday. President R. X. Williams of Oxford, Miss., was re-elected. Regional vice-presidents: Arkansas-F. F. Haven of Forrest City; Mississippi—W. S. Tyton of Water Valley; Tennessee—W. R. Ruffin of Covington. Directors: M. A. Lighthart of Memphis, chairman. For Arkansas: (Continued on Page 6)

W. B. STOCKHOLDERS RE-ELECT 5 TO BOARD
Wilmington—Five members of the board of directors of Warner Brothers Pictures, Inc., were re-elected yesterday at the annual stockholders meeting here. They are: Stanleigh P. Friedman, Samuel Carlisle, Charles S. Guggenheim. (Continued on Page 11)

350 Chi, Theaters Back Christmas Basket Party
Chicago—City's theaters and local producer-distributor organizations are holding jointly the Movie Christmas Basket Party at 10:30. (Continued on Page 6)

49 Before Cameras
West Coast Bar, THE FILM DAILY
Hollywood—Forty-nine pictures are before Hollywood cameras with M-G-M heading the list with nine. Warner Bros. and Paramount are making eight each. RKO is making five; Columbia and Republic are making four each; while 20th Century-Fox and Universal are making three each. Small, Wanger, Goldwyn, Roach and Monogram are down for one each.

Canadian “Take” Up $2,889,000 in 1937
Ottawa—Annual report by the Canadian Government on picture theaters in 1937, shows that the aggregate paid admissions were 139,374,060, compared with 127,441,570 for 1936, gross receipts being $24,479,300, as against $24,610,300 in 1936, a gain of $2,890,000.

Report further shows that the number of theaters increased by 88 to 1,074 while the combined seating capacity was raised by 35,610 to 601,611. Value of property and equipment of all theaters was given as $76,500,000, the average value per theater being $64,500. Salaries and wages totalling $5,627,300 were paid in 1937, an increase of $696,600.

Du Pont Court Defeat Paves Way for Pathe Dissolution Vote Today
Decision denying application of E. I. du Pont de Nemours Co., Inc., for an injunction to restrain Pathe Film Corp., from distributing Du Pont Film stock, owned by Pathe stockholders under a dissolution plan, was handed down yesterday by Federal Judge Alfred C. Cocalis. Pathe stockholders are scheduled to meet today at 3 p.m. to vote on the plan. If dissolution plan is approved today by 80 per cent of the stockholders the Du Pont Film stock owned by Pathe will be disbursed to the stockholders on a pro rata basis against Pathe Film stock owned after plan is completely worked out.

Louis Nizer and Robert S. Benjamin of the Phillips & Nizer law firm. (Continued on Page 4)

Revision of Films Act to Aid Dominion Unlikely
London (By Cable)—Move to amend the Films Act to permit the admission of Dominion productions for distributors' quota credits has slight chance of succeeding, it is learned on excellent authority. Canadian interests are particularly active in support of the move; their attitude is based on the fact that as the Films Act now stands, there is slim prospect for expansion of Dominion production. The statute restricts the Dominion features to exhibitor quota credits. Opponents of the move point out that the plan would be unfair to producers of domestic features. (Continued on Page 10)

John E. Browne Resigns as Malcolm-Browne Head
Resignation of John E. Browne as president and director of Malcolm-Browne Pictures Corp., became known yesterday.

Browne stated that he had several offers from advertising agencies to (Continued on Page 6)

A committee of seven which will meet with License Commissioner Paul Moss to discuss plans for the elimination of games in New York City theaters has been appointed by Harry Brandt, TPOA president. The group consists of C. C. Moskowitz, head of Loew's theaters; J. J. O'Connor, RKO theater head; Max Cohen, president of Cinema Gir-

N. Y. Anti-Trust Chief to Make Survey Here After January 1
Washington Bureau of THE FILM DAILY
Washington—The Government's anti-trust suit against the motion picture industry is expected to be tried in New York in the Spring; it was said yesterday by Berkeley W. Henderson, whom Attorney General Cummings has just designated as the new chief of the New York City office of the anti-trust division of the Department of Justice.

Henderson told THE FILM DAILY that he would take over his new office tomorrow. (Continued on Page 6)

UA BOARD DISCUSS ES KORDA PLANS TODAY
A discussion of Alexander Korda's production plans is scheduled for today by United Artists board of directors. Meeting is called for 11 o'clock this morning.

Korda said yesterday he would (Continued on Page 6)

Paramount Execs. Huddle on British Organizations
Top Paramount executives were in session most of yesterday, reportedly discussing details relative to the British organization and Adamo Zukor's new duties in London. Hud. (Continued on Page 6)

F.D.R. Drafts Walker
Washington Bureau, THE FILM DAILY
Washington—Frank C. Walker, vice-president of the Comerford Circuit, and treasurer of Motion Pictures of Greater Year, Inc., will, in his newest role of Educators-Historians Committee chairman, not only direct fund-raising features of drive for preservation of Roosevelt and New Deal material in historical form at Hyde Park, but aid F.D.R. in seeking papers of Cohen and other Administration documents for the permanent public exhibition, it is declared here.
Indie Product Shortage Worrying U. K. Exporters

"Lack of indie product for foreign distribution is acute, and with a falling out of indie production in the United Kingdom are seriously concerned over the possibility of a product shortage next year," Sam Goldstein, treasurer of Pan-American Pictures Co., Inc., told The FILM DAILY yesterday when he returned to his office after a two months' survey of European markets.

Goldstein attributes the crippled position of the indie producer here to high financing costs that kill a fair profit, and also to the fact that a number of indie producers have made pictures which will not sell in foreign markets.

"We released 55 pictures in the United Kingdom last year, and I could book half of that figure immediately at the picture, but I have been unable to get more than a small percentage," Goldstein said. He asserted that he was ready finance or partial finance an reputable indie producer here in order to get product.

Goldstein finds himself in a position where he had to acquire 10 French and English pictures for distribution in the Americas when I would greatly prefer selling American pictures abroad," he stated. Failure to analyze foreign markets in order to find what type of picture will sell well in European markets of revenue for U. S. indie producers, he said.

Goldstein lists England, France, Holland, Belgium and the Scandinavian countries as being good markets, with other European countries out due to restrictions and foreign exchange troubles. He looks to South America and the Central American territory as a steadily increasing market. American exhibitors believe they will prove to be a great market for indie productions if later are aimed at this market.

Local 1 to Consider Fact Terms at Meet Wednesday

Possibility of early signing of a contract between Local 1 and New York circuits loomed large yesterday when a special meeting of the Local was set for Wednesday night to vote on terms of the pact. Contract is said to have been agreed upon in principle by the Local's negotiating committee and representatives of circuits, with only a few details left to be worked out.

Eastern Branch of SAG to Convene on Dec. 20

Membership meeting of the Eastern branch of Screen Actors Guild has been set for Dec. 20, it was learned yesterday. Mrs. Florence Marston, eastern region head, has returned to her home to recuperate from effects of a recent attack of pneumonia.

Strong Product Through Summer, Van Schmus View

Returned from a visit to the Coast studios to line up new pictures for Radio City Music Hall, W. G. Van Schmus, president of Van Schmus, Inc., told The FILM DAILY that product under way and completed would assure exhibitors of a strong program from the first of the year through the summer.

Van Schmus confirmed the report that "Snow White" might go into the Music Hall sometime next year, but believed it would be quite a while before it was shown there. He said he did not reveal program he had lined up for.

Expect "Night of Stars" to Net $100,000 for Fund

Chicago—This City's "Night of Stars" at the Stadium Dec. 21 is expected to raise $100,000 for the Christmas Fund. Frank Smith, manager of the Prexy of the Board of Mayor's committee. All talent is donated and the Chicago Musicians union, through Prexy James C. Pfeiffer, will provide a 60-piece orchestra. Eddie Beck will have charge of the stage arrangements. Fund provides clothing, etc., for needy youngsters.

B. F. Keith Corp. Pays Off $125,000 on Million Loan

Washington Bureau of THE FILM DAILY

Washington—B. F. Keith Corp., in a special report to the SEC states that in November it retired by payment the first maturing promissory note payable to Bankers Trust Co. in the amount of $125,000. The note would have become due on June 30, 1939, it was stated. Balance of debt is $875,000.

Davey Joins Moktiograph as Eastern Sales Manager

Chicago — Appointment of Lawrence W. Davey, formerly associated with the Fox Case Corp. and manager of Eastern Service Studios under the Erpi regime, to the post of eastern sales manager of Moktiograph, Inc. is announced here by Joseph K. Kieckner, organization's president.

26,500 See "Pygmalion" at Astor in Four Days

"Pygmalion" played to 14,000 at the N. Y. Astor over the week-end, bringing the four-day total to above 26,800, the Metro home office reported yesterday. Pix continued to get a heavy play yesterday despite the rain.

Wisconsin IPTA to Meet

Milwaukee—The Independent Theatres Protective Association of Wisconsin and Upper Michigan will hold its annual meeting Jan. 24-25. Place is still to be determined.
The Light Before Xmas

ERROL FLYNN

Dawn Patrol

RELEASED DECEMBER 24TH
PRECEDED BY SPECTACULAR
COLOR ADS IN LIFE, LOOK,
CLICK AND 14 OTHERS!

BASIL RATHBONE • DAVID NIVEN
DONALD CRISP
Melville Cooper • Barry Fitzgerald • Carl Esmond
Directed by EDMUND GOULDING
Screen Play by Seton I. Miller and Dan Tash萝卜 • From an
Original Story by John Monk Saunders • Music by Max Steiner
WARNER BROS., Producers
METEYED ON ENDING GIVEAWAYS IN N. Y.

(Continued from Page 1)

Jewel Theater Lottery
Trial Scheduled Jan. 9

Trial of the operators of the Jewel Theater on lottery charges in connection with money games, scheduled to be held Thursday next in Special Sessions court, has been set back to Jan. 9. Case is considered important inasmuch as License Commissioner Paul Moss has threatened to cancel the theater's license if a conviction is obtained. Such action is likely to affect the licenses of all New York City theaters in which money games are played.

British Trade Groups Aid Films for New York Fair

London (By Cable)—Joint committee of the British Council and the Travel Ass'n, at the request of the Department of Overseas Trade of the Board of Trade, is undertaking to see that the British film industry is amply represented at the British pavilion at the New York World's Fair and that an all-around British program is presented, feature productions as well as documentaries and other shorts. The committee is asking all trade bodies to co-operate by recommending material for inclusion, among them the F.E.I. Producers' Group, the Newsreel Ass'n, B.I.F., the G.P.O. unit and Sub-Standard and Cinematograph Ass'n. Certain films have already been considered and a tentative program adopted.

THEY have a state governor in their Hollywood party, no less....J. J. Grady of 20th Century-Fox at Cincinnati, has left for Hollywood with a distinguished party for a preview of the company's production, "Kentucky"...the party includes Governor "Happy" Chandler and wife...Eliza Dinger, Lieutenant-Governor Keene Johnson and wife, Beau MacMillan...Reed Nelson, mayor of Lexington...Joseph Shults, mayor of Louisville...Carl Saunders, Cincinnati Post...Boyd Martin, Louisville Courier & Times...the party was arranged by Jim Denon and Marc Lochman, of the Fox publicity dept...they left in three special cars...Sidney R. Kent, 20th-Fox prexy, and Charles McCarthy joined the group in Chicago....

MORE than 1,000 employees of Balaban & Katz circuit and their friends attended the annual dinner dance of the B & K Employees Association...at the Palmer House on Dec. 9...Roy MacDullan is president of the group, and Charles Burress executive vice-president...It's a Gift...that was the heading of the M-CB group ad for the newspapers...touting the Holiday shows at the Capitol, Music Hall and Astor theaters...of course they were all pictures from the Lion Studio...it was a pip of an ad done in the best Xmas tradition.

ALONG THE DIATO WITH PHIL M. DAILY

• • • WITHOUT QUESTION...the classiest motion picture affair of the season...the "Great Waltz" festival held in the Grand Ballroom of the Waldorf-Astoria last evening...a splendid tribute to Metro's "Great Waltz" production...and a splendid tribute to the tireless work of Howard Dietz, Billy Ferguson and his staff...over a period of many weeks...in bringing this nation-wide grand con- test to a brilliant conclusion...

• • • BEFORE a crowded audience of distinguished guests in informal evening clothes...Deems Taylor opened the gala affair...Kitty Carlisle sang "The Star-Spangled Banner"...eight girls of the Ziegfeld Club with their partners engaged in a waltz contest...the girls in the crinoline hoopskirts of their grandparents' day...Maurice and Cadoba did their famous ballroom dance...the Calsons did their eccentric dance...Bill Robinson obliged with his soft-shoe specialties...Men-drama and Dana did their classy number...Allan Jones sang "Dancing with the Albertina Ross Girls danced divinely...and Lenore Ulric made a short address amid rounds of applause...

• • • CELEBRITIES were to be seen everywhere in the boxes...Nicholas M. Schenck, David Bernstein, Alfred T. Sloman of General Motors...Will H. Hays, Louise Rainer, Mr. and Mrs. Hunt Stromberg, Mr. and Mrs. Howard Dietz...M. H. Aylestowe, Louis Nizer, General Harbord, Patricia Ziegfeld, General and Mrs. Robert C. Davis...W. G. Van Schmus, Michael Meehan, Francine Larrimore, Irene Hervey...Mr. and Mrs. David Callihan, Mortimer Buckner...Believe it or not, a married couple named Mr. and Mrs. Smith of Brooklyn was awarded the grand prize...among the 12 contestants from all over the U. S.----

• A COUPLE of Indians...W. Ray Johnston and George W. Weeks of Monogram were made chieftains of a tribe of Indians...at a ceremony of the Oklahoma City Chamber of Commerce Friday Public Lunch...during a luncheon honoring members of the state government...they were also made honorary colonels, but that doesn't mean anything...BUT Indian chieftains! well....

• • • THEY have a state governor in their Hollywood party, no less....J. J. Grady of 20th Century-Fox at Cincinnati, has left for Hollywood with a distinguished party for a preview of the company's production, "Kentucky"...the party includes Governor "Happy" Chandler and wife...Eliza Dinger, Lieutenant-Governor Keene Johnson and wife, Beau MacMillan...Reed Nelson, mayor of Lexington...Joseph Shults, mayor of Louisville...Carl Saunders, Cincinnati Post...Boyd Martin, Louisville Courier & Times...the party was arranged by Jim Denon and Marc Lochman, of the Fox publicity dept...they left in three special cars...Sidney R. Kent, 20th-Fox prexy, and Charles McCarthy joined the group in Chicago....

PATEH DISSOLUTION VOTE SET FOR TODAY

(Continued from Page 1)

firm, represented by Nizer, argued that distribution of the stock, for which the stockholders did not constitute a sale, and therefore was not a violation of a contract between Du Pont and Pathe which stipulated that the stock should be offered to Du Pont before any sale could be made.

Nizer also argued that more than $1,000,000 in taxes could be saved under provisions of the 1938 Revenue Act which gives tax benefits to any corp. dissolving during Dec. 1938, even though making profits.

W. H. Button, counsel for Du Pont, argued that distribution of the stock was in violation of the restrictive contract, Du Pont had entered into with Pathe regarding sale of the stock.

Fearing handing down of the decision, O. Henry Briggs, president of Pathe, said, "This is the second decision on the release which has come down from the courts which has upheld the propriety of submitting the dissolution program to the stockholders. The management has acted in the best interests of the stockholders and Justice McCook and Judge Cox have prevented interference from outside which would prevent the stockholders from determining their best interests."

Taylor Forms Victor Films to Distribute in Britain.

London (By Cable)—Victor Film Distributors, Ltd., has been launched here by Victor F. Taylor, managing director, and others interested in the venture. Head offices are at Victory House, Regent Street. It has a lineup of British and American features for release. Recently released was "Honeymoon for Three" with Stanley Lupino. Six American features already contracted for, will be tradeshown starting in January and negotiations are in progress for more U. S. pictures. Victor will produce a number of British features to take care of the American company's quota requirements. H. T. Redfern has been appointed general sales manager.

IATSE Precy Recovers

Chicago—Ill several weeks with a cold, George Browne, IATSE prexy, has recovered sufficiently to return to his desk.

For Americanization

West Coast Bub., THE FILM DAILY

Hollywood—Jack Holmes, head of Warner's newly organized Americanization department, will have in a week or so contact with窟kett and other patriotic groups. Swing is in connection with Warners historical series "Our Boys," in which the personal attention of both Harry and Jack L. Warner.
THE BIGGEST THEATRE IN THE WORLD MAKES AN IMPORTANT DECISION!

The largest house, the greatest grosser in the world, with the pick of pictures chooses the attraction for its most valuable playing time, Christmas week. It's M-G-M's soul-stirring Charles Dickens masterpiece

"A CHRISTMAS CAROL"

"Exploitable, timely, beautiful Dickens' immortal story is drama surprise of the year!" —JAY EMANUEL PUBLICATIONS

"Touches the heart deeply. Will delight and mellow youngsters and oldsters alike for the holiday mood and should be a Yuletide cleanup at the b.o." —DAILY VARIETY

"It belongs in the special treat class. It should make the box-office bloom with health. Its message is one of happiness. It's the tops." —HOLLYWOOD REPORTER

Flashes from the Hollywood News Front West Coast Bureau of THE FILM DAILY

Hollywood—Ground will be broken today for the new building which will house the Motion Picture Exhibitors of America. Willers will make the opening address. With Pat McGillin and Knute Rockne...KRO Radio will put 11 shows in production before Jan. 1.*

Rosalind Russell and Meyre Douglas leads in Variety poll for the Most Promising Actresses. Hubbard will produce "Wings Over the Desert" for Metro...Now WP lists have been signed by James stephenson, English actor, and gabriel dell and hung Hu of the "Dead End" kids. Production is at peak at Walter Wanger's plan and Lucille Ball and Edna May, three more start in 30 days...June Storey will be the female lead in Republic's "Indians of the Desert." Greg Trowbell has completed "dancing with the Bulls," it's planned for Broadway, but two majors are negotiating...Jack Holt starts "The Enemy Within" Dec. 20—WILK.

Paramount Execs. Huddle on British Organizations

(Continued from Page 1)

Paramount and Allied executives were on hand last night to open the new offices of Allied's London branch. Making the announcement was Robert O'Hara, president of Allied. The new offices are located at 22 Charlotte Street, London, England. Allied executives in attendance included John P. de Gr fuse, president; Harry F. McLean, vice-president; and William H. Cline, vice-president and general manager.

Details of the agreement were not disclosed, but it is understood that Allied will handle the distribution of Paramount's films in the United Kingdom. Allied has been active in the British market for many years and has a strong presence there. The new offices will enable Allied to expand its operations and better serve its clients in the region.

UA's Board Will Discuss Korda Production Plans

(Continued from Page 1)

UA's board of directors will meet today to discuss the Korda production plans. This is the first meeting of the year, and the board is expected to make some important decisions.

Rise in Loew's Capital Structure Told at Trial

(Continued from Page 1)

Loew's stockholders are expected to meet today to discuss the capital structure of the company. The meeting is scheduled for 10 a.m. at the Loew's headquarters in New York.

GN London Office Opens

(Continued from Page 1)

The GN London office is now open for business. The office is located at 22 Charlotte Street, London, and will handle all GN business in the United Kingdom.

CMPEA Board to Meet

(Continued from Page 1)

The CMPEA board of directors will meet in Cleveland today to discuss the future of the association. The meeting is scheduled for 10 a.m. at the Hotel cookies.

Oulahan to Succeed Self

(Continued from Page 1)

Oulahan, who was born in the Philippines, has been with Loew's for many years and is well respected by his colleagues.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood—Henry Willcoxon, British-born actor, and Joan Woodburn, film player, will be married on Dec. 17.

Detroit—R. E. Harvey, of the Credit Division of Ross Federal Service, was married to Florence Maynor, of Cleveland, O.

GOVT' S SUIT SLATED FOR SPRING TRIAL

(Continued from Page 1)

Technicolor's New $1,000,000 Lab Will Open Feb. 1

West Coast Bureau of THE FILM DAILY

Hollywood—Technicolor's new $1,000,000 laboratory and office building will open Feb. 1, and its completion will increase Technicolor's release print capacity to 125,000,000 feet annually. Expansion will also give room for new 16 millimeter printing equipment which is a new Technicolor development. After Feb. 1, the combined capacity of the Hollywood and London plants will be 150,000,000 feet.

Beery in N. Y. Police Fling

West Coast Bureau of THE FILM DAILY

Hollywood—Wallace Beery will be starred in M-G-M's "Sergeant Maddon," a New York police story which will be J. Walter Ruben's first as producer. Josef von Sternberg will direct.

STORKS!

Sam Moreno, short subject producer, is a daddy for the first time. A baby girl, Joan, was born Monday morning at the Jewish Hospital of Brooklyn.

West Coast Bureau of THE FILM DAILY

Hollywood—George B. Seitz, director, became a grandfather when a son, Christopher, was born to Mr. and Mrs. John G. Seitz, Jr., at St. Vincent's Hospital.

Clifford B. Ross of Ross Federal Research Corp, is the father of a second son, Steven Richard, who was born to Mrs. Ross (the former Mary Stevenson) on Dec. 8 at the New Rochelle Hospital.
ROXY CROWDS IN UPROAR!
— reviewers applaud 20th’s smash Holiday laugh-show!

"Aroused high glee in Roxy audience! A dandy comedy!" — N.Y. Daily Mirror

"All the laughing you can stand this week!" — N.Y. Post

"Sure-fire! Audience reaction loud and laudatious!" — M. P. Daily

"Customers laughed themselves into tears and out again!" — M. P. Herald

"Will add countless dollars to boxoffice returns!" — Picture Reports

"Must click heavily in all showings! Comedy at its brightest!" — Boxoffice

"Best picture of the week!" — Jimmie Fidler

"A top notcher! Boisterous laughs hit first-line classification!" — L. A. Times

"An audience natural! Swell entertainment for everybody!" — Showmen’s Trade Review

"THANKS FOR EVERYTHING"
— For Christmas cheer at your theatre!
**REVIEWS OF THE NEW FILMS**

**There's That Woman Again**
with Melyn Douglas, Virginia Bruce, Margaret Lindsay
Columbia

**California Frontier**
with Buck Jones
Columbia

**Convicts at Large**
with Ralph Forbes, Paula Stone
Principal

**Swing, Sister Swing**
with Ken Murray, Johnny Downs, Kathryn Kane
Universal

**HOLLYWOOD PREVIEW**

**VERY ENJOYABLE COMEDY MYSTERY ASSURES GOOD ENTERTAINMENT FOR CUSTOMERS.**

A very enjoyable comedy mystery is this follow-up on "There's Always a Woman." The dialogue is snappy and brings forth a host of laughs as do a number of the situations. The customers will find it good entertainment. Although there is a lot of good fun, there are a few let-downs due to the plot becoming involved. Melyn Douglas scores again with the same sort of breezy top-notch performance as he gave in "There's Always a Woman." As Virginia Bruce, playing the nitwit wife whose desire to be helpful only gums up things, is splendid. Her interaction of the two different temperaments from Joan Blondell's delightful impish antics in the previous picture. Instead Miss Bruce makes the character more natural and still very laughable. Margaret Lindsay, Stanley Ridges, Gordon Oliver and Tom Dugan take care of the other important roles in nice style. The screenplay was the work of Philip Epstein, James Edward Grant and Ken Englund from a story by Gladys Lehman based on a work of Wilson Collision. Alexander Hall's direction keeps the piece moving at a lively gait. B. B. Kahane's production should prove a profitable one to Columbia. Gems are being stolen from Margaret Lindsay's jewelry shop. The insurance company puts Melyn Douglas, private detective, on the case. His wife, Virginia Bruce, in her trying to be helpful manages instead to be in the way. Stanley Ridges, Gordon Oliver and Jonathan Hale are among the cast and for most of the picture, things do not look too favorable for Melyn working out the solution. But when he brings the thieves to justice, the Ridges, too, attention is focused on Miss Lindsay who turns out to be the thief and murderer. While things are happening, a situation occurs which enables Miss Douglas to become a father and the feudot allows one to make his own decision on what will happen in that regard.

CAST: Melyn Douglas, Virginia Bruce, Margaret Lindsay, Stanley Ridges, Gordon Oliver, Tom Dugan, Don Beddoo, Jonathan Hale, Pierre Watkin, Paul Harvey.

CREDITS: Associate Producer, B. B. Kahane; Director, Alexander Hall; Story by Gladys Lehman based on a story by Wilson Collision; Screenplay, Philip G. Epstein, James Edward Grant, Ken Englund; Cameraman, Joseph Walker, ASC; Art Director, Lionel Banks; Editor, Viola Lawrence; Musical Director, M. W. Stoloff; Sound, George Conklin

DIRECTION. Lively. PHOTOGRAPHY. Very Good.

**For the 55th St.**

The 55th St. Playhouse ends its current program of revivals on Saturday and will close for two weeks. An important notice is that the play which was announced yesterday by the management. House reopens Friday, Dec. 23 with a French picture, "It's Only Love." Rivoli has also closed for two weeks, reopening on Christmas Eve.

**To Alter the 55th St.**

**Smith, Sister Smith**
with Ken Murray, Johnny Downs, Kathryn Kane
Universal

**HOLLYWOOD PREVIEW**

**MERRY LITTLE COMEDY EXPLOITING JITTERBUG CRAZE SHOULD CLICK EASILY.**

This is a merry little comedy with music that exploits the jitterbug craze of the day. It has been well directed by Joseph Santley and gives Eddie Quillan an opportunity to bring his excellent brand of comedy to the screen. Ken Murray, Johnny Downs, Ernest Truex, Kathryn Kane and Edna Sedgwick are among the principals who do good work while Ted Weems and his orchestra furnish the swing music. Burt Kelly is the associate producer and it is said that the original, with Charles Grayson furnishing the screening play, "Wasn't It You?" and "The Baltimore Bubble," songs by Frank Skinner and Charles Wilson, are being sung numbers. Ken Murray, New York press agent, vacationing in his home town, Greenville, signs up Down, a gas station employee, who has created a new dance, "The Baltimore Bubble." The youngster goes on a theater tour with its dance, but the craze dies out, and Kathryn and Quillan, homestuck, return to Greenville, Ken, now afflicted with a tooth, head a new dance with Edna Sedgwick, but it is a flop. Having learned his lesson, he returns to Greenville—only his first and only love—Kathryn Kane.

CAST: Ken Murray, Johnny Downs, Kathryn Kane, Eddie Quillan, Ernest Truex, Edna Sedgwick, Nana Bryant, Esther Howard, Herbert Haywood, Clara Blandick, Ted Weems and his orchestra.

CREDITS: Associate Producer, Burt Kelly; Director, Joseph Santley; Author, Burt Kelly; Screenplay, Charles Granville; Cameraman, Elwood Bredell; Art Director, Jack Otterson; Associate, Ralph Deiley; Editor, Frank Gross; Musical Director, Charles Previn; Music and Lyrics, "Wasn't It You," "The Baltimore Bubble," by Frank Skinner, Charles Henderson; Dance Director, Matty King; Sound, Bernard B. Brown and Jess A. Moulin.

DIRECTION. Very Good. PHOTOGRAPHY. Good.

**Butterfield Renews Pact With Alexander Film Co.**

Colorado Springs—A three-year renewal agreement from Jan. 1 next with the Alexander Film Co. by the W. W. Butterfield Theaters, Inc., of Michigan, has been announced by J. D. Alexander, president of the Alexander Company. Renewal of the agreement, which brings to a total of 14 years term of contract under which the Butterfield Circuit of 110 Michigan theaters has been under agreement to the Alexander Company, was announced by E. J. C. Alexander and E. C. Beatty, latter, president of Butterfield.
**REVIEWS OF THE NEW FILMS**

**“I Demand Payment”**

with Jack La Rue, Betty Burgess, Matty Kemp

RATES WITH AMATEUR SCRIPT AND DIRECTION PORTRAYING UNCON- VINCING STORY.

This one missed the parade, with several other films dealing with the loan shark racket having preceded it and presenting the matter much more entertainingly than this amateur effort. The story had plenty of elements of real drama and suspense, as well as emotional appeal, but the ineptness of the screenplay, and the generally weak direction and acting licked it before it got very far in the footage.

Matty Kemp gives indications of being a very capable dramatic actor, but his unconvincing role seem almost oppressive. He has the unthankful part of a youth in love with a nice girl (Betty Burgess), but he gets into the loan shark racket, and lands in so deep that he finally kills one of the gang in order to steal the bank roll that they have just taken from one of the gang's victims. Meanwhile he has married the girl, and separated from her, realizing that his gangster career will ruin her life. But he cannot live without her, and commits the crime in order to have the funds to get away and start a new life. He forces her to accompany him, although she has developed a fondness for the meantime for a nice young doctor who has saved her after a suicide attempt. And so on to the inevitable climax, as the law comes in, and also Jack La Rue, the gangster brother of the mobster that the youth murdered for the money. Lloyd Hughes as the doctor, and Guin Williams as a comedy mobster, do as well as possible with sketchy parts.

CAST: Jack La Rue, Betty Burgess, Matty Kemp, Lloyd Hughes, Sheila Terry, Bryant Washburn, Sr., Donald Kirke, Harry Holman, Edward Keane, Norma Taylor.

CREDITS: Producer, Clifford Sanforth; Director, same; Author, Rob Eden; Screenplay, Sherman Lowe; Cameraman, Robert Doran; Editor, Douglas Biggs.

DIRECTION. Weak. PHOTOGRAPHY. Fair.

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**FOREIGN**

“Orange”

(“The Storm”)

with Charles Boyer, Michele Morgan

Tri-National 85 Mins.

FINE ACTING OF PRINCIPALS AND CAST OFFSET BY TRITE FINALE, FOLLOWING STRONG SCENES.

Charles Boyer, conscientious and capable, and the comely and captivating Michele Morgan, head a well-chosen cast in this Andren production, out of top players and subordinates are somewhat handicapped by a story, which, in the original, is considerably more tightly knit and interesting than in this version. It is in the climax scenes, when one expects the dramatic happenings to come to an exciting, pulsating conclusion, that the proscus supplants the anticipated punch. However, the majority of scenes from the outset are rife with common interest and often vigor. On the credit side, beyond the fact that the photography is below the Hollywood standard, must be cited the frequent injection of realism—a weapon which the French writers and studios utilize more efficiently than in most lands. The story aided by English titles, and viewed as a love parallelogram. Boyer’s brother-in-law is enamored of a Parisian girl. So the sympathetic Boyer, about to set out for that city of romance on a business visit, promises the discouraged young man that he will see the girl and act as the am-bassador to promote the match. The meet-ing finds the girl, Michele Morgan, and the well-intentioned, plus well-married, Boyer, raling deeply in love. Thus is ushered in the emotional and sociological “storm,” which ends with the young lady sacrificing all via poison. Mark Alleger’s direction is adept. Many screen fans are bound to like this picture, despite the filmness of its finale.

CAST: Charles Boyer, Michele Morgan, Lisette Lamn, Robert Manuel, Jean-Louis Barrault, Jean Hugues, Joffre, Pally, Jeanne Ley, Rene Gobin.

CREDITS: Producer, Andre Daven; Director, Mark Alleger; Author, Henry Bernstein; Screenplay, Marcel Achard, Jean Lustig; Music by Georges Auric; Editor, Forrest Hill; French Production with English subtitles.

DIRECTION. Skillful. PHOTOGRAPHY. Fair.

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**SHORTS**

“Treacherous Waters”

(“Your True Adventure” Series)

WARNERS

Thrilling Reel

This is an exciting human-interest-laden story starring Floyd Gibbons and including John McCarthy, Bob White, Robert H. Barron, Howard Negley, Walter Grenza and Edward Butler in the cast, with action guided by Director Joseph Hensberry. Gibbons, at a little railroad station, recounts a bit of true local lore of the mishaps which befell two boys while fishing from a rocky dock overhanging a swift-flowing river. Their companion, a boy of their own age, cries out when the dock cracks up, and his voice brings to the scene two men, one of whom is a railroad engineer. The latter tries to make a rescue and succeeds, but is caught in quicksand. The boy who remained on shore, knowing the tremendous risk involved in attempting to rescue the beleaguered youth foundering in boiling mid-stream, nevertheless accomplishes this heroic feat. Footage is gripping and will thrill all audiences.

RKO Pathe News 10 mins. Sure Fire Pop Interest

With more newsreels being built throughout the country from day to day, and the general public interested in domestic and world affairs to a greater degree than ever before, the working of a modern newssell is an extremely interesting subject. We see the making of a newscell from the time the cameramen start cranking on location until the time it is rushed to theater screens. Of particular interest are the scenes which show the actual makeup of the reel itself with a corps of editors, cutters and writers at work. We also see the scoring of the reel. An interesting sequence is provided at a racetrack where a battery of cameramen using telescopic lenses photograph a race. Developing in the laboratory and cutting are also shown. Andre Baruch is the commentator and Clem McCarthy scores the track scene. Frederie Ullman, Jr. produced and Frank Donovan supervised.

(Many shorts reviews on Page 10)

Krim Offices Moved

Detroit — Headquarters of the Krim Brothers Circuit, formerly in the Fox Theater Building, have been moved to the Lasky Theater.

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COLUMBIA IS FIRST

with a red-hot expose ... the hottest news story in a decade!

SMASHING THE SPY RING

A Columbia Picture

**“Newsreel”**

“Newsreel” 10 mins. Sure Fire Pop Interest

With more newsreels being built throughout the country from day to day, and the general public interested in domestic and world affairs to a greater degree than ever before, the working of a modern newssell is an extremely interesting subject. We see the making of a newscell from the time the cameramen start cranking on location until the time it is rushed to theater screens. Of particular interest are the scenes which show the actual makeup of the reel itself with a corps of editors, cutters and writers at work. We also see the scoring of the reel. An interesting sequence is provided at a racetrack where a battery of cameramen using telescopic lenses photograph a race. Developing in the laboratory and cutting are also shown. Andre Baruch is the commentator and Clem McCarthy scores the track scene. Frederie Ullman, Jr. produced and Frank Donovan supervised.

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**NO QUOTA REVISION FOR CANADA LIKELY**

(Continued from Page 1) that the suggested amendment might open the way for unfair competition with British pix. Under the old act, cheaply made Dominion films were purchased as cheaply by distributors as here to meet quota requirements.

Situation again has been brought into sharp relief at this time by the presence in Canada of John Grierson, member of the newly constituted Film Council.

American distirb, interests here are getting some quiet amusement out of the pro and con arguments. British opponents of the Dominion equality move—for that's what it simmers down to—are charging that many of the overseas productions are short on quality, while from the Dominion side comes the word that if the Canadian producers were given encouragement here, improvement in product would follow.

**Theater and Radio Station Tie-in for News Flashes**

*OKLAHOMA CITY—Criterion, Standard first-run, is presenting news fl ams in co-operation with radio station WKY. Curtains are drawn and Ben Bezoff, news editor, reads the items from WKY's studio, which is placed over a line to the projection booth and presented over the Criterion sound system.*

**B & K Shifts Conroy**

*CHICAGO—A. P. Conroy, manager of the B & K Uptown theater, has been transferred to the Southtown theater of the circuit, succeeding William M. Smith, who has been placed in charge of the modernized State-Lake theater in the Loop, which B & K will reopen, Dec. 24. Ben Bloomfield, formerly manager of the Oriental theater, will replace Conroy at the Uptown theater.*

**Grand Jury Meets Thursday**

*HARRISBURG, Pa.—Dauphin County Court Grand Jury will convene at 10 a.m. Thursday in the courthouse here to begin the investigation of campaign charges of graft in the alleged sale of Sunday movie legislations and corruption in the Earle administration.*

**Christmas Greeting**

*CLEVELAND—A four-page Christmas card folder, entitling any administra to any one of the 40 theaters listed in the folder, is being sold for 25 cents at all of the theaters of the Associated and Community circuit box offices. The cards, to be given as Christmas presents, will be honored up to June 1, 1938, by Holworth, manager of the Hilliard Square Theater, who worked out the stunt and is in charge of its execution.*

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**REVIEWS OF NEW FILMS**

**SHORTS**

*"Nassau" (Screen Traveler) Paul Devlin 10 mins. A Winter Paradise*

A travel short that satisfies that Winter cruise wanderlust that attacks people at this time of year. The journey is made to the West Indies' tropical isles of romance. The Bahamas are reached, a few days out of New York, and the town of Nassau. Going ashore in a tender, the native diving boys are seen, descendants of slaves brought to the Bahamas when the islands were bases for slave runners to the United States. Nassau serves as a breakwater, and makes an ideal harbor for yachts. Most interesting is the sponge fleet, tied up to the quays. Here the small vessels are seen, hundreds of sponge fishermen. The vessels' decks are crowded with live rock and housekeeping equipment for these people spend their lives on the boats. The life of the town is colorfully presented. The Bay Street, the barrows, and the colonial court is well stocked with English products. Contrast in vehicles is found in the slow-moving horse-drawn wagons and the modem motor cars. The streets and parks are resplendent with flowers that bloom throughout the year in the perpetual soothing climate that gives to Nassau its title of the Isle of June. The government offices and the colonial court are set amid spacious grounds of royal palms. This garden spot of the West Indies is caught in closing. The line of men, the passing ocean liner as the sun goes down on the tropical seas. The camera of Andre de LaVarrere is seen at its best in this entrancing jaunt, and his narration catches perfectly the lazy charm of this tropical paradise.*

*"Man's Greatest Friend" (Peter Smith Specialty) M-G-M 10 mins. Science Dramatized*

Peter Smith presents some highlights in the part the dog has played in man's greatest friend. The principal footage is devoted to the efforts of Pasteur, the great French scientist, to develop a cure for rabies. From this point, the show traces other experiments in which dogs have been sacrificed in order to help mankind overcome other diseases.

**Going Places No. 57 Universal**

Universal Average

This subject takes the viewer through Yellowstone National Park and presents the usual and familiar scenes within the great natural playground. Graham McNamee does a good descriptive job as commentator. The beautiful setting, the falling springs, the wild life and all the other well known objects of interest were combined into an interesting reel.

**"Journey to Normandy" (Screen Traveler) Paul Devlin 10 mins. Timely Travel Short*

Most timely travel short, concerning itself principally with Le Havre, which French port is now occupying the front pages of the newspapers because of the strike situation that tied up the Normandie. In fact this great liner is shown in a close-up steaming majestically into the harbor at Le Havre, and gathered hundreds of natives watching the liner as it passes. The city itself is beautiful in an old world way. The Normalie buildings centuries old have been seldom presented in pictures, and never with such intimacy and detail. The new railroad station at the end of the Boulevard de Strasbourg is shown. Then to the Rue de Paris, and Bobby Graham's camera presents native's of this great city, and the buildings of the streets present many candid camera shots, taken without the knowledge of the subjects. In this manner Andre de LaVarrere secures some highly interesting studies of people who are rarely identified. This trick of watching interesting studies off their guard is one of the chief charms of the unusual camera technique of Andre de LaVarrere. The trip to Le Havre continues, and the sightseeing continues along the shores of the English Channel. This beautiful scene closes on a shot of the imposing modernistic statue erected in memory of Nungesser-Coli, the Atlantic flyers.*

**DEXT WORKS OUT NEW Style Bally for Shaw Pix**

**EXPOZITIVES**

**PROMOTION of “Pygmalion” presented a series of special problems. Howard Dietz, director of advertising and publicity for Metro-Goldwyn-Mayer, wanted reviewers that policy for presentation of the film was unique and that normal predictions of box-office potential would not apply in the case of this release arrangement—special engagements in metropolitan centers at popular prices for indefinite runs. The Astor date was in the nature of a test. Nicholas M. Schenck, president of Loew's, felt that the picture deserved strong American presentation but wondered whether it would stand up as a roadshow (for a 10-cent admission) as the house would have any market at all on general release. The sensational showing at the Astor was, the felt, the correctness of the plan as adopted.**

**Lack of star power other than Leslie Howard proved no detri-**

**tment to the effectiveness of this campaign.**

*Gabriel Pascal, the film's producer, was comparatively unknown here, but he was extensively published as the "hobo producer" whom Shaw had singled out for endorsement with screen rights to his work after refusing all the big Hollywood names and offers. Arrival of Pascal in New York, and later of Leslie Howard, was the sig-**

**nal for a double barrage of in-**

**terviews. Shaw, himself, con-**

**tributed a trailer in which he de-**

**scribed his picture as "seriously mag-**

**nificent" and urged Americans to see it "at least twenty times."**

**Beginning of the Astor-St漠teluy campaign turned the popular theme of the film to offset the danger of sacrificing oth-**

**er Shaw pictures of Shaw's reputation was to be high-brow-sounding. Daily releases were so worded as to carry the style and general tone—and wherever possible, direct quotations—of Shaw. Ads were built around caricatures of Shaw, his quotations and barbed comments.*

**The evening before regular opening at the Astor was de-**

**voted to a benefit preview at-**

**tended by a "name" audience, the entire proceeds of which, raised through individual voluntary pay-**

**ment of $1.00 each seat, amounted to $1,608.75, and went to four organizations aiding German refugees.**

**The special release plan, of which the Astor-St漠teluy open the question of zoned metropolitan audiences, for whom special ap-**

**peals have been made, shows interest without worry about being too high-brow for subsequent runs,**

*—Metro-Goldwyn-Mayer.*
W. B. STOCKHOLDERS RE-ELECT 5 TO BOARD

(Morning Edition of the DAILY.

The holdovers are: Harry M. Warner, Major Albert Warner, L. B. Warner, Joseph Bernard, Robert W. Perkins, and Waddill Catchings. Iven Culbertson, attorney, was elected to sit in for David Hascall, who is ill. Directors' meeting to elect officers will be held later in New York.

Metro's Marionettes Will Start Tour of Carolinas


Fill Two Ross Federal Posts

Detroit-L. A. Yockelle has been appointed office manager of the Credit Promotion Division of Ross Federal Service here. Yockelle was formerly associated with the Cleveland branch of Ross. Appointment is also announced of R. E. Harvey, Jr., as research salesman for the Ross Federal Research Corporation.

To Raze Circle Theater

Plans are scheduled to be filed this week for the proposed new theater which will replace the Circle Theater, the half-closed theater, at the southeast corner of Broadway and 60th St. New structure is being designed by Thomas W. Lamb, architect, and will have no theater. It is stated the Circle was a 1,500-seater.

"North" Big in Vancouver

Vancouver, B. C.-First two days of "Heart of the North" at the Orpheum here grossed as much as the normal weekly "take" and set a new high. Premiere had Gloria Dickson here for a p.a. Pix, in Technicolor, is Warners' pre-Christmas release.

"Boots and Saddles"

Cincinnati-RKO Joe Cost, who will be in charge of the local RKO's bidders' Christmas Party here, will ride his first mount, a specially bred by the local brewer. The parade will début, Saturday, RKO Paramount, provided Joe is still with it.

SHORT SHOTS FROM EASTERN STUDIOS

By SID WEISS

NOTES on the cuf... Sam Sax and Lee Stewart are readying their annual show for Sing Sing slated for Dec. 21... Listed among the talent are Cross and Dunn, Rod Skelton, Hal Leroy, Margie Taylor, Rosie Moran, Condos Bros., Lail Zingoni, Benny Ross and Maxine Stone, and the Gae Foster Girls... Ira Genet has completed another of the "Gleos Parade" series which he writes as well as directs... Add resemblances: Floyd Gibbons and Jim Barton... Study in versatility: David Mendoza, Vitaphone musical director... His "Jitterbug Jam..." makes your favorite swing band sound like a waltz contest... while on the 22nd of January he is down for another appearance as guest conductor with the Civic Symphony Orchestra... Eddie Forman is writing a musical comedy for Red Skelton which Lloyd French will direct...

New Year's tip for lonesome ladies: The Film Players' Club, Inc., is offering a New Year's Eve Frolic at their quarters at 251 W. 51st Street, Thursday, Dec. 31st, with its membership only in $300. While the club is not as well known as it might be, it is 22 years old and its membership covers several hundred of the best men and women of the screen and stage... Harry Hornick, actor, director and manager, is president and in addition to the many other advantages of the club, he hands out "tips" on jobs as fast as he hears them, without any charge.

Personality sketch: Harold Orlob, producer of "... one third of a nation..." which Dudley Murphy directed starring Sylvia Sidney... Before entering pictures, was a highly successful composer... One of his first song hits was "I Wonder Who's Kissing Her Now"... Has written a series of thirty musical shows, including: "Town Topics," "Hitch Koo," "Lasten Lester," "Fial Honeymoon," "The Melting of Molly," "Take a Chance," and "Flirting Princess"... His new piece, for Paramount release, will be the first of a series he will make at the Astoria studios... He also has in preparation a musical comedy which he will produce on Broadway shortly...

Production notes: Lloyd French starts a short with Mr. and Mrs. Jesse Crawford on the 15th... On the 19th Frances Carroll and her Coquettes will be featured... Joe Henebery is down for a Larry Clinton short on the 21st... On the 23rd, French will do another musical comedy with Red Skelton.

British Labor Party Will Use Films for Propaganda

London (By Cable) - The British Labor Party's proposed use of films for propaganda purposes is taking shape under the auspices of the Workers' Film Ass'n which has been launched by the TUC General Council and the national executive of the Labor Party. A conference and display of typical propaganda films was recently held by the National Council of Labor Theaters. The Workers' Film Ass'n has head...

Set Odessa Pix Title

"Back Door to Heaven" will be the final title on the William K. Howard production recently filmed at the Eastern Service Studio, Astoria, for Paramount release, Bernard Steele, president of Odessa Productions, announces.

Quarters at 148 Wardour Street. It will provide the following services for Labor, Trade Union and Co-operative Movements: Production, renting, roadshows, sound equipment, cameras, silent projectors and other film equipment.
WALT DISNEY'S sensational holiday special!

Mother Goose goes Hollywood

Wait till your crowds see THESE nursery rhymes — when they find out who's playing Mother Goose, Little Bo Peep, Jack Horner and all the others!...THE BIGGEST SURPRISE PACKAGE of the season, wrapped in true Disney style, and backed up by the kind of national publicity and tieups that mean tickets presold to millions!

DONALD'S LUCKY DAY
Released January 13

SOCIETY DOG SHOW
Released February 3

THE THREE LITTLE PIGS in THE PRACTICAL PIG
Released February 24

WALT DISNEY PRODUCTIONS in Technicolor
DISTRIBUTED BY RKO RADIO PICTURES
Pathé Dissolution Plan Lost; New Proposal Expected

U. S. FIGHTS PARTICULARS BILL IN EQUITY SUIT

AFC Plans Study of Pan-American Film Interchange

1939 Worry
... for Broadway

By CHESTER B. BAHN

AD Things to Worry About: In April, the New York World's Fair 1939 will bow, making New York City the Mecca for free-spending visitors from North, East, South and West. A respectable majority of those flying, training and motoring in from the hinterlands will not be content to seek their amusement and entertainment on the grounds of Grover Whalen's exposition; they'll turn to Broadway and its theaters, film and otherwise. But from the piz standpoint, here's the rub and the problem: As booking matters now stand, many of the features are seen in other cities before they open in New York. Indeed, one of the most familiar squawks voiced by visitors concerns their disappointment at discovering that a Broadway picture house they had planned to attend is playing a film they deem "old"—they saw it before leaving home.

That situation will be aggravated no end when the World's Fair rush starts, and unless remedial steps can be formulated and taken, it promises to cost Broadway theater operators plenty. For it can be put down that no Fair visitor from Oshkosh is going to pay Broadway prices to see a picture he's already viewed in the old home town for two bits or 40 cents. And that's that.

TODAY'S doffing of the hat in columnar salute is in the specific direction of Warners.

There are two reasons for it. First, there's the newly established Americanization department, fled in with its series of historical short subjects. Secondly, there's the matter of a new series of factual shorts, to be made under the title of "Heroes of the Western Hemisphere," with "Bolivar in Venezuela" penciled in as the first.

The fact that the Americanization department obviously represents an exploitation device by no means detracts from its value as a patriotic medium. Similarly, that the new series will have a definite commercial appeal to the Latin-American market in particular does not alter the fact that its addition is in the spirit of Lima rather than of Munich.

Tariff, Quota, Code and Censorship Problems Will Be Included

With the further development of the Spanish language pix market on the other side of the Rio Grande looming as a major objective of the U. S. film industry, unusual importance was attached yesterday to the announcement by the American Film Center that it has planned a study of the practical problems involved in the

WESTERN N. Y. MPTO OKAYS REFORMS PLAN

Buffalo—First of the MPTO affiliates to act on the trade reform memorandum submitted by the distributors' negotiating committee headed by Sidney H. Kent, the MPTO, State of New York, Western Zone, okayed the proposals with minor exceptions.

Meeting was held in the local Var-
(Continued on Page 4)

RKO-Wilcox Pact Details Slated for Release Today

Details of a "new and important Anglo-American production alliance" will be announced jointly today by
(Continued on Page 6)

Pathé to Liquidate Physical Assets Under New Proposal, Briggs Indicates

Legal Slant Being Sought on New So. Wales New Law

Faced with a new revision of the New South Wales Cinematograph Law which stipulates three per cent quota and a 25 per cent cancellation clause, American distibs were waiting yesterday for word as to the con-
(Continued on Page 6)

BERNIE FETE
TO DRAW 1,000
Luncheon Climaxes Jewish Charities Drive

Urging trade-wide support for the 116 philanthropic institutions affiliated with the New York and Brooklyn Jewish Federations, 50 chairmen of various divisions and committees, representing every branch of the amusement industry, enthusiastically assumed sponsorship of the luncheon in honor of Ben Bernie, which will be held at the Hotel Astor next Monday with Eddie Cantor as chairman and toastmaster. Attendance of 1,000 at the tentorial is indicated.

The 50 divisional and committee
(Continued on Page 7)

TECHNICOLOR'S NET UP DOUBLE OVER '37

Consolidated net profit of Technicolor, Inc., and Technicolor Motion Picture Corp., for 1938 will be more than double that of 1937; it was revealed yesterday by Dr. Herbert T. Kalmus, president, at a meeting of the board of directors. The year's
(Continued on Page 7)

Defendant Majors Quibble Over Definitions, Court is Told

By GEORGE K. MORRIS

FILM DAILY Staff Writer

In a 38-page supplemental memorandum which was ready yesterday for filing in Federal Court, the Government declared its opposition to giving the defendant film industry the bill of particulars and more definite statement in the current equity action.

The Justice Department,—through Assistant Attorney General Thurman Arnold, and the Attorney General's Special Assistants Paul Williams, J. Stephen Doyle, Jr., John F. Ouggeo and Shelby Fitzes, and Special Attorney Seymour Krieger,—contends that the petition adequately apprises the defendants of the
(Continued on Page 6)

ZUKOR SAILS FRIDAY
TO ASSUME NEW POST

Adolph Zukor sails Friday on the Queen Mary for England where he is to take over his new duties as co-ordinator of Paramount's activities in the United Kingdom, it was learned yesterday. He will be ac-
(Continued on Page 6)

Loew's Profit for Year
Said Near $11,000,000

Loew's earnings for the year ended Aug. 31, 1938, will be between $10,500,000 and $11,000,000 it was disclosed yesterday at the con-
(Continued on Page 7)

Musical Salute
As a result of a quiet experiment in several theaters in Philadelphia and Newark, Joseph Bland, General Manager of Warner Bros. Theaters, has ordered "The Star Spangled Banner" played daily in all Warner theaters throughout the country.

Lincoln Local "10 Best" Poll Stirs Wide Interest

Lincoln, Neb.—Response to the "10 Best" local poll, being conducted here by city sales tax judges, Star and the six major theaters along lines prescribed by the Film Daily's criteria, is coming from all parts of the state. Outstayers only can figure in the first place judgment, because that's the free trip to Hollywood. The others are annual passes, 6 months, a month, and trip passes, which would be of no value to one too far away to use them. The mail count is running heavily.

Madison, Wis.—The Capital Times is conducting its fourth annual Ten Best Movies poll under the direction of Sterling Sorensen, the paper's theater critic. Cash prizes of $10 to $1 were to be given to the theaters being awarded to those whose selections most closely match those in Film Daily's poll. The local contest closes Dec. 22.

Triple A, WCSS Sign SAG Modification Agreements

Signed modification agreements have been delivered to the Eastern branch of Screen Actors Guild by Triple A and West Coast Sound Studio, Inc., representing old Orlo, Triple A a prexy, and George Goman, WCSS head, conferred with Ken Thomson. SAG executive-secretary, last week and held meetings with Mrs. Florence Marston, Eastern head of SAG, previously to that.

Mrs. Marston is expected to return to the office next week following an attack of pneumonia. Her condition yesterday was reported as "fine."

Bray May Succeed Flynn as N.Y. Sec'y of State

Albany—Edward J. Flynn, Democratic leader of the Bronx and Secretary of State, with whom all intercorporations are filed, is reliably reported to be retiring Dec. 31, because of illness. His successor is reported to be Lieutenant-Governor M. William Bray of Utica, who has wide acquaintance with nearly every exhibitor in the Utica and Adirondack Mountain areas.

City Sales Tax Privilege

Now Sought by St. Louis

St. Louis—Mayor Bernard F. Dickmann in his seven-point legislative program to be pursued in the Missouri General Assembly when that body convenes there early next month has included a request that the barrier be removed against a city sales tax. St. Louis favors such a tax to help overcome the present large city deficit.

Drop Sales, Booking Force in 4 Para. Sub-Branches

Paramount is dropping its sales and booking force in four of its sub-branches and will sell from the nearest key cities. Affected exchanges are those in San Antonio, Tex.; Portland, Me.; Jacksonville, Fla., and Sioux Falls, S. D. Distribution will be continued from those points, according to Neil Agnew, general sales manager.

Sales and bookings formerly handled in Portland will be shifted to Boston. J. Harold Stevens, Portland manager, goes to Indianapolis as branch chief replacing the late E. J. Barnard. Donald L. Sweeney, ad sales manager, remains to supervise shipping and film inspection for the Maine and northern New Hampshire territory.

Paramount's booking organization will take over the booking formerly handled in Sioux Falls, while Atlanta exchange assumes similar responsibility from the Jacksonville office.

State Labor Federation

Backs Agency Licensing

Albany—State Federation of Labor, New York's AFL body, has expressed its determination to push legislation for the licensing and regulation of fee-charging employment agencies in the 1939 session of the Legislature. Favorable action was taken by labor chiefs in their annual pre-session legislative conferences at the Hotel Ten Eyck here.

Bill backed by Paul Moss, New York's Commissioner of Licenses, was introduced years ago, but failed of passage although it was accorded a public hearing before the State Senate.

Fifth Major Signs Deal With New Jersey Co-op

Warner Bros. is the fifth major company to sign a contract with Associated Theaters of New Jersey, booking organization. Deals are now pending with Monogram and Republic.

Pacts previously were signed with M-G-M, Universal, RKO and 20th Century-Fox.

Ascap May Escape Attack in Colorado Legislature

Denver—Ascap may escape a legislative assault when the Colorado Legislature convenes next month. Interests concerned. City early next month has included a request that the barrier be removed against a city sales tax. St. Louis favors such a tax to help overcome the present large city deficit.
FLASH ... this is New Year's Booking No. 278 on M-G-M's "SWEETHEARTS" with the total number of holiday bookings headed for an all-time industry high!

(A typical telegram is the following from John Hamrick, famed Seattle showman)

METRO-GOLDWYN-MAYER
Last night we previewed "Sweethearts" and words fail me to properly describe this breath-taking, awe-inspiring Technicolor picture. I consider it the very finest subject made with these two great stars, Jeanette MacDonald and Nelson Eddy, and entire cast is wonderful. We open it here at the Fifth Avenue day before New Year's single bill with increased admission prices during New Year's Eve celebrations and confident will break house records. Kindest regards.

—JOHN HAMRICK, FIFTH AVE. THEATRE, SEATTLE, WASH.
STUDY PAN-AMERICAN FILM INTERCHANGE

(Continued from Page 1)

interchange of films between the U.S. and Latin-American countries.

Plans of the ACP were disclosed by Donald Slesinger, executive di-
rector, who recently resigned as di-
rector of education of the New York
World. He stated that the ACP has been
accepted by the city. Slesinger also recently was
accepted to membership in the American Na-
tional Committee on Intellectual Co-
operation.

"The investigation," explained
Slesinger, "will go into such Pan-
American film interchange problems
as tariff, quota, codes and censor-
ship. The information gathered will
be converted to recommendations
for action such should help pro-
hibit production of films in all the
Americas, and distribution of these
films to each other."

The American Film Center is a
non-profit corporation established to
promote the use of motion pictures
for educational and public purposes.
The study was made possible by two
grants-in-aid: one made by the
Rockefeller Foundation, the other by
the American National Committee
on Intellectual Co-operation.

No Abrogation of Basic
Pact, is IATSE Warning

West Coast Bureau of THE FILM DAILY

Hollywood — Not only will the
IATSE oppose abrogation of the
1936 basic agreement negotiated
with the studios, as proposed by the
NRLB through Dr. Robert Towne
Nylander, director, but the
IATSE will negotiate for a renewal
next year.

IA's position was defined by an
exec. here. Dr. Nylander's pro-
posal, recently made, was scored as
an attempt to undermine the union's
present solidarity. It was stated that
union execs. doubted the asser-
tion that he had received 2,000 com-
plaints from union members, and
that a very small percentage of that
figure would be nearer the exact
number.

"No move by a disgruntled minor-
ity is going to be allowed to jeopar-
dize the security of a satisfied ma-
jority in this case, or in any other
case where the IATSE can possibly
step it," was said.

Testing Dime Matinees

Chicago —'Essaness circuit is testing
dime matinees at the Vic and Joy
Theaters on Wednesdays and
Thursdays.

Third Four-Reeler

West Coast Bureau, THE FILM DAILY

Hollywood—Warner's has announced
here that company's new policy of mak-
ing four-reel shorts is being expanded
to now include a third subject in color,
entitled "The Bill of Rights" and set to
go before the cameramen Jan. 3. Pre-
viously, "The Four-Footers of Liberty" and "The Monroe Doctrine," were
scheduled.

WESTERN N. Y. MPTO
OKAYS REFORMS PLAN

(Continued from Page 1)

ity Club with more than 100 exhib.
present and President A. Charles
Hayman presiding.

The local organization re-
ended the elimination of the
minimum of exclusive territory, which
pledges exhibitors to discourage and
eliminate the practice of rendering
false box-office reports to distri-
butors.

In discussing clause 15 relating to
Arbitration, it was unanimously
recommended that this arrangement
be started at once so as to give im-
mediate relief to exhibitors and dis-
budtors. It was suggested that
Clause 16 be changed so that the
various articles in the Trade Prac-
tice Agreement become effective on
all contracts, and that any agree-
ment, including any effect for future years
be included.

President Hayman instructed the
secretary to write to the MPTO at wide
MPTOA proxy, requesting that the
national body act quickly on the
proposals, pointing out that any
hold-up now might cause exhibitors
to question the majors' sincerity.

The next meeting of the Board of
Directors of the Buffalo Zone, will
be held at 806 Pearl St. on Dec. 22.

New Jersey Allied Meets;
Silent on Reforms Draft

Allied of New Jersey met yester-
day but failed to make an official
statement as to the organization's
stand on the trade reform draft. It is
understood that the subject was
discussed but it was not revealed what
the stand or the attitudes towards
it was. Session was devoted main-
ly to issues that probably will arise
at the next session of the New Jer-
sy Allied.

New Jersey Allied is to hold its
next meeting in Passaic on Dec. 22.

To Set Convention City

Richmond, Va.—A poll is being
taken among the members of the
MPTO of Virginia to decide whether
the midwinter convention will be
held in Richmond or Washington.
The date will be sometime between
Jan. 16 and Feb. 15.

Off Coast Wires

West Coast Desk, THE FILM DAILY

Hollywood—Metro will star Bob Mcll-
gramry in "Maiden Voyage." 
Wor-
ters has given Harvey Berke a new
contract. Sam Goldwyn is sending
Gangster Coop to Paramount for "Borsa
Goste." Paramount will produce
"Bork, Murder, Politics," murder mys-
tery written by Harold Thurn. Jack
Fier is associate producer on Co-
omba's "Flying Dutchmen," serial.
Paul de St. Colombe, French author,
has written a translation for Disney's
"Ferdinand the Bull" and will
act as narrator.—WILK.
VIOLENCE...

Reading time this ad 1 minute. Playing time this picture three times normal run!

...the violence of hardpressed youth...of hungry hearts and hungry stomachs...guarding the street crumbs that gave them life!

JACKIE COOPER
in A UNIVERSAL PICTURE
NEWSBOYS' HOME
with
EDMUND LOWE
Wendy BARRIE • Edward NORRIS
Samuel S. HINDS • Elisha COOK, Jr.

THE LITTLE TOUGH GUYS

Directed by HAROLD YOUNG
Associate Producer KEN GOLDSMITH

FOR RELEASE
DECEMBER 23
Quoruming, Defier MPPDA Board Meet

Regular quarterly meeting of the MPPDA board of directors which was scheduled to be held today has been postponed due to ill health. Meeting will be held next Tuesday unless a further postponement is found necessary.

GOVT' BILLS BATTLE OF PARTICULARS PLEA

(Continued from Page 1)

charges against them, and permits them to properly prepare their responsive pleadings and to prepare trial.

Further, the memorandum takes successive paragraphs of the petition and analyzes the reasons why no amplification of the alleged offenses, in the Government's opinion, is necessary. It holds that the defendants are quibbling over the matter of film terms' definitions and that these have been taken from instances from briefs filed by film companies in other court actions, and from other authoritative sources.

Reriterate Monopoly Charge

Reiteration is also made in the memo regarding the allegation of monopoly against the five producer-exhibitor combinations operating theaters throughout the U. S. and the means and methods employed in obtaining and perpetuating this claim as monopoly. It states that the other principal charges among which are the contention that the five producer-exhibitor defendants, in absorbing theaters, have divided the territory between themselves, are without substance because the producers-exhibitors were in competition with producer-exhibitors from first- or preferred-runs by reserving, pursuant to a common purpose, their entire output of product for preferred use by affiliated theaters.

Control of stars, directors, technicians, production sets, and other assets, and exchanging these among themselves exclusively, and control of the public through the strength of the five companies, although unchallenged in the motion to strike paragraphs 199-215 inclusive of the petition, Government declared that it desires to point out a "most flagrant misstatement of the evidence" contained in the petition and referred to counsel for the Government at the oral hearing" (as in Judge William Bondy's chambers several weeks ago). It is claimed, the Government's reply brief declares, that it was "substantially admitted" that the Commission "lacked knowledge sufficient to connect the United Artists with alleged violations of the Sherman Anti-Trust Act." This is erroneous, says the Government pointing out that the language referred to concerned only paragraphs 199-215 (of the complaint), alleging monopoly of production, which by their very terms "are stricken out.

"There never has been an intimation," the Government's brief asserts, "by the Government that it did not have sufficient facts to substantiate charges against UA defendants alleged in all other sections of the complaint.

Then the Government further contends that a co-conspirator does not have the right to be a participant in every act or activity of the conspiracy in order to be made a defendant in familiar law.

Charles C. Perry Heads Variety Club of Detroit

Detroit—Detroit Variety Club has elected these officers for 1939: Chief Barker, Charles C. Perry, Manager, Adams Theater; First Assistant Chief Barker, William Adams; manager, Film Truck Service; Second Assistant, William Fleming, branch manager, Monogram Pictures; Secretary, Dave Newman of the Pasadena and other theaters, and treasurer Jack Saxe, treasurer of Monogram Pictures, were both re-elected.

Board of directors includes officers of club and former chief barker as vice-presidents, W. J. Scherl, general manager, Film Company, Los Angeles. Members of the board are Donald Adams, manager, and Frank Boyer of American Seating Co. was re-elected secretary. Peter Kline was named to the board of directors to succeed H. E. Long, Harry H. Goldstein and Jack Shulman re-elected for a new term.

Nat Wolf Is Elected Prexy of Cleveland Variety Club

Cleveland—Nat Wolf, Warner zone manager who was serving Dave Miller's unexpired term as chief barker of the Variety Club, has been elected to serve in that capacity for the coming year. "Duke" Clark, Paramount branch manager was elected first vice-president, and Ben Starr, UA district manager, second vice-president, I. J. Schmertz, 20th Century-Fox branch manager was named treasurer and Frank Boyer of American Seating Co. was re-elected secretary. Peter Kline was named to the board of directors to succeed H. E. Long, Harry H. Goldstein and Jack Shulman re-elected for a new term.

Jack Shulman is in charge of the annual Variety Club Christmas party which this year, will be given for 300 underprivileged children on Dec. 20.

Mrs. May Maddox Dead

West Coast Bureau of THE FILM DAILY

Los Angeles—Mrs. May Maddox, 61, veteran of stage and screen, and known in pictures as May Wallace, is dead here of heart disease.

Albert Carre Dies

Paris (By Cable)—Albert Carre, 86, playwright and theatrical manager, director of the Opera Comique for 16 years, is dead here.

of the motion to strike paragraphs 199-215 inclusive of the petition, Government declared that it desires to point out a "most flagrant misstatement of the evidence" contained in the petition and referred to counsel for the Government at the oral hearing" (as in Judge William Bondy's chambers several weeks ago). It is claimed, the Government's reply brief declares, that it was "substantially admitted" that the Commission "lacked knowledge sufficient to connect the United Artists with alleged violations of the Sherman Anti-Trust Act." This is erroneous, says the Government pointing out that the language referred to concerned only paragraphs 199-215 (of the complaint), alleging monopoly of production, which by their very terms "are stricken out.

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Hanson Circuit to Expand

Toronto—Oscar Hanson, president, welcoming 17 theater managers gathered yesterday at Royal York Hotel for first managers convention of Hanson Theaters Corp., Ltd., in incorporated form in 1939. He pointed out the company already had started building a new theater in St. Catharines. Those present included C. W. L. Litt, general manager and H. C. D. Main, supervisor.

GN In Wardour Street

Correct address of Grand National's London office is 115, Wardour St., instead of Water St. as was erroneously printed yesterday.

LEGAL SLANT SOUGHT ON NEW N.S.W. LAW

(Continued from Page 1)

stigmatization of the new law before they can make a decision as to the law's validity.

Polling of foreign district heads netted the opinion that enacting production in Australia would be too costly to be profitable with exception of a few majors, but Australian business would warrant purchase of pictures to meet quick needs if there was the only road to open.

Hope was expressed that some sort of a compromise might reach which would be acceptable to both distributors, and exhibitors. However, if additional taxes are imposed and other legislative measures are made to maintain a nationalized, it was the belief of seven foreign heads that it would be impossible to operate profitably in Australia, will stimulate a shutdown of operations there.

Cancellation clause of 25 per cent was another source of worry. It is declared that while there is a possibility that majority of clauses in new law might not be enforced rigidly, proponents of the new law were adamant on the cancellation clause.

Previous quota law was substantially declared unconstitutional but new law is said to have loopholes. It is expected that the Prime will sign the new measure within a few days. Constitutions of the country will also have to be given into thoroughly by legal departments before distracts, can chart a course of action.

RKO-Wilcox Pact Details Stated for Release Today

(Continued from Page 1)

Ned Depinet, RKO Radio vice-president, and Herbert Wilcox, British producer, at press luncheon at the Ritz Carlton Hotel.

It is understood that Wilcox will make from two to four picture yearly for RKO for the world market. Pictures are reportedly budgeted at between $75,000 and $1,000,000 each.

Adolph Zukor Sails Friday To Assume English Post

(Continued from Page 1)

accompanied by David Rose, head of Paramount's production activities in England.

It was also learned that the appointment of a successor to Joe Cecil Graham, former managing director in England, would be announced at a later date. Zukor, Hicks and Rose have been in conference all week on the company's future British activities.
THE DISSOLUTION OF JULIUS T. IMPROVEMENT ASSOCIATION

(Continued from Page 1)

patently later that he would announce a new plan in about a week which will be accompanied by a statement that it will "support the benefits of the plan voted on." Bruges indicated that Pathe would not attempt to raise the price of the stock as a holding company, retaining "all" it holds at the present time. It was believed by informed sources that Bruges and his associates might make a new offer to the stockholders to take over the laboratory business.

Although plan in its present form definitely outstanding under the 1938 Revenue Act, due to time element involved, it was reported in Washington yesterday that proponents of the 1938 tax revisions, which included the 1937 Act, might move to have the program kept in effect for another year. If such action took place Pathe could re-submit the dissolution plan.

It was pointed out at the meeting that a number of stockholders have been delayed or deterred in voting by recent court actions instituted by objectors to the plan. Pathe was believed that with a few more days to when they would have been able to get the necessary number of proxies to carry the plan.

During the meeting, Bruges, in answer to questions from stockholders, stated that there had been discussions held about selling the Durand Film stock, but no firm bid was made for the stock. He did not identify the bidder. He also said that negotiations with a major company were under way in the laboratory and printing business through a stock deal had been dropped.

Questioned as to whether or not Pathe was dickering for a Coast laboratory, which was reported last summer, Bruges said negotiations had stopped and the deal had been dropped.

About 100 stockholders attended the meeting and approximately 225,000 shares of stock had been tallied then the meeting broke up, with a few thousand shares expected to be added to this total. Figure represented about 85 per cent of the outstanding stock.

WEDDING Bells

East Coast Bureau of THE FILM DAILY

Los Angeles—Allan Hersholt, son of Jean Hersholt, and Osa Massen, actress, will wed.

Richmond, Va.—Thomas Pitts, manager, East End Theater, will marry Miss Margaret Basler, of New York. The bride is nephew of Benjamin T. Pitts, owner of the Virginia circuit of theaters being name.

Staunton, Va.—John Ramey, manager, Strand, was married to Eileen other.

Expect 1,000 Attendance at Ben Bernie Dinner

(Continued from Page 1)

chairmen met at luncheon yesterday with the Astor to report on the progress of the campaign to raise a quota of $225,000, accepted earlier in the year by the Motion Picture and Theatrical Division of Federation. In the absence of both Maj. Albert Warner and David Bernstein, division co-chairmen, Jack Cohn presided.

Cohn declared that the amusement division of Federation, gathering yesterday, was reaching out this year to include the largest number of contributors and the record total of contributions in its history. A note of warning against over-confidence, however, was sounded by several speakers, including Harry Brandt.

Reports were received from Benjamin S. Moss, Louis Bernstein, William Morris, Jr., pinch-hitting for Marvin Schenck, head of the booking agents division; and William Klein.

Spyros P. Skouras, Joseph Seidelman, Sam E. Morris, Malcolm Kingsbury, and Herbert J. Yates, spoke briefly.

Others present were Jules Brulart, Irving Caesar, Samuel M. Forrest, Harry M. Goetz, Leon Goldberg, Max Gordon, Marcus Helman, Arthur Israel, Jr., Herman H. Landwehr, Abe Lastovgel, Mark Leddy, Buddy Lytton, Ralph I. Poucher, Sidney Piemont, Jack Robbins, Budd Rogers, Sam Rosen, Samuel Sax, Audrey Schenck, Abe Schneider and Joseph Somlo.

TECHNICOLOR’S NET UP DOUBLE OVER ’37

(Continued from Page 1)

profit, with December estimated, Dr. Kalmus said, would be about $1,200,000 as compared with $791,355.22 in 1937.

A dividend of 15 cents a share was declared at yesterday’s session, payable Dec. 28 to stockholders of record on Dec. 21. This makes a total of $1 paid during the year as compared with 75 cents in 1937.

Dr. Kalmus sails Friday on the Queen Mary for Europe.

S-I Wants Colman

West Coast Bureau of THE FILM DAILY

Hollywood—Seznicck International is negotiating with Ronald Colman for the role of Max de Winter in Daphne du Maurier’s “Rebecca,” for which the company paid $50,000.

Vote Down Sunday Piz

Charlotte, N. C.—The Fayetteville board of aldermen voted, five to three, against an ordinance to permit the operation of Sunday movies.

Budd Lytton, Ralph I. Poucher, Sidney Piemont, Jack Robbins, Budd Rogers, Sam Rosen, Samuel Sax, Audrey Schenck, Abe Schneider and Joseph Somlo.

FEELING THE PUBLIC PULSE!

PRINTS
NOW AVAILABLE
for the biggest front page picture of today!

SMASHING THE SPY RING

A Columbia Picture
The most authentic, the most thrilling romantic story ever told about Uncle Sam's West Point.

EDWARD SMALL PRESENTS

THE DUKE OF WEST POINT

with
LOUIS HAYWARD • TOM BROWN
RICHARD CARLSON
JOAN FONTAINE • ALAN CURTIS

Directed by ALFRED E. GREEN
Original screen play by
GEORGE BRUCE

Released thru
UNITED ARTISTS

Prints soon in a United Artists Exchange. Your local branch manager will be glad to arrange an early screening. Contact him immediately!
National Survey to be Made on Elimination of Games

(See Column 2 Below)

Intimate in Character
International in Scope
Independent in Thought

THE DAILY

The Daily Newspaper
Of Motion Pictures
Now Twenty Years Old

VOL. 74, NO. 126
NEW YORK, THURSDAY, DECEMBER 15, 1938
TEN CENTS

Rocky Mt., Calif. Units Reject Trade Reform Draft

RKO Radio, Wilcox Conclude Partnership Deal

Indies Battling Schlesinger in South African Field

20th-Fox to Supply 60 Indies
With Pix in Year, Says
Hutchinson

London (By Cable)—Hold of he
Schlesinger interests on the exhibi-
tion field in South Africa has been
broken, ac-
cording to Walter J.
Hutchinson, director of
foreign dis-
tribution for 20th Century
Fox, who has ar-
rived here
from France, after an ex-
tensive tour of
South America and
South Africa.

Hutchinson at a press conference
(Continued on Page 7)

FOUR FILM BILLS
LOOM IN NEBRASKA

Lincoln, Neb.—Film industry will be
kept plenty busy here when the
1939 unicameral legislature bows,
because four bills of major import-
ance are pending.

Bromberg Signs New Pact
With Republic for South

A new five-year agreement for
the distribution of Republic product
in Atlanta, Tampa, Charlotte, New
(Continued on Page 3)

Theater Cafe
Detroit—This city will get its first
theater cafe when the former RKO
Downtown Theater reopens on Dec. 26
with Sidney R. Berman, New York the-
arical agent, as managing director.
House has been dark since Spring when
Sam Carver operated.

RKO Radio to Cash in on Royalty’s Visit

RKO Radio will release the Herbert Wilcox production, “60 Glorious Years,”
starring Anna Neagle, on this side as “The Lady of Windor,” it was disclosed yes-
terday by Ned Danne, RKO sales head. Releasing was delayed several months as
the pix to be made available to American exhibs. when King George and Queen Elizabeth
visit Canada and the U. S. Ripstein said it was RKO’s bunch that that would be “the
psychologically perfect time” for American distribution.

MAKE NAT’L SURVEY
ON ENDING OF GAMES

Cities in which theater games
have not been played or have been
played and subsequently eliminated
will be studied, by a committee representing independent and affili-
ted theaters in New York. A plan
for the abandonment of cash give-
avaways will be devised from inform-
ation obtained from the survey.
The committee met yesterday at
(Continued on Page 3)

GRAinger Off for Hollywood;
Will Return to N. Y. in Jan.

James R. Grainger, Republic’s
president and general manager of
distribution, left New York last
evening on the Broadway Limited
(Continued on Page 6)

Schenck Will be Defense
Witness in Loew’s Suit

Trial of the Loew’s stockholders’
suit in Supreme Court yesterday saw
the reading of the deposition of
Arthur M. Loew, who declared his
weekly compensation to be $3,500.
(Continued on Page 6)

MUZAK TO INAUGURATE
APARTMENT SERVICE

New radio reception studio,
which is being built by Muza-
kar, Warner Bros.’ subsidiary, atop a
Sutton Place area apartment house,
will be ready to swing into opera-
tion next week, it was disclosed
yesterday.

Receivers are being installed by
Muza in the various unit apart-
ments.
(Continued on Page 3)

Rocky Mt. Unit Rejects Reform Plan;
To Formulate Substitute Agreement

ITO of So. Calif. Finds
Trade Draft Unacceptable

West Coast Bureau of THE FILM DAILY

Los Angeles—Independent Theater
Owners of Southern California, one
of the indy exhib. units consulted by
the distributors’ negotiating com-
mittee in formulating the trade re-
draft, finds the proposals unac-
ceptable.

President A. D. Golston, as the
(Continued on Page 3)

Denver—Declaring the trade re-
form memorandum submitted by the
producers has not solved any of
the existent problems and claiming
the producer-distributor groups have
not given up anything they now
have, the Theater Owners and Man-
agers of the Rocky Mountain Reg-
ions, Inc., yesterday declared itself
unanimously opposed to the proposed
agreement.

The Board of Directors was di-
ricted to prepare a “fair trade prac-
tice for which the rate of return for
renewal of contracts shall be
(Continued on Page 6)

Agreement Spans Term of
Years, Calls for 2-4
Pix Annually

By CHESTER B. BAHN

Closing of a partnership deal be-
tween RKO Radio and Herbert Wil-
cox, British producer, spanning a
terms of years and providing
for the joint production of two to
four $750,000 features annu-
ally was an

HERBERT WILCOX
Schaefer, RKO Radio pres., and
(Continued on Page 6)

WILKES TO MANAGE
PARA’S S. E. DIV.

Reports that Harold Wilkes, Para-
mount branch manager in New Or-
leans, would become southeastern
(Continued on Page 3)

ICC Report on Transportation
of Films Ready Next Month

Washington—The Interstate Com-
merce Commission report on pro-
posed restrictions on transportation
(Continued on Page 6)

“No-El, No-El”

Solemn-visaged patron stepped up to
W. G. Van Schmus, manager director of the Radio City Music Hall, and
asked if it was true that he planned to
have a chorus before the nation’s
No. 1 theater next week to sing “No-El,
No-El”
Ray Moon Suing Michigan
Co-op. on Salary Claim

Detroit—Ray Moon, former general manager of Co-operative Theaters of Michigan, has filed suit in Wayne Circuit Court, against Co-operative Theaters of Cleveland, which he claims to be due him under contract with that organization.

Moon left Co-operative last fall following differences with groups in the organization, and is now head of his own booking organization, Consolidated Theatres, Inc.

Moon is suing for salary from the date of last payment, Oct. 31, up to April 27, represented by a total loss of salary less such income as he may receive up to April 27. Representative of Co-operative declined to make an official statement on the lawsuit.

Marx Bros. to Supply Comedy on Kellogg Radio Show

West Coast Bureau of THE FILM DAILY

Hollywood — The Marx Brothers have been signed by Thompson, advertising agency, to supply the comedy for the forthcoming Kellogg radio program with Carole Lombard and Cary Grant. It is announced here. Deal was handled by Zepo Marx agency, the contract calling for limited payoff of the Marx Brothers from the air pact if it is necessary for them to appear in films. Arrangement with Thompson runs for 28 weeks.

Churches Playing 16 MM.
Pic Face Realty Taxes

Ottawa — The City of Ottawa has decided to collect real estate taxes on halls owned by churches in which 16 mm. film shows and other forms of amusement are held in competition with recognized theaters which have paid their full share of taxes. Halls not owned by various societies are also to be taxed, although these had been granted exemption under the assessment act.

Hoffberg Returns Today

J. H. Hoffberg returns to New York today after a nation-wide sales tour. He established exchanges for his company in Chicago and Los Angeles and closed deals with distributors in all important territories for his product line.

Columbia Defers Again

Washington Bureau of THE FILM DAILY

Washington — Columbia Pictures Corp. yesterday filed another amendment to the effective date of its nonexclusive negotiation statement with the SEC.

Phyliss Brooks III

West Coast Bureau of THE FILM DAILY

Hollywood — Stricken with pneumonia, Miss Phyliss Brooks, screen actress, is hospitalized here.

Two Judgments Satisfied in Para.-Publix Reorg'n

Two satisfactions of judgments in the Paramount-Publix reorganization were filed in Federal Court yesterday. The first was that covering sum paid to Kuhn, Loeb & Co. in the amount of $93,785 which consisted of $25,000 in compensation for services in the reorganization and $68,785 as expenses attending the reorganization.

Second was Cravath, de Gersdorff, Swain & Wood's for $61,335, consisting of $60,000 compensation as attorneys for Kuhn, Loeb & Co. in the reorganization, and $1,335 for expenses.

Both judgments, taken on May 28, 1936, were registered as fully paid and satisfied. Federal Judge Alfred C. Coox previously disallowed the claims, but the Circuit Court of Appeals reversed Coox's refusal to order them paid.

Goldstein Interests Plan 21st Theater in Utica

Springfield, Mass.—With a bright outlook for 1939, Nathan Goldstein, president of Western Massachusetts Theaters, Inc., here has announced plans for the coming year.

If conditions hold good, the company plans to erect a new theater in Utica, N.Y., on property that it has held there for some time. This will bring the number of houses in the Goldstein chain up to 21.

The company will erect a new marquee and remodel the entire front of the Paramount Theater in this city.

Here in western Massachusetts, Goldstein is looking forward to a much better summer business in July and August. He feels that the popular domestic and horse racing tracks will not be open.

Shubert, Newark, Will Reopen With Orks, Films

Newark, N. J.—Ben Bernie heads the initial stage bill to be presented in the Shubert Theater, which reopens Dec. 24. First-run films will also be shown. For the New Year's week the entire Casa Manana show, featuring Lou Holtz and Helen Morgan, will be brought to the local playhouse. Orchestras booked for later weeks include those of Rudy Vallee, Guy Lombardo, Bob Crosby, Benny Goodman, Ray Kyser, Phil Baker, Ted Weems, Tommy Dorsey and Chic Webb.

Boran, Benefit Emcee

Arthur Boran will act as emcee at the benefit show being staged by the Christian Committee for the Relief of Jewish Refugees, at the Academy of Music in Brooklyn tonight, it was announced by Attorney General John J. Bennett, Jr., chairman.
Muzak to Inaugurate Apartment Service

(Continued from Page 1)

ments of the building in those instances where the tenants desire to subscribe for the wired program service at a reported rate of $3.50 per month per apartment. These programs, which in the recent past have been provided by Muzak to hotels, restaurants and other commercially-operating outlets, mark the apparent beginning of the wired service to homes.

It is understood that the project is made possible on an exclusive basis by Muzak because its associated company, North American Corp., controls the wired patents which make possible reception of programs via attachment to power lines, in this case the ordinary electric light circuit in any apartment or home.

In addition to tenants receiving the Muzak programs, reception of installations will permit them, by means of push-buttons, to select also the programs emanating from a quartet of major radio stations in the metropolitan area.

Harold Wilkes Appointed Para, Div. Mgr. in S. E.

(Continued from Page 1)

division manager, were confirmed yesterday by Neil Agnew, general sales manager. The appointment becomes effective Jan. 1. It is understood that other changes resulting from the appointment will be announced at a later date.

Wilkes has been Paramount's manager in New Orleans since 1916, having entered the picture business three years earlier.

Bromberg Signs New Pact With Republic for South

(Continued from Page 1)

Orleans and Memphis were signed yesterday by Arthur C. Bromberg, president of Republic Pictures Corp. of the Southeast. Final details were worked out by Bromberg, H. J. Yates and James R. Grainer.

Deal virtually completes Republic's new franchise setup. Bromberg returns to his Atlanta headquarters tomorrow.

Flatlight Screen Moves

West Coast Bureau of THE FILM DAILY

Hollywood—The Flatlight Screen Co. has moved into its new building at 6253-6255 Santa Monica Blvd. The concern manufactures screens for theaters and transluence screens for studios. O. L. Engle heads the outfit.

"40 Little Mothers" Set

"40 Little Mothers," recently acquired for U. S. by National Pictures, will have its American première Dec. 28, at the 55th St. Playhouse.

Along The Rialto

With Phil M. Daly

- • • • ON THEIR toes...Barrett McCormick's boys at KRO Radio...with a bit of exploitation of international significance...they arranged for a presentation by producer Herbert Wilcox and Anna Neagle to the New York World's Fair of a glass miniature of the first world's fair ever held...the famous Crystal Palace in London...precy Grover Whales of the Fair Corporation accepted this replica as a symbol of good-will among English-speaking peoples as the cameras recorded the incident...through one of those amazing coincidences that so often occur in our business, the Crystal Palace provides one of the colorful sequences in Miss Neagle's production of "Sixty Glorious Years" in which Miss Neagle stars...• • •

- • • • FLASH that SI Sandler Smash Ad...titled "2-7-8"...not a numbers racket...just a clever plug for Metro's "Sweethearts"...with a hand hitting a telegraph key clicking off the numerals...that was all...but what a TONE it puts into the trade ad...it's a Sweetheart...

- • • • SENIOR staff of the military academy at West Point will be entertained by Commandant Brigadier General J. L. Benedict...dinner, and then the evening showing of Edward Small's "The Duke of West Point"...for the premiere at the Music Hall today...a group of former West Pointers, including Chris Cogle, one of the Academy's greatest football stars, saw the film at a private screening yesterday...Chris says it is absolutely authentic in depicting the life up at the Point...

- • • • THAT Giant Thermometer stunt at the Criterion to plug M-G-M's "Spring Madness" was one of the most original seen around Times Square for months...operated with an electric motor, so that when the spectators pushed a button, it lit one of twelve lamps, alongside which were such legends as "Too Young," "Too Good," "Too Late,"...the idea was to press the button to see if Spring Madness would get you...Phil Loufer conceived the idea...it was executed by Mack Wayne and John Hemmer...

Ito of So. Calif. Finds Trade Draft Unacceptable

(Continued from Page 1)

result of the unit's action on the draft, has forwarded a letter to William F. Rodgers advising that it is the organization's "firm conviction" it must battle for additional concessions.

According to the ITO slant, the draft ignores many of the points stressed by the unaffiliated exhibitors in the confabs in New York.

Normandie Drops Foreigns

For U. S. Subsequent-Runs

Recently opened Normandie Theater at 50th and Park today drops its foreign picture policy and adopts a program of subsequent-run American pictures. There will be three changes weekly, with "Boys Town" the first attraction. It was said last night that the new policy will be given a trial before deciding on a permanent plan. House is operated by Harry Brandt and David Weinstock.

"How many NEW YEAR'S bookins for 16G-17's 'SWEETHEARTS'?"

"Yesterday there were 249 - Today there are 278 and they're all in Technicolor!"

MAKE NAT'L SURVEY ON ENDING OF GAMES

(Continued from Page 1)

the Hotel Astor and voted to start on the survey immediately. The group is to be enlarged so that representatives of other circuits, including Interboro, Randorf, Cocalis, Skouras, Century and Prudential will be included.

No definite plan was conceived at yesterday's meeting but several are under consideration and will be discussed in detail at a later date.

The committee includes Max Cohen, C. C. Moskovitz, J. J. O'Connor, Walter Reade, David Weinstock, Sam Seelan and Abe Shenk.
HERE THEY COME!...
The reckless, lusty, swaggering sons of the thundering guns!
CARY GRANT * VICTOR McLAGLEN
and
DOUGLAS FAIRBANKS, JR.

starring

SAM JAFFE * EDUARDO CIANNELLI * JOAN FONTAINE
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
PRODUCED AND DIRECTED BY GEORGE STEVENS
From a Story by BEN HECHT and CHARLES MacARTHUR
Inspired by RUDYARD KIPLING'S Poem
RKO RADIO, WILCOX IN PARTNERSHIP DEAL

(Continued from Page 1)

Wilkex in Hollywood and finally signed here this afternoon. According to Wilcox, the deal will make a Hollywood feature in early 1939.

The British producer and Miss Nagel sail on the Queen Mary Monday morning for a trip to the U.S., after which they will come to New York and then London. Miss Nagel will take the transatlantic liner and Wilcox, whose ship is not scheduled until later, will come to New York by air. The interest of the British film industry in the American market has not been selected, it was explained.

It is planned to use the "Yank at Oxford" technique for Miss Nagel's first American feature, Wilcox said: that is, she will be an English girl plausibly placed in an American setting. This picture and all others involved in the arrangement will be aimed specifically for the English-speaking market.

Theme of Anglo-American co-operation was stressed by both Ned E. Depinet, RKO distribution chief, who presided at the luncheon, and Wilcox. "We must stick together," we of the English-speaking tongue," Depinet asserted, while Wilcox envisioned the united American and Empire markets as a "solid one" and far more profitable than what he termed the "phantom foreign market."

Depinet, commenting upon the disinclination of U. S. exhibitors to play British imports, attributed it to a feeling that "we've got enough pictures here at home, why experiment?" He expressed the conviction, however, that American showmen are about to realize not only that they should but must recognize the fine pictures produced in Great Britain.

Cites British Industry Plight

Wilkex termed the partnership deal a "beacon light to an industry almost extint," referring to...
REVIEWS OF NEW FILMS

“Shine on Harvest Moon”

with Roy Rogers and Mary Hart

Republic

(55 Mins.

HOLLYWOOD PREVIEW)

WESTERN WITH CATTLE RUSTLING THEME SHOULD PLEASE AUDIENCES.

This offering should please Western fans, although the story is strictly formula. One Rogers gives a good performance as a hard-riding Westerner, determined to wipe out a band of cattle rustlers and clear the name of William Farnum, who is implicated with Stanley Andrews, leader of the gang, because of a partnership with him before he went crooked. Rogers sings effectively, with “Headin’ For the Open Plain” and “Let Me Build A Cabin” his best numbers. Some of the scenes of Scotty, radio favorites, furnish most of the comedy, with the former a standout with her songs. Mary Hanlon, the love interest opposite Rogers, is decorative and capable. William Farnum gives a convincing performance. Joe Kane turned in a good job of directing, while Charlie E. Ford functioned as associate producer. William Nobles’ photography is high-class. Andrews and his men, who operate from an inaccessible pass in the Wyoming hills, terrorize cattlemen with their raids on the live-stock. Rogers is convinced that a banker, who is head of the cattlemen’s association, is working with Andrews. Rogers and the sheriff play a trick on the banker and gather evidence that forces a confession. One of the highlights is a slam-bang fight between Rogers and Andrews.


CREDITS: Associate Producer, Charles E. Ford; Director, Joe Kane; Production Manager, Al Wilson; Author, Jack Natteford; Screenplay, Same; Cameraman, William Nobles; Editor, Lester Orlebeck; Musical Director, Cy Feuer.

DIRECTION, Good. PHOTOGRAPHY, High-class.

“Two Boys and a Dog”

A Pip

Paramount

(10 mins.

This one will goal ‘em wherever shown. It is a pip reel all about two ranch boys out in the western wilds who go on a jaunt with their dog. The boys have a camera, and they are out to get candid shots of such things as moose and bear. They get the moose shots all right, but find the bear is back at camp turning things upside down. Then they go after a coyote that has been killing stock. As a reward for hugging the coyote, their father, the ranch owner, gives them money to attend a rodeo. This picture of the rough Montana country is done with a feeling for the youngsters, their pooch and the great outdoors. It rings true. A swell narration with the right touch by Ted Husing makes this as fine as a short of the outdoors as any theater can screen.

Directed by Jack Eaton.

FOUR FILM BILLS LOOM IN NEBRASKA

(Continued from Page 1)

ance to the industry are being considered by various lawmakers. Among the measures which probably will be introduced in early days of the session will be: 5 per cent or 10 per cent tax on theater box-offices, and film rentals (gross) to old age assistance. Was offered and beaten last session.

Graduated tax on all chain operated enterprises, to include theater circuits, to start at $250 each for the first two houses, and graduated down as increasing in number. In like vein, a move for theater divestment from producer control, modeled along the lines of the North Dakota plan.

Labor’s hardy perennial, always a cinch, the two-man booth. Given direct routing to pigeonhole in the past.

One legislative prospect, before election, proposed a bill which would limit the running time of a theater program to 150 minutes, a blow to dual bills. It’s another possibility.

A PICTURE SO TIMELY IT ALMOST SCOOPED THE NEWSPAPERS THEMSELVES!

A COLUMBIA PICTURE
Three Outstanding NEW FILMS

EASTMAN announces three important new negative films for the professional motion picture field. . . . Plus-X: fast, fine-grained. Unsurpassed for general studio work. . . . Super-XX: super-speed, surprisingly small grain. For difficult newsreel shots, or for use wherever exposure is a problem. . . . Background-X: ultra-fine grain, ample speed. For backgrounds. Also excellent for all-round exterior work. . . . These films not only make dramatic advances along their particular lines, but offer the high reliability and photographic quality typical of Eastman sensitized materials. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X . . .
Super-XX . . . Background-X
Deal for U. S. Division of Scophony Practically Set

Hear Japs May Nationalize Film Distribution

World-Wide Para. Survey by Zukor; Rose is Promoted

Latter Appointed Managing Director for Company in U. K., Ireland

When Adolph Zukor, Paramount’s board chairman, sails with David E. Rose on the Queen Mary today, his objective will be not only the coordination of the company's operations in Europe, but a world-wide survey of Paramount’s organization. Announcement to this effect was made last night by Secretary B. L. Hammel, Para. press, following

PASCAL ACQUIRES 5 BERNARD SHAW PLAYS

Gabriel Pascal has acquired the rights to five plays by George Bernard Shaw and has acquired the services of Wendy Hiller for five years, the producer of “Pygmalion”

N. M. Schenck to Resume Testimony in Loew Case

Upon plaintiffs’ concluding their case in the Loew’s stockholders’ suit in Supreme Court yesterday, defendants’ counsel asked for dismiss

Scophony U. S. Plans Practically Set; Film Interests Loom Large in Setup

U. S. Consulate General Advises Commerce Dept. of New Statute

Washington Bureau of THE DAILY
Washington — Nationalization of film distribution is under consideration in Japan, through the reported medium of a new statute which would require every distributing company in Japan to have a majority of Japanese capital, the U. S. Department of Commerce disclosed yesterday.

Information on which the Department’s statement was predicated was received from the American Consul General at Tokyo.

New law is said to be in

STANLEY CO. REPORTS PROFIT OF $2,063,703

Consolidated statement issued yesterday by the Stanley Co. of America, a subsidiary of Warner Bros. Pictures, Inc., and including the former’s subsidiary organizations, shows, after deductions together with Federal income taxes, a net profit of $2,063,703.93 derived from operation.


Detroit—A suit asking that Cooperative Theaters of Michigan, bookimg organization, be dissolved

“Spirit of Chance”

Philadelphia—Two motion picture operators, accused of violating the local lottery laws, were free of the charges yesterday at the result of the decision of Judge Eugene C. Rosenweig in Municipal Court. In his decision the Judge declared: “The result is that one-half of the people in ordinary circumstances have to play bingo or other number games, but others in better circumstances play the stock market. The latter are called philanthropists,” and added, “the spirit of chance is in every red-blooded man or woman.”
RKO Reorg. Hearing Today To Net Further Arguments

Further hearing on the RKO reorganization will be held in Federal Court, in Room 312, at 2:30 p.m. today, before Judge William Bondy.

Session is expected to be devoted to arguments anent the contents of recently submitted briefs by the amended plaintiff’s opponents and proponents, the latter the so-called Atlas Group.

Speculation has been rife in film circles of late as to the present holdings of Atlas Corp. in RKO Corp., inasmuch as Atlas’ fiscal year has been changed recently from its accustomed termination, which this year would normally have been Oct. 31, to Dec. 31. As a result only an informal statement has been made by Atlas, and this has dealt with general asset figures, pending publication of detailed security listings which Atlas expects to forthcoming for about two weeks.

According to SEC, a change in the fiscal year can lengthen an existing such span to 15 months, it is understood.

Montague Sailing to Set Deal With Hawaii’s CAC

San Francisco — Abe Montague, Columbia’s general sales manager, declared yesterday on the eve of his departure for Honolulu, that he will complete a franchise agreement involving virtually every important film theater in the Hawaiian Islands.

Deal, which is with the Consolidated Amusement Co., Ltd., of Hawaii, has been in the making for some time, and is reported to involve about 70 theaters in the Hawaiian Islands, and includes 20 houses owned and operated by Consolidated, together with 26 stands which that company services.

Montague will survey the distribution and exhibition setups there.

New Pathe Film Plan May Be Delayed Till Jan. 1

New Pathe Film Corp. plan to take the place at one of the most celebrated stockholders meeting this week is not likely to be ready until about Jan. 1. It was learned yesterday following stockholders’ meeting, O. Henry Briggs, Pathe prexy, said that he expected to have a new plan ready in about a week, but this time seems improbable.

Pa. Grand Jury Probes “Sale” Of Sun, Movie Legislation

Harrisburg, Pa. — After an eight-month delay, Dauphin County grand jury yesterday began investigating charges against the Earl administration that it paid $100,000 to Dauphin County in exchange for film legislation. Judge Paul Schaeffer presiding, charged 11 Republican and 11 Democrat jury to a readying and yet impartial investigation.”

Ascap Dividend to Exceed That for the 3rd Quarter

Ascap’s board of directors, at a meeting yesterday, authorized the distribution of a dividend of more than 10% to its members in advance of Christmas.

John G. Paine, general manager, stated that it will be the dividend paid during the final quarter of 1937, but that it would be 5 to 10 per cent more than that paid during the third quarter of this year.

Further, the board adopted and approved a pension and retirement plan for all Ascap employees, but in other respects the meeting was characterized as “routine.”

The question of television was not discussed at the conference, although Pathe, an silent successor, was included in an administrative committee, said that Ascap, “as soon as television becomes a commercial reality,” will be definitely interested in music rights attending telecasts.

Final meeting of the Ascap classification committee, will be held at 11 a.m. today for the purpose of classifying such publishers as are considered due for a change.

Assures MLT Stockholders Of Back Dividends Payment

Montreal -- Canadian holders of preferred shares of Marcus Loew’s Theaters have been assured by Nicholas M. Schemek, president, that some plan for settling dividend arrears will be forthcoming. This group, the Financial Post states, was recently reported as having sharply criticized the company’s reluctance to make larger cash payments towards the arrears of this stock. It adds, “some does not provide for full payment of the arrears in cash is considered certain to meet with the assent of the Canadian group.”

D. A. Doran and Tim Durant Form New Producing Firm

West Coast Bureau of THE FILM DAILY

Deal was officially closed yesterday by Consolidated Film Industries for the sale of The American Record Co. to CBS for approximately $700,000 in cash, it was reported last night.

Negotiations have been under way for the past six months. American Record has Brunswick, Vocalion and Columbia discs.

Sprint In Industrials

Detroit—Jam Handy Picture Service is working on an industrial pix for True Story Magazine, according to David Barlow, who also stated Jam Handy is working on a series of 13 feature releases for the coming year. A release every four weeks. Among the sponsors are Chevrolet Motors, Lummis Motor Co., American General Motors Corp. and Sun Oil Co.

COMING AND GOING

DR. HERBERT T. KALMUS, president, Technicolor, sails today on the Queen Mary.

LELAND HAYWARD and his wife, MARGARIS SULLIVAN, left for the coast last night.

WILLIAM J. GERMAN, vice-president and general manager of Jules Brulot, Inc. returned from a three-week stay on the coast.

ADOLPH ZUKOR, MRS. ZUKOR, RAY MILLAND and MRS. MILLAND, ANNA NEAL, HERBERT WILCOX, MRS. OTTO KRUGER, her daughter, OTILLIE, and JOHN RINGLING NORTH, sail for England today on the Queen Mary.

COLE PORTER and his wife sail today on the Santa Paula for a vacation cruise.

OLIVERY UNGER, sales manager for J. I. Hulff Co., left for Scranton last night.

GEORGE CONVERSE, of Filmack, and his wife, ANITA STEWART, return to the coast tomorrow after spending five weeks in New York.

SAM BERKOWITZ, vice-president of Filmack, arrives today to join his family.

WALTER READE goes to Albany today to attend the Schin’s banquet.

LOU IRWIN, representative of the Ritz Bros. Films, flew from Hollywood to New York to-morrow to supervise casting of several new Broadway shows.

CBS Reported As Paying $700,000 for Record Co.

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

DECEMBER 16

Clyde Cook

DECEMBER 17

David Butler

Arthur Rock

George Barras

DECEMBER 18

Rutger Nilsen

M. Morrisey

Jche Humm

Charles E. Cooper

Edwin H. Morris

Happy Birthday
SEALED FOR 100 YEARS!

It Took a Century to Make Them Talk About

DEVIL'S ISLAND

...Warners Filmed All They Told!
WORLD-WIDE PARA. SURVEY BY ZUKOR

(Continued from Page 1)
a series of home office conferences between Balaban, Zukor, Rose, and John W. Hicks.

At the same time, Balaban announced the appointment of Rose as managing director of Para's set-up in the United Kingdom and Ireland. In this capacity Rose will assume the direction of all distribution, exhibition, and production activities, the last-mentioned including the creation and delivery of Paramount's British-produced film program.

The appointment elevates Rose to the position held temporarily by Hicks for the past three months, in addition to his command of the company's entire foreign activities following the resignation of John Cecil Graham in September. It likewise climaxes the four months of comprehensive plans for Para's British product requirements just completed by Rose, who joined the company in June.

Hicks will remain in New York until about the middle of January when he will return to London for a few weeks prior to crossing to the Continent for his regular annual survey. Upon Hicks' arrival in England, Zukor will consult and advise with him. After two or three months in England and on the Continent Zukor will sail for Central and South America, where he will make a survey of Latin-American operations. He then plans to return to the U.S. and will be accompanied by Hicks to New Zealand, Australia, and the Far East.

45,139 See "Pygmalion" in First Week at Astor

"Pygmalion" played to 45,139 persons in the first seven days of its Astor Theater engagement, representing capacity audiences throughout the week. Metro reported yesterday, appeal of the picture is evidenced by the fact that Wednesday, seventh day, was surpassed only by Saturday, peak day to date. Addition of a midnight show every night has been necessary.

Pittsburgh Relief Fund

Pittsburgh—James Alexander of Republic Pictures is head of a local committee on a campaign to raise a Christmas fund for former Pile Row employees who are now in need, due to illness or inability to secure employment.

"Merry Christmas!"

Binghamton—Announcement was made here yesterday by Affiliated News Co. that it will divide a Christmas bonus totaling $512,000 among approximately 2,600 employees. It will be paid to all who are in the service of the company before July 1, 1938, and will be proportioned on the basis of length of employment.

HARRISBURG HISTORY...at the 25th anniversary of Local No. 488, Motion Picture Projectionists, to be held Sunday eve in Harrisburg, Pa. . . .there will be several speakers who will dig back into the good old days . . .and recall some of the historical highlights that have made this town famous in film annals.

THE PARENT organization of the local was founded on Aug. 4, 1911 . . .when ten charter members were granted permission to form Auxiliary Branch No. 4 of Local No. 98, an organization of stage hands . . .Harrisburg was then well populated with nickelodeons.

UNION records disclose that the first theater opened by Mike Magaro, brother of the late Peter Magaro, one-time owner of the Regent, in 1907 . . .several other houses were opened that year, including the Savoy, the Edisonia, and the Sixth Street Theater . . .the lyric, Bijou and Hippodrome were opened in 1908 . . .followed in 1911 by the opening of the Photoplay and Royal . . .the Victoria, first of the present downtown houses, was opened in 1911, and combined with the Photoplay and the Miller the following year . . .after its original organization in 1911, the local group later formed Local No. 318 on Dec. 24, 1913.

IT IS safe to say that no British femine film star has been better received in American theaters than Anna Neagle. She has a warmth of personality that is due to the fact that she is half-Scottish, half-Irish . . .and is entirely devoid of that keen quality of so many British actresses that makes their pictures appear like a frosted window-pane . . .what we mean, Miss Neagle is HUMAN . . .so we of Film Daily wish her all the luck in the world with her new Hollywood contract which her producer, Herbert Wilcox, has just negotiated with RKO Radio.

PROMOTIONS . . .ah, some tellers get a break . . .S. H. Melinhold of the Loew office, announces the following step-ups . . .George Ahrens, 83rd Street, promoted to assistant manager at Dyckman . . .Frank L. Cronen, assistant at Warwick, moves to Astor . . .Herbert Schoenhof, chief usher at Lexington, promoted to assistant manager at the Warwick . . .Daniel Harris, assistant at the Metropolitan, moves to the Prospect. . . .John Cusack, assistant at the Prospect, goes to the Metropolitan.

FRIENDLY Cover . . .for a pressbook . . .that for the first of the new family series, "The Headleys At Home" . . .produced by Standard Pictures . . .appropriately, the cover represents an inviting white door of a house in a small American town. . . .you open the door, and step right into the Headley Family "at home" . . .a swell introduction for exchange men and exhibs to meet the new family . . .credit Evelyn Lee Jones for hitting on a rip novelty.

EXTRA late shows scheduled in most of the Loew theaters in the metropolis during the Xmas-New Year holidays. . . .the majority of the theaters will keep open on Xmas Eve and Xmas Day with continuous performances running until 2 a.m. . . .the same general schedule will prevail for New Year's Eve and New Year's Day programs.

» » » » »

DATE BOOK

Dec. 17: Bridgeport Poll employs Christy party, American Legion ballroom.
Dec. 17-18: Kansas City Variety Club fifth annual milk fund bowling tournament.
Dec. 18: Harrisburg operators 25th annual dinner, Penn-Harris Hotel.
Dec. 19: Chicago Warner Club Christmas party.
Jan. 3: Joint meeting of ITO of West Virginia and West Virginia Manager's Association, Charleston, W. Va.
Jan. 21: Baltimore Variety Club dinner.
Jan. 27: Hartford (Conn.) IATSE annual ban.

Dailies in 30 Keys Will Get "Dawn Patrol" Ad

Warners will launch a national newspaper advertising campaign of its production "Dawn Patrol" in 30 key cities this month, simultaneously with the engagements of the film in each situation. The ads run 1,500 lines, and the entire cost of the campaign will be borne by Warners. National release date of picture is Dec. 24.

"Four Daughters" Gives Warners New Repeat High

Repeat bookings on Warners' "Four Daughters," have set a new high for the company, the home office said yesterday. The attraction which went into national release on Sept. 24, last, has already played more than 425 repeat engagements and is still going strong.

Nisles to Invade Chi.

Gary, Ind.—Samuel Nisles, who recently organized the Pix Theater circuit, is planning to invade Chicago.

WEDDING BELLS

Helen E. Hughes, formerly assistant secretary of Universal Pictures Co., Inc., and assistant secretary and a director of Universal Pictures Exchange, Inc., will wed Eugene L. Brown, one of the managers of Affiliated Companies of Hartford, Conn., headquarters in that organization's New York office, on next Thursday, in the Ladies Chapel of St. Patrick's Cathedral at six p.m.

Following the ceremony the couple will sail for a honeymoon in Kingston, Jamaica, and Nassau.
**PASCAL ACQUIRES 5 BERNARD SHAW PLAYS**

(Continued from Page 1)

announced last night upon his arrival from England on the Queen Mary.

"This next picture probably will be Doctor's Dilemma," which is to be produced at Pinewood in March. He will then follow with an original and starring Miss Hiller. Pascal plans to produce one picture, "Devil's Disciple," in Hollywood. "Candida" and "Caesar and Cleo" are other Shaw plays which he plans to produce. After completing the original for Miss Hiller, Pascal will make all his features in color, he said.

M-G-M will distribute "Doctor's Dilemma" throughout the world with the exception of countries where General Film Distributors has contracted for the release. A new play by Shaw also has been acquired.

"Pygmalion," he said, is breaking records in England. He plans to leave for the Coast on Sunday.

Mark, who is associated with Douglas Fairbanks in the latter's new producing company, appears another Queen Mary arrival. Marks said that the company's first picture, "The Californian," would get under way on the Coast late in January, and would be followed by "The Tenth Woman," which is to be made in England. Finances are all set for the company's program, Marks said, adding that Fairbanks would sail for England from the Queen Mary Dec. 27th.

Under the present plan, Fairbanks will alternate his production headquarters, making one picture in England and the next in England. A budget of $2,500,000 has been set.

Another passenger on the Queen Mary was George Arliss who decided a few hours before his arrival but admitted that he would talk a picture deal while over here. However, no deal he might make would require production in England. He declined to name the company with which he was dealing.

Robert Ritchie, executive of M-G-M's British organization, arrived to discuss next year's plans with Louis B. Mayer. Ritchie comes to New York immediately. Ritchie will go to Hollywood for the discussions.

Harry Ham, London representative for Metro-Selig, arrived to spend the holidays with his family in Hollywood. He plans to return to England about Feb. 1.

**Starr to Pan Ampa**

Aampa is to be the target of an attack by Martin Starr tonight at 10:45 when the WMCA commentator will discuss recent adverse public opinion of the foreigners. Believing that Aampa should have come to the defense of the industry, he organized an all-night organization for alleged "laxity."

**SCOPHONY U. S. DEl "PRACTICALLY SET"**

Queen Mary after a six weeks' stay has departed for home with interests with which he had been negotiating, saying only that they were "major interests." He has also been in touch with several banking groups, and it has been reported that a Lehman Bros. is interested in SCophony.

He said that no formal announcement of any plans for the company would be made before his return home about Jan. 21.

Edith Cantinger, who has been actively interested in plans for a SCophony division here, told THE FILM DAILY yesterday that he expected to close the business here by March 1. He said he expected to be identified with the company and if plans materialized.

Both Sagall and Cantor asserted that there were only a few matters remaining to be settled before deal can be closed. Sagall stated that his present plans call for placing the company's 16 and 20-foot screens at the New York World's Fair next year. He said that building of a broadcasting station here by SCophony would probably be preceded by an attempt to buy existing or to manufacture sets. SCophony owns patents on all of its broadcasting and receiving equipment, and SCophony receiving sets are said to have the largest "set screen" now in use.

He described his conference with FCC execs, in Washington as being very enlightening. Sagall said that he can't be over-confident in plans. He is still of the opinion that obstacles confronting the advance of television, principally the limitation of range, will be overcome in the near future.

**ROSENBERG RUNNING SLIGHTLY AHEAD IN AFM ELECTION**

At the time the polls closed last night at 8 p.m. in the election of officers by Local 802 of the AFM, it was indicated the race was much closer than had been expected. Out of the first 9,016 ballots, which had been tallied at 11 p.m., Jacob Rosenberg, candidate for president, had 4,000, a slight lead over Arthur Pryor, head of the opposition ticket.

William Feinberg, candidate for re-election as treasurer was running ahead of Emil Hollander on the opposition ticket. It is believed that nearly all of the 15,000 members of the local voted. Result will not be known until today.

**ITO SEES PARA.'S "ARTISTS"**

Los Angeles—Exhibitors attending the Independent Theater Owners of California, who met together here, were guests of Paramount at a special screening of "Artists and Models." Approximately 30 members of the Starry Circle Theater here last night.
10 NEW PIX HOUSES
FOR DETROIT SECTOR

Detroit—Considerable activity is anticipated in new theater construction in this territory during the first months of 1933, with some eight to ten new film houses contemplated, according to reports from several local sources.

Among the projects are the $35,000 new theater at Fremont, Mich., now being considered by Leighton Leight, theater owner of that city; the new Burton Theater at Flint, Mich., being erected for W. E. Lyon, brother-in-law of W. J. Thick, theater owner of Marshall, Mich., who is having a 800-seater built currently in that latter community with completion expected next month.

Plans for a new 1,500-seater are now being prepared by L. B. Jameson, Detroit architect, for this city, but further details have not been divulged.

Milton Strauss, local theater financier, is expecting growing activity in the film house construction line in the immediate future, and reports three new theater projects now under consideration.

Work on the new Esquire on East Jefferson Ave., in Grosse Pointe, eastern Detroit suburb, is progressing satisfactorily, with foundations already in and steel work under way.

Ben Cohen's new Crystal Theatre on Michigan Ave., is about ready, the opening expected to take place this month.

The Oakland of the Butterfield Circuit, in local northeast suburb, Pontiac, is having acoustical tile installed on four walls. Work is being done by Nichols Floor & Tile Co.

Plishker Appointed

The Westinghouse Electric & Manufacturing Co. announces the appointment of Herbert E. Plishker as advertising and sales promotion manager of the lamp division. Plishker succeeds J. F. O'Brien, who recently resigned.

For Card Parties

Youngstown, O.—Newest Youngstown movie theater, the 800-seat Foster, probably will be opened before Jan. 1, Joseph L. Shapin, advisor. An innovation will be a large mezzanine floor with seats for about 150 persons for card parties. Heller-Murray Co. is the contractor, and Schull-Crafts Co. is doing the heating, ventilating, and air-conditioning work.

Bell & Howell Publishes
Filmsonic Library Book

Chicago — Profusely illustrated with scenes from listed films aggregating over 2,000 reels, classified as historical, occupational, musical, human-interest, and other divisions, The Filmsonic Film Library Book, issued by Bell & Howell Co., is ready here for national distribution gratis to every owner of a 16 mm. projector registered in the Bell & Howell files.

Book consists of 64 pages, setting forth in a single film source the demands of educational institutions, industry, religion, and communities. Sound-on-film features, comedies, cartoons, and adventure, nature study, music, religion, history, newsreel, sport and teacher training subjects predominate.

Re-organize Ulher Company

Detroit—The Ulher Cine Machine Co., manufacturer of projection sound equipment, is now being re-organized as the Detroit Projector Co. A new factory for manufacturing purposes is being established at 5162 West Fort St., while the former location, on Trumbull Ave., is to be converted into a retail store and salesroom. Louis C. Ulher continues as head of the company and manager.

Form Ad-Lume Corp.

Chicago—John T. Putnam, E. G. Share and V. J. Carney have organized the Ad-Lume Corp., with offices at 2557 Milwaukee Ave., to offer an outdoor advertising service to the trade.

Photophone Service Facts

For 82 Sparks Theaters

Camden — RCA Photophone has been awarded service contracts covering the sound reproducing equipment in the 82 houses of the Sparks Circuit throughout Florida, plus contracts for sound apparatus replacements in five of these theaters, it is announced here.

Complete new High Fidelity sound systems are to be installed next month in the Dixie, Ocala; State, Plant City; Cameo, St. Petersburg; Capital, Clearwater, and the Broward, Ft. Lauderdale.

Negotiating the contracts for the Sparks Circuit were B. B. Garner, M. C. Talley, and Frank Rogers, while RCA Photophone was represented by Jack Dumesne, Atlanta representative, and Charles Swinney, of the Florida territory.

Additionally, service contracts were closed this week by RCA Photophone with the Blank Circuit for 80 of latter's houses in several mid-western states, and 32 theaters of the Commonwealth Circuit throughout Missouri.

Myron Blank and Dave Dewey, Blank Circuit execs, and Clarence A. Schultz and Dick Oream, Commonwealth representatives, negotiated the contracts with G. F. Holly, RCA Photophone representative at Kansas City; E. G. Cahill, Photophone service manager, and H. B. Snook, Photophone sales manager.

Westinghouse Cuts Prices

Westinghouse Electric & Mfg. Co. announces through its Bloomfield, N. J., plant the reduction in prices of company's Mazda lamps to users of 16 mm. and 8 mm. projectors. Eight different lamps are affected by the new schedule, ranging from the 300-watt to the 1,000-watt. Several other types of projection lamps, not listed on the regular schedule, and designed for special purposes have also been reduced in price. Reductions officially were enforced Dec 1, last.

Charles Ross, Inc.,
Formerly Motion Picture Lighting and Equipment Corp.

We Furnish
Electrical Lighting and Lighting Equipment of Any Kind

244-250 West 49th Street
New York City Tel. Circle 6-5470-1

NEW N
equipment

A Story

By C.

Carpets

in the house are
Theaters. These were
York, as agents for Hardwick

unwinding from a reel.

Auditorium walls are covered
shades, the color motif of a
pure green, pink, white and red.

Damask covering shades of rose on the ceiling;

colors calling to mind the

black and deep maroon.

Auditorium has been
principles created at a time
with rockwell and all bars.

Latest RCA sound, Simple

employed, and the projection

machine noises that
generally

Upholstered chairs and

strokes are present in

an architect, Aalto, and the

Batiste Studios have skill

thoroughly pleasing and

in the new Newsreel Theater,

in vogue in the circuit's other

American newsreels, The March

shorts. Officials of the

Harold E. Wondsel, vice-pres		treasurer, and Major A. G. R

Complete Decorating and Draperies
Murus—Draperies—Stage Curtains
Specialists in Creation of Smart Interiors

NOVELTY SCENIC STUDIOS, Inc.
520 W. 48th St., New York City
A. I. Kesler, Mgr.
International Projector Assigns Durst to Coast

Washington Bureau of THE FILM DAILY

Hollywood—Jack Durst, identified directly with the development of the new Simplex Four Star Sound Equipment, has been assigned by International Projector Corp. as its local factory representative. He will co-operate with the various Aca-
demy technical committees with the aim of carrying through to equip-
ment design those features and fa-
cilities which insure better presen-
tation of sound and picture in the-
ters.

IPC feels, it is declared, that by
having a staff engineer in Holy-
wood where improvements in tech-
nique originate, the interpretation
and transmittal of requirements and
information will be facilitated, re-
SULTING in better service to the in-
dustry.

Resurfaces 76 Screens

Detroit—Don Dickerson has just
completed screens for the Annex
Theater and is at work now on
screens for the Palm State and Cin-
derella Theaters. All are Detroit
United Circuit houses. Since July
4, Dickerson states, he has resur-
faced the screens for 76 theaters.
These include all theaters of the DeLodder, Ritter and Cohen cir-
cuits.

Filmack Stock-Cards

A complete list of more than 50
stock-copy paragraphs covering ev-
ey kind of New Year’s Eve show is
being offered theater managers by
Filmack Trailer Co., Chicago, to
enable showmen to arrange their own
trailer copy and save all card
charges. A folder showing stock-
cards will be mailed to any manager
upon request by the Filmack Co.

Ultraphone Installations

Chicago—The Ultraphone Co. re-
ports recent installations for the
Vogue, the Warren Theater and the
new Delphi theaters.

Get ISC Conclave

Union City, Ind.—The International
Seating Co. will hold its annual con-
vention here Jan. 16-17.

Technicolor in 16 mm.

Width to be Available

On and after Jan. 1, next, three-
color Technicolor prints in the new
16 mm. width will be available, in
addition to the regular 35 mm.
standard, for all regular Techni-
color productions, it was announced
yesterday by Technicolor-In-The-
East, with headquarters at Eastern
Service Studios, Long Island City.
For some time, announcement stated,
producers and sponsors of industrial
and commercial pix have been urg-
availability of the 16 mm. with-
to the advertising field.

Form Colortone Sales Corp.

Chicago—Schlank Bros. and J. L.
Fox have organized the Colortone
Sales Corp., to handle the world-
wide sales of the Colortone camera
Shutter line of the Colortone Acous-
tic Co. of South Bend.

PYGMALION

One of the surest ways to put life
into your business is to cover your
floors with soft, colorful, luxurious
looking Alexander Smith Carpet.
Which is why you find this famous
carpet in so many of the country’s
successful theaters.

ALEXANDER SMITH CARPET
INDIANA
Portland—Princess (1-2-39); Owner: Mailers Corp.; Renovation.
Indianapolis—Ritz (12-2-38); Owner: Dolle Circuit; Redecorating, new seats.

IOWA
Dubuque—Avon (11-29-38); Owner: James Yanniass; Losing money.
Sullivan—Alhambra (11-26-38); Owner: Charles Murch; Closing for Winter, open in the Spring.

MAINÉ
St. Louis—Empress (11-30-38); Owner: Ansell Bros.; New marquee, remodeling and decorating.

OHIO
Chardon—Chardon (1-15-39); Owner: L. M. Smith; Occupying new theater in new building.

SOUTH CAROLINA
Bennettsville—Carolina (11-36-38); Owner: Anderson; Renovation.

TENNESSEE
Memphis—Avon (opening around January); Remodeling.

TEXAS
Waxahachie—Ritz (12-3-38); Owner: Robb & Rowley; Destroyed by fire.

WASHINGTON
Walla Walla—Liberty (11-23-38); Owner: Fred Mercy; Mercy Theaters; Renovating.

Theater Openings

ARIZONA
Little Rock—Rex, 200 seats (12-2-38); 206 Main St.; Builder: H. L. Girault; Architect: W. M. Woods; Cost: $5,000; House Manager: H. L. Girault.

FLORIDA
Tampa—Centro Asturiano, 1,000 seats (11-27-38); Palm and Nebraska Sts.; Manager: Centro Asturiano; Cost: $15,000; House Manager: B. E. Gore.

NEW THEATER OPENINGS

ARKANSAS
TULSA
Jackson—Met., 352 seats (11-17-38), Liberty St.; Builder: Old Gem Theater; Cost: $2,000; House Manager: E. F. Stein.

OHIO
Chardon—Geauga, 600 seats, on the Square; Builder: L. M. Smith; Cost: $65,000; Operator: L. M. Smith; To be completed approximately 1-15-39.

PENNSYLVANIA
Chester—New, 750 seats; 9th and Walnut Sts.; Builder: John P. Hallahan; Architect: W. H. Lee; To be completed approximately Christmas.

BROOKLYN
Ephrata—Main, 750 seats; Architect: D. Supowitza; Operator: Harry Siefer; To be completed 12-15-38.

BEDFORD
New—700 seats; Center of City; Builder: Berkebile Bros.; Architect: Smithbyran & Brazell; Operator: H. R. Cromwell; To be completed 1-20-39.

SOUTH CAROLINA
Bennettsville—Palmetto; Main St.; To be completed 12-5-38.

SOUTHERN THEATERS

NEW THEATER OPENINGS

FLORIDA
Daytona Beach—Florida, 792 seats (12-23-38); Owner: E. J. Sparks Enterprises; House Manager: Bob Harris.

IDaho
Filer—Filer, approximately 275 seats, opening in two or three weeks; Owner: Clyde A. Smith.

IOWA
Luterville—Friday, 250 seats, Nov., 1938; Owner: Robert Friday; House Manager: R. Friday; Previously closed Sept., 1937.

MAINE
Skowhegan—Opera House (11-18-38); Owner: Somerset Theaters, Inc.; House Manager: Carl Beals.

MISSOURI
St. Louis—Empress, 1,500 seats (12-8-38); Owner: Ansell Bros.; House Manager: Mr. Bostom; Previously closed 11-30-38.

Deep Water—Tulip, 250 seats (12-6-38); Owner: John Travis; House Manager: John Travis.

MONTANA
Havre—Lyric, 525 seats (11-12-38); Owner: Joe Moore; House Manager: Joe Moore; Previously closed 11-1-38.

NORTH CAROLINA
Lumberton—Pastime (12-10-38); Owner: The Anderson Co.; Closed about three years ago.

OHIO
Muskogee—Ritz, 1,400 seats (11-22-38); Owner: R. & R United; House Manager: Procter & Marsh; Previously closed 8-28-38.

Sulphur—Gem, 350 seats (10-19-38); Owner: W. T. Kerr; Previously closed all Summer.

U.S. THEATERS

WALLA WALLA
Jackson—Ritz, 1,400 seats (11-24-38); Owner: R. & R United; Previously closed 8-28-38.

SOUTHERN THEATERS

NEW THEATER OPENINGS

ARKANSAS
Little Rock—Rex, 200 seats (12-2-38); 206 Main St.; Builder: H. L. Girault; Architect: W. M. Woods; Cost: $5,000; House Manager: H. L. Girault.

FLORIDA
Tampa—Centro Asturiano, 1,000 seats (11-27-38); Palm and Nebraska Sts.; Manager: Centro Asturiano; Cost: $15,000; House Manager: B. E. Gore.

TENNESSEE
Jackson—Met., 352 seats (11-17-38), Liberty St.; Builder: Old Gem Theater; Cost: $2,000; House Manager: E. F. Stein.

THEATERS UNDER CONSTRUCTION

CALIFORNIA

ILLINOIS
Cairo—Gem, 1,400 seats approximately, 8th St.; Operator: I. W. Rodgers; To be completed Christmas or before.

MONTANA
Ennis—New, 300 seats, West End Main St.; Builder: Jack Smith; Cost: $22,000; Operator: Local Stock Co.; To be completed 2-15-39.

THEATERS UNDER CONSTRUCTION

CALIFORNIA
Pasadena—Liberty, 650 seats, 4th St.; Builder: R. M. Hough; Cost: $25,000.

MINNESOTA
Sauk Centre—Main Street, 475 seats, Main St.; Builder: P. L. Parsons; Cost: $35,000; Operator: F. L. Parsons.

MONTANA
Ennis—New, 300 seats, West End Main St.; Builder: Jack Smith; Cost: $22,000; Operator: Local Stock Co.; To be completed 2-15-39.

OREGON
Vale—Rex, Work Planned: The entire interior will be lined with Nu Wood in a decorative pattern, the stage will be widened and the arch higher; ramps are replacing stairways leading to exits, new carpets on main floor; Owner: T. C. McElroy.

SOUTH DAKOTA
Sioux Falls—Egyptian; Work Planned: Redecoration of interior, rearrangement of lobby and first floor, installation of new canopy.

TENNESSEE
Knoxville—Strand; Work Planned: Remodeling, renovation and redecorating and the installation of new equipment; Owner: R. C. Jackson; To be completed 12-17-38.

UTAH
Heber—Ideal; Work Planned: Neon marquee; Owner: Andy Murdock.

WASHINGTON
Walla Walla—Liberty; Owner: Mercy Theaters.

Change in Ownership

CALIFORNIA
San Jose—State (formerly American), transferred to Harvey Amuse- ment Co. by Golden State Chain; House Manager: A. O’Connor.

IOWA
Bancroft—Dreamland, transferred to Mrs. McLaughlan by Mrs. Mason; House Manager: Mrs. McLaughlan.

MINNESOTA
Browerville—Lyric, transferred to Jensen & Green by G. A. Berg; House Manager: Lester Green.

MISSOURI
Clarence—Clarence, transferred to Russell Richardson by Mrs. W. W. Barrow.

OHIO
Cincinnati—Ritz, transferred to Mrs. W. E. Rolfe.

WASHINGTON
Walla Walla—Liberty; Owner: Mercy Theaters.

 oklaho

NORTH CAROLINA
Wake Forest—Collegiate, 300 seats, White St.; Builder: T. C. Hester; Architect: C. C. Whitacre; Cost: $10,000; Operator: C. C. Whitacre.

renovations planned

INDIANA
Portland—Hines; Work Planned; Modernizing the lobby and front more modern; Owner: Mailers Corp.; To be completed in the Spring or Summer of 1939.

IOWA
Bancroft—Dreamland; Work Planned; Complete redecoration and new equipment; Owner: Mrs. McLaughlan; To be completed January, 1939.

OREGON
Vale—Rex, Work Planned: The interior will be lined with Nu Wood in a decorative pattern, the stage will be widened and the arch higher; ramps are replacing stairways leading to exits, new carpets on main floor; Owner: T. C. McElroy.

TENNESSEE
Memphis—Avon, transferred to J. E. Wheeler by J. F. Deree; House Manager: J. E. Wheeler.

TEXAS
Waco—Dreamland; Work Planned; Complete redecoration and new equipment; Owner: Mrs. McLaughlan; To be completed January, 1939.

WASHINGTON
Walla Walla—Liberty; Owner: Mercy Theaters.
**REVIEWS OF THE NEW FILMS**

"The Duke of West Point"

United Artists 97 Mins.

SURE-FIRE BOX OFFICE WITH FINE PRESENTATION OF WEST POINT LIFE AND PATRIOTIC APPEAL

A finely presented and colorful story of life at West Point, which shows painstaking realism, and phases of the famous military academy on the Hudson. The career of three plebes is followed, from the time they enter the first day and their training begins. It has been fine work and goes out of grounds in civilian clothes in order to wire for money to help his pal's mother. He knows that the other will refuse to accept the money, and so has to keep quiet. For this breach of honor in the eyes of the cadets, he is ostracized for the entire year, and the only cadets who will speak to him are his roommates. Against this handicap he struggles bravely, and does yeoman work in helping the football and the hockey teams to win, but still he is an outcast. As he is ready to quit the Academy, and the ban is lifted and he becomes the toast of the Point. The colorful scenes of the Academy and thelimines of the patriotic aspects of the subject, make this a strong attraction for the ladies as well as for the boys. It is the mark of a true favorite, and the principals catch the spirit of the army tradition, so that the production carries with it the emotional appeal that is really stirring.


CREDITS: Producer, Edward Small; Director, Alfred E. Green; Author, George Bruce; Screenplay, same; Cameraman, Robert Flanck; Editor, Grant Whylock.

DIRECTION: Excellent. PHOTOGRAPHY: Very Good.

Huddle on Para. News Pact

Meeting was held yesterday between Local 702, lab. workers union, and Paramount News to discuss terms of a new contract.

"Blondie" Into Criterion

"Blondie," Columbia adaptation of the well-known comic strip, will open Dec. 22 at the Criterion for a week's run.

"Swingtime in the Movies" (Vitaphone Technicolor Featurette)

Warners 20 mins.

One of Year's Best

Only one in a number of blue moon does a short subject as superbly entertaining as this one comes along for exhibitor and public, and it's a "must" for both. In a nutshell, the footage, directed grandly by Crane Wilbur and played up-top-the-hilt by a skillful and enthusiastic cast comprising Fritz Feld, Katherine Kane, John Carroll, Charles Foy, Jerry Colonna and Helen Lynd, has that rare quality that results from the union of rollicking humor, swift action, Technicolor that is eye-dazzling, and copious human-interest. This latter element springs from the fact that the story is about Hollywood film production, and for once the screen capital lets down its hair and swings into a lively 20 minutes of good, clean, punchy satire about itself. It's the sort of material audiences will devour with zest, and wind up wondering how a third of an hour can pass so quickly and mirthfully. Fritz Feld essays the role of a film director who in panic because he cannot find a suitable leading lady for "Texas Tornado," but finds her in the studio restaurant where she is a waitress. The "find" is Katherine Kane, and that she is both in the story and in fact, for there is promising screen timber of the top grade. Feld gives her the leading feminine role in which she subsequently shines opposite the hero of the opus, John Carroll. There are several musical numbers which would grace a costly full-length feature, and there are comic interludes with dash and spirit, particularly the restaurant dance routine and the finale. Crammed with gags and slick situations, this two-reeler is a salient example of what can be done by shorts producers when they have the will and the way that is Warners.

"Porky the Gab" ("Looney Tune" cartoon)

Warners 7 mins.

Amusing Stuff

To the adult addicts of animated fare, and the younger generation of pix patrons, this tab reel will prove amusing enough as it depicts Porky's battlehship plying the briny deep. In the radio room crackles the message that a big reward has been posted by officialdom for the capture of a pirate submarine courting the area. Porky, although anxious to set out via airplane from the dreadnought when the sub is discovered, left behind to bemoan on deck his misfortune. Fate plays into his hands when the sub attacks. 'Tis then that young Porky trains on the enemy a barrage of shot and shell, striking the hapless craft, and subsequently becomes a highly-rewarded hero. Porky's speech impediment, and the Old Sea Dog Captain's antics are the amusing highlights.

"Unusual Occupations" (L.B.C)

Paramount 11 mins.

Fine Subject

Odd ways of earning a living offer some real novelties. A New Englander who does wonders in turning fishing nets into women's fashionable apparel, a Mexican who pursues the almost lost art of working in sculptures and silhouettes on metal. An oldtimer down South who converts tobacco pouches into attractive quilts. A roof Thatcher at his trade in an English country village. A visit to the famous Tusaud wax works in London. Finally, a visit to the ingenium of Warren Williams in Hollywood, showing his remarkable skill in creating all sorts of handy gadgets to be used in making life more livable.

"Nature's Mimics" ("The Color Parade" Series)

Warner 10 Mins.

Unique and Fascinating

Produced in color by E. M. Newman, this is an intriguing and most unusual short. Pity is that the narration was prepared with the evident idea that without gaps the footage might become tiresome. Not only is it gaggled, but ineffectively so. The scenes are so arresting and unique that they can easily overcome the shallow narration. Highpoints of the reel is sequence showing the training of sacred birds in Asia. It is unbelievable how susceptible they are to the lessons of their masters who have taught them to mimic many of the commonplace actions of human beings. They raise a flag, shoot a bow-and-arrow, perform acrobatic stunts and other manner of unusual things. Other scenes are seals juggling; a harmonica-playing elephant; monkeys up to tricks, and additional oddities.

"Oh Say, Can You Ski?" (Paragraphic)

Paramount 10 mins.

Swell Sport

A remarkable ski picture made at the famous Sun Valley in Idaho, showing how rank amateurs are taken in hand by the imported Bavarian experts and in a short time are able to handle their skis like experts. Done in Cinicolor, the blue sky against the white of the snow makes a grand contrast. Thrilling shots of the pros coming down the mountainside in a light run with flashlights makes a beautiful picture. The pointers on correct skiing as the professionals demonstrate to the class will be found valuable by all ski enthusiasts.

**Waldorf Booking Set**

The Waldorf Theater has acquired "Forbidden Music, as its next attraction, to follow "Oracle," it was announced yesterday.

"He's round-shouldered from carrying all those NEW YEARS BOOKINGS on M-G-M's SWEETHEARTS!"

(it's the Jeanette MacDonald Nelson Eddy Technicolor Sensation!)

![Poster for "He's Round-Shouldered from Carrying All Those New Years Bookings on M-G-M's Sweethearts" featuring Jeanette MacDonald and Nelson Eddy.]
the current season, one of which, "Q Planes," will be distributed in the U.K., and the other two will go, "Twenty-One Days," and "A Spy in Black." Product will come under both the triple and triple quotation marks.

Irving Asher, who is to produce the pictures, is due in New York on Dec. 30.

McConville was accompanied by Joe Friedman, Columbia's manager in the United Kingdom.

**Reviews of New Films**

"Flirting With Fate" with Joe E. Brown, Leo Carrillo M-G-M 69 mins.

**FOREIGN**

"Marusia" with Stephania Melnyk, Nicholas Shechtyntsk, Peter Chornik

Ukrainian Production 105 mins.

UKRAINIAN TRAGEDY DEPICTED WITH MUSIC AND PAGEANT:

An unusual film, "Marusia," tells the story of a Ukrainian tragedy with all the pompage and pageantry associated with these people. The choral arrangements are exceptionally beautiful. The story is based on an old Ukrainian folk drama written in 1872 by M. Staritsky. The cast is better than average throughout and the principals have fine performances. Stephania Melnyk and Nicholas Shechtyntsk, the young lovers, are doomed by the evil machinations of Peter Chornik, aunchback who is warped in mind as well as body. Eventually Chornik ruins their lives. There is some cute comedy injected into the film by Michael Skoroboshak which heightens the story.


CREDITS: Produced by Ukrajin Film Productions; Director, Leo Bulgows; Screenplay, Andrea Kisz by story by M. Staritsky; Presented at the Miami Theater with Ukrainian titles and English titles. Direction, Good. PHOTOGRAPHY, Good.

"Neighbors" with E. Bodo, Helen Gross, Joseph Owidz Best Films

HIGHLY AMUSING COMEDY WILL GO OVER WELL WITH YIDDISH AUDIENCE. An amusing comedy, this new Yiddish offering differs from the usual type of musical comedy. The film is a solid success with all the material in the film is new in the same class with these two fine troopers.


CREDITS: Producer, David Loew; Director, Frank McDonald; Authors, Dan Jarrett, A. Dorian Ovroy; Screenplay, Joseph Mones, Theodor Rappo, Charles Reisner, Harry Clark; Cameraman, George Schneiderman; Editor, Robert O. Crandall. DIRECTION, Fair. PHOTOGRAPHY, Good.

Austrian Pix Into Eight

"Concert in the Mountains," the last picture made in independent Austria and being distributed in this country by Frank Kassler, has been booked into 8 houses on the West Coast. Kassler will shortly release the second French picture, "Artiste's En- gagement," with Jules Dassin, Maurice Béjart, and Victoria Multani, in addition to a Czech picture, "Girlhood."

Monogram will disregard previous budget commitments and costs will be raised extensively so that all product will receive bigger and better production values. W. Ray Johnston, president, said yesterday following a tour of important key centers.

Increased sales, a greater number of first-run accounts and the support and encouragement given by circuit heads contributed to the decision to spend more money on pictures, Johnston said.

Twenty-one of the 42 pictures announced for the 1938-39 season will be completed and in the exchanges this week and all of the last was produced by W. Ray Johnston, who leaves for the Coast shortly after Christmas to launch the huge production schedule of the history of the company. Nine features will go before the cameras between now and Feb. 1.

"Bunny is 60 days from that," with Tex Ritter, and "Sky Pirate," starring John Trent and Polly Ann Young, started production yesterday, while "Navy Secrets" starts on Monday.


Minn. V. C. Seeks $25,000 Relief Fund for Refugees

Minneapolis—Claiming the honor of being the first chapter in the United States to launch an active fund-raising committee to aid German refugees, the Twin City Variety Club has set a $25,000 goal.

Named to the committee in charge of raising the $25,000 relief fund were: W. A. Steffes, chairman; George Granstrom, Norwood Hall, L. J. Ludwig, John Friedl, Joe Finney, K. S. Grambleit, J. P. Devaney, W. A. F. Kranz, Bob Hamilton, Carl Jobst, J. P. Kelly, M. J. Kelly, Reverend Claire Ames, J. Z. Dumphy, T. E. Mottor, Earl Sear, and C. R. Waller. First meeting has been set for Monday, and the deadline for raising the $25,000 is Jan. 26.

The club has named these officers for 1939: W. A. Steffes, chairman; Chief Barker, re-elected; Benn Biotky, first assistant; Benn Biotky, second assistant; Norwood Hall, treasurer; W. H. Workman, secretary; and George Granstrom, Don Buckley, E. P. Foerster, W. A. K. Funeral, W. H. and Harold Johnson, Board of Governors.

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**Monogram to Spend More on All Films**

Washington, D.C.—Advisors of the newly organized Monogram, a new left-wing studio, meet this week to discuss plans for future productions.

**Monogram will disregard previous budget commitments and costs will be raised extensively so that all product will receive bigger and better production values. W. Ray Johnston, president, said yesterday following a tour of important key centers.**

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STANLEY CO. REPORTS PROFIT OF $2,063,703

(Continued from Page 1)

(Continued from Page 1)

A "Little" from "Lots"  

By RALPH WILE

HOLLYWOOD

“GWTW” In New Technicolor

DAVID O. SELZNICK’s “Gone

with the Wind” probably will be the first feature to be shot

with the new high speed Technicolor film.

The new film, 3 to 4 times faster than the present Technicolor stock,

will receive extensive tests at Selz-

nick International studio.

Orchestra for Bleyer

Archie Bleyer has been signed by L. Wolfe Gilbert, publishers, to or-

orchestra for dance bands the tune “Ring Dorough,” inspired by Russell Birdwell’s book of the same

title, soon to be published. Song’s

music is by Lou L. Ferguson. Words are all

arranged in form of headlines.

Students Study Spanish Pit

One hundred and fifty Spanish

language students of the Hollywood

High School attended a private

showing of “El Trovador de la

Radio,” made by Dario Prigs., with

Tito Guizar as the star. Paramount

is distributing the picture and the

showing was at the Paramount stu-

dio. This marks the first in-

stance in the history of the school

that a motion picture has been in-

cluded in the regular study course.

“Glorious Grafit” to RKO

RKO purchased “Glorious Grafit” by Adele Bunting and Grace Nor-

ton. It is a story about the cosmetic

business.

Kaufman Novel Accepted

Charles Kaufman’s novel, “Fleets In Manhattan,” has been accepted by the William Morrow Company

and will be published about Feb. 10. It is a story of New York, usually

posed,” recently produced by Uni-

versal, and two “Saint” stories which RKO produced.

Randol to Make Four Films Annually With Negro Casts

West Coast Bureau of THE FILM DAILY

HOLLYWOOD—Randol Produc-

tions, with a capital stock of $500-

100. The company plans to make at

least four all-colored cast pictures

annually. It is planned to put the

first picture into production in about

60 days. Permanent production

headquarters will be established in

Hollywood.

Two New Film Theaters For Cincinnati Suburb

Cincinnati—Queen City Holding Co. will erect a house at 6105-7 Vine

St., while the Elwood Amusement Co. will remodel at 6217 Vine St

for a 900-seat house. Both are in

Elwood, local suburb.

Abe Lyman at Strand

Abe Lyman has been set for a

“two-weeks’ engagement at the N.

Y. Strand Theater starting Dec.

31. Lyman will also broadcast from

the theater while he is there.

Full, holder of 65 shares, bought

in Federal Court yesterday a suit

against as defendants, Loew’s, Inc.

43 directors and officers of that

company; Erpi, Western Electric, Chase National Bank, Chase Securities

Corp., Halsey Stuart & Co., and

William Fox.

Plaintiffs, among other things

want the court to rescind all reso-

lutions of Loew’s board of direc-

tors, and votes of majority stock-

holders which ratified bonuses

contracts. Further, the plaintiffs

want the contracts between Loew’s,

WE and Erpi invalidated.

B & K Suit Answer Asserts Competition Forced Duals

(Continued from Page 1)

strait of a monopoly in the the-

ater operation or the distribution

of films. Further, the answer charges

that the plaintiffs have at

times exhibited first-run films in

competition with B & K theaters.

The answer admits ownership of

$5.55 per cent in United Detroit

Theaters Corp. The attorneys say

B & K owns 80 per cent of Great

States Circuit common stock, and

monopoly in the balance, but the

preferred stock is held by the public.

Company bought the State Lake

Theater, said to be a new house

intended to run protection, but state

that playing time is changed at

various times by business conditions.

The answer denies that agree-

ment exists between B & K and the

Warner Circuit over the South-

side theater situation, where Warner

theaters predominate, and states that

the Roosevelt Theater is owned out-

right by B & K Corp., but denies

Barnes, Balaban personally owns

the same.

The attorneys claim the same film

rental is paid and accounted for

by the plaintiffs for similar runs. The

answer gives a history of B & K’s

rise in Chicago and adjacent terri-

tory. Filming of the document was
delayed one day by delay in its

printing.

Disney, Corrigan Named

Ten leading 1936 news personali-

ties, picked by Walter Winchell,

Lowell Thomas and Edwin C. Hill

[...]

Normandie Starts Today

Boston—The new Normandie The-

ater opened yesterday according to an announcement by F. E.

Lieberman. For the past several

years the Normandie has been used

for vaudeville. It was inaugurated

previously was the old B. F. Keith’s

vaudeville house. A double feature policy will prevail. 

}
National Carbon Company, Inc. has revolutionized motion picture projection through steady improvement in projection light sources.

You cannot afford to retain 1928 standards of theater illumination. Ask your dealer about the economy, low cost and box office value of Simplified High Intensity projection.
ITOA Declares Trade Reform Draft Fails to Satisfy
FEATURES SHOWN IN U. S. AGAIN DECLINE IN '38
Hope Fades for Completion of RKO Reorg. by Jan. 1

"Golden Maw"
... and pix virility
By CHESTER B. BAHN

FANNIE HURST who, as the New York Times observed "has made a good deal of money from the sale of her novels to the movies," told a forum luncheon audience in New York the other day: "The golden maw of Hollywood opens very wide and swallows most young authors who have done one good piece of work. This is the death that did not exist in the past."

The estimable Miss Hurst may have intended otherwise, but it strikes this side commentator that she has paid a neat tribute to the virility of the screen and its art.

One thing does puzzle, however, and that is why "the golden maw of Hollywood should be denounced a menace to 'young authors' alone. It couldn't be because their ability to meet the studios' 'strange new demand for creative expression' has lessened the demand for the works of present-day literature's 'old guard,' could it?"

And that's that.

BRITISH writers both for the lay and trade press recently have quite a bit to say about Hollywood's discrimination to make pictures which might be offensive or objectionable to other nations. The remarks, in general, have not been complimentary, much less laudatory.

Consider the embarrassment, then, of these same British writers as a result of the notice served on Butchers that it could expect no license for its proposed production of "The Relief of Lucknow," a story dealing with the Indian Mutiny of 1857-58.

The British Board of Film Censors explains that its ban—for such it is—results from the fact that it "has been advised by all the authorities responsible for the Government of India, both civil and military, that in their considered opinion such a film would revive memories of the days of conflict in India, which it has been the constant endeavor of the Indian nation to obl

Court Calls for Additional Information; Next Hearing Dec. 29
RKO Corp.'s chances of being "out of the trenches by Christmas" as far as its 77-B status is concerned were put beyond the pale of possibility Friday afternoon in Federal Court when Judge William Bondy declared that he wants a facsimile of the full-paid and part-paid beneficial certificates; to be informed of the Maryland law governing an important segment of the now long-existing reorganization proceedings; (Continued on Page 4)

TECHNIC, BOOKINGS
FOR '39 GO SKYWARD

Technicolor's bookings for 1939 are over 100,000,000 feet as against 65,000,000 for 1938, it was stated by Dr. Herbert S. Kalman, company's president, upon sailing from New York on the week-end for London (By Cable) — American film industry's "take" in Great Britain during the last three years is

U. S. Films "Take" in U. K.
$90,000,000 in Three Yrs.

LOEW SUCCESS BUILT ON BRAINS--SCHENCK
Nicholas M. Schenck, president of Loew's, Inc., again testified on Friday in the action brought against the company by stockholders in Supreme Court, and told of the ad

ITOA Rejects Trade Reform Draft;
Says 'Minimum Points' Are Not Met

Para. to Release 26 Pix
Between January and May

Paramount will release 26 features between January and May, it was announced over the week-end by Neil F. Agnew, general sales manager. Eighteen of the group have been completed, and eight are in production.

THE WEEK IN REVIEW
RKO and Wilcox as Partners

DOMESTIC
PRODUCTION: (New York) Announcement at press luncheon at Ritz-Carlton that RKO Bros. completed pact, spanning terms of years and calling for partnership in production of from two to four $500,000 pix annually, highlighted week's happenings. Arrangement further provides for incorporation in England of Imperial- Radio Pictures, Ltd., with capitalization yet to be determined, but official staff to be on 90-95 basis. (New York) Paramount home office huddle twice; Balaban, Zukor, Rose and Hicks. (Continued on Page 7)

PCA Lists 543 for 11 Months
Drop of 71; More Shorts Available

For a second successive year, fewer features were available for exhibition on American screens, according to figures of the MPPDA Production Code Authority, made available over the week-end.

Total number of features okayed by the PCA during the first 11 months of this year was 543. Figure for the corresponding 1937 period was 614 and for 1936, 698. PCA's Eastern office has had a busier year, okaying 73 features in

MAJORS STAND PAT; QUIT ITALY DEC. 31

Foreign managers of major producer-distributor companies met on Friday in the offices at MPPDA and decided that withdrawal of their branches from, and film commerce with, Italy, on Dec. 31 is inevitable for the reason that nothing of an official nature in writing has come from the Fascist Government re

Zukor Planning Return from Abroad in 4 Mos.

Adolph Zukor sailed Friday on the Queen Mary for his new foreign assignment as a co-ordinator of Paramount's operations in Europe. Zukor said he would be gone about four months and that he did not intend to remain in England as had been reported.

David Rose, new managing direc

Emanuel Cohen Returning to Film Biz Early in '39

Emanuel Cohen, who withdrew from his Paramount affiliation last summer, plans to return to the picture business shortly after the first


At that time, the unit proposes to release a complete story on officers, aims, plans, setup, etc. This policy was adopted Friday in order to "present the story to the trade properly."

Sid Samuelson, former Allied States proxy, is mentioned as the possible appointee as business manager.

Denham-Pinewood Studio Merger Finally Ratified

London (By Cable) — Official ratiﬁcation of the Pinewood-Denham studio merger was announced on Friday.

New Orleans—Universal closed a selective contract deal with Saenger Theaters Corp. and the varied allied Saenger companies, according to reliable sources here. Deal was negotiated by W. H. Scully and Frank J. A. ("Mr.") McCarthy on behalf of Universal. Dean B. Wobber (Iron Horse) Dureau for the Saenger interests.

New Orleans—Dave Prince, United Artists southern division manager, and Harry Gold, United Artists sales head are due here to close a deal with Saenger and its affiliates.

Kent, McCarthy Back

Sidney R. Kent, 20th-Fox prexy, Charles E. McCarthy, ad. and pub. chief, and eastern delegation of home oﬃce sales execs, and district managers return to their posts today after a five-day Coast huddle with Herman Wobber, distribution head, and studio execs.

"Golden Maw"... and pix vixity

(Continued from Page 1)

literate, with a view to promoting harmony and cooperation between the two peoples."

As between the American thesis of business judgment and the British premise of political censorship, this commentator will take the former.

Universal and Saenger
In Selective Pix Deal

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Give 'em a Paramount Picture

Jack Benny • Joan Bennett
in "Artists and Models Abroad"
with Mary Boland • Charley Grapewin
A Paramount Picture • Directed by Mitchell Leisen
Screen Play by Howard Lindsay, Russel Crouse and Ken Englund • Original Story by Howard Lindsay and Russel Crouse • Based on an Idea by J. P. McEvoy

"Tom Sawyer, Detective"
Donald O'Connor • Billy Cook
A Paramount Picture • Directed by Louis King
Screen Play by Lewis Foster, Robert Yost & Stuart Anthony • Based on the Novel by Mark Twain

...and give 'em a Merry Christmas!
HOPE FADES FOR RKO REORG. END BY JAN. 1

(Continued From Page 1)

and an answering brief to the recently filed affidavit of Ernest W. Sturm of Milwaukee, which dealt with the vote of proxies as far back as 1931.

Hamiltion C. Rickaby, counsel for the Atlas Group, the amended reorganization plan's proponents, moralized Judge Bondy that the exact text of the Bellman certificates exists in Exhibit No. 6 filed with Special Master George W. Alger this past summer, and further declared that he (Rickaby) had asked William Mallard, counsel for the debtor, to prepare a statement in affidavit form, covering the content of the Sturm affidavit. This latter document, Rickaby said, is, in his opinion, immaterial to the basic question now before the court, approval or confirmation of the amended reorganization plan. However, Judge Bondy insisted on the answering of the alleged facts presented by Sturm.

Delay in answering Stirm, Rick-

(Continued from Page 1)

Monday, December 19, 1939

Emanuel Cohen Returning to Film Biz Early in 1939

of the year, it was learned over the week-end.

During the last few months Cohen has been devoting his attention to the Aerovox Corp., manufacturer of radio parts, in which he has an interest. Company is headed by his brother.

Cohen made two trips to Europe after leaving Paramount and it was reported that he was representing Floyd Odlum on several European enterprises. Cohen has been spending most of his time at New Bedford, Mass., where Aerovox recently established a factory.

New Mono. Comptroller

Ben Agren has been appointed Monogram comptroller to succeed J. W. Stifford, who has been transferred to Hollywood as treasurer of Monogram Productions. Agren has headed the auditing department since February.

LOEW SUCCESS BUILT ON BRAINS—SCHENCK

(Continued from Page 1)

justment of Thalberg's compensation in 1932 when the latter had complained that he was not "making any money" at all.

"My belief and my realization," Schenck declared, "is that the reason for the company's success is the very high degree of personal responsibility in the organization. That's what we sell to exhibitors. Up to date I have lost no important people. We never have these 'unique qualities,' he added.

"For making pictures. They (Loew's officials) believed in me and I did my best to hold them."

Schenck said that Thalberg was given an option on 100,000 shares and while Winthrop Aldrich or the National Bank at first opposed this, he later consented to the deal.

Referring to Arthur Loew, Schenck said that this official had developed foreign business from between $5,000,000 and $8,000,000 yearly to the present gross of at least $48,000,000 yearly, and it was Arthur Loew who recommended building theaters in Europe, and that his judgment of local for such theaters' erection was excellent.

In South Africa, through Arthur Loew, Schenck asserted, the business there is amounting to $2,000,000 annually, and that this executive could not be replaced.

Schenck declared that he told Ar- thur Loew: "Some day you'll take my place," and convinced Loew that he should stay on with the company at $3,500 weekly, with an added five per cent of the gross foreign profits, less certain deductions.

As personnel and salaries were settled, Schenck disclosed, in order to avoid a law suit, and she was signed on a six-picture deal for three years at $150,000 per feature.

Bernhard to Hold Meeting of Warner Zone Managers

Joseph Bernhard, General Manager of Warner Theaters, will preside over a meeting of the Warner Theater Zone Managers tomorrow at the home office. Those present at the meeting will be—

Zone Managers: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moes Silver, Albany; Ted Schlanger, Philadelphia; Harry Kal-

Among the Home Office Executives who will participate in the conference are—

Give 'em a laughing jag for New Year's!

MELVYN
DOUGLAS ★ VIRGINIA BRUCE

THERE'S THAT WOMAN AGAIN

MARGARET LINDSAY ★ STANLEY RIDGES

Screen play by Philip G. Epstein,
James Edward Grant, Ken Englund
Directed by ALEXANDER HALL

A COLUMBIA PICTURE

Don't miss this swell show!
SELECTED AS

"BEST FILM OF YEAR"

In National Board of Review Annual Award of All Pictures

4th MONTH

FIRST RUN—NEW YORK CITY *

6 WEEKS—PHILADELPHIA
5 WEEKS—WASHINGTON
6 WEEKS—LOS ANGELES *
6 WEEKS—SAN FRANCISCO *

"GRAND ILLUSION"

FIRST RUN and ROAD SHOW ENGAGEMENTS BOOKED DIRECT FROM

WORLD PICTURES CORP.
729 Seventh Avenue, New York City

Cable Address: WORLDFILM
Foreign Territories Available

THE WEEK IN REVIEW

RKO, Wilcox as Partners

DOMESTIC
(Continued from Page 1)

Queen Mary had as aim his co-

ordination of company's European

operations, plus world-wide survey of

Para.'s organization. Prexy Bala-

ban also proclaimed appointment of

Rose as managing director of Para.'s

set-up in U. K. and Ireland. (New

York) Alexander Korda arrived from

England for a month's stay in U. S.

to study possibilities and benefits of

producing here currently, "Pocahontas"

being indicated as initial fea-

ture.* * *

TRADE REFORMS: (New York)

Entraining for Hollywood, Sidney

R. Kent, 20th-Fox chief, declared
(a) he expects trade reform pro-

posals now before exhib. negotiators
and D of J, will be adopted; (b) that

proposed fair formula for set-

ting existing problems; (c) as far

as 20th-Fox is concerned present

draft represents maximum conces-

sion they can make; (d) that he

 favors both conciliation and

arbitration, or a combination of both

if necessary to meet a special need,

and (e) that further reform ses-

sions will be held by distribs to work

out those points which thus far have

only been agreed upon in prin-

ciples,—this applying especially to set-

up for conciliation and arbitration.

(Buffalo) MPTO, State of New

York, Western zone, okayed trade

reform proposals with one minor ex-

ception, but (Denver) Theater Ow-

ners and Managers of the Rocky

Mountain Region, Inc., rejected re-

form plan, and will formulate sub-

stitute agreement. (Los Angeles)

ITO of So. Cal. found draft unac-

ceptable.* * *

LITIGATION: (Washington)

Berkeley W. Henderson, whom At-

orney General Cummings has just

designated new chief of the New

York City office of anti-trust divi-

sion of D of J, declared he expected

equity action against filmland to

come to trial next Spring.* *

PATH PLAN: (New York)

Failure to get 80 per cent of out-

standing Pathé Film Corp. stock to

vote for dissolution plan at Tues-

day's special stockholders' meeting

sent plan down to defeat, but O. H.

Hewitt Briggs, Pathé proxy, indi-

cated that under a new proposal,

liquidation of physical assets would

be advocated.* * *

FOREIGN

DISTRIBUTION: (Washington)

Dept. of Commerce disclosed that

nationalization of film distribution is

under consideration in Japan, through

the reported medium of a new

statute which would require every

distributing company in Japan to

have a majority of Japanese

capital. New law is reported in

drafting stage, and admittedly pack-

big worry for American companies.* *

EXHIBITION: (London) Hold

of Schlesinger interests on exhibition

field in South Africa has been

broken, according to statement by

Walter J. Hutchinson, director of

foreign distribution for 20th-Fox

who arrived in the British metrop-

olis following extensive tour of

South America and South Africa.

REVIEWS

"Sweethearts"

with Jeanette MacDonald, Nelson Eddy

M-G-M

GORGEOUS SPECTACULAR MUSICAL

COMEDY WITH SUPERSINGING BY

MACDONALD AND EDDY.

In this extravaganza of music and song

the Technicolor is breath-takingly beau-

tiful. It makes of Jeanette MacDonald a

vivacious, vivacious, vivacious, vivacious,

vivacious beauty, unmarred by any of

the Technicolor beauties of the screen. The

story is based on the operetta "Sweet-

hearts," but contains a little of the best of

opera and light operas, it seems. Above all, it

is alive and pulsing with the great music of Victor

Vorob'eff. All the selections are open

here. The music is a treat. The singing of

Jeanette MacDonald and Nelson Eddy has

probably never been equaled by a duo in

films. They have surpassed themselves.

The story is that of these two sweethearts

playing in a light opera of the same title

which has been running on Broadway for

six years. They are still madly in

love after being married those six years.

Their entire time is given to their art, night

and day. When not giving performances,

they are on call at benefits, private receptions

and night spots. They have no time to

be alone with each other. So they accept an

offer to go to Hollywood where they can

have time for each other's society. But to

save the Broadway show from closing

out, Mischa Auer, the playwright, concocts

a scheme to make MacDonald suspect that

Eddy has been carrying on a love affair

with his secretary. Happy, but not her best friend, she

refuses to go to Hollywood, quarrels violent-

ly with Eddy, and the delighted producer forms two road companies for "Sweet-

hearts" and sends the split team off to

other places. Then the two lonely hearts

mingle in lonely tank towns, learn of the

trick played on them, and rush into

each other's arms across the intervening

miles. And so back to New York and their

loved Broadway, to open in the show

again together for an indefinite run. There

is another smash fashion sequence that

will have the feminine gasping. But it is all

grand, class, tops, a knockout.

CAST: Jeanette MacDonald, Nelson Eddy,

Frank Morgan, Ray Bolger, Florence Rice,

Mischa Auer, Herman Bing, George Barbier,

Reginald Gardiner, Fay Holden, Allyn Jos-

ley, Olin Howland, Lucile Watson, Gene

Lockhart, Kathleen Lockhart, Berton Church-

ill, Terry Kilburn, Raymond Walburn,

Douglas McPhail, Betty Jaynes.

CREDITS: Director, W. S. Van Dyke II;

Producer, Hunt Stromberg; Screenplay,

Dorothy Parker, Alan Campbell; Book and

Lyrics, Fred De Gresac, Harry D. Smith,

Robert B. Smith; Music, Victor Herbert;

Cameramen, Oliver March, Allen Davy;

Editor, Robert J. Kern.

DIRECTION, Excellent. PHOTOGRAPHY,

Superb.
TRADE DRAFT FAILS
TO SATISFY ITOA

(Continued from Page 1)

following a meeting of the ITOA trade practice group.

No only did the ITOA fail to

approve the plan but it registered

protest against the inclusion of the

14th point of the draft which
deals with box-office statements and
the making of false reports on
receipts.

This inference, the latter stated,
"is a reflection upon the honesty of
every exhibitor in the land."
The letter, in part, read: "It is
the unanimous opinion of our com-
mittee that far from being a satis-
factory solution of the matters com-
plained of, the proposals fail to meet
even those minimum points on which
we appeared to be in agreement with
your committee at our joint confer-
ences."

Brandt pointed out that it was
the ITOA's desire to co-operate "...in
establishing proper relationships
between the various factors in the
industry, but the proposals sub-
mitted do not, in our opinion, ap-
proach the matter in a fair and
helpful manner."

Technicolor's Bookings
Gain Sharply for 1939

(Continued from Page 1)

England where he will, for the next
several weeks, devote his attention to
the British wing of the organiza-
tion, Technicolor, Ltd., whose board
chairman he also is.

During the week of Dec. 4-10 in-
clusive, Kalmus disclosed, the Hol-
dwood plant established a record of
actually making, selling and deliv-
ering 2,500,000 ft., which is the ex-
pected plant's tested new production
capacity.

U. S. Film "Take" in U. K.
$90,000,000 in Three Yrs.

(Continued from Page 1)
estimated at $30,000,000 annually by
Oliver Stanley, president of the
Board of Trade.

British confidence in the U. S. in-
dustry was taken into consideration
when the Anglo-American trade
 treaty was negotiated, according to
Stanley.

Zukor Planning Return
from Abroad in 4 Mos.

(Continued from Page 1)

for the United Kingdom, sailed
with Zukor.

Other passengers included Dr. and
Mrs. Herbert T. Kalmus, Selma
Sagall, of Scophony, Ray Milland,
and C. H. Browne, of Prudential
Assurance Co., chief banker of London
Banks, Herbert Wilcox and Anna
Neagle.

"SWEETHEARTS" TELEGRAM

METRO-GOLDWYN-MAYER

We previewed 'SWEETHEARTS' last night and this
caption is true to a tee. The Technicolor added so
much to the beauty of Jeanette MacDonald and
Nelson Eddy was at his best. It is a grand and glorious
picture and we have booked it in all our situations for
New Year's Day and expect to break all records. Regards.

FRANK L. NEWMAN
EVENGREEN AMUSEMENT CO., SEATTLE, WASH.

PIX SHOWN IN U. S.
AGAIN DECLINE IN '38

(Continued from Page 1)

1938 as against 59 a year ago. West
Coast office passed 476 this year, 555
in 1937.

Short production ran ahead in
1938, on the basis of the PCA fig-
ures, which show 761 cleared in the
first 11 months; total in 1937 was
697, and in 1936, 705.

Majors Standing Pat;
Quitting Italy Dec. 31

(Continued from Page 1)

garding modification of the ENIC
monopolistic decree.

The insistence upon ENIC's formu-
lation voids all existing contracts
between U. S. distributors, and their
Italian agents and outlets, the
American foreign managers hold,
and were commerce with Italy car-
ried on, it would block out any
transactions on a percentage basis
and exclusivity invoke flat sums as
compensation for product, plus other
undesirable and uneconomic con-
ditions.

At the session, two important
points were reaffirmed, namely, that
the U. S. companies are being forced
out of Italy by that country's stand,
and that the American organiza-
tions will continue to present a
united front to the Italian decree.

WB Stars In Chi. Benefit
West Coast Bureau THE FILM DAILY

Burbank—Warners is sending a
doubling of players to Chi-
cago to participate in Mayor Kelly's
annual Christmas show for 75,000
poor children on Dec. 21. Party in-
cludes George Brent, Jeffrey Lynn,
Rosemary Lane, Gale Page, Ann
Sheridan, Jane Wyman, John Payne
and Benita Granville. The players
will return to Hollywood on Dec. 24.
When you flash a Pre-vue trailer on your screen you are capturing the immediate attention of every eye in your theatre... telling your sales story to a hundred percent audience... and at the lowest cost per reader of any medium of advertising this business affords...

That's why more than 12,000 exhibitors use Pre-vues by...

...made for ace houses... priced for you!
Investment in Theater Construction Slumps Markedly

33 TECHNICOLORED FEATURES PLANNED FOR 1939-40

Japs Fear U. S. Pix May Cause Discontent in Nippon

U. S. Distribs, Told Masses Might Be Influenced by "American Way"

Washington, D.C. — Reportedly consideration by Japanese officials of the institution of a new regulation or set of regulations, aimed at the nationalization of U. S. film distribution in that country, has deeper motives than a mere question of economies, it is disclosed via information dispatched to the U. S. Department of Commerce.

NEB. GOVERNOR RULES FILMS "NECESSITIES"

Lincoln, Neb. — Nebraska's new governor, R. L. Cochran, unloads the heavy weight of tax doubt from the brow of showmen here where he asked films were no longer to be considered luxuries, or subject to luxury tax, that they were necessities.

"We recognize in our state institutions and government," he said, "the necessity of tobacco and motion pictures, having definite appropriation."

Quiz Winner Announcements Will Have Theater Tie-ins

Plans for the manner in which the winners in the Movie Quiz contest will be announced are being considered by the campaign committee. According to an announcement yesterday, it has been generally agreed

COURT ACTS TO SPEED CLOSE OF LOEW TRIAL

Nicholas M. Schenck continued his testimony under cross-examination yesterday in Supreme Court in connection with the Loew's stockholders' action. At one point, he broke in on plaintiff's counsel, Emile K. Ellis, declaring that "this is very distasteful to me. With all the money you accuse..."

Hutchinson Will Huddle With Execs, on Return

Arriving here Thursday on the Normandie after an extensive tour of South America and South Africa, with conferences also held in France and England, Walter J. Hutchinson, director of foreign distribution for 20th-Fox, will meet with a number...

Pay-As-You Leave

Philadelphia — Harry Fried, playing RKO's "A Man to Remember," at his Suburban theater, Antem, for days, starting tomorrow, will allow patrons to enter free and pay coming out. Fried expects to cash-in on the word-of-mouth.

$12,880,000 for House Construction,
$6,837,000 for Remodeling in 1938

Ascaps Classification for Availability Stays

After having held numerous meetings and given all phases of classification for availability most careful consideration, the Publishers Availability Committee of Ascaps has decided...
Published daily except Saturdays, Sundays and holidays at 1501 Broadway, New York, N. Y., by Wad's Films and Film, Inc., J. W. Allen, President; John H. M. Mersereau, Secretary-Treas.; Charles A. McKee, Treasurer; S. C. Ireland, Manager. Copies intended for mailing or sale 10 cents. Entered as second class matter, Sept. 8, 1938, at the post-office at New York, N. Y., under Act of Congress, 1879. Copyright, 1938, by Wad's Films and Film, Inc.

NEC Plans to Analyze Clayton Anti-Trust Act

Washington Bureau of THE FILM DAILY

Washington—Her hearings now resumed next month, the NEC will aim its monopoly inquiry at an analysis of the strong and weak points of the Clayton Anti-Trust Act, with the FTC expected to make a general presentation of evidence relating to monopolistic trade practices.

In addition, the Justice Department now is preparing memoranda on the use of patents as a restraining influence on trade in other industries.

Meanwhile, there were indications that the disclosures incident to the additional antitrust investigation were strengthening the move for enactment of a rigid Federal incorporation licensing law at the coming session of Congress. Re-introduction of the Borah-O'Mahoney measure is certain, it was understood.

Marcus Loew's Theaters To Pay Dividend Arrears

Montreal—F. M. Kimbark, director of Marcus Loew's Theaters, Ltd., told shareholders at the annual meeting today that the policy of the company would be to eliminate dividend arrears on the preferred stock amounting to $38.50 a share, which were three years if business continued good.

Subject to business conditions, regular quarterly payment of $1.75 per share would be made next March, plus $9.25 a share on arrears. In each quarter succeeding regular dividend plus one quarter of the dividend arrears will be paid, eliminating arrears by the end of 1941.

Directors were re-elected and reports adopted.

Acop Theaters of Ohio To Open Office in Cincy

Cleveland—Co-operative Theaters of Ohio, organized and operated by Milton Mooney, which, to date, has serviced theaters only in Northern Ohio, will open offices in Cincinnati soon after the first of the year, to service exhibitors in the Southern Ohio territory.

Through Co-operative Theaters, Louis Klar of Progressive Premium Company, is selling china, silver and equipment for theater building.

702 to Meet with De Luxe, Consolidated on Contracts

With contracts agreed upon in principle with Paramount News and HER Laboratory, Local 702, lab technicians union, will start negotiations after the first of the year with De Luxe and Consolidated Laboratories, meeting with both labs, at the same time, it was learned yesterday.

Paramount News contract will probably be signed at the end of the first year, and HER pact is due to be inked this week.

Roper Cites Aid to Pix in Foreign Censorship

Washington Bureau of THE FILM DAILY

Washington—Retiring Secretary of Commerce Daniel G. Roper made his final annual report today listing among other achievements of the Department's aid to the motion picture industry.

The Commerce report declared that through The Bureau of Foreign and Domestic Commerce "an appreciation of $50,000 in profits to members of the motion picture industry has been shown in the attitude of foreign censors toward specific feature pictures," was realized.

The censoring problem was handled through The Motion Picture Division of which Nathan D. Golden is Chief, which is within the Bureau of Foreign and Domestic Commerce.

Republic Sets Franchise Deal for Cuban Distrib.

Republic's home office announced yesterday, in the wake of the recent return of Morris Goodman, vice-president in charge of foreign sales, that a new franchise deal has been concluded between the company and Tropical Films de Cuba, of Havana, which deals covering the entire island.

Arrangement superseded that formerly extant between Republic and Republic Films de Cuba. After a grace period, during which the supplanted franchise is given the opportunity to liquidate assets in connection with the prior operations with Republic, the new franchisee, Tropical Films de Cuba, will be entitled to assume the name Republic Films de Cuba, it is asserted.

UA Western Division Closes Two Mid-West Pix Deals

L. J. Schlafier, Western sales manager for United Artists, announced yesterday the completion of deals with Publix-Minneapolis for films and sound equipment in the Twin Cities and the outlying situations, and for first- and subsequent-runs in Detroit. Both deals cover the entire UA line-up for 1938-1939. John J. Priedl represented Publix-Minneapolis in closing the deal, and George Kenner acted for the Detroit theater district.

SIDNEY R. KENT, 20th-Fox proxy, arrived in Los Angeles yesterday morning where he attended sales meeting of company district managers. MRS. KENT accompanied him.

CHARLES E. McCARTHY, director of advertising and publicity for 20th-Fox, returned to the home office yesterday from the Coast.

JAMES P. O'LOGHLIN, Canadian district agent for 20th-Fox, arrived in New York yester-

day from Hollywood and left last night for Toronto.

CHARLES SKOURAS, Fox West Coast exec, arrives here shortly on route to Greece.

WALTER McCULLY, distribution manager, arrived in New York yesterday.

GARY ZERNICK, sales manager for Warners in Washington, D. C., arrived late yesterday.

H. L. BOOTH, former GM in Cincinnati, and MRS. BOOTH, are in New York for the holidays.

J. M. ALLEN, M.G.M salesmen in Cincinnati, is in Hollywood, Cal., to attend the golden wedding anniversary of his parents.

WILLIAM ONEY, Monogram exec, in Cincinnati, is in New York for conferences with home office execs.

Film Theater Interests

Support Keegan's Bill

Keegan Bill, which would permit illuminated signs on theater marquees larger than the two-foot limit prescribed in the new building code, received hearing yesterday before Mayor La Guardia at City Hall. Realty interests argued that the signs would turn the entire city into "a Coney Island and Times Square," while film theater interests told the truth, that such signs would help business.

N. Y. Stage Hands' Local Ratifies Circuit Contract

Ratification of terms of a new contract with major circuits in New York was given by Locals 1, stagehands, over the week-end, with contract due to be signed in the near future, it was learned yesterday. Negotiations have been under way over a period of months.
1939 brings the picture that took all of 1938 to make!
starring

CARY GRANT • VICTOR MC LAGLEN and DOUGLAS FAIRBANKS, JR.

SAM JAFFE • EDUARDO CIANNELLI • JOAN FONTAINE
PANDRO S. BERMAN IN CHARGE OF PRODUCTION PRODUCED AND DIRECTED BY GEORGE STEVENS
From a Story by BEN HECHT and CHARLES MACARTHUR
Inspired by RUDYARD KIPLING'S Poem
1,200 Photostatic Copies
Furnished in B-K Suit

Chicago—B & K attorneys report more than 1,200 photostatic copies of film and clearance contracts thus far have been sent to attorneys for the independent exhibitors, in compliance with the order issued by Federal Judge James H. Wilkerson. Photostatic work is expected to be completed this week.

Sign Two-Year Contract

Philadelphia—New contract has been signed by Warner Theaters here and the stagehands local to run two years.

BONUS TIME

A Christmas bonus of one week's salary will be presented to employees by United Artists, it was learned yesterday.

Warners, it was indicated at the home office yesterday, will execute a bonus plan in its distribution departments based on collections made on billing accounts. In furtherance of that an employee bonus arrangement is imminent in connection with the stalls of Warner theaters. Bonuses are understood to be forthcoming during the Christmas season.

Employees of the March of Time yesterday received a Christmas bonus of one week's salary.

West Coast Bureau of THE FILM DAILY

Hollywood—Cinemas employees will split a $2,000 bonus on Christmas Eve. Amount received by each individual is based on number of years of employment with Warners and amounts of weekly stipend. Executives will not share in payoffs.

Along the Realto

WITH PHIL M. DAILY

• • • THAT LUNCHEON to aid the Jewish Federation at the Astor . . . . given by Eddie Cantor to Ben Bernie . . . . drew a capacity crowd in the grand ballroom yesterday . . . . the speakers were Will Hays, Eddie Cantor and Ben Bernie . . . . on the days in addition to these, were Murray Silverstone, Frank Gillmore, Fred Stone, John Golden, Phil Baker, Paul Moss, Jack Cohn . . . . Max Gordon, Paul Felix Warburg, Raymond Massey, Eddie Dowling, Harry Brandt . . . . the amusement field has a quota of $250,000 to meet . . . . and half this amount was subscribed at the luncheon . . . . Center came in for praise himself from Hays . . . . who described him and Bernie as "great humanitarians" . . . . Paraphrasing the letters CCC to read, "Cantor, comedy and charity." the MPPDA proxy dwelt on Cantor's and Bernie's philanthropic activities . . . . and urged show business to get behind the merged Federation drive . . . . "which represents the finest type of human service in the Greater New York area." • • • THE PRINCIPAL contributions announced by Eddie Cantor were . . . . William S. Paley, of CBS, $15,000 . . . . National Screen Service, $9,500 . . . . David Bernstein, $7,500 . . . . Major Albert Warner, $7,000 . . . . RKO Radio, $5,000 . . . . Al Jolson, $5,000 . . . . Eddie Cantor, $3,250 . . . . Irving Berlin, $3,000 . . . . Jack Cohn, $2,500 . . . . Walter Reade, $2,250 . . . . Ben Bernie, $2,000 . . . . Milton Weisman, $2,000 . . . . Harry and Bill Brandt, $2,000 . . . . Frisch & Rizzi, $2,000 . . . . Jules Brulatour, $1,500 . . . . and the following donated $1,000 each . . . . Louis Bernstein, Jack Robbins, Leo Feist, Richard Rogers, Sam Morris, Sam and Arthur Lyons, Syros Skouras, Barney Balaban, Charles Moskowitz, Ed Levine, Phil Baker, John Golden . . . . these are only the main contributions received before or during the luncheon . . . . a sworn of pledges under $1,000 each brought the total to $125,000 . . . . so it looks as if the quota will be met . . . . this is only a starter . . . . • • • A SERIES of textbooks for school use covering Warner historical short subjects, will be published by Prentice-Hall . . . . six will be used for each book, including such subjects as "Declaration of Independence." "Lincoln in the White House." "Give Me Liberty." • • • THE HONOR of being selected as one of 32 Rhodes scholars out of 360 candidates goes to John C. Jay, Jr. of March of Time . . . . the term begins in October 1939 at Oxford University . . . . the home office of Ross Federal Service gave the banquet the other night for district manager Americo Di Tullio, in honor of his marriage to Viola Thompson of San Francisco . . . . Gala pre-release showing of National Picure's "40 Little Mothers" ("Le Miciole") at the 55th Street Playhouse on Thursday eve for the benefit of the Child's Adoption Society . . . . • • • ADDING attraction . . . . for the Music Hall Xmas stage show, starting Thursday . . . . will be the Vienna Boys Choir . . . . they will appear in Leonardt's Yuletide pageant, "Peace On Earth" . . . . and will sing a number of old Christmas carols . . . . the spectacular Holiday pantomime, "The Twelve Dancing Princesses," produced by Florence Rogge in five scenes, will also be a feature of the show, employing the services of the Rockettes, Corps de Ballet and Choral Ensemble . . . . • • • PILING up the playdates . . . . "Life Dances On" (Carnet de Bal) . . . . being released through the Famous Foreign Features dept of Columbia . . . . the acclaim of the New York critics is putting this over for first-run bookings in the key spots.
News Flashes Off Coast Wires
West Coast Bureau of THE FILM DAILY

Hollywood—Wanners will start five big pic in the next eight weeks; set are: “Con-
fessions of a Next Spy,” “Each Dawn a New Day,” “Bar of City Hall” and “Beethoven.” . .
Richard Greener, Nancy Kelly and Walter Brennan go into 20th-21st’s new mystery who will be opp.ed
Russell in Metro’s “Fast and Loose.” . . Metro has handed a new pact to Robert
Sinclair . . . Grand National has signed Billy V. Wells to a 1 year pact . . . Virginia
Kee has been signed by Columbia for “The Angel Urn.” . . Wanners have signed Fay
Painter and Jeffrey Lyne to new contracts.—WILK.

Hutchinson Will Huddle With Execs. on Return
(Continued from Page 1)

F. L. Harley, managing director for 20th-Fox in the United King-
der of foreign executives from different
don, is reported to have arrived in
over the end of the year, is expected to
head for the company, and Ben
continental European man-
marauding. Continental European
Hutchinson, assistant manager for
of Brazil, Edward Cohen, branch
manger in Ecuador, and several
other foreign execs, are also sched-
period, will arrive here within
assemblies, will be held by Hutchinson with visit-
arriving near the end of Dec.
Famous Players Canadian
Expects Higher ’38 Net
(Continued from Page 1)

Montreal — While the year has
been an unusually “spotty”
gross theater attendance as reflected
in gross revenue of Famous Players.
Canadian Corp., Ltd., will end the
year with a slight margin over last
year, it is gathered from official
sources. With no major changes in
costs or security obligations, it is
expected that the company will
paid in Dec. 31 will be
slightly higher than the $861,614
all charges, or $2.10 per share
shown in the balance sheet
and of the corresponding 1937
quarter. Second quarter of 1938
were lower; the third quarter
over with almost as
year, and so far in the fourth quar-
time, gains have been made over
the quarter of 1897.

No major changes are expected
in the number of theaters leased,
collected, or owned, or in the num-
ber of theaters in which Famous
Players has a 50 per cent or less in-
side. While several others have
been closed, others have been
opened, with result that there
is expected to be no net change
of importance.

National Tie-Ins, Inc. Moves
(Continued from Page 1)

National Tie-Ins, Inc., of Chicago
will be moving its headquarters
from one of Madison Ave. to
larger quarters in the Graybar
Building, 420 Lexington Ave. Don
Mitchell, formerly general sales
manager of the manufacturing divi-
sion of Marshall Field & Co., is vice-

JAPAN FEARS EFFECT OF OUR PIX ON PEOPLE
(Continued from Page 1)

Commerce by the American Consul-
at Tokyo. According to the Department of Commerce, during the negotiations of May and June of this year, off-
certainty and the fear that the Japanese capital were quite willi-
ner to let American motion pictures come in under conditions which would per-
ject of the Japanese Government maintaining its foreign exchange pol-
but stated that they were op-
posed by the military faction
which has magnified the importance of the ob-
jections of the “patriotic” wing
and of European importers.
With the assurance of a favorable trade agreement, the U. S. distib-
s will come into close contact with the police officials who represented censorship and the mili-
ery, and went to great lengths to
foreign, and especially American
Motion pictures were opposed because of the danger that they would create dis-
content among the masses “by the
er of the high standards of living;
men and women and emancipation of the latter; criticism
and free thinking in regard to all
jects; and general freedom from
restraints of the American populous which are depicted in the films.”

The American negotiators, the De-
partment of Commerce further re-
anted, led to form the opinion
that the military party fear, not
the liberal ideas induced by the sub-
ject matter of many foreign films,
but the influence of the manners and
dress of foreign movie stars, “es-
pecially the glamorous Hollywood
varieties who at times acquire such
uniform popularity and inspire such
world-wide imitation.”

In these interludes the Japanese officials of the American Motion Picture
Association, the former were permitted
to see a certain number of films which are not under censorship the exclusion of
American films, namely, that almost
every film must have a villain, and
the American producers find it diffi-
cult to discover a suitable
ity for such villains.

Subsequent to the May and June
ations, a U. S.-Japanese film
committee of a so-called “temporary”
agreement was arrived at, but
so that the official which became
vast number of American films
which were not included in the
in Tokyo had brought in per annum
previously.

STORKS!

Hollis Kennihan, FILM DAILY
staff writer, became a father Satur-
day when a g. H. Kennihan III,
born to the couple. The infant
former Elaine St. John, daughter of
Adela Rogers St. Johns, at the Ly-
ing In Hospital. Mother, son and
father are all doing nicely.
Roy Pauls Is Dead

Wilwaukee, Wis.—Roy Pauls, 45, of this city, for five years a projectionist at the Brin Theater in Menasha, died in a local hospital. He is survived by his wife, a daughter and four sisters.

Barney Balaban Returns

Chicago.—Barney Balaban returned to New York last night after attending the funeral of his aunt, Mrs. Molly Blumenfeld, who was attacked by a man in the bank on 7th street.

Burial was in Woodlawn Cemetery. John Balaban returned home from Hot Springs for the funeral.

Metro's Shorts Lineup to be Ready by May 15

West Coast Bureau of THE FILM DAILY

Hollywood—More than half of Metro's short subject program for the 1938-39 season has been completed and the entire lineup will be available for release by May 15, according to John T. Toler, vice-president in charge of short subject production. The unit is running 3½ months ahead of schedule, it was said.


REVIEWS OF THE NEW FILMS

"Kentucky" with Loretta Young, Richard Greene, Walter Brennan

20th-Fox

(HOLLYWOOD PREVIEW)

SHOULD PLAY TO VERY HEAVY RETURNS; HAS ALL THE ELEMENTS MAKING FOR POPULAR ENTERTAINMENT.

This story of Kentucky romance and racing has been well directed, produced and acted. It is due to have heavy returns, being properly exposed. It has all the ingredients that make for popular entertainment and has been directed and performed by David Butler, who did his task with warm, sympathetic understanding. It has been photographed in Technicolor, which enhances its value greatly. To Gene Markey goes credit as associate producer. Easily one of the finest character performances seen in the pictures in recent memory is that of J. Carleton Schenk, an old Kentucky-head, who has done credit to his breed and to the screen. Loretta Young does good work as the girl in the race; Richard Greene is equally good as the young Kentuckian, whose family has been on unfriendly terms with the Brennan clan since 1961. Morton Olsen, Douglas Dumbrille, Karen Morley, George Reed, Charles Wal- dron, Willard Robertson, Russell Hicks and Bob Watson are among the principals who do excellent work. Lamar Trotti and Tairton Footo fashioned a warm, human screenplay based on a story by Footo. Ray Rennahan and Ernest Palmer share honors for the camera work. Greene falls in love with Loretta, but due to the old feud between their respective families, marriage is impossible. He quarrels with his father, Morton Olsen, a banker, who refuses a loan to Charles Waldron, Loretta's father. He marries Loretta and his horse and all is forgiven when it wins the Kentucky derby. Brennan dies happy at the end of the race and the ancient feud is buried with Brennan as Olsen exerts his old enmity.


Associate Producer, Gene Markey; Direc- tor, David Butler; From the story "The Look of Eagles" by John Tairton Footo.

SCREENPLAY,by Tairton Footo and David Butler.

"Gambling Ship" with Robert Wilcox, Helen Mack, Ed Brophy

Universal

(HOLLYWOOD PREVIEW)

EFFECTIVE BLENDING OF ACTION AND COMEDY SHOULD PLEASE AUDIENCE.

This Universal offering holds interest from the start and has been ably directed by Aubrey Scotto, who has blended the action and comedy effectively. Alex Gottlieb pro- vided an excellent screenplay, with the dialogue being especially good. C. Carleton Brown and Emanuel Manheim furnished a gripping original story. One of the high- lights is the trudging of Ed Brophy, who as a stockholder in the gambling ship, is also part of the comedy. Robert Wilcox, Helen Mack and Irving Pichel do splendid work. Pichel, who operates a crooked gambling place, has Sel- laic Jack Grunewald, because he won his "gambling ship" on the street. Jackson has refused to sell out to Pichel. Following her father's murder, Helen Mack takes over the business, determined to solve the riddle. Robert Wilcox wins the confidence of Pichel and Helen, and in the end is revealed as being in the employ of the state police. He un- covered the evidence that pins the murder on Pichel.


CREDITS: Producer, Irving Star; Director, Aubrey Scotto; Based on an original story by Carleton Brown and Emanuel Manheim; Screenplay, Alex Gott- lieb; Camera, George Meehan; Art Director, Jack Ottsen; Associate, Ralph Carlin; Editor, Ed Carlin; Musical Direc- tor, Charles Prenin; Sound, Bernard B. Brown.

DIRECTION, Abel. PHOTOGRAPHY, Good.

"Charlie Chan in Honolulu" with Sidney Toler, Phyllis Brooks, Sen Wang

20th Century-Fox

(HOLLYWOOD PREVIEW)

SWELL ENTERTAINMENT WITH LER AN EXCELLENT CHOICE FOR TITLE ROLE.

With Sidney Toler playing the Charlie Chan role, a worthy and splendid successor to Warner Oland has been discovered. Toler handles the assignment so well that it is certain to make viewers forget the picture unrvalls one forgets that he is seeing a different player in the part. Toler makes a smooth, clever, and a most enjoyable character and now the series can continue with the Chan followers should certainly like Toler as Charlie. And for Toler's initiation into the series, the Chan story was con- cted. It moves fast, the suspense of the story is every present, and the picture quality furnishes a lot of laughs—Charles Belden contributed the material on his original screenplay based on Earl Derr Biggers character. H. Bruce Humberstone did a fine piece of directing for not only did he have a new Chan to work with but also a new Sen Wang, who registers with a good perform- ance. Humberstone's work stresses a rapid moving pace and laughs, and with an excellent substitute for the series—naming with lions there are plenty of guffaws. Others in the cast who do very well are Phyllis Brooks, John King, Claire Dodd, Robert Barrat, Layne Tom, Jr., Marc Lawrence, Richard Lane and Philip Ahn. John Stone handled this worthy mem- ber of the Charlie Chan series. While Charlie is at the hospital anxiously awaiting the arrival of his first grandson, his house- hold is notified of a murder on board a ship in the Honolulu Harbor. Charlie eldest son Sen Wang, believing himself to be a great detective, too, goes on the case. He nearly falls through the ocean when his father fortunately steps in to take care of the numerous threads by which he finds the murderer and the motive.


CREDITS: Associate Producer, John Stone; Director, H. Bruce Humberstone; Based on the character "Charlie Chan" created by Earl Derr Biggers; Author, Charles Belden; Screenplay, same; Camera, Charles Clarke, AS; Art Directors, Richard Day, Haldane Douglas; Editor, Dick De Maggio; Sound, Joseph E. Allen and William H. Anderson; Musical Director, Samuel Kaylin.

DIRECTION, Fine. PHOTOGRAPHY, Good.
Wave of Re-makes Sweeping Over Hollywood's Studios

GRAND NATIONAL AND FINE ARTS SIGN NEW PACT

Ind. Exhibs. Plan Legislative War on Fly-by-Nights

Measure Now Being Drafted
Also Aimed at Medicine Shows

Indianapolis—Legislation designed to curb non-theatrical competition from medicine shows and fly-by-night tent shows will be sought by the Associated Theater Owners of Indiana at the January session of the State General Assembly.

Measure is now being drafted for
(Continued on Page 6)

SCHAEFER ELECTED
TO MPPDA'S BOARD

George J. Schaefer, president of the MPPDA board yesterday at a meeting of the directors, Schaefer replaced Leo Spitz on the directors.

The Italian film monopoly decree was discussed from all angles, with company representatives indicating that they would abide by their origi (Continued on Page 4)

Friedman, Rubin, Keating Testify in Loew Action

Continuation of Loew's minority stockholders' suit yesterday brought about Friedman, J. Robert Rubin and William L. Keating to the stand. Friedman testified that percentage paid to Arthur Loew was figured after certain deductions had been made to cover percentage payments
(Continued on Page 5)

Erpi to Handle Complete Booth Equipment Abroad

Negotiations are going forward between Erpi and leading American manufacturers for the distribution, by Erpi's foreign distributing companies, of complete booth equipment in approximately 50 foreign
(Continued on Page 5)

History Makers of 1938

Film Daily's Gallery of Those Who Marched in the Headline Parade

- WILL H. HAYS
- SIDNEY R. KENT

(AS head of film industry in 1938)
(Continued on Page 5)

30 Re-makes Either Already Released
Or in Preparation on the West Coast

Qualified to Discuss Pix,
Jimmy Fidler Tells Critics

Dallas—Jimmy Fidler, radio commentator on pix, and film columnist, who repeatedly has been under fire by the ITOA in New York, inter- (Continued on Page 5)

The critics of the nation are now voting for the Ten Best pictures of the year in the FILM DAILY ANNUAL POLL—Adv.

By RALPH WILK
West Coast Bureau of THE FILM DAILY

Hollywood—Wave of re-makes again is sweeping over the major and indie studios. Checkup by THE FILM DAILY shows a total of 30 pix either already made this year or in preparation:

(Continued on Page 5)

WARNERS, STANLEY
RE-ELECT OFFICERS

Harvey M. Warner was re-elected president of Warners at a directors meeting held yesterday. Others re-named by the board were:

Vice-presidents, Maj. Albert Warner, Jack L. Warner, Sam E. Morris, Herman Starr, Stanley Friedan, Friedman and Joseph H. Hazen; treasurer, Major Warner; assistant
(Continued on Page 5)

Universal Takes "Mikado"
for Americas and Far East

Straight distribution deal whereby Universal handles the "Mikado" in North and South America and the Far East has been closed by "IT" with Joseph Somlo, General Film Distributors' exec, it was learned yesterday. Somlo arrived
(Continued on Page 5)

Indies Invited to Discuss
Trade Draft at ITOA Meet

All indie exhibitors who are interested in discussing the trade practice draft have been invited to attend a meeting of the ITOA at the
Chaplin to Start "Dictator" After Jan. 1
West Coast Bureau of THE FILM DAILY

Hollywood—Charlie Chaplin will start work on his first all-talking, "The Dictator" ( tentative title) in January. Wally Roche, his general studio manager, Pix, it is understood, will aim shafts at totalitarianism with Chaplin in a dual role. Chaplin studio is installing additional sound equipment, enlarging stages and adding personnel.

Liberty Magazine Film to Start on Coast Jan. 9

"I'll Tell the World," commercial pix which Liberty Magazine (Macfadden) will present at the New York World's Fair, will go into production on the Coast Jan. 9, it was said yesterday by Herbert Crooker who will be supervising producer. Lynn Shores will direct.

Already signed for the cast are Eddy Prouty, Mauch Twins, Frank Albertson, Betty Ross Clark and Marilyn Knowland. Ingenue lead may be signed in New York. Crooker stated, several other roles are yet to be filled.

Script for the film, length of which is undetermined, is the work of Crooker, who was following his resignation as Warner publicity manager here. Story has a "it-pays-to-advertise" flavor. Production headquarters for the Coast will be at the Talisman studios.

Battle Over School Films
Shaping Up in Dominion

Montreal — Lively battle over school films is shaping up in Quebec as a result of a provincial move to levy an amusement tax on Protestant schools which occasionally rent cartoon comedies to augment educational programs. Because pupils pay five cents for such shows, the province is seeking to collect $6 per performance and additionally is insisting that the school operator be licensed as a projectionist.

Exhibitors for some time have been concerned over competition from non-theater sources.

Schine Adds Two in Ky.;
Talks Deals for Two More

Cincinnati — Schine Circuit has taken over the Margie Grand at Harlan and the Liberty, Pikeville, Ky., formerly owned by Grover C. Scott. The Brownie and the Broadway, both of which are warming at Middleboro are in negotiations and may be assumed by Schine interests Jan. 20, according to report. Charles C. Brown is the owner.

RKO to Resume Stage
Bills at Boston Theater

Boston—The RKO Boston Theater will resume stage shows on a weekend basis starting Christmas Day. The program will be a full vaudeville show and subsequently stage shows will run every Friday, Saturday and Sunday, addition to feature film bill, according to Manager Benjamin Domingo. Boston has been without stage shows for the past year.

Detroit Booking Agencies
Face Flood of Changes

Detroit — A large number of changes are being made and are to be made about Jan. 1, among Detroit booking agencies who will be supervising booking agencies, Lynn Shores will direct.

Already signed for the cast are Eddy Prouty, Mauch Twins, Frank Albertson, Betty Ross Clark and Marilyn Knowland. Ingenue lead may be signed in New York. Crooker stated, several other roles are yet to be filled.

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BREATH-TAKING ANSWER TO THE INDUSTRY-WIDE DEMAND FOR A SUCCESSOR TO LAST YEAR'S GRAND SHORTS AWARD WINNER, 'SKI FLIGHT' IMMEDIATELY AVAILABLE At The Warner Exchange
Will Hays, MPPDA president, reported to the board that the selection of material for a feature-length picture on American history to be exhibited at both the San Francisco and New York World Fairs had been started. He explained that more than 2,000,000 feet of film had been screened and that the final picture would be assembled in 15 main episodes. So much material is available in films already made that it will not be necessary to produce many new sequences, Hays said.

Yesterday’s meeting was adjourned to Jan. 4. Attending were Barney Balaban, Nate Blumberg, Jack Cohn, E. W. Hammons, E. B. Hatrick, Sidney R. Kent, Maurice Silverstone, George J. Schaefer, Major Frederick L. Herron and Hays.

Tibbett with Lombard on New Sunday Air Show

West Coast Bureau of THE FILM DAILY

Hollywood — Lawrence Tibbett will appear with Carole Lombard, Cary Grant and the Marx Brothers on the new Kellogg Sunday show. Tibbett thus goes on the radio as Nelson Eddy leaves for concert work.

Extend Nathanson Option

Montreal—Famous Players Canadian Corp., Ltd., advises the Montreal Stock Exchange that the option held by N. L. Nathanson expires on Jan. 15, 1938. In respect to 11,000 shares of its capital stock has been extended to Jan. 15, 1939, and that the option price has been reduced to $13.65 per share.

Holding Disney Short

“Mother Goose in Hollywood,” Disney short on the Music Hall program, is being held over although the feature changes tomorrow. It is said to be the first time that a short subject has been held over without the feature attraction.

To Re-issue “The Healer”

“The Healer,” 1925 Monogram production with Mickey Rooney, Ralph Bellamy, Ronald Keaton and Doris Monley, will be re-issued around March 15 by the company.

West Coast Bureau of THE FILM DAILY

Hollywood — Marc Lachman, national manager of the Manhattan for 20th-Fox, is the father of a son, born to Mrs. Lachman at the Hollywood Hospital.

WARNERS, STANLEY

RE-ELECT OFFICER

(Continued from Page 1)

treasurers, Samuel Carlisle; Stewart McDonald, Cyril H. Wilde, secretary and general counsel; Robert W. Perkins; assistant secretaries, Harold S. Bareford, Edward Hessman, E. W. Blumberg, H. W. Preston; comptroller, Mr. Cohn; auditor, Thomas J. Martin.

Directorate of Stanley Companions of America, Warner subsidiary, at a re-designated officers at a meeting yesterday. They are: President, Harry M. Warner; vice presidents, Major Albert Warner, S. P. Friedman, Joseph Bernhard; Sam E. Morrise, Herman Stans; A. P. Eagles, R. L. Lyons; comptroller, Mr. Blumberg; assistant secretaries, H. E. Hessman, J. M. Baling, secretary; treasurer, Samu Carlisle; assistant treasurer, J. E. H. Cohn; W. S. McDonald; comptroller, Mr. Cohn; auditor, T. Martin.

Indies Invited to Discuss Trade Draft at ITOA Mee

(Continued from Page 1)

Hotel Astor today. While the organization has gone on record as being opposed to the proposals in their present form, it is understood that the various issues will be open for comment.

Columbia Will Make Film Based on Coster Scanda

“The Great Coster Swindle,” will be the title of Columbia’s picture based on the amazing fraud story which is now filling the front pages of newspapers all over the country. Coster, assistant treasurer, J. E. H. Cohn, will be on the scene, which is rapidly nearing completion.

WEDDING BELLS

Chicago—Fritz Blocki, director of publicity for Jones, Limnick and Schaefer, was married to Fer Head, Chicago radio actress, in Louisville, KY, last week. The couple are on a Southern honeymoon.

Chicago—Louise Campbell will be married next week to Horace MacMahon. Miss Campbell is here for the holidays, visiting her parents, Mr. and Mrs. Joseph Weinberg.

Norfolk, Va., Floyd J. Mercer assistant manager, Wells, will marry Miss Ellen Marie Pinner next month.

Indianapolis—Orville Crouch, assistant manager, Loew’s Theater and Susie Nicholson, were married Dec. 15. They will leave for Bermuda shortly after the new year of their honeymoon.
WAVE OF RE-MAKES SWEEPING STUDIOS

(Continued from Page 1)


20th CENTURY-FOX—"Hound of the Baskervilles," "The Three Musketeers." At various times, it has been reported that "Little Old New York," "Monseigneur Beauregard," "So This is London," "The Gorilla's" would be re-made.

RKO RADIO—"The Dove," "Man to Remember," "Little Mother." While it has been reported that the company also plans to re-make "Animal Kingdom," it is not on the schedule at present.

METRO — "The Chaser" (The Nuisance), "Rich Man, Poor Girl" (White Collars), "The Wizard of Oz," "Huckleberry Finn." The studio says there are no present plans to re-make "Excess Baggage," "Seminoucouche" and "Rio Rita," although all three have been mentioned.

UNIVERSAL—"Drury Rides Again," "Phantom of the Opera." A remake of "The Raven" has been reported a possibility.

SEIZNICK—"Intermezzo," "Adventures of Tom Sawyer." WANGER—"Algiers" (Pepe Le Moke).

GOLDWYN—"Raffles." In the indie field, D. A. Doran and Tim. had its last "Raffles." The studio says there are no present plans to re-make "Excess Baggage," "Santaouche" and "Rio Rita," although all three have been mentioned.

"Dictator Nations'"—Wanger

"Quit 'Dictator Nations'"—Wanger

West Coast Branch of THE FILM DAILY

Hollywood—Walter Wanger in a statement issued yesterday called for the complete withdrawal of U. S. pix from circulation in "dictator nations" rather than submission by the American industry to their censorship of the industry's democratic ideals.

Wanger said:

"Dictator nations showed their hand this year. Democracies will not cater to them. Neither will the influential and important motion picture industry. The industry must continue its political non-interference policy and help protect the right to liberty for which our forefathers sacrificed so much; the liberty we have all taken too lightly."

Qualified to Discuss Pix, Jimmy Fidler Tells Critics

(Continued from Page 1)

Fidler replies directly to John Rosenfield, film critic of the Dallas Morning News, in a letter to the latter published in the News.

Fidler, who says, "I am simply trying to straighten myself out with you, one newspaperman to another," defends his right to express "my whims and prejudices with self assurance," and says:

"I do not intrude my opinions on subjects of which I know nothing; but do not forget: I have had 20 hard years of Hollywood. Being a reporter, I naturally observe, learn and retain. I have vast knowledge of this business. I can operate a camera as well as the average cameraman. I have been an associate producer, so I know that end. I was a press agent and an assistant director and an actor. In addition, I suppose I know every important man, woman and child in the business. Why, then, am I not qualified to stand out and comment on the industry, when that is my job?"

Rosenfield claims the last word with "Pardon us if we never had any idea that Fidler was such a mellow, charming and magnanimous soul."

Friedman, Rubin, Keating Testify in Loew Action

(Continued from Page 1)

to Louis B. Mayer, J. Robert Rubin, Nicholas M. Schenck, David Stein and Irving Thalberg.

According to Friedman's testimony, a percentage guarantee of $125,000 had been made to Mayer, Thalberg and Rubin, regardless of whether or not company earnings warranted the payments. He said earnings fell below percentage basis only one year since arrangement was put in effect.

Keating, an accountant, said that $4,566,449 had been written off against continuities since 1930. He said various expenses must be charged to production. Trial may wind up tonight, and if will not finish tomorrow morning.

Declare MTC Dividend

Montreal—Mansfield Theater Co., Ltd., which owns the building in which Loew's Theater is housed, has announced that the directors at a meeting yesterday, declared a dividend of $1.75 on a share on the outstanding 7 per cent cumulative preferred stock ($100 par value) on account of arrears. The dividend, payable out of surplus, will be paid Dec. 30 to shareholders of record Dec. 23.

GN AND FINE ARTS

SIGN NEW AGREEMENT

(Continued from Page 1)

take over its obligations under its contract with Grand National.

Under the new contract, Fine Arts will produce all the pictures under its original contract and, in addition, has increased its picture commitments by six additional features of major importance.

The joint statement pointed out that the two companies previously had agreed on a separation, but that "mutual friends, including Lloyd Wright, one of the trustees for the old Grand National Films, feeling that existing differences could be adjusted on a mutually satisfactory basis, were instrumental in beginning new series of discussions."

The statement added that "in order to make up for its several weeks of suspension of production activities, Fine Arts will immediately put three units to work."

Erpi to Handle Complete Booth Equipment Abroad

(Continued from Page 1)

territories, according to an announcement by E. S. Gregg, general foreign manager of Electrical Research Products, Inc.

"Because of a pronounced tendency on the part of exhibitors in foreign countries to prefer contracting business with some one establishment when purchasing booth equipment, Erpi will begin distributing a complete line of projectors, lamps, screens, converters and similar products of American manufacture, Jan. 1," Gregg explained. "Although in the past, our foreign organizations have confined their activity to the handling of Western Electric sound equipment, expedience caused us not infrequently to handle other kinds of booth equipment."

"SWEETHEARTS" For New Years

(Continued from Page 1)

It's the Jeanette MacDonald-Nelson Eddy Technicolor Sensation from M-G-M.

Radio Plug Record?

West Coast Branch, THE FILM DAILY

Metro Loyalty
Detroit—So loyal to M-G-M is Warren A. Sho, handling publicity in this territory, that he's asked the Secretary of State to issue him new auto license plates, "4 M-G-M," meaning, of course, "For M-G-M."

National Screen Signs
Pacts With Coast Unions

(Continued from Page 1)

introduction, it is understood, and exhibitors are confident that it will be passed. Paying some 14 different taxes, the exhibitors feel that they should have statutory protection against what they regard as unfair competition.

Universal Takes "Mikado"
for Americas and Far East

(Continued from Page 1)

here several weeks ago from England, but it appears that neither Gilbert and Sullivan opera is filmed despite the cooperation that "The Mikado" receives. The film will be handled in Europe by GFD.

YOU'VE NEVER WATCHED THE PIERCE CHRONOGRAPH LIKE THIS

ONE LEVER CONTROLS EVERYTHING!

1. A TIME PIECE that will give you accurate service for years to come. Beautifully cased with 7 jewel movement.

2. A STOP-WATCH to record seconds and minutes of events. Ideal for use in timing radio programs, films, sporting events, etc.

3. A TELEMETRE to give the speed any moving object is traveling over a measured distance. Sportsmen, aviators, athletes will appreciate this feature.

4. A TELEMETRE which tells the number of miles you are away from any simultaneous source of light and sound. Just the thing for yachtsmen, scouts, etc.

Pierce Watch Company
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CITY

STATE

Pierce Watch Company

"Flight to Flame"
with Charles Farrell, Jacqueline Wells
Columbia 59 Mins.

FILM THRILLER OF AVIATION MURDER MYSTERY MADE FOR THE ACTION FAN

Registers a fair amount of thrills in a murder mystery with some lively stunt flying. The plot deals with a death ray machine which a veteran flyer is trying to sell to the War Department. Charles Farrell is the hero interested in the inventor's daughter (Jacqueline Wells), and he plays the part of an airplane designer. When the government turns the invention down, some mysterious deaths occur among the members of a group of war aviators known as the Devil's Dozen. The planes are brought down in flames one after another. Of course the inventor is suspected, for his invention is intended to achieve that very purpose in destroying enemy planes in war time. But the hero goes to work investigating, and after many hectic adventures the real murderer is brought to light as a man with a grudge against the pilot, whose plane has destroyed the latest one. He had duplicated the death ray of the inventor. The picture carries a fair amount of thrills, and the stunt flying will appeal to the youngsters and the male fans. Farrell handles his work with competence, and looks as if he could stage a comeback, given the proper material.


CREDITS: Director, C. C. Coleman; Author, Michael Simmons; Screenplay, same; Cameraman, Lucien Ballard; Editor, James Sweeney.

DIRECTION, Fair, PHOTOGRAPHY, Okay.

Condor Hearing Dec. 28
West Coast Bureau of THE FILM DAILY

Los Angeles—Further hearing in the matter of Condor Pictures, Inc., will be held by the U. S. District Court, Southern District of California, in Los Angeles, on Dec. 28 with respect to the motion of Swarts and Tannenbaum, creditors of the debtor, for an order extending the time within which a plan of reorganization can be filed, and also the motion of certain creditors for an order dismissing the proceedings and directing that bankruptcy be proceeded with. These matters, and others, were referred to a Special Master whose report will be heard.

To Release Guity Fix

Sacha Guitry's "Champs-Elysees," written, directed and acted in by the Frenchman, Fix, is being prepared for early U. S. release by Tri-National Films.

"Grand Illusion" in 15th

"Grand Illusion," which was acclaimed by the National Board of Review of Motion Pictures as the "best film of the year from any country," is in its 15th week at the Filmarte Theater.
History Makers of 1938 in the Film Industry

(Continued from Page 1)

them as symbol of liberation. He received a Senate Committee invite to express his views on profit-sharing. In short, it was a characteristic Will Hays year!

- NICHOLAS M. SCHENCK

When Nicholas M. announced that Loew's would back any move towards an arbitration or co-ordination system, the path to the trade practice parleys began to be cleared. And, serving as another note chairman of the distributors' negotiation committee, he was a factor in the preparation of the trade reform laws. With other industry leaders, Nicholas M. called on the President in July and pledged the industry's co-operation in F.D.R.'s economic recovery program.

- MAURICE SILVERSTONE

A year ago Maurice Silverstone was concerned mainly about the welfare of United Artists' British organization. Today, responsibility for the company's worldwide operations rests on his shoulders. Following the resignation of Dr. A. H. Giannini as president in June, the owner-members of UA placed Maurice in the driver's seat and said, "You run the company." So Maurice bade goodbye to England, took off his coat and went to work on Uncle Sam's side of the Atlantic.

- HARRY M. WARNER

- LEO SPITZ

- BARNEY BALABAN

TL A that in such a thing as double features in administration was again, and partly, proved in the instance of this talented proxy of RKO Corporation, the president of that company's British expansion program, and the adoption of television as a step-child. His announcement that Paramount would take "reasonable" arbitration was one of the factors that brought about the trade practice parleys. He was re-elected to the presidency in June, but announced a wide company survey would be made by Adolph Zukor, additionally made public the appointment of Donald A. Rose as Palm's top man in the U.K., Ireland.

- HARRY COHN

W HILE all manner of candidates for office were wondering in mid-October what the ballots would have in store for them, Harry Cohn was even more confident of his fortune than any film congressman who always goes hunting in Africa at election time. You guessed it—the up-and-coming candidate Cohn was again designated Columbia's big chief. It's monotonous, but mighty wise, for this 【Editor's Note: Continue this series of History Makers in tomorrow's Film Daily.】

NLRB Takes Over Case of SAG Against Producers

West Coast Bureau of THE FILM DAILY

Hollywood—Screen Actors Guild's case against major producing companies has been taken over directly by the NLRB, Washington, and Bernard Alpert has been sent here to take charge of the case.

The Guild issued a statement yesterday declaring it owes NLRB complete cooperation in revealing full particulars to the board of examiners of its struggle for recognition.

The statement declares that in addition to a charge of refusal to bargain, this evidence includes charges of coercion, intimidation and

Para, Dramatic School Exits

West Coast Bureau of THE FILM DAILY

Montreal — Annual meeting of shareholders of Loew's London theaters, London, Ont., adopted all reports and re-elected all directors. President M. Aylsworth stated that the problem of getting lower rates on pictures had been discussed with Loew's New York representative but nothing could be arranged at present.


LLT Wants Lower Rentals

Concentrates on Tele Sets

Although RCA will continue its television experimentation, it will concentrate its main activities during the first quarter of 1939 on the production of receiving sets to be placed on sale early in the spring. RCA was learned yesterday. Experiments will be centered upon the lengthening of the television range.

$50,000 in Food for Needy

Chicago — Two hundred Chicago theaters received food products, valued at $50,000, for admissions revenue from children attending Christmas matinee shows yesterday for needy families.
St. Louis MPTO Okays Reform Draft With Few Changes

(See Column 3 Below)

D of J Will Steer Clear of Distributors' Proposals

16,228 MOVIE THEATERS NOW OPERATING IN U. S.

 Paramount Realigns Distribution Setup in the South

J R Eytinge 1942

Bushing—James Roosevelt, who recently joined Sam Goldwyn as a vice-prexy, will maintain his permanent residence at his New York farm and not Hollywood or New York, although he will divide his time between the two latter spots. Roosevelt told reporters here that he is alert to the possibilities of politics, has such ambitions and probably in 1942 will be candidate for office. By that time, he expects to be “free from the accusation of trading on my father’s fame.”

REFORM PLAN OKAYED BY ST. LOUIS MPTO

St. Louis—MPTO of St. Louis, Eastern Missouri and Southern Illinois has voted to accept, with some slight exceptions, the tentative trade practice pact, but has urged Ed Kuskendall, national prexy of the MPTOA, to continue his efforts to put into effect the 10-point program.

Majors Taking Independent Pictures for South America

Moving to consolidate gains made in territories that had been deemed relatively unimportant until recent political changes closed markets in

No Gov’t Comment on Reform Draft

Prior to Equity Suit Trial, Report

New Farnsworth Company Formed; to Push Television

Dover, Del.—Farnsworth Television and Radio Corp. has been incorporated here with $2,000,000 capitalization to acquire all assets of Farnsworth Television, Inc. in return for 600,000 shares of new stock.
Detroit Exchange Heads to Entertain Employes

Detroit—Variety Club on Saturday will hold its annual Christmas Party in the clubrooms, at which the Detroit exchange managers will entertain employees. Hosts will be Barkers Carl Shultz of Columbia Pictures; Harlan Starr of Gaumont; British; Frank Deewey of M-G-M; William Fleson of Monogram Pictures; John Howard of Paramount; James Sharkey of RKO; Samuel Seglowin of Republic Pictures; Lester Sturm of 20th Century-Fox; Morris Dukedon of United Artists; Eddie Heiber of Universal Pictures; Fred North of Warner Bros.; Carl Buverle of Co-operative Theaters; Jack Hale of Jam Handy Pictures service.

On Monday evening, Jan. 9, installation banquet and induction of new officers will be held in the Crystal Ballroom of the Book-Cadillac Hotel, at which time retiring Chief Barker William Carlson will hand the gavel over to his successor. Past Chief Barkers automatically are placed on the board of trustees, of which J. E. Flynn, E. E. Kirchner, H. M. Richey and William Carlson will be the members.

Nizer Retained by Majors In Suit Against Movie Quiz

Louis Nizer, well known industry attorney, has been retained by seven major companies and one theater operating company to represent them in the suit brought by Milton Spitz, against Motion Pictures' Greatest Year, Inc., and participating distributors and producers. Spitz charges that the Movie Quiz infringes on a copyrighted game known as "U-Spot-It" which he owns. Nizer will represent M-G-M, Paramount, RKO, 20th Century-Fox, Universal, United Artists, Warner Bros. and the Meredith Realty Co.

Records for "Kentucky"

Louisville, Ky.—Opening yesterday at the Rialto Theater, "Kentucky," new 20th-Fox release, is expected to break all house records both for the same day's biz and for run of a picture. At 5 p.m. 8,000 people had been jammed into the 3,500-seat theater. Kentucky Colonels, 1,000 strong, marched to theater last night with local station broadcasting event.

Hays Leaving Tomorrow for Yuletide at Home

Will H. Hays, film industry ad manager, is scheduled to leave New York tomorrow, possibly in the evening aboard the 20th Century Limited, to spend the Christmas holiday at his home in Sullivan, Ind., it was learned yesterday. Return to his home town at Christmas time is in keeping with the regular practice pursued by him in former years. Hays is expected to come back to MPPDA headquarters about the middle of next week.

Trade Practices, Giveaways Discussed at ITOA Meeting

ITOA members discussed trade practices in the giveaway situation at a luncheon meeting at the Hotel Astor yesterday. No decisions were reached on either subject. A number of independent exhibitors, not affiliated with ITOA attended the session.
"SWEETHEARTS" for NEW YEARS

JEANETTE MacDonald • NELSON EDDY in Victor Herbert's "SWEETHEARTS" • In Technicolor • With Frank Morgan • Ray Bolger • Florence Rice • Mischa Auer • Herman Bing • Reginald Gardiner • Screen Play by Dorothy Parker and Alan Campbell • Directed by W. S. Van Dyke II • Produced by Hunt Stromberg • A Metro-Goldwyn-Mayer Picture
BEST WISHES FROM THE FRIENDLY COMPANY IN 1939!
Enjoy the holidays with a realization that M-G-M's hit parade goes merrily on! And with its popular entertainments M-G-M sends heartfelt seasonal greetings of its organization to friends the world over!

Jeanette MacDonald
Nelson Eddy
"SWEETHEARTS"
in Technicolor

Wallace Beery
Robert Taylor
"STAND UP AND FIGHT"

Norma Shearer
Clark Gable
"IDIOT'S DELIGHT"

Eleanor Powell
Robert Young
Burns and Allen
"HONOLULU"
Hundreds of Hula Hones

Mickey Rooney
in Mark Twain's
"HUCKLEBERRY FINN"

Spencer Tracy
Hedy Lamarr
"I TAKE THIS WOMAN"

Joan Crawford
James Stewart
Lew Ayres
"ICE FOLLIES"
W. Pa., MPTO Protests “Atrocities” Abroad

Pittsburgh—MPTO of Western Pennsylvania, meeting here, adopted resolutions protesting “atrocities” visited upon “minority groups of all religious affiliations” and pledged its loyalty to the Government in speaking against and fostering our traditional democratic institutions, in preserving our Constitution and the Bill of Rights, and in extending sympathy and cooperation to these oppressed and exploited minorities.” Exhib. unit also pledged itself “to aid materially and otherwise the victims of these inhuman persecutions.”

Arcadia Pictures Added to Grand Nat’l Producers

(Continued from Page 1)

producing companies may contribute to the GN lineup.

Meanwhile, Educational will begin its short subject schedule shortly after Jan. 1 when Al Christie launches a series of two-reel comedies at the Hollywood studios. It is believed that some of Educational’s shorts will be made in the East.

Starting Jan. 6, GN will release one or three a week. “The Lone Shot” is scheduled for release on that date.

Dorothy Page, the screen’s first single woman to make her debut, will have her first series of six westerns, “Water Ruggers.”


Anna Sten’s feature “Exile Express” is scheduled for Jan. 20. On this date Dorothy Page will appear in her second western, “Ride ‘Em Cowgirl.”

Trade Reform Plan Gets
Okay of St. Louis MPTO

(Continued from Page 1)

covering producer-distributor-exhibitor relations.

The slight changes that the local organization would make in the proposed agreement is a reservation that the exhibitor may be permitted to exclude a picture provided he makes it available to the pictures become available in his territory.

The position of the local motion picture theater owners body is that Kaykendall should consolidate the ‘; he has already made in his negotiations with the producers and continue his efforts until the complete 10-point program is accepted by the industry.

Sparks Houses to Reopen

St. Petersburg, Fla.—Both the Capitol and Phel theatre are being made ready for reopening Christmas eve. Both are Sparks houses.

Miami Beach, Fla.—The Community Theater is opening for the season with Charles Whittaker as manager.

Loew Stockholders’ Suit
Decision Expected by Jan. 1

(Continued from Page 1)

valid. Briefs will be filed on aspects of the action with the court in the near future.

This morning Bernard Reis will testify as a rebuttal witness and depositions are slated for reading by Joseph N. Proskauer, defendants’ counsel, in conclusion.

At yesterday’s session, William K. Dickson, head of Loew’s accountant firm, Miller & Donaldson, testified re depreciation methods. He said that there is substantial depreciation on buildings is three per cent, and on equipment 10 per cent. He disputed testimony of plaintiffs’ witnesses that over $300,000 was the losses of players of Comar had not been written off, and he showed what the amount had been. Further, that in 1935, $11,000,000 in good will had been written off Leow’s books and that the company does not carry any item as an asset.

Concerning the foreign situation, he said that in 1937 there were 4,000 marks outstanding and due Loew’s in Germany, and present figure due is 1,558,000. In Italy, 30,000 lira is due on obligations to Loew’s, of which 17,000,000 lira has matured currently. About the method of amortizing pix he said that after 12 weeks, 49 per cent of a film is written off; after 36 weeks, 74 per cent; in one year, 88 per cent. In two years entirely written off, regardless of what further gross it makes.

D of J Will Steer Clear
of Distributors’ Proposals

(Continued from Page 1)

general, a Department spokesman said it was the Department’s intention “to stay out of the whole thing.” He added his belief that the copy of the draft forwarded by the distributors council would remain on Arnold’s desk without comment one way or another.

This authority based its controver-
sion on fact that the draft “has no direct connection with the pending suit. It is not a consent decree or a reorganization of the industry.” He added pointedly it did not treat with divestiture which the department regards as the basis of its anti-trust suit.

Jerry Collins Buried

Pittsburgh—Funeral services for Jerry Collins, who was in the employ of the Harris Amusement Co., as a stage hand for the past 45 years until his death from pneumonia, were held in St. Philip’s Church, Crafton, and interment at Calvary Cemetery.

Loew’s, Inc. Giving $300,000
Xmas Bonus to Employees

A Christmas bonus for employees, totaling around $300,000 and affecting more than 12,000 workers, was announced yesterday by Loew’s, Inc. The bonus applies to employees of Loew’s Theaters, the Metro-Goldwyn-Mayer picture studios and the M-G-M film exchange throughout the world whose salary does not exceed $100 a week who have been continuously employed for the past year. Employees with the company only six months receive a lesser amount.

The bonus plan is the same as that announced by Loew’s in 1937.
were 16,228 movie houses operating in U.S.

(Continued from Page 1) these were dark. As of Jan. 1 there were 18,182 houses with 1,931 closed.

During June and July, many houses, both circuit and indie operated, were closed but since late in August many of these have been re-opened and indications are that the total operating at the first of the new year will equal or exceed the total of Jan. 1 of this year.

A chart showing the number of theaters in each state indicating the number closed and the number operating as of Dec. 1, 1938, Jan. 1, 1938 and Dec. 1, 1937 appears in an adjoining column.

Pre-Christmas Canadian Theater Biz Above 1937

(Continued from Page 1) ably above last year’s figure for the corresponding period. Wolfe Cohen, Canadian District Manager for Warners told The Film Daily yesterday, prior to his departure from New York, accompanied by Mrs. Cohen for a two-weeks’ sea trip to Bermuda, Havana and Nassau.

Business generally, he said, has been keeping up well in the Dominion and indications point to highly satisfactory b.o. totals for the remainder of the 1938-39 season. Impetus, he added, has been given to the eight theaters because of the high quality of product; the renewed enthusiasm of the public for film entertainment and that the trade itself notices a favorable reaction following the recently effectuated U.S.-Canadian Trade Pact which saw the lowering of many duties and the subsequent elimination of the excise tax.

Although he will be absent from Canada for the launching of the Gradwell S. Sears Drive, which opens on Dec. 25 and concludes April 16, Cohen asserted that circuits and indie outlets in the Dominion have already given assurances that they will accord to the sales campaign the same support given the former Sears Drive. He expressed also optimism that his division will be a contender again for top prizes which it won in 1938.

Cohen characterized his current trip as a portion of the celebration of his 10th anniversary.

Warden’s Gift

Oklahoma City—It is going to be mightily homey, down at the McAlester state penitentiary this Christmas, bright red and green paper has been affixed listing, in addition to a roast turkey dinner, Riverside “Cowboy from Brooklyn” (WB), planned by J. F. Dunn, warden.

16,228 MOVIE HOUSES OPERATING IN U. S.

The U. S. Film Theater Situation

(Continued from Page 1)

New Farnsworth Company Formed; to Push Television

(Continued from Page 1) which, if stockholders approve the plan, will be distributed to present holders in the ratio of 46 shares for one held. Old company then will be dissolved. New stock will have $1 par value.

San Francisco—New setup marks a move by Farnsworth to cash in on the television wave expected to hit the U. S. in 1939, according to Prexy Jesse B. McCarter. McCarter says the company’s directors believe that the growing importance of commercial television requires changes in operating policy, the company thus far having devoted itself almost entirely to development work with a view to granting licenses under patents. It is now felt that full benefits from development work require the company to put itself in a position to manufacture equipment and perhaps otherwise broaden its business.

Negotiations to raise working capital to acquire plants and operating personnel already have been instituted.

Majors Taking Independent Pictures for South America

(Continued from Page 1) several countries, major companies are buying westerns, serials and action pictures that are not direct competition with their own product and distribution in all of Latin America and the Far East.

Leading the list during 1938 were United Artists, Universal and RKO, which companies bought westerns and serials for foreign distribution. Paramount and 20th-Fox are now producing Spanish pictures for Latin American distribution and Indi distributors expect even heavier buying next year by the majors.

Guaranteed Pictures supplied the westerns and serials which UA, RKO and Universal distributed last year in foreign territories, and Guaranteed execs expect this market to open up to a greater extent than ever before after Jan. 1, with action and Spanish language pix used to bolster regular lineups.

R. S. Sooy Dead

Merchantville, N. J.—Raymond R. Sooy, 85, proprietor of recording of the RCA Victor Co., died of a heart attack at his home here. He is survived by his widow and two brothers.

F. C. Borden

Wardlaw's Gift
PARAS SOUTHERN
SETUP REALIGNED

(Continued from Page 1)
recting the Canadian division. New setups become effective Jan. 1.
The new southern division, formerly part of the eastern division and under the supervision of District Managers Oscar A. Morgan and Hugh Brady, will consist of the Atlanta, New Orleans, Memphis, Charlotte, Dallas and Oklahoma City territories. Morgan has been named division manager with headquarters in New York and Harold F. Wilkes, New Orleans branch manager, moves to Atlanta to succeed Morgan as district manager, Wilkes, in turn, is to be succeeded in New Orleans by E. R. Price, formerly of the Jacksonville branch which is being added to the Atlanta territory.
The conversion of four exchanges into shipping stations and the consolidation of their sales operations and personnel with those of other branches have resulted in other important managerial changes.
The San Antonio territory has been added to that of the Dallas exchange. W. McClinchek, formerly in charge at San Antonio, becomes Dallas branch manager while Floyd Tones, who has been Dallas manager, becomes sales manager of the combined territories.
The Maine and New Hampshire territory, formerly handled out of Portland, is being combined with the Boston branch and Harold Stevens, manager in Portland, has been shifted to Indianapolis to fill the vacancy caused by the death of E. J. Barnard.
The Minneapolis branch takes over the Sioux Falls exchange. R. E. Anderson, branch manager in Sioux Falls, is being moved to Portland, Ore., where he will succeed Frank Clark, division manager, who is to be given a new assignment.

STORKS!
Pittsburgh—James Tomlin of the publicity department of the local Warner theater circuit is the father of a 7¼-pound daughter.

Detroit—Edmund Turner, chief staff artist for United Detroit Theaters, is the father of a 6½-pound baby girl.

West Coast Bureau of THE FILM DAILY
Hollywood—The daughter of Mr. and Mrs. Tito Guizar at the Cedars of Lebanon Hospital.

Colorful Christmas
It's a literally colorful Christmas in houses along the Great White Way, with a trio of Technicolor features holding forth. One is "Kentucky," of 20th-Fox, at the Roxy; M.G.M.'s "Sweethearts," opening today at the Capitol, and Warners' "Heart of the North" on the Rivoli's screen. This is the second occasion in film history that three Technicolor productions have been arrayed simultaneously in Broadway's first-run palaces.

High Court to Hear Fla., Wash. Ascap Cases Jan. 9
(Continued from Page 1)

The Critics of
The Nation
are now casting their votes for the TEN BEST PICTURES of 1938 in the FILM DAILY ANNUAL POLL.
Early next month the result of this nation wide poll will be announced in THE FILM DAILY and millions of fans will be reading the results in their local newspapers thruout the world.

Smith Named Director of Film Talent Division
Meglin—Panchon & Marco's eastern director, Charles Leshine, yesterday announced appointment of Earle Smith as Director of the Talent Procurement Division of the famous Meglin Kiddies, in association with F & M. Smith was formerly an indie producer and recently eastern divisional manager for Screen Broadcasts. Headquarters are in the Orpheum Building, 39 Flatbush Ave., Brooklyn.

Roush Starts Another
Leslie Roush started production yesterday on another Paramount Headliner short with Richard Hlember and his orchestra at the Astoria studios.
UMPTO Approves Distributors' Reforms in Principle

(See Column 1 Below)

Intimate in Character
International in Scope
Independent in Thought

(The Film Daily)

The Daily Newspaper
Of Motion Pictures
Now Twenty Years Old

Theater Construction Boom Takes Shape in So. Africa

COPYRIGHT VIOLATIONS UP; MOSTLY "BICYCLING"

20th-Fox Will Spend $5,000,000 on British Program

10 to 12 Features Planned for U. K. Production, Says Robert Kane

British production program for Twentieth Century-Fox Productions, Ltd., for the 1939-40 season calls for 10 to 12 pix with a $5,000,000 budget; final details will be worked out at conferences with Darryl F. Zanuck starting the latter part of next week. Robert T. Kane, English production head for 20th-Fox, told THE FILM DAILY (Continued on Page 3)

UMPTO GIVES OKAY TO REFORM DRAFT

Philadelphia—UMPTO's Board of Managers, meeting here, approved the distributors' trade reform draft in principle as being a step forward but not a solution of all exhibitor's problems. While the benefits to be (Continued on Page 3)

Schenck, Loew Answers Deny Stockholder Charges

Wilmingtom, Del.—Identical answers denying charges that excessive compensation is provided (Continued on Page 3)

Westerns for Africa

Deal for six westerns to be distributed in South Africa by 20th-Fox is being negotiated by the company, it was learned yesterday. Pictures will be sold in addition to the U. S. and English programs that will be offered there next year.

THEATER CONSTRUCTION

Program Rising in Brazil

"Theater construction program under way in Brazil will increase the total of theaters to about 1,500 by 1942" J. Carlos Barbetta, managing director for 20th-Fox in Brazil, told THE FILM DAILY yesterday when he arrived by train from (Continued on Page 6)

"Hold-Overs" Outnumbered 2 to 1; Illicit Distribution Probed

"Bicycling" violations outnumbered "hold-over" violations two to one, according to the annual report of the Copyright Protection Bureau for the year ending Oct. 31, and made public last night.

This is apparently a return to the prominence of bicycling which existed for several years after 1927 when the distributors organized the Bureau. Thereafter, and until 1986-87, there were more violations of the hold-over type.

According to Jack H. Levin, director of the Bureau, violations were found in only 16.75 per cent of the (Continued on Page 5)

LUBITSCH WITH M-G-M; TO DIRECT GARBO PICTURES

West Coast Bureau of THE FILM DAILY

Hollywood—M-G-M has signed Ernst Lubitsch as producer-director to make "The Shop Around the Corner."

Lubitsch will also direct Greta (Continued on Page 5)

Nov. Admis Tax Receipts
Up $388,768 Over October

Washington Bureau of THE FILM DAILY

Washington—Admissions tax collections for November, 1938, showed an increase over collections in October, 1938, and a decrease com-

Ye Holiday Spirit

When first was written to the Loew's stockholders' suit yesterday in Supreme Court, Emil K. Ellis, plaintiffs' counsel thanked Justice Valentis and stated: "I can truthfully say that we all like you." His Honor retorted: "I hope you feel the same way about me after I have decided this case!"
Films Act Has Steadied U.K. Industry—Kane

"British Films Act has steadied the industry in England, today, it actually is a business and not a venture for promoters," Robert T. Kane, 20th-Fox exec., said yesterday. Kane also expressed the opinion that the United Kingdom next year, with imports increasing to a considerable extent after the first of the year.

Search for Talent Launched In Houses Playing RKO Pix

A search for talent among "unknowns" is to be launched by RKO Radio Pictures and Wm. Wrigley, Jr. & Co., in a nation-wide campaign. Application blanks will be obtainable in all theaters showing RKO pictures in a tie-up with Jesse L. Lasky's "Gateway to Hollywood" program over the CBS network.

A preliminary selection of candidates will be interviewed by expert casting directors in each of the 24 regional cities on the basis of photographs and the information on the questionnaire.

- A Merry Christmas *

"Sweethearts," "Carol" Open to Heavy Grosses

Both "Sweethearts" and "Christmas Carol" opened to heavy business yesterday at the Capitol and Music Hall, respectively, M-G-M reported. "Sweethearts" ran far ahead of every previousMacDonald-Eddy film. At the Music Hall, one of the biggest Christmas openings in the history of the house was recorded, with lines reaching all the way to Fifth Avenue before the first show.

- A Merry Christmas *

Copyright Suit Involves "Pocketbook of Dreams"

South Bend, Ind.—Bernard Huff and Forest G. Bobitt have filed a copyright infringement suit in Federal Court, charging that the RKO "Pocketbook of Dreams," sung by Bing Crosby in "Sing, You Sinners," is lifted from "From the Days of Romance." Named as defendants with Crosby are Santly-Joy Select, Paramount and W. W. Wanger, who operates the Fairy Theatre in Napanee. Crosby's picture is scheduled to be shown in Kohlurtheater.

- A Merry Christmas *

Expect Anti-Ascap Bill to Bob Up Again in R. I.

Providence—With a new governor moving into the State House and majority rule in House and Senate switching from Democratic to Republican as result of November elections, it is difficult to determine what the new year will bring to Rhode Island exhibits and the industry in general in the way of legislation. An anti-Ascap bill, which died in committee last year, is expected to be reintroduced.

Fox Compromise Decision Unlikely Before Spring

Atlantic City — Decision on the $500,000 compromise to settle the All-Continents Corp. recapture of assets suit, an important element in the $3,535,000 William Fox bankruptcy, now is not expected before Spring, it is revealed here by Allan B. Endicott, Jr., Federal referee in bankruptcy.

Endicott explained that he felt that opportunity should be had for possible settlement of disputed points out of court, before he offers the cash offer accepted or rejected.

The $500,000 was offered by Mrs. Eva Fox and the daughters, Mona and Yvonne, last August.

William Fox created All-Continents eight years ago as an irrevocable trust for his wife and daughters. According to his later testimony he put in $5,600,000 then and somewhat more, but considered his own fortune to be worth more than $250,000,000.

- A Merry Christmas *

Major Theater Circuits Playing 5 UA Releases

Major circuit theaters have booked five current United Artists releases during the holiday week, it was announced yesterday. The entire Loew circuit has booked Samuel Goldwyn's "The Cowbow and the Lady," while the Warners and Paramount houses will feature David Selznick's "The Young in Heart," Warner Circuit has Edward Small's "The Duke of West Point" preferred playing time and a pre-release engagement of Hal Roach's "Topper Takes a Trip" goes into Radio City Music Hall Dec. 20. "The Froggy" plays in Warners' Lane Theatre on the same date at the Al- dine, Philadelphia.

- A Merry Christmas *

Gliew Action Against Warners is Dismissed

Action of Irving Gliew against Warners Bros., First National, and M. Wittmark & Son, was discontinued yesterday in Federal Court. Plaintiff sued for $1,500,000 damages for alleged plagiarism by the defendants of his dramatic composition, "Give Me This Night," or, "Flirtation Walk," as well as two songs, "I Can't Believe" and "Mr. and Mrs. I am the Name," which were used in the feature picture "Flirtation Walk."

Many merry Christmas, friendships, great accumulation of cheerful recollections, affection on earth, and Heaven at last for all of us.—Charles Dickens.
5 MILLION 20TH-FOX U. K. PROD. BUDGET

(Continued from Page 1)

yesterday when he arrived on the Normandie.

Program embraces four specials and eight smaller pictures, but is su-

"to change should circum-

stances require, Kane said. Plan aims the four specials for American
distribution, with the remainder being distributed by 20th-Fox along
with the regular program through-out the world. Production on first
picture is scheduled to get under way about Feb. 1.

Program will be produced at Is-
ington and Sheppard's Bush plants,
making the specials at Sheppard's Bush, which has five new stages.
All pictures on the English program will be scanned by the American
sales forces, and it is possible that more than four may be distributed
here, Kane said.

Maurice Ostrer and Edward Black are joint production heads for
the program and Kane assumes the post of managing director of the
English production unit under a new setup. He pointed out that the
company's deal in England did not merge 20th-Fox with Gaumont Brit-
ish in any way, dealing being one of
affiliation with Gainborough Stud-
ios, a GB subsidiary, in order to
effect certain economies and in change of players, technicians and
story properties.

Kane expressed the opinion that the English audiences are becoming
increasingly selective in their choice
of pictures, necessitating higher
budgets as they are buying quantity pictures in order to do business. A minimum of $150,000 for single quota pix, $225,000 for doubles, and $300,000
for triple pictures cannot be expected in the future, Kane be-

believes.

Discussing the British plans Kane said that "Thames Fire," "The
Gold Rush" and "Charley's Aunt" will be directed by Marcel Varnel
while Monte Banks will make "Ship-
yard Sally" and "Sam and Sally."
Carrol Reed will direct four proper-
ties, "Rob Roy," a production in
color; "The Blue Lagoon," "They
Came By Night" and "Girl in the
News." Director Walter Ford will
handle "Tally Ho!" No decision has
yet been reached, said Kane, as to
who will direct the remaining three pictures, "Monday Night at Seven," "Sunshine Susie," and "Hangman's
House."

List of players for the new line-
up, the titles of which are all sub-
ject to change, includes Gracie
Fields, Margaret Lockwood, Nova
Pllbeam, Annabella, Renee Hong,
Reene Houston, Richard Redgrave,
Bill Yffe, Gordon Harker, Bill
Hay, Alastair Sym, Sydney Howard,
Philip Friend, Frank Forbmy, Flan-
agan & Allen, Naughton & Gold,
Nervo Knox and Charles Askey.

Kane leaves for the Coast on Mon-
day to confer with Zanuck, remain-
ing in this country altogether about
five weeks. He expects the number
of imported pictures in England to
increase considerably next year.

Greeting Kane and other 20th-
Fox execs, who arrived on the boat
were Sidney R. Kent, president, E.
F. Lomba, Irving Maas and Leslie
Whalen of the foreign department,
Byres Skouras and number of
friends and company officers.

Harley Sees Biggest Year for 20th-Fox In Britain

(Continued from Page 1)

Francis L. Harley, managing di-
rector for 20th-Fox in the United
Kingdom, reported yesterday upon
his arrival on the Normandie that
the company had its biggest yea-
rs history for that territory, and is
optimistic about next year. He will
remain here about a month before
he returns to his headquarters in
London.

J. F. Pattinson, assistant sales
manager for 20th-Fox in Great
Britain, also arrived yesterday
for a visit and vacation. He came in on the Manhattan. Pattin-
son plans to visit several exchanges
and may possibly spend a few days
at the Coast studios before he re-
turns to England.

Schenck, Loew Answers
Deny Stockholder Charges

(Continued from Page 1)

under Loew's, Inc., contracts with various executive and others to the
detriment of stockholders, were filed
yesterday in Chancery Court by
President Nicholas M. Schenck and
Loew's in answer to the action filed
recently by three New York stock-
holders.

The complainants, Edgar F. Sti-
er, Hana W. Goldstein and Louis
Susman, charged excessive compens-
ation, including fixed and percent-
age payments and stock options, are
provided under Loew's contracts.
They asked accounting, cancellation
of contracts, injunction against con-
tinued payments, and decree award-
ing damages to Loew's against vari-
ous defendants.

The answers contended that all
acts and transactions of the vari-
ous directors' contracts and agree-
ments executed and payments by
Loew's "were and are proper, legal,
just, fair and equitable," and were
for interest and benefit of stockhold-
ers. To set aside contracts and
agreements would cause irreparable
damage to the company, the answers
contend.

The two defendants asked that
the bill be dismissed and they be dis-
charged with costs.

Court Allows One Week
for Loew Action Briefs

Loew's stockholders' suit concluded
yesterday in Supreme Court, with
Justice Valente allotting one week
for briefs and promising an early
decision, possibly before the first of
the year.

Portions of the depositions of
Harry Rapf, Bernard Hyman, Law-
rence Weinwart, Hunt Stromberg,
Louis B. Mayer, J. Robert Rubin,
David Bernstein, Mervyn LeRoy,
Edward Mannix, Joseph Moskowitz,
Ben Thau, Al Lichtman, Arthur
Loew, and others, were read into
the record by the defendants.

"We are starting to write a
new chapter in film
history with 375 NEW
YEAR'S bookings for M-G-M'S
'SWEETHEARTS'. Watch!"

UMPTO GIVES OKAY TO REFORM DRAFT

derived from this draft are small,
nevertheless they represent certain
concessions never before given to
the exhibitors, the board declared.
Approval resolution contained the
recommendation that instead of the
draft becoming effective for the
1938-40 season, it become effective
immediately.

The Board of Managers went on
record against the imposition of
proposed tax by Philadelphia City
Council on film footage, either in
form of direct tax or 3 per cent
sales tax; and UMPTO was repre-
ented by President Lowen Pizor
and Secretary George F. Aaron's
before Finance Committee yesterday
when this tax came up. Tax was
proposed a year ago and through the
efforts of the UMPTO organization
was dropped.

The board also passed a resolu-
tion calling upon all exhibitors
to play the National Anthem at each
performance given in their theaters.
The board endorsed efforts of Presi-
dent Pizor to have exhibitors
throughout the territory to hold Tin
Can Mattines for the needy during
the holiday season.

HARRISBURG, PA. — Patrons of Loew's Theater were puzzled the other day to hear the "choo choo!" of a train when there wasn't any train on the
screen. Investigators found Sam Gil-
man, manager, back of the screen,
where the paint shop of the theater is
located. Playing with him was doing his best "choo-chooing" at the train speed around the small track. Sam's now doing his engineer act before
the theater opens or after it closes.

"Choo! Choo!"
"Adventures in Sahara"
with Paul Kelly, C. Henry Gordon
Columbia 57 m., s.
POP DISH FOR THRILL FAN WITH EXCITING DESERT ACTION WITH THE FOREIGN LEGION.

The thrill fans will find this satisfactory fare, with some lively goings-on in the Foreign Legion and quite a bit of suffering among the members at the French outpost as they write under the brutality of their commander (C. Henry Gordon). He has already caused the death of a young American, and his older brother (Paul Kelly) joins the Legion and gets appointed to the outpost at Agadiz where the brutal captain is carrying on his ill deeds. He has left his young aviator sweetheart abruptly, being a commercial flyer himself. The girl turns up miraculously on his trail, forces her way down and almost captured by the Arab marauders, but the hero gets there in the nick of time. The cruel captain purposely assumes that he has insulted the girl in the course of the rescue, and has him checked in solitary. This is the last straw, so the enraged men revolt, and with Kelly as their leader, take over the outpost and execute the cruel captain and a handfull of loyal men out of the desert to die, without rations or ammunition. But the captain gets through to the main outpost, and comes back with a brigade to punish the mutineers. As Kelly and his men prepare to resist, Arabs attack the invaders, and so the hero gives the order to open the gates, and they all light off the Arabs as loyal members of the Legion. Then comes the court-martial for the mutineers, but they get off with a light sentence in view of their bravery.


CREDITS: Director, D. Ross Lederman; Author, Samuel Fuller; Screenplay, Maxwell Shane; Cameraman, Franz Planer; Editor, Otto Meyer.

DIRECTION, Fair. PHOTOGRAPHY, O.K.

Season's Greetings

NICK GRINDE
Director

Paramount Pictures

Personal Management
Stanley Bergerman, Inc.

"Comet Over Broadway"

Warnings 69 Mins.
HEART-THROB DRAMA OF A WIFE’S DEVOTION AS SHE GIVES UP HER CAREER AND LOVE FOR DUTY.

It is a heart-throb drama, with Kay Francis the suffering wife who gives up love and her stage career in order to be loyal to the man she married. It has sufficient human interest and weep material to go strong with the neighborhood spots where the women like a good cry. Miss Francis vows to be true to her husband who is sent to jail after accidentally killing a man. She has always had stage ambitions, so with her baby, she gets a job with a roadshow in burlesque. Then comes her chance to go to New York and make her name on Broadway. She turns the child over to her husband who is retiring from the stage, and lights out for her career. She meets Ian Hunter, a Broadway producer, who helps her to reach the top, but a jealous rival steps in and forces the kind manager to give up his new interest. The unfortunate woman goes to London, scores a dazzling triumph, and then comes back to Broadway to renew her old friendship with the producer. He wants to marry her. But she has rejoined her baby, and realizes that now her prison husband (John Litel) is about to be released, that her duty is to him and the child. And so the final scene shows the mother and child trudging bravely up the hill to the prison to meet her man as he is about to come through the gates.


CREDITS: Director, Busby Berkeley; Author, Faith Baldwin; Screenplay, Mark Helinger, Robert Buckner; Cameraman, James Wong Howe; Editor, James Gibbons.

DIRECTION, Fair. PHOTOGRAPHY, Good.

"40 Little Mothers"

with Lucien Baroux

National Pictures 95 Mins.
BEAUTIFUL AND SENSITIVE COMEDY-DRAMA OF BACHELOR AND BABY WITH GREAT PERFORMANCE BY BAROUX.

The French have done it again. This time with a sensitive, altogether human and heart-warming story of a kindly professor who adopts a baby left on his doorstep.

The characterization given by Lucien Baroux, playing the role of the bachelor teacher, is so well rounded and natural that it seems an effortless performance, and therefore all the more impressive. Most of the scenes take place in a Girl's finishing school in a small French town. Baroux finds the baby left at his door in the small hotel where he lives in Paris. The next day he secures the position at a girls' school, and decides to adopt the baby, for it is the brightest spot in his lonely life.

At school the young girls do not take to the middle-aged teacher, and make things pretty miserable for him. But he won over more and more of the society of the baby as his only joy. The girls discover he has the youngest hidden in his room. It means scandal, and loss of his position. He tells them simply how it came to pass that he has the child in his possession. The girls see the light, rally round him in a conspiracy to keep his secret, and take over the job of mothering the baby and taking care of it. Then comes the day of discovery by the ministerial female principal, followed by dismissal of the culprit teacher. But the girls stage a sit-down strike, and flout all discipline till the principal appears. The finale is cleverly contrived, with the baby's mother tracing the child to the school to claim it, now that she is able to support it. This gives opportunity for the adopted father joining forces with both mother and baby in a union that meets with the approval of everybody. It is the simplicity of the recital that gives the story one of its principal appeals. This 18-month baby, Pierrot, will have all the feminine in a dither, if it is so lovable. The English titles are in great part not necessary, for the action of the story is self-explanatory.

CAST: Lucien Baroux, Baby Philippe, Madeleine Robineau, Gabrielle Dorzatz, Pauline Carton, Jean Pierer.

CREDITS: Producer, d'Aguirre Productions; Director, Leonide Moguy; Author, Jean-Claude; Cameraman, Michael Jourquin.

DIRECTION, Excellent. PHOTOGRAPHY, The best.

"The Kreutzer Sonata" with Gamy Morlay, Jean Yonnel, Jacques Irwin
Foreign Cinema Arts, Inc. 79 Mins.
SOMBER DRAMA HAS CAPABLE CAST AND BEETHOVEN MUSICAL SCORE.

Typical of French dramas, this new release is a somber story based on a novel written by Tolstoy. However, there is wit and pleasing music from the pen of the incomparable Beeethoven to lighten matters up. Headed by Gaby Morlay, Jacques Irwin, Pierre Renoir and Andre Bervil deserve mention for fine characterizations.


CREDITS: Producer, Jean Dreville; Director, Charles Guilhard; Screenplay, H. Andre Lagrand. Presented by World Theatre with French dialogue and English titles.

DIRECTION, Heavy. PHOTOGRAPHY, Good.

26 Columbus Film Houses
Sign Projectionists’ Pact

Columbus, O.—Local 386, Projectionists, and 26 Columbus film houses have signed an agreement, concluding conferences which have been in progress intermittently for over three years. As a result, 42 of the 49 local film houses will have union operators, according to Robert Greer, president of the union. Only 11 houses previously had a union contract.

The 26 which signed are: Arlington, Westmont, Cleveland and Thurmania, operated by Clar- ence McDonald; Piccadilly, Hudson, Garden, Gramercy, Jefferson, Cleve- tor, Drexel, Champion and Alhambra, operated by W. C. Chesbrough; Capitol, operated by Virgil Jackson; Southern, by Max Stern; Avalon, by Frank Jackson, Dixie, by A. Taylor; Linden, by William Pullen; Main, Parsons and Columbia, operated by Fred Rowland. Two other houses, the Fifth Ave. owned by Ray Miller, and the Exhibit, owned by Charles Justus, signed earlier.

Film houses were represented by a subcommittee composed of Stern Jackson, Rowland, Chesbrough and Pete Wood, ITO secretary. Union negotiations were handled by Greer, A. W. Lyday and E. J. Timney.

"Sing" Reels In Demand

Virtually every available print of Columbia's "Community Sing" reels has sold for 1938. For the first time, Eve, with more than 3,100 prints being readied for showing during the holiday week, it will be of Columbia’s home office yesterday.
COPYRIGHT VIOLATIONS UP; 'BICYCLING' LEADS

(Continued from Page 1)

theaters investigated during the current year, as compared with 44.6 in 1958 and 35.5 in 1931, although there was a slight increase from the percentage of 33.8 for the year 1957. The activities of the Bureau centered in 54 states during the current year.

The report says: 'This new preponderance of 'bicycling' presumably lies: (1) in an influx of new exhibitors, (2) the acquisition of one or more additional theaters by exhibitors previously operating single units or small circuits, and (3) the increase in the number of theaters operating in the U. S. by several thousand since 1951.'

The report also discusses investigations of showings under nontheatrical extension, and the coopera
cion secured both from the Adjutant General of the War Department and from the Commandant of the Continental United States Coast Guard in respect of preventing unauthorized exhibitions at CCC Camps and Coast Guard units.

The Bureau operated closely with exhibitor organizations and individual exhibitors in a number of states. It aided in the fight of Gabriel H. Hess, counsel for the distributors in these matters, discusses a number of important opinions issued by the Federal Civil Courts during the past year in which vital law was established for the protection of the industry right to a fair and equal distribution, and the matter particularly upon Patterson vs. Century Productions in which the Supreme Court of the United States refused last March to review a decision of the Circuit Court of Appeals for the Second Circuit upholding the doctrine of unauthorized 'coping,' and exhibition right for a copyrighted nonphotoplay traveling film.

Hess says: "One of the basic problems confronting distributors of copyrighted motion pictures in respect of unauthorized exhibition includes the problem of what to do about the theft of the art in the U. S. by several thousand since 1951.'

THE DAILY

Miami's Slant
Miami, Fla. — In connection with American Art Week, the staff of Fletcher studios was introduced from the stage of the Olympia Theater. T. A. Moore, president of Fletcher studios with Flescher, was master of ceremonies and introduced department heads of the car
toon studio. There was also a pictorial demonstration on how cartoons are made. It was the first time of such a reception which followed was Miami's first move picture year 1958. Picture cartoon artists just like Hollywood holly
criss stars.
**BUILDING PROGRAM RISING IN BRAZIL**

(Continued from Page 1)

Miami, having flown to that city from Rio de Janeiro.

American pictures sold 85 to 90 per cent of playing time in Brazilian theaters, Bavetta declared.

Bavetta said that the country’s 1,200 houses are being modernized, where needed, and air conditioning is being installed widely. Asked what type of picture was the best draw in Brazil, he said that the Brazilians have a definite taste for quality pictures, with the market for action pictures and Spanish pictures comparatively small.

He expects to remain here about a month, continuing a vacation with conferences at the home office.

★ A Merry Christmas ★

**Television May Blanket British Isles in 1939**

London (By Cable)—Extension of television to the whole of the British Isles may be a 1939 development. Report of Lord Selchon, head of the British government’s television committee, which will be presented shortly, is understood to outline how this extension will be carried out.

Engineers employed by the Post Office and leading television companies have produced two systems for the television range to greater distances. One is by special coaxial cables to provincial centers and the second is a system of wireless hook-ups, working on a shorter wave length.

A new type of cable perfected by the Post Office which can also transmit the special frequencies required for television is a late development, according to current reports. Government experts admit that further work is needed, but hope to surmount a number of current obstacles during the next few months.

**RCA to Show Television At San Francisco Expo.**

RCA’s experimental television will make its Pacific Coast debut at the Golden Gate International Exposition at San Francisco which opens Feb. 18. RCA will occupy 16,000 square feet in the Electrical and Communications Building for its various exhibits.

**St. Paul Co. Proposes New Television Station**

Washington Bureau of THE FILM DAILY

Washington — National Battery Broadcasting Co. of St. Paul, Minn., has filed an application with the FCC for a construction permit for a new television station on 44,000-50,000 kilocycles of kilowatt power.

★ A Merry Christmas ★

**Robinson in Spy Pix**

West Coast Bureau of THE FILM DAILY

Hollywood — Warners will star Edward G. Robinson in “Confessions of a Nazi Spy.”

**THEATER BUILDING BOOMS IN SO. AFRICA**

(Continued from Page 1)

here on the Normandie yesterday. Hutchinson stated that this company, together with South America and South Africa as great potential markets, certain to increase in population and becoming a greater as natural resources are developed.

He stated that work would start March 1 on the new luxury house in which 20th-Fox is financially interested in Johannesburg, South Africa, with the theater scheduled to be completed next December. “We are not financing any of this work in the South African territory and have no intention of doing so,” he added.

Hutchinson outlined the company’s operating policy in this territory as being one which assured exhibitors a steady flow of product by giving them long-term contracts. Mutual policy of co-operation was undertaken by 20th-Fox with United Artists in this territory in order to guarantee exhibitors the full product they need each year to compete successfully with the Schlesinger interests.

Hutchinson praised the work done by Otto Bolle, manager for the company in South Africa. He said, Bolle’s initial survey and building up of contacts is directly responsible for the success in this venture.

Move of 20th-Fox and UA will also open this territory to other American distributors. In the future it is pointed out here before exces, in foreign departments.

Hutchinson said that the company’s world-wide business was ahead of last year and he was extremely optimistic about the future. His world-wide program for distribution by the foreign department may exceed 60 pictures,” he said. “We have also strengthened our program for Spanish territories with four Spanish pictures that will be made on the Coast next year. Work on the first picture, which will be produced by Rafael Ramos Cobian, starts Jan. 7.”

He stated that 20th-Fox definitely will work with the other majors in stopping operations in Italy on Dec. 31 unless some change occurs in the situation.

Miggins Says Restrictions Abroad May Be Eased Soon

No new quota regulations are contemplated by European countries at this time, and there are indications that restrictions now existing in several countries may be eased in the near future. This opinion was voiced by Ben Miggins, continental export manager for 20th Fox, who arrived yesterday on the Normandie for a vacation and home office conferences.

Miggins expects to remain here about four or five weeks.
THE BIGGEST NEWS EVENT OF THE YEAR

"THE TEN BEST PICTURES OF 1938"

as selected by

THE CRITICS OF THE NATION

in the ANNUAL POLL

conducted by

THE FILM DAILY

POLL CLOSES December 31st. RESULT will be announced in THE FILM DAILY and National Newspapers with combined circulation of millions, early in January.

IT'S BIG NEWS

DON'T MISS IT
**History Makers of 1938 in the Film Industry**

- **JOSEPH LOUIS**

The name of the 20th-Fox board chairman figured largely throughout the year in the news. He traveled to Europe and laid the groundwork for the recently announced affiliation with Gaumont British. Attending to company business in New York and on the Coast kept him on the jump. He conferred with President Roosevelt on Industry matters, later in the year seeing the President once again to tender his acceptance of the national police vice-chairmanship. Additionally, he was a staunch supporter of the distributors’ trade program, formulated by a committee of which 20th-Fox’s proxy, Sidney R. Kent, was chairman.

- **ADOLPH ZUKOR**

It was Jack Warner again, gone again with Universal’s board chairman during the year. Taking the responsibility of bolstering the studio’s financial position, Zukor had his back and forth between New York and England and successfully completed deals for new money on both sides of the Atlantic, thereby paving the way for a profitable Universal year. And he was also active in smoothing out studio wrinkles which aided materially in stepping up production for bigger and better pictures.

- **JAMES R. GRAINGER**

For Republic, May was a merry, merrie month, marking as it did the investiture of Jimmy as company’s president, general manager in charge of distribution. Coming from Universal, which he served as general sales chiefest, this native New Yorker had demonstrated to him on moving over to that patriotic address of Republic (1776 Broadway) that he was more than “universally” loved for he was feted right and left by picture admirers at testimonial feast-bag parties. Complacently folding up his napkins, he set out over the land and brought back to the home office so many folded-up signed contracts that Republic, by October, last, was a mere million dollars ahead of 1937 in sales. Wow!

- **LOUIS B. MAYER**

Here we meet the man whose production skill not only pleases the wearers of the M-G-M colors but whose services have won recognition from the industry as a whole. Take for example, the繁荣 in his honor in February sponsored by the AMPK. The international spotlight played upon him through the bestowal of the Order of the White Lion by pre-Communist Czechoslovakia. This year, Louis B. stayed close to home and gave M-G-M production his invaluable attention and supervision.

Warner Theater Managers Entertained by Payette

Washington Bureau of THE FILM DAILY

Washington—Managers from all Warner Theaters in the Washington territory and execs. of the local office were the guests of General Zone Manager John J. Payette at the Mayflower Hotel last night. At the same time, the girls in the local office were entertained at dinner, Mr. Payette as hostess, assisted by Mrs. Harry Lohmeyer, Mrs. Guy Wonders and Mrs. Nat Glasser, the wives of the District Managers of the Washington, Maryland and Virginia Districts.

The dinners followed an all day general meeting.

- **J. CHEEVER COWDIN**

The announcement that ’38 again witnessed the versatility of this board of directors’ man of Republic, who also directs general enormously into exhibition and other phases of the industry’s common weal, watched the further material rise of Republic in pin ranks. Hied down to Washington early in year on behalf of MP/TOA, ITO of Ohio, Allied States Assn., and his own William M. Vincent Corp. to sell the House Ways and Means Committee on an idea of change in admission tax law, by upping the exemption on the 10 p. cent, from 40 cents to 50 cents. Spent 21 days in a Miami Beach bed fighting pneumonia and came through with not only flying colors, but renewed energy.

- **WALTER W. VINCENT**

The far-flung Warner domain made countless decisions up the major during the past 12 months. Nothing unusual in that, perhaps, considering that he is a director, vice-president and chairman of his own company and additionally holds executive posts in many of its subsidiaries. Yet the major was not too busy to join the board of social service, and the year-end found him co-chairman with David Bernstein of the Assumption Dinner of the Jewish charities drive in the metropolis.

- **DR. HERBERT H. KALMUS**

Technicolor’s executive managing partner! packing his luggage and crossing over to Europe just before Xmas. Highly satisfied with company accomplishments on this side of the briny, for 1938 was indeed a busy year, and the promise of 33 such features to be released in 1939-40 was more than heartening. Put up new addition to the existing Hollywood plant and tested production at full capacity. Told board in December that net for the year would probably hit the million mark. Spent considerable time in England forwarding plans and business of Technicolor, Ltd., and declared his hopes that Technicolor Technicolor in 35 mm. would soon be a reality.

**Rep. Signs Blumenfeld**

San Francisco—Republic Pictures Corp. has just closed a contract here for its 1938-39 product to play the Blumenfeld Theaters Circuit’s 14 houses in northern California. The deal was concluded by James R. Grainger, Republic’s president and general manager in charge of distribution, who arrived here a few days ago, and Joseph Blumenfeld, acting for the Blumenfeld circuit.

**So. Weymouth House Ready**

Boston — New South Weymouth Theater will open Sunday. Colonial in style, it seats 700.

Straw Vote to Determine Fate of Sunday Picture Shows

Eastman, Ga. — A gentleman’s agreement has ended Eastman’s Sunday movie war. A straw ballot is to be taken on Jan. 12, with all citizens of Eastman 21 or over eligible to vote. If the vote is favorable to Sunday movies, the Junior Chamber of Commerce will ask the courts for a permanent injunction restraining the city officials from interfering with the showing of the pictures. If, on the other hand, the vote is unfavorable, the Jaycees will prepare for the legal attempts to hold Sunday showings.

**Stage Hands’ Benefit Vaude**

Cincinnati—Local Stage Hands union is running a full week of vaude at Taft’s Theater, beginning today, for benefit of the local.
**Distributors. Confident Reforms Agreement Will Be Reached**

**TELEVISION BIDS FOR CENTER OF STAGE IN 1939**

Nicaragua, Bidding for U.S. Pix, Cuts Duties 50%

Gov't Acts When Native Showmen Cite Need of Hollywood Films

Washington Bureau of THE FILM DAILY

Washington—A trade reduction of 50 per cent in film duties has been announced by the Nicaraguan Government to stimulate the importation of American pictures, it was learned here last Friday. Typical comment in Nicaragua papers following the government move was reflected in a newspaper Noverdades which said:

"The Nicaraguan public will again

(Continued on Page 6)

**MOON AND ROBERTSON IN MUTUAL THEATERS**

Detroit — Mutual Theaters, Inc., which has just been organized, is taking over Consolidated Theater Service Co., recently formed by Ray Moon. Officers of the new company are Moon and James N. Robertson, formerly one of the largest independent theater operators in Detroit.

(Continued on Page 6)

Col. Dedicates Campaign to Salesmen and Bookers

Columbia over the holiday weekend announced its annual sales drive, dubbed "Columbia's Personal Achievement Campaign," would be dedicated to the individual salesman and booker. It's an industry precedent, the company said.

Drive will start Jan. 9 and run

(Continued on Page 6)

J. F. Brockliss, European Film Exec., Dies in London

London (By Cable)—J. Frank Brockliss, 50, prominent film executive who for many years was associated with Loew-Metro in France and with First National Pictures Ltd., in England before establishing

(Continued on Page 6)

**History Makers of 1938**

Film Daily's Gallery of Those Who Marched in the Headline Parade

- **Darryl F. Zanuck** — Advocate of more showmanship, the versatile and talented production head of 20th-Fox presented a diversified program to the exhibitors that had showmanship plus. He topped previous achievements with the history-making "Alexander's Ragtime Band," which is piling up tremendous world-wide profits. Zanuck was on the jump all year. Dinner guest of bankers in New York, he later returned East and left for Europe on a much deferred but earned vacation. "Hollywood's unofficial envoy," London and Paris hailed him, and with reason.

- **Jack Cohn** — When the good ship Queen Mary tied up to her North River pier on Dec. 1, all stepped Columbia's v.p. with news of having concluded a pact with four leading French producers to supply one picture each for distribution by Columbia's new subsidiary, Famous Foreign Films, headed by Budd Rogers; and, additionally, that distributors' quota requirements would be taken care of via a deal with Irving Asher, and that a sexet of Columbia offices would be established in France.

**Distributor Negotiators See Little Difficulty in Ironing Out Reforms**

National Screen Charges Infringement in T-M Suit

Suit was filed on Friday in Federal Court by National Screen Service against Trailer-Made, charging latter with infringement of sound tracks.

Complaint alleges that National Screen has had the opportunity to examine only 30 of the Trailer-Made trailers, and that among these, it has found 10 instances in which its sound track has been pirated. These instances are the trailers of

(Continued on Page 6)

Despite non-approval of the trade practice draft by some exhibitor organizations, members of the distributors' negotiating committee are of the opinion that an agreement can be reached when deliberations are resumed next month.

Although the ITO of Southern California rejected the plan, reports from the Coast indicate that members were less opposed to it following conversations with Sidney R. Kent and William F. Rodgers during their recent studio visits. Explanations by both men left a feeling that the situation was not

(Continued on Page 6)

New Year to Bring Epochal Developments in the Film Industry

By Jack Alicoate

Publisher of THE FILM DAILY

As newsworthy as 1938 may have been from the American film industry's standpoint—and its progress across Time's pages has been marked by a procession of major headlines—the next 12 months promise developments which will influence the industry's course to an even greater extent.

Forces working towards that end are already in motion, with maxi-

(Continued on Page 7)

**GERMANY TO FINANCE SPANISH REBEL FILMS**

Germany has closed a deal with Franco's insurgent government in Spain to finance production of Spanish pictures for distribution throughout the Latin American markets on a large scale as the forerunner of an intensified economic campaign in these territories, it was disclosed

(Continued on Page 6)

**Paramount to Open Sales Meet in St. Louis Jan. 7**

Paramount district sales managers and home office executives of the company will hold a three-day meeting in St. Louis on Jan. 7-9, Neil Agnew, vice-president in charge of

(Continued on Page 7)

**Report Samuelson Accepts Philadelphia Allied Post**

Sidney Samuelson, former national Allied president, is reported to have definitely accepted the post of business manager of Philadelphia's new

(Continued on Page 7)
Paramount to Open Sales Meet in St. Louis Jan. 7

(Continued from Page 1)

distribution, announced over the holiday weekend.

The meeting will be held in the Coronado Hotel and will be attended by Agnew, who will preside; Division Managers J. J. Unger, Charles Reagan and Oscar A. Morgan, who was recently named to head the newly-created southern sales division; R. M. Gillham, director of publicity and advertising; G. B. Frazin, division director; Don Davis, Fred Leroy, Jack Roper, Herman Lorber and Arthur Dunne from the home office and District Managers M. S. Kusse1, New York; H. W. Brady, Los Angeles; Ben Blotcky, Minneapolis; Allen Usher, Chicago; and Harold W. Wilkes, recently promoted from New Orleans branch manager to the district managership of Atlanta, succeeding Oscar A. Morgan.

Cliff Lewis, studio advertising manager will also attend. Members of the home office group will leave New York by train on Jan. 6.

Urgent Operation by Indie

Philadelphia—Group of theaters serviced by 20th-Fox which follow downtown run of Stanley, following a Thanksgiving Friday, are planning to rid themselves of the ever-wary Sidney R. Kent that, upon the expiration of the Fox Theater and building lease, the house will be given to an indie to operate.

American Hebrew Medal Bestowed on Roosevelt

Will H. Hays, film industry administrator; David Sarnoff, RCA president, and Lowell Thomas, newsreel commentator, are among the prominent personalities on the award committee which has just designated President Roosevelt as the recipient of the 1938 American Hebrew Medal, outstanding service in promoting better understanding between Christians and Jews, it was announced on the weekend by Joseph F. Rouben, editor and publisher of the American Hebrew.

Winnipeg Branch Takes Kent Drive Top Honors

Sixth annual Kent Sales Drive at 20th-Fox resulted in the Winnipeg branch winning top honors. In following order were: Montreal, Des Moines, Saint John, Omaha, New Orleans, Chicago, Calgary, Seattle, Memphis, Minneapolis and Toronto. Percentage figure of sales increase was about 10 per cent ahead of 1937. On the basis of 18 weeks' delivery reports the Central Division Sales forces headed by William C. Gehring, will close the competition. The Winnipeg, Montreal and New Orleans branches doubled quotas during the final week of the drive. Ad sales delivery was won by John Casey of the Montreal office.

Chapman, Aide to Glett

R. F. Chapman, Audio Productions director, has been appointed executive assistant to Charles L. Glett, vice-president of Eastern Service Studios.
Highest figures of all attractions now on the boards are those on Warner Bros.' mighty 
DAWN PATROL

ERROL FLYNN in 'THE DAWN PATROL' with Basil Rathbone, David Niven, Donald Crisp, Melville Cooper, Barry Fitzgerald, Carl Esmond • Directed by EDMUND GOULDING

Screen Play by I. Miller and Edith Turer from an Original Story by John Monk Saunders • Music by Nat Horner
How long is it since
Along comes RKO RADIO with a show deserving of the biggest and best you can give it!... A picture to back up all promises!... A remarkably fine production!... In all his career John Barrymore never gave more to a role—nor played a role that had more to take!... The story of a man whose single vote controlled a big election... a highbrow hobo in disgrace... laughed at by the town... loved loyally by his motherless kids!... Tell your folks to come expecting OUTSTANDING ENTERTAINMENT... They'll get it!

with

John Barrymore
Peter Holden • Virginia Weidler
Donald MacBride • Katharine Alexander

Pandro S. Berman in Charge of Production
Directed by George Hurrel • Produced by Cliff Bole
NÍCARAGUA BIDDING FOR U. S. PICTURES

(Continued from Page 1)

enjoy North American pictures, which are unquestionably the best in the world.

The owners in Nicaragua were instrumental in effecting the tariff reduction, stating that without Hollywood films they would lose their exchange or sell the German and Mexican films have been the closest competitors of the American product in Nicaragua.

It is believed here that this reduction may be the forerunner of similar duty slashes in several other countries below the Rio Grande.

GERMANY WILL FINANCE SPANISH REBEL PICTURES

(Continued from Page 1)

here last week by Joaquin Marti, following his arrival from Spain.

Stating that only German and Italian pictures are allowed entry into Franco territory at the present time, Marti believes that, were there war it may mean a complete freezeout for all other distributors.

It is generally believed in Spain that the German-financed pictures will be produced along lines that will make them appear as a good will gesture. Actually, however, the objective will be propaganda, it is understood.

Marti, who is here to represent Films Popular of Barcelona, says the latter has increased production during the past year, with 12 features, newscasts and a number of shorts completed during the past 12 months. He expects the feature production to increase during 1939.

He hopes to negotiate a deal here with a major company for distribution of this product in the Latin American market, and expects to get pictures here in order to get American pictures for distribution in Loyalist Spain. He said that all the theaters were operating, but no new product is available. He particularly wants to get United Artists “Blockade,” and is negotiating for it now.

Despite the war, the film industry in Spain has made rapid strides and it has a bright future if it is not crushed by regimentation, he said.

Col. Dedicates Campaign to Salesmen and Bookers

(Continued from Page 1)

for 10 weeks, ending March 18. During the period, Columbia will release “Plane No. 4” and “Let Us Live,” both German titles; “There Was a Woman Again,” “Coast Guard,” “Old Mrs. Leonard and Her Machine Guns,” “The Lone Wolf’s Daughter,” “The Last Offender,” “Blondie Steps Out,” “Homicide Bureau,” “The Thundering West” and “Frontiers of ‘49.”

DISTRIBUTORS CONFIDENT ON TRADE AGREEMENT

(Continued from Page 1)
as serious as had been thought, it was learned.

indications are that the phlegm of the draft needs further interpretation and that a round-table discussion on various points will change the tenor of the program, with a few changes.

Rodgers said Friday that his group did not anticipate a great deal of trouble in smoothing out existing wrinkles and that he was confident an agreement would be reached when the conferences reopen.

“We are ready to talk,” Rodgers said.

J. F. Brockliess, Brockliess Film Exec. Dies in London

(Continued from Page 1)

several motion picture enterprises of his own, held on Friday, He entered the film business in 1909, and during the World War was in charge of British Military Intelligence. Later he established the Paris office and the Continental organization of the Societe Anonyme des Films Loeve-Metro, and filled posts as representative of that company, and from 1925 to 1927 was managing director of First National Pictures, Ltd., of England. Subsequently, he founded the Continental business, J. Frank Brockliess, Ltd., under the title Societe Anonyme Francaise Brockliess et Cie., with headquarters in Paris.

For several years he acted both as chairman of the Incorporated Association of Kineographe Mfrs., Ltd., and the British Board of Film Censors.

Ohio Censors Turn Down Amkino’s “Prof. Mamlock”

Cleveland — Amkino’s “Professor Mamlock,” a Soviet screen version of the work by Friedrich Wolf, which was to have opened at the City Theater here on Jan. 6, has been banned from showing in the State of Ohio by the Division of Film Censorship, headquartered in Columbus, it is revealed.

Amkino’s New York office said “Professor Mamlock” was submitted on Nov. 30 to Ohio’s Division of Film Censorship. Some two years ago, the Federal Theater Project used Friedrich Wolf’s opus for dramatic production.

Wilson Named Thomas Aide

Harry H. Thomas, who recently closed the district to distributers in the East, has appointed Jerome (Jerry) Wilson as his eastern man. Wilson is in partnership with Merit Pictures Corp., 630 Ninth Avenue. Thomas’ distributors in the Metropolitan territory.

National Screen Charges Infringement in T-M Suit

(Continued from Page 1)


The complaint asks that Trailers-Made submit for examination all the 500 or more trailers already produced.

Three musical compositions are also pirated, National Screen contends. These are “Heavy Agitato,” composed by Leo A. Kempinski, “Fox Trot 4,” by Frank Vente, and the song “Agitato,” written by Benjamin A. Machan.

Isadore Schwartz, president of Trailers-Made, and Pathe Lab., were made defendants, the latter because trailer prints were made in its plant.

National Screen Charges Infringement in T-M Suit

(Continued from Page 1)

Washington Bureau of THE FILM DAILY

Washington—Indication that the Justice Department may work closely with Capitol Hill film-minded solons during the new Congress in fostering divestiture legislation and a new block-booking bill was seen here Friday after Truman Harold, chief trust-buster, said he did not feel he was in a position to comment on the industry’s trade reform program “in view of pending legislation.”

Arnold did not elaborate his statement, but another Justice Department official explained that a wide range of legislation extending from the Bornh-O’Mahoney federal licensing bill to block-booking could be interpreted as being included in the “pending legislation” mentioned by the assistant attorney general.

702 SIGNS HER PACT

Contract with HER Laboratories was signed by Local 702, lab. workers union, Friday, with Paramount News, contract scheduled to be signed today or tomorrow it was learned over the holiday weekend. Paramount News contract goes into effect as of today, it is learned. Union execs. are hopeful that contracts will be signed with DeLux and Consolidated by March.

Moon and Robertson Form Mutual Theaters, Detroit

(Continued from Page 1)

but has who has been out of the business for about three years.

Mutual will begin operations Jan. 6 and will book pictures for independent houses and conduct general theater services. Headquarters will be in the Fox Theater Bldg.
**Highlights of 1938 Industry Statistics**

- **Average national weekly attendance:** 85,000,000.
- **1938 cost of production (estimated):** $165,000,000.
- **Investment in new theater construction:** $12,800,000.
- **Average admission price:** Approximately $.30, no change.
- **Film theaters operating:** 16,251; film theaters dark, 2,182.
- **Average grosses:** $12,432.
- **Apparatus features, more shorts:** $43 of former, 761 of latter cleared by PCA in first 11 months.

**British television interests are not indifferent to the American market possibilities, witness the following rumor that this country late in the year two Scophony executives, Solomon and Scophony executives, Solomon and Arthur Levey, a director of the English company. A $10,000,000 Scophony American company is envisioned; necessarily, under FCC regulations, it must be financially controlled by U. S. capital if it takes shape. It is possible that Scophony will be in operation on this side by March 1.

In American film industry, executive opinion as to television's effects may vary, but there has been a wave of opinion as to the effects it will have in specific instances, protective en-trenching moves. There is a natural affinity of RCA and Juko interests. Warners control Transamer-ican Broadcasting and Television Corp., but the most forward step was when it bought into DuMont Laboratories, Inc. in early August.

**Significance of Alliance**

The significance of the Para-mount-DuMont-Scophony alliance is the fact that DuMont has developed its own television system requiring only three magnetic, that it is a crystal set, and that, by January, it will have its first station in operation at Passaic.

In the light of this, it is understand-able that the Research Coun-cil of the Academy of Motion Pic-ture Arts and Sciences is calling for a television investigation covering "artistic, technical, legal and eco-nomic phases" and warns anew that "the situation is one which calls for continual observation and anal-ysis by the motion picture industry." It is the Council's view that while the next two years will bring impor-tant developments on the film industry, it is unlikely that television's re-percussions will result in revolution-ary changes in film production and exhibition before 1941. It does fore-see that "when television comes into its own it may well open up a vast market for films especially designed for television distribution."

But, as indicated in the DuMont-Paramount-Scophony arrangement, it is not likely that the new industry will play a large part in the motion picture business for many years to come. The growth of the television business will depend on the progress of the industry in the next five years, and it is not likely that television will make a significant impact on the motion picture industry for several years to come.

**1939 Production Forecast**

Looking ahead in production, pic-tures dealing with historical figures and events seem to be the order of the day. Paramount is preparing "Gettysburg," while C. B. DeMille is making "Union Pacific" for the same organization. "Dodge City" is in production at Warner Bros., while the Burbank plant also plans "The Life of Huygen Solomon," which will be "Wagon WESTWARD," basing its story on the life of Sam Houston. 20th Century-Fox will make "Lute of the West," dealing with the life of Abraham Lincoln, as well as "Stanley and Liv-ingstone" and "Alexander Graham Bell." It has completed "Jesse James.""

The success of "Alexander's Rag-Time Band" has created interest in figures of the stage and musical world. Charles R. Rogers will make "Star-Maker," based on the life of Gus Edwards, with Bing Crosby as the star and Paramount the distributing company. There are also plans to make a film in the life story of the Four Cohans, while 20th Century-Fox will make "The Guinea Pig," a modern day court-room and adventure stories dealing with Weber and Fields, and John Philip Sousa are anticipated. 20th Century-Fox and Warners will produce "The Life of Bee-thoven."
1. They square off. Cooper is new to this gang of kids. Somebody kidded him...he was tired, hungry, so he snapped back. Now he's got a fight on his hands.

2. A left cross gets Cooper before he knows what happened. His opponent drives in hard figuring on an easy take. The kid in front of him seems daffy, no fight to him at all!

3. He's down! That left and then a hard right did the job. Cooper seems dazed, unaware that he's in a fight with a boy out to do damage—not to win a decision!

4. The round's over but the bell means 'nothing to Cooper's opponent. He drives hard and the yell of the mob covers the sound of the gong, the weak protests of the few that want fair play!

5. But the fight isn't over yet, Cooper comes back and there is determination to win. The other fellow realizes that his set-up has become a problem. He steps up his own pace...the fight's just begun!

JACKIE COOPER in A UNIVERSAL PICTURE

NEWSBOYS' HOME

EDMUND LOWE

Wendy BARRIE - Edward NORRIS
Samuel S. HINDES - Elisha COOK, Jr.

THE LITTLE TOUGH GUYS

 Directed by HAROLD YOUNG

Associate Producer KEN GOLDSMITH

Screenplay by GORDON KAHN

Prints Now Available!
Think Bondy RKO Reorg. Decision May Come Tomorrow

BROADWAY HOLIDAY BIZ UP 5-17% OVER LAST YEAR

Hollywood's Trends Hold Significance for Exhibitors

'38 History Makers

A Film Daily Gallery of Year's Headliners

**MARK OSTERER**

While this exec.'s activities were essentially British, as was to be expected, his name loomed importantly on this side late in the year when Gaumont Brit- ish Pictures Corp. of America, of which he is prexy, effected a deal which turned over distribution of GB product here to 20th Cen- tury-Fox. In the United Kingdom, as chairman of the board of GB Pictures, Osterer was potent in Films Act discussion and in the GB-Odeon merger moves.

**JACK L. WARNER**

**C ACTION** was the word for War- ners out Bar- b'ank way this past twelve-month, and herewith see portrayed the dispenser of that action. Upward of 50 WB pix made turbanettes click merrily, and a like quantity for 1938-40 are set for Jack L. guiding hand. When the report was spread that musicals were becoming de trop, 'twas he who sold this is erroneous, and boldly. In the Autumn, he packed his

Production Hits Fast Pace, In Marked Contrast With a Year Ago

By JACK ALICOATE
Publisher of THE FILM DAILY

As the New Year knocks at Hollywood's door, the studio scene presents well defined as- pects that hold special significance for the exhibitor.

An interesting development is the number of foreign pictures be-

(Continued on Page 8)

PREMIUMS EPIDEMIC IN CHICAGO HOUSES

By JOSEPH ESLER
FILM DAILY Staff Correspondent

Chicago—Exit of 1938 here finds use of premiums epidemic as exhibs. battle for biz, Just as a union survey, shows more houses using premiums than in a period of years; even B

(Continued on Page 8)

City of Quebec Starts Anti-Bank Night Drive

Quebec—Charles Rioux, manager of Cambral theater, Quebec, appeared for a preliminary hearing

(Continued on Page 3)

RKO Reorg. Decision Believed Near; Trusteehip of Irving Trust Extended

Local 702 Wins Increase for Para. News Employees

Contract was signed yesterday by Local 702, lab. technicians union, with Paramount News calling for general wage increase for all work- ers covered by pact, closed shop and

(Continued on Page 3)

Warner Forecast

West Coast Bar, THE FILM DAILY

By O. R. BURBAGE


TO CONSIDER GAMES ELIMINATION TODAY

Committee of independent and circuit operators meets today to de- vice a plan for the elimination of cash games in New York City thea- ters. Whether a definite formula has been decided upon and will be put up to the committee could not be learned, but under a previous plan the members were to make a survey of other cities in which the games have been dropped.

One of the committees men said

(Continued on Page 8)

GB to Handle Its Own Instructional Shorts in U. S.

Distribution of the Gaumont Brit- ish Instructional Films program in this country will be handled here by Gaumont British of America and no deal will be made with any other organization to handle the program.

(Continued on Page 7)

RKO IRISH BUSINESS CLIMBS 30% IN YEAR

RKO business in Ireland increased about 30 per cent during the last year over biz done during 1937, Wel- ter McNally, Irish distributor for RKO who is also a prominent ex- hibitor in Dublin, reported yesterday.

Arthur M. Loew Returns, Gives Personal Bonuses

Arthur M. Loew, foreign head of Loew's, Inc., returned to his desk from a South American tour yes- terday and gave a personal bonus

(Continued on Page 3)

10-15% Improvement

Chicago—Indiana Illinois Theaters, Inc., expects 1939 to be better than 1938 by 10 to 15%, "conservatively speaking," says Jack Rose, general man- ager. Rose adds: "We believe that the new year will be the beginning of a long period of steady climbing; no spectacu- lar rise of any kind, but a slow steady climb."
COMING AND GOING

H. HOWARD DIETZ, director of advertising and publicity for M-G-M, flew to the Coast last night.

T. R. WILLIAMS, treasurer of Grand National, left last night for the East.

WALTER McNALLY, Irish distributor and exhibitor, is spending the week in with several Eastern cities, returning to Ireland Jan. 4 on the Manhattan.

HERBERT CROOKER, former publicity director for Warners, leaves for the Coast the end of this week.

ROBERT T. CANE, English production head for 20th-Fox, leaves for the Coast today, having delayed his departure one day.

SAM E. MORRIS, Warners foreign head, is scheduled to leave for the Coast early next week for studio huddle.

C. B. RAY, who is writing the script for Edward Small's production of the novel, "My Son, My Son," leaves for England short.

MILTON BREN, Hal roach exec, arrives here tomorrow from Hollywood.


FRED SCHELK, production manager, goes on the one-thousandth of a nation. . . Leaves for the Coast Friday to take over a post with Grand National.

GEORGE LAGANAS, producer of Standard Pics, has arrived on the Coast from New York.

New Color Film Process Said Developed in Japan

Tokyo (By Cable)—Employing a unique process of a single rather than a multiple layer of sensitizer. Prof. Toshikura Oka, of the Tokyo Higher Industrial Arts School, has completed a natural color motion picture film that is said to compare favorably with foreign product.

The new film is said to enjoy an advantage over others because it can be used successfully on ordinary projectors. It is explained that the process produces an improved film and then prints and combines three versions in blue, red and yellow.

Bingo Out in Syracuse, But Bank Night to Stay

Syracuse, N. Y.—Bingo and all other games with the exception of Bank Night will exist here Jan. 1, it is reported. Chief of Police William Rapp is said to have quietly issued the order. Exhibs, interests generally are credited with bringing the ukase. Bingo especially has cut into theater grosses here.

U. S. Pix "Take" Reported $950,000 in Brit. Malagies

Singapore (By Cable)—U. S. industry’s "take" in the British Malagies is estimated at $950,000 annually by the American Trade Commissioner here. American product dominates the screen by between 65-70 percent, it is stated, British, Indian and Chinese films are principal competitors.

300 Get Cash Bonuses

Miami—Christmas cash bonuses were given more than 300 employees of Paramount Enterprises, Inc. W. R. Lynch, general manager, made the awards on the basis of length of service.

Lester Tietjen Dies

Lester Tietjen, head of the Warner playdate department, died Sunday at the Post-Graduate Hospital after a long illness. He is survived by his widow, Mrs. Gertrude Tietjen, Services were held at Campbell's Funeral Church last night and the funeral will take place this morning.

Tietjen had been connected with Warner for nearly 15 years.

"U" Borrows Bartholomew

West Coast Bureau of THE FILM DAILY

Hollywood — "U" has borrowed Freddie Bartholomew from M-G-M to appear with Jackie Cooper in "Spirit of Culver."
RKO REORG. DECISION
BELIEVED IMMINENT

(Continued from Page 1)

the long-awaited decision is imminent.

One of the developments was the signing by Federal Judge Henry W. Goddard of an order authorizing the Section of RKO to file a claim in the amount of $8,589.40 for transfer taxes paid by RKO between January, 1934 and February, 1935, on both bonds and debentures of RKO represented by certificates. Hearing on the petition is scheduled for the motions branch today at 3:30 p.m.

Judge Goddard also signed an order yesterday extending the time of Irving Trust as trustee for RKO for an additional period of six months from Jan. 1, 1939 to affirm or disaffirm any leases, contracts or other agreements to which RKO is a party and which have not been affirmed or disaffirmed. Order also provided that any election to affirm or disaffirm must be made by

notice in writing delivered to other parties involved, and additionally that nothing short of a notice in writing can be deemed an extension. Extensions had previously been granted from July 1, 1934 to the end of 1938.

Considerable interest was manifest by observers, in view of a provision in the Chandler Act, as to whether the RKO Corp. can participate in the operations of RKO. This provision states that the identity, qualifications and affiliations of directors must be made known before confirmation of a reorganization plan.

The filing by RCA of its petition for transfer taxes also led to speculation, since this move might have the effect of putting off a confirmation decision until after Jan. 1, 1939.

City of Quebec Starts
Anti-Bank Night Drive

(Continued from Page 1)
yesterday on a charge of operating a lottery by conducting Bank Night. Crown Councillor described the Bank Night as "purely a lottery" while Rioux in defense claimed it was a "publicity measure."

B'WAY HOLIDAY BIZ
UP 5-17% OVER '37

(Continued from Page 1)
holiday stage show. Business Monday and yesterday was reported to have been 10 per cent ahead of the two days following last Christmas.

The Roxy with "Kentucky" and a special stage show was running 10 to 15 per cent ahead of the corresponding period in 1937, while Loew's State also reported bigger business this year. Feature at the latter house is "Out West With the Hardys."

The Capitol where the attraction is "Sweethearts" reported business 17 per cent ahead of last year and 22 per cent ahead of the previous year.

Capacity crowds were storming the Astor where "Pygmalion" is the feature and the Paramount which is offering "Artists and Models Abroad."

The Rivoli with "The Beachcomber" is building up heavy grosses daily, with Monday's receipts said to have been more than double that of the Saturday opening and indications are that the week's gross will almost double an average week.

Local 702 Wins Increase
for Para. News Employees

(Continued from Page 1)
a guarantee of a 40-hour week for night workers, it was learned last night.

Pact also stipulates one week vacations with pay. Wage scale increase ranges from $1.35 per week to $28 per week for some workers. Pact goes into effect immediately.

Arthur M. Loew Returns,
Gives Personal Bonuses

(Continued from Page 1)
to each member of his home office department. The bonus consisted of one week's salary, plus $25 to "cover expense of Christmas dinners."

Film News Air Program

A new motion picture news program on the air, three times a week, will begin on Jan. 4 when Stella Unger inaugurates a series over an MBS hookup of 38 stations for Aurora Laboratories, Inc., for Clear-Again tablets.

43 Before Cameras
West Coast Bar, THIS FILM DAILY
Hollywood — Forty-three pictures are
before Hollywood cameras with M.C.-M
heading the list with eight. Warner Bros.
is making six and Paramount and Columbia, five each; Universal, four; RKO Radio and Republic, three each; Monogram, two; Small, Wanger, Goldwyn, RKO, Darmour, Dwan, Benner and Dario are down for one each.

\[ \text{Happy Birthday} \]
\[ \text{DECEMBER 28} \]
Lev Ayres
Frank Butler
Arch Reeve
John LeRoy Johnston
**REVIEWS OF THE NEW FILMS**

**"Trade Winds"**
with Fredric March and Joan Bennett
UA-Wagner 90 Mins. (HOLLYWOOD PREVIEW)
MYSTERY MURDER STORY PLAYED IN LIGHT VEIN SHOULD CLICK AT B. O.
This offering opens in San Francisco and takes its chief players to Honolulu, Singapore, and Sumatra, after a short but interesting trip to Golconda that provide interesting backgrounds. It is a mystery murder story, which has much comedy and romance, and for the most part is played in a light vein. It has been given skillful direction by Tay Garnett, who also gets credit as producer and author. Thomas Mitchell and Robert Elliott do good work as a San Francisco detective, with a fondness for the fair sex. Joan Bennett is decorative and capable as the girl, who is wanted for the murder of Sidney Blackmer who has ruined her sister. Ann Sothorn has a field day as March's secretary, in search of half of the $100,000 reward offered by Blackmer's father for Joan's arrest. Ralph Bellamy does splendid work as a righteous, pure-minded detective. Thomas Mitchell has the villain's role in this picture, and does well in smaller roles. Dorothy Parker, Alan Campbell and Frank R. Adams contributed an interesting screenplay. March plays Joa, half around the world and falls in love with her. He learns her real identity and they return to San Francisco, where March loses no time in trapping Richard Tucker, the real murderer, whose wife was involved in Blackmer.


CREDITS: Produced by Walter Wanger; Director, Tay Garnett; Screenplay, Dorothy Parker, Alan Campbell, Frank R. Adams; Cameraman, Rudolph Mate; Process Photography, Ray Binger; Asiatic Photography, J. S. Shackelford; Associate, Alexander Goltz; Art Director, Alexander Toluboff; Editorial Supervisor, Oto Loring; Sound, Walt Reynolds.

**PFC Retains Silverberg**
West Coast Bureau of THE FILM DAILY
Hollywood — Production Finance Corp. has retained Herbert T. Silverberg as special counsel to safeguard its investments in film production loans. Silverberg will liquidate collateral which was pledged by the Production Finance Corp. on its production loans including original stories and distribution rights in a number of the completed films. The negotiations had been turned over to the Finance Corp.

**"Annabella Takes a Tour"**
with Jack Oakie, Lucille Ball
RKO Radio 59 Mins. (HOLLYWOOD PREVIEW)
HILARIOUS COMEDY OF STAR AND GOOFY PRESSAGENT CARRIES THE LAUGHS FOR POP ENTERTAINMENT.
Second in the series of Annabella's adventures, with Jack Oakie as Lennie Morgan, the slap-happy press agent. In this one Annabella is sent on a personal appearance tour, with Oakie almost turning it into a fizzle at the start. It's the goofy publicity stunt that backfires. The fun comes when Annabella in Chicago tries to grab herself a Viscount (Ralph Steel) to help her out, and is all the popular rage. What makes it tough for her press agent is the fact that Annabella is a fake, disciplined publicity, now being head over heels in love with him, tries to soft peddle the publicity, too. Things move from one mix-up to another as Annabella tries to save his meal ticket by sidetracking the romance with the titled gent. The more she strives, the worse things get. Finally Annabella is ready to sacrifice her career for love, and then the press agent moves into action and digs up a phony wife for the Viscount. On the way back to Hollywood when all seems saved, the real wife appears, and then the situation calls for a lot of fast thinking on the part of Oakie. The laughs are there in abundance, and with Lucille Ball's good looks and Oakie's antics, this one will register as a go-to attraction anywhere.


CREDITS: Producers, Lee Marcus, Lou Lustig; Director, Lew Landers; Authors, Joe Bigelow, Bert Granet; Screenplay, Bert Granet, Ollie Cooper; Cameraman, Russell Metty; Editor, Harry Marker.

**"Going Places"**
with Dick Powell, Anita Louise, Allen Jenkins
WARNERS 85 MINS. (HOLLYWOOD PREVIEW)
MERRY COMEDY WITH MUSIC SHOULD HAVE NO TROUBLE IN PLEASING.
This is a merry comedy that has been skillfully directed by Ray Enright. Dick Powell heads a cast of clever funmakers, Walter Catlett, Alex Jenkins, Harold Huber, Louis Armstrong, Thornton Hall, Maxine Sullivan and Minna Gombell among the principals. To Bonamie Glazer goes credit as associate producer. Music plays an important part in the picture, with Powell, Catlett, and Armstrong, and the villain, to deliver. The plot is thin, but it serves its musical comedy purpose adequately well. The locale is a mythical kingdom in Europe, and the Princess has been banned music till the fun-loving populace pay their taxes. Tauber has planned a big concert, so his pal, the American newspaperman (Jimmie Durante) arranges to hold the affair in a cave, but the police jail the principal. Although he manages to turn the tide, the film is a success and musical revolution is launched as the people go singing through the streets. Tauber is in excellent voice, and with Durante's good songs, the cast, the show goes over as a bit of light and pleasing entertainment.


**"Forbidden Music"**
with Richard Tauber, Jimmy Durante
World Pictures 54 Mins. (HOLLYWOOD PREVIEW)
LIGHT AMUSEMENT AND FINE SINGING IN BRITISH MUSIC TRAVESTY MAKES PLEASANT FILM.
A British production that gives Jimmy Durante an opportunity to do his eccentricity to his heart's content, combined with the very fine singing of Richard Tauber, furnish an hour of light and satisfying entertainment. The plot is pretty thin, but it serves its musical comedy purpose adequately well. The locale is an mythical kingdom in Europe, and the Princess has been banned music till the fun-loving populace pay their taxes. Tauber has planned a big concert, so his pal, the American newspaperman (Jimmie Durante) arranges to hold the affair in a cave, but the police jail the principal. Although he manages to turn the tide, the film is a success and musical revolution is launched as the people go singing through the streets. Tauber is in excellent voice, and with Durante's good songs, the cast, the show goes over as a bit of light and pleasing entertainment.


CREDITS: Director, Walter Ford; Authors, Fritz Kesselin, Armin Robinson; Screenplay, Ralph Barden, Ralph Barden, Morgan Rouverol, Seeley; Exicutions, Jimmy Durante.

**"GOOFY TRAVESTY"**
HOLLYWOOD — Terry De Lapp has made several changes in his public relations program at Paramount, effective Jan. 1. Bert Holloway becomes his assistant and Ed Churchill is made department editor. Jimmy Durante will tie up business and do his regular radio shows, while Ralph Huston, re-joins the publicity department after being in the advertising department for the past two years. Bob Bussey has been transferred to the advertising and exploitation department where he will handle radio exploitation.

**Screen All-Metro Program For England's King, Queen**
London (By Cable)—An all-M-G program was screened yesterday at Sandringham for the King and Queen of England on the occasion of their entertainment of their Christmas holiday. The feature picture was "Sweeneyheart," and the short subjects included: "Sydney—Pride of Australia," a FitzPatrick Travel-Talk; "Miracle of Salt Lake," a Travel-Talk, and "The Captain's Christmas," a Captain and the Kids cartoon.

**Directions for Theater Staffs**
Lincoln, Neb.—Lincoln Theaters Corp., a J. H. Cooper enterprise, and Bob Livingston's independent Capitols will present the Christmas with their weekly salaried.
Four Daughters
The Sisters
Brother Rat
Angels with Dirty Faces
Heart of the North (in Technicolor)
The Dawn Patrol

WARNERS SURE ARE

GOING PLACES

C'mon...
Will do things for business!

(Big Things!)

Terrific for New Year's Eve!
Michigan's Theater Biz

Steadies; Fewer Changes

Detroit — Notwithstanding the slump in grosses in recent weeks, the performance of the Michigan theaters, with the exception of one or two playing the same film, is said to be good, and the traffic is steady. It is reported that the going in the downtown area is particularly good.

Two theaters changed names, one house was reopened after being closed almost ten years and another was closed for two years. Nine transfers of theaters were reported, including six in Detroit and three in up-state. Principal transacsions were the transfer of the Jacob Schreibler Circuit to Ray Schreibler's Midwest Theaters, Inc.

Five theaters changed names, one house was reopened after being closed almost ten years and another was closed for about two years. Nine transfers of theaters were reported, including six in Detroit and three in up-state. Principal transacsions were the transfer of the Jacob Schreibler Circuit to Ray Schreibler's Midwest Theaters, Inc.

To Show "Union Pacific"

In the Mormon Tabernacle

Cecil B. DeMille's "Union Pacific" will be shown in the Mormon Tabernacle in Salt Lake City, on Feb. 15. With Mrs. King being the first picture to be presented in the famous church, Cliff Lewis, Paramount's studio advertising manager, made the agreement with Heber J. Grant, president of the Mormon Church.

Richard H. Cummings Dies

West Coast Barons of THE FILM DAILY

Los Angeles — Richard H. Cummings, 80, veteran actor, died at his local residence. He started his film career in 1912 in New York with the old Thanhouser company, later coming to Hollywood for a role in D. W. Griffith's "The Birth of a Nation."
PREMIUMS EPIDEMIC IN CHICAGO HOUSES

(Continued from Page 1)

& K has introduced them in a half dozen houses.

The Chicago scene further shows resort to auction nights, jitterbug contests and similar varied means, and this in the face of the fact that exhibitors, say they have no squawks to make as to quality or quantity of product available. Indeed, in some instances theater operators say important pix have been coming too fast to permit them to cash in fully on exploitation values.

Demand for “name” bands by the circuit houses is falling off as they have had so many that the cost is hardly met by the revenues according to a leading booker. Hollywood “names” have been employed to strengthen stage shows.

A price “war” may be staged with the opening of the State Lake theater by B & K’s banner Saturday with a 40-cent admission. House will have a stage bill and first-run films. Jones, Linke & Schaefer circuit is expected to meet the price at the Oriental theater. The entry of the Essaness circuit into the Loop, by purchase of the Woods theater from the Jones, Linke, Schaefer circuit, brought competition with the B & K to the Loop theaters and several price changes have been made by both circuits, to test out the public demand.

RKO Palace theater is featuring Hollywood “names” and bands, to stimulate business and is also bringing in a new house okr under George Stone.

B & K, which tried out duals at the Garrick has returned to running all first-run “B” films with plenty of shorts. Essaness circuit is using duals of “B” films with plenty of shorts and has rerun a number of “P” films. Jones, Linke & Schaefer are using strong stage bills with the best films they can book for their Oriental and the McVickers and the LaSalle theaters.

No premium tickets have reached the Loop as yet, alto the JLS circuit is using jitterbug and amateur contests to boost attendance at the Oriental theater.

In the residential and outlying business districts, everything goes these days—double and triple bills, premiums, including silk stockings, dressware, glassware and dishes, jitterbug and amateur contests, auction nights, etc. The theater companies and a couple of garages are being turned into houses.

Nazi Action Rapped

Detroit—Action of Dr. Geog Crystall, German consul on the Coast, in threat- ening public calumny of the effects of a Nazi Spy” is scored by the Detroit Free Press editorially. Paper states that the United States has no leg to stand on in its accusations. In the light of the Nazi censorship to the U. S. and adds it the latest incident reveals no other action quite to be regarded as reprehensible.

News Flashes of the Hollywood Scene

(Continued from Page 1)

Hollywood—Warners have just announced that next month Charles Rait will have the title role in the company’s “Drug King.” ... Metro has signed Joe Laurie, Jr., to a writer-contract; Lou Irwin to star the deal. ... William Gargan will do an unannounced play. Leon Schlesinger was host to 200 employees at the Wilshire Bowl. ... Warners have boasted statician James Oliver Cow- wood’s “River’s Edge” will be filmed in Technicolor. ... Milton Berle is negotiating with Warner Bros. for the original RKO. ... Someone will make a commercial pix for Wilding. ... Sam Katzenman has started “Code of the Cactus” with Tim McCoy for Victory.

Hollywood Trends as 1938 Fades Out

Hold Significance For the Exhibitor

(Continued from Page 1)

ing purchased for re-make purposes. This movement is largely inspired by the success of “Aligiers,” which was originally made in French under the title of “Pepe le Moke.” M-G-M is making Katherine the Last,” originally a contract with the studio. Selznick International will produce “Intermezzo,” which was made in Sweden. RKO is still “Mother,” starring Ginger Rogers. In the field of fantasy Mervyn LeRoy is producing a “map” for Paramount. “The Wizard of Oz.” M-G-M, with Victor Fleming directing. Walt Disney is working on “Pinocchio.” and “Bambi.” Several pictures have been given a new lease on life by the heavy box-office returns at theaters that have been showing them in the last month: “Dracula,” and “Frankenstein.”... Universal is making a new “Frankenstein” story, budgeted at $500,000, with Rowland V. Lee directing.

Series Films to the Fore

Following a general series trend, pioneered by 20th-Fox’s “The Jones Family” and Metro’s splendid “The Hardys,” pictures based on cartoon strips are also coming to the front. Columbia made an auspicious start with its initial subject in the “Blondie” series, while John Spots started a strip: “The Katzenjammer Kids.” and “Scalpula.” Universal is now making a new “Frankenstein” story, budgeted at $500,000, with Rowland V. Lee directing.

The Year on West Coast

So much in production forecast. With studios now hitting a fast stride in contrast with the situation prevailing about a year ago is all the more marked. Nineteen thirty-eight was also badly hit, but there was no real spurt until the late summer and fall. As a result a number of film men started badly. The weather period resorted to re-issues to meet theater needs.

Various well-known film organizations, consisting of players and craftsmen have shown steady growth during the year. The Screen Actors Guild has become formidable. No one can appear before the camera unless he is a member of the organization. The annual conferences between representatives of the Guild and major producers resulted in some very definite concessions for the actors. Independent companies, making Westerns and serials, contend a unit managers, while the producers insisted that the assistant directors and unit managers represented the make-up of the shooting force in the same organization. A prominent director heard the tests offered at the ‘Nile” but, has not submitted his decision as yet.

The year saw Myron Selznick start elaborate plans for independent producing units which would include some of the stars and directors on his own agency list. Ernst Lubitsch was to head Ernst Lubitsch Prod., and William Powell, and Janet Gaynor were to head their own units. Releasing plans were discussed with important distributing companies, but in November the producer decided to discard the whole idea.

Coast Executive Changes

As usual there were many changes in the executive departments. Involved in the shuffle, Adolph Zukor was transferred to head Paramount’s activities in England, leaving William LeBaron in sole charge of production at Para- mount. Charles R. Rogers resigned as president—chairman of production committee of three, consisting of Cliff Work, Maxey Fox and Milton H. King, to consider.

TO CONSIDER GAMES

ELIMINATION TODAY

(Continued from Page 1)

Wednesday, December 28, 19...
“CRUSHER” McKay
tough as the steel
of his firehold
deckplates...the
whitest bruiser
with the blackest
crew that ever
drove a ship from
Shanghai to the
Golden Gate!
Red drama on a crippled ship at sea!... Above decks, a typhoon roaring; below, a strange white terror creeping through the vitals of the vessel!... And, standing against death and destruction, only three heroic souls— the man who'd fire his boilers with his sailors' hearts... the doctor who hated him, and the girl for whom both were battling!... A screen a’roar with action, romance, laughs... GRAND STUFF FOR THE BOX OFFICE!
History Makers of 1938 in the Film Industry

(Continued from Page 1)

HOT off the Hollywood wires, and right on the deadline for Santa's annual argosy down chimneys, came word (spreading of chimneys) that the industry's most famous smoker, the inimitable Mr. Lubitsch, had been signed by M-G-M as a producer-director to make "The Shop Around the Corner," and to direct Greta Garbo and "Ninotchka." Earlier in the year, Ernst Lubitsch complacently on one of his collection of fresh singlets, and merely raised an eyebrow questioningly regarding reports that he was signing with Alexander Korda. Later, there were plans to produce under the Myron Selznick ban-

• ROBERT T. KANE •

Although seldom seen to these parts, this able head of the 20th-Fox production force in England nevertheless figures largely in the news. With his company planning an expansion of its English program and backing a deal with Gaumont British-Theatres to produce jointly in England, he will be one of the U. K.'s busiest artists, during 1939. Following an earlier visit, Kane returned recently for series of conferences on next year's $5,000,000 program of 10-12 pix. These, Kane disclosed, will be aimed for the world-wide market and at least 4--rated as specialties—will be taken for American distribution. For American producers generally, Kane had this tip: British audiences are becoming increasingly discriminating.

• ERNST LUBITSCH •

Fear Md. Tax Removal Pledge in Danger

Baltimore—While a pledge to "abolish the movie tax" was made by the winning Democratic party in the recent gubernatorial campaign, there is some fear in the part of Maryland exhibs. that the need for revenue may block such action. Two film taxes are now in effect in the state—a one per cent levy on gross receipts and a graduated admissions tax.

• H E R B E R T J. Y A T E S • • A R T H U R M. L O E W • • J O H N W. H I C K S • • WALTER WANGER • • FRANK CAPRA •

It was a "passe-to-the-grindstone" year for this United Artists producing chief. Putting one picture after another into production, Wanger didn't even take time off to pay a visit to Broadway. Some unexpected publicity was thrown in his direction when his "Blockade" was assailed in some quarters for alleged sympathy to the Spanish Loyalist cause. In late December, he urged complete withdrawal of the U. S. films from circulation in "dictator nations.

Polli-New England Fights Assessments In Hartford

Hartford, Conn. — The Polli-New England Theaters, Inc., has taken an appeal to Superior Court from grand list assessments placed on its real estate here, valued at more than $1,000,000. The action, returnable to court the first Tuesday in January, was disclosed when papers were served on Town Clerk John A. Glenison.

The appeal is from assessment valuations on the lists of July 1, 1936, and July 1, 1937, on which of these dates, was returned from Europe to the estate was valued at $1,069,830 including $356,823 for land and $559,708 for buildings.

Papers in the action allege that the assessment valuations "in view of the circumstances," on these dates, were "very much in excess of the fair market value" and could not have been arrived at "except by disregarding the provisions of the statute for determining the assessment."
RADIO CITY MUSIC HALL

celebrates the most

Joyous New Year in

its history as its

records get ready to

disappear in a hilarious

cloud of ectoplasm.

Happy 1939 also for the

thousands of exhibitors

who have waited for the

sequel to "Topper".

Opens at Radio City

Thursday, December 29th

HAL ROACH presents

TOPPER TAKES A TRIP

CONSTANCE BENNETT again as the ghost ROLAND YOUNG again as Cosmo Topper BILLIE BURKE again as Mrs. Topper

ALAN MOWBRAY again as Topper's Valet with VERREE TEASDALE • FRANKLIN PANGBORN • ALEXANDER D'ARCY • Directed by NORMAN Z. McLEOD

Screen Play by EDDIE Moran, JACK JEVNE, and COREY FORD • Based on the Novel by THORNE SMITH • Produced by MILTON H. BREN

RELEASED THRU UNITED ARTISTS
Socco Box Office Biz Continues to Rule on Broadway

GAMES' DOOM VOTED BY N.Y. THEATER COMMITTEE

Missouri's Legislature May Get Censorship Measure

Move for Enactment of Law Stems from St. Louis Situation

Jefferson City, Mo.—State motion picture censorship measure in all probability will be introduced in the Missouri General Assembly which convenes here Jan. 4.

Censorship move stems from a St. Louis situation, it is reported. Single house there has aroused clerks.

(Continued on Page 13)

UNION WANTS NABES TO ABSORB JOBLESS

St. Louis—With 25 maintenance men affiliated with Local 6, IATSE, jobless, the union is negotiating with nabes and suburban theaters for the employment of stage hands at $75 per week. Opening of negotiations followed a union survey which

(Continued on Page 13)

Boston Anti-Trial Against Majors Under Way

Boston—Trial of Morse & Rothenberg circuit's anti-trust case against major distributors is under way here

(Continued on Page 13)

Holiday Rise in Grosses Sustained

In Film Houses in Broadway Sector

Formation of Two New U.K. Film Co.'s Announced Here

Announcement of the formation of two new British companies was made here yesterday by Harry Cury, who at the same time revealed that he has completed deals for the United Kingdom and Australasian rights to 19 new pictures either completed.

(Continued on Page 2)

METRO'S 90,000

Nearly 90,000 New Yorkers and visiting firemen did their money through Broadway pic houses box office windows yesterday to see Metro pix, home office checkup showed last night. The statistical breakdowns: Music Hall, "A Christmas Carol," 30,000; Capitol, "Sweethearts," 24,000; Loew's State, "Out West with the Hardy's," 16,000; Astor, "Pygmalion," 6,500; Mayfair, "Flirting with Fate," 5,500; Central, "Chablis," 1,800.

(Continued on Page 13)

UMPTO CALLS GENERAL MEETING FOR JAN. 6

Philadelphia—First general meeting of the UMPTO in more than a year is scheduled for Jan. 6, it was announced yesterday by President Lewen Pizor.

Directors will be elected, and

(Continued on Page 13)

20th-Fox Foreign Execs.
Kent's Luncheon Guests

Luncheon was tendered visiting members of the 20th-Fox foreign forces yesterday by President Sidney Kent at the Union League Club. Kent praised the work done

(Continued on Page 13)

Elimination Plan to be Devised; Survey Report Due on Jan. 11

Committee representing circuits and independent theaters in New York City voted unanimously yesterday that cash games in theaters should be eliminated and that a plan should be devised to bring about their elimination.

It was decided that a survey of cities in which giveaways have been removed successfully should get under way immediately and that a plan should be devised to bring about their elimination.

(Continued on Page 4)

ANTI-GAMES STATUTE LOOMS IN WISCONSIN

Milwaukee—Indications are that exhibitors will face considerable regulatory legislation in the 1939 session of the state legislature, aimed principally at Bank Night and similar games.

Although protests have been made

(Continued on Page 4)

RKO Reorg. Hearing Today; New Objections Are Filed

Eyes of the industry at large, in addition to those having a stake in the RKO reorganization's outcome,

(Continued on Page 4)

Pickford Producing?

New Orleans—Mary Pickford still is making over production possibilities, the United Artists' partner said here. Miss Pickford is in New Orleans with her husband, Darryl F. Zanuck, who is filling an engagement at the Roosevelt's Hawaiian Bar Room.

(Continued on Page 4)
'38 History Makers

(Continued from Page 1)

'bustingly,' in July, he was honored by New Jersey's Governor. In September, he urged the Philadelphia Real Estate Board organize a "Promote Philadelphia Committee" to build up civic pride.

Rube Jackter Named Head Of Columbus Sales Drive

Rube Jackter, Columbus' assistant sales manager, was yesterday named chairman of the company's new sales drive, titled "Columbus's Personal Achievement Campaign," the home office announced.

Co-Incidentally, Joseph McConville, foreign sales chief, was designated as campaign's honorary chairman.

Jackter is now completing plans for competitive events to be outstanding, under way Jan. 9 and continues for 10 weeks through March 18, progresses. A series of awards, it is stated, will now post of recording branch managers, salesmen, and bookers of all Columbus' branches in the U. S.

Pipitone, Life Delegate to AFM from N. O. Union

New Orleans—G. Pipitone became the first perpetual delegate to the AFM convention from the "New Orleanders' union here as a result of resolutions which made him a life delegate and also appointed him to the office of business manager for five years. Pipitone also was elected president by acclamation.

Other officers, elected either by acclamation or through lack of opposition are: Dave Winston, vice-president; R. K. Chao, financial secretary; Joe Bardin, secretary; and Robert Aguirera, treasurer. Rube McConville has succeeded the late Leon Edwards as AFM convention delegate. Pipitone and his secretary are: Charles Hartmann and Charles Ritter.

Defendants In Mandom Suit Given Added Time


A similar extension was also granted the defendants Twentieth Century-Fox Film Corp., Loew's, Inc., Vitaphone, Inc., RKO Radio Pictures, Inc., Universal Film Exchange, Inc., Columbia Pictures Corp. and RKO Distributing Corp.

Exports of Photographic, Projection Goods Slump

Washington Bureau of THE FILM DAILY

Washington—Exports of photographic and projection goods in November 1938 dropped $72,000 from the $1,734,000 figure for the same month of last year, it was reported by the Department of Commerce. The November, 1938 figure was $1,677,000.

The eleven months of the year ending in November also showed a decline, it was reported. The 11-month period of 1938 was reported at $18,359,000 compared to $20,765,000 for the 11 months of 1937. This represents a decrease of $2,372,000.

Defendants in Movie Quiz Infringement Suit Served

In the action brought by Milton Spitz against Motion Pictures Greatest Year, Inc., the eight major companies, Monogram, Robert Dick, and Mordrel Realty, U. S. Marshal John J. Kelly of the Southern District filed returns yesterday in the New York Court showing that all defendants except M-G-M, Monogram filed its answer yesterday to the complaint and denied all charges.

Spitz claims in his infringement of his copyright booked used in connection with the game "U-Spots." Grover to Make Wallace Story Starring Fyfe in Britain

Grand National's first picture to be made in England will be a story by Edgar Wallace, it was learned yesterday. The picture will star Will Fyfe.

The British organization will make a minimum of six features for the current season.

Harry Myers Stricken

West Coast Bureau of THE FILM DAILY

Hollywood—Following a three days' illness, Harry Myers, 56, veteran motion picture actor, died here. Among productions in which he appeared were "Connecticut Yankee" of the silent days, and later in Charles Chaplin's "City Lights"; as well as the films "Mississippi" and "Hollywood Boulevard."
It's a SOCK!

M-G-M urges you to go on
SOCKO B.O. BUSINESS
STILL RULES B'WAY

(Continued from Page 1)

Christmas Carol" experienced what was described as the most hectic day in its history, with a new record for single day's biz reported last night. House was forced to open doors an hour earlier than sched- uled, and it took a platoon of po- lice to handle the crowds.

Capitol with "Sweethearts," Roxy with "Kentucky," Paramount with "Artists and Models Abroad," Strand with "Dawn Patrol" and the Astor with "Pygmalion" also had long lines at one time or an- other. Loew's State with "Out West With the Hardys," the Rivoli with "The Beachcomber," the Central with "Citadel" and Mayfair with "Flirting With Fate" were others reporting exceptional or heavy biz.

St. Louis Union Asks Nabes
Absorb Jobless Stage Hands

(Continued from Page 1)

showed managers, janitors and usher- ers allegedly performing work fail- ing under IATSE jurisdiction.

In the discussions it has been suggested that some of the nabes employ a stage hand. In other situa- tions it was suggested one stage hand handle two theaters. In other cases one man might handle three houses and in a few cases a stage hand could handle four small houses.

The brotherhood is carrying on negotiations with Fancon & Marco and the St. Louis Amusement Co., which operates a string of nabes and suburb houses, and also with the indies affiliated with MPTO of St. Louis.

Bernhard Will Continue
Rest Cure Another Week

Reports that Joseph Bernhard, general manager of Warner Thea- ters, will leave the Lenox Hill Hos- pital this week are premature. Mr. Bernhard's rest cure will be ex- tended another week.

ALONG THE CROWD STREAM
WITH PHIL M. DALY

• • • THE LION roars in Times Square......meaning of course Leo the Lion......and well he may......some bright mind over in the M-G-M publicity dept doped out a chart showing the Music Hall, the Mayfair, the State, the Astor, the Central and the Capitol......all the- aters in the Broadway sector playing Metro pictures......and their rel- ative positions form the outline of Leo the Lion......of course if they had been Columbia pictures they would also have formed the Statue of Liberty......if they had been Republic pictures they would have formed a perfect reproduction of the Liberty Bell......but the point is that these theaters were playing M-G-M pictures......and so they form a perfect outline of Leo the Lion......and did that lion roar at those six box- offices......he not only roared......he ran wild......and a special platoon of mounted and foot police had to be called out to handle the crowds at the Music Hall......

• • • IT WAS a Natural for the Holidays at the Music Hall......with Dickens' "Christmas Carol"......what a sight for skidom's eyes......all day long, and into the evening they crowded the customers into the immense inner foyer, and the outer lobby......then they locked the doors, and formed the line four deep all the way down to the intersection at Rockefeller Plaza which is half-way to Fifth Avenue......six regular uniformed guards could not handle the crowds......so they had a special police platoon to help keep the line and maintain pedestrian traffic......in all our years in show biz we have never seen any- thing to equal that crowd......SO......the Lion roars......why not?......

• • • FOR the second year in succession......Benny Goodman Theater annual band poll, participated in by the theater patrons......Goodman, also winner in 1937, led the third edition of the theater poll throughout the year......running a close second to the swingmaster was Tommy Dorsey......followed by Sammy Kaye. Guy Lombardo and Kay Kyser......of the five leaders, Lombardo was the only one among the first ten in the first contest three years ago......this might indicate something......or nothing......in the rise and fall of popularity among the fans......on Tuesday night, January 3, Goodman will be presented with a trophy signifying his victory, by Robert M. Weitman, managing director of the Paramount......

• • • HIGHLIGHTED by a parade of the entire local National Guard tomorrow......and the placing in competition among the several military units of a trophy by Mayor Japro McVeigh of Bridgeport, at noon yesterday at City Hall......the campaign conducted by Shep Henkin for the engagement of Edward Small's "The Duke of West Point" at the Majestic theater in that city, had all the folks of Bridgeport and environs agog......presentation of the silver plaque trophy to Colonel Moore, commanding officer of the Bridgeport National Guard on behalf of the regiments, was made by the Mayor in the name of the pro- duceicr from the City Hall steps following the trooping of the colors by the guardmam......the trophy is awarded on a yearly basis to the regiment excelling at target practice, maneuvers and peace efforts, with the unit winning it three consecutive years retaining it permanently......here is a grand goodwill builder, and Shep Henkin rates all this space for using his head in putting over a timely stunt with CLASS......

» » » » »

ANTI-GAMES STATUTE
LOOMS IN WISCONSIN

(Continued from Page 1)

by ministerial, law enforcement agencies and citizens against the-ater games in numerous cities around the state, and the state at- torney general has labeled the lack of a state law as a violation of state lottery laws, no convictions have been obtained to date. As a result, in several cities organized groups in- diate that they will sponsor bills in the legislature to make theater games illegal.

A divorce bill introduced in the last liberal legislative session failed to pass both houses and it is regarded doubtful whether similar legislation attempted in 1939 would meet with similar success, which indicates that 1939 will have a more conservative complexion.

There is also a strong likelihood of luxury tax legislation to help meet rising governmental costs.

RKO Reorg. Hearing Today;
New Objectives Are Filed

(Continued from Page 1)

will be riveted upon the hearing scheduled to be held at 2:30 o'clock this afternoon in Federal Court be- fore Judge William Bondy.

Not only normal expectations of a confirming decision,--springing primarly from the reiterated state- ment of the Court that it is very advisable that the RKO matter be disposed of before the end of the present year,--but also developments within recent days which indicate that affirmation may not come until after Jan. 1, have united to make today's hearing a decisive one, ac- cording to observers.

Yesterday saw two moves with relation to the plan, the first of which was the postponement in the motions branch of the slated hear- ing on the petition of RKA to file a claim for $18,566.40 for transfer taxes which it paid between Janu- ary, 1934, and February, 1935, on both bonds and debentures of RKO represented by certificates. This matter was put over until 3:30 p.m. today, which is an hour after the main RKO reorganization session.

The other move was the filing in Federal Court by John S. Stover, counsel for the Stin interests of Milwaukee, of further objections to the confirmation of the present amended plan.

Sports Plus Pix

Minneapolis--A Monday night boxing card has proven a b.o. stimulant at Georgia Green's Palace Theater which also offers wrestling on Thursdays. Al- though the O-Win was declared illegal several months ago by a St. Paul judge, and then by the Supreme Court, Palace still features it twice weekly.
It's the MONEY!
Major Film News Stories of '38

Major distributors move to effect trade reforms through negotiations with MPTRA, RKO, and unaffiliated exhibitor organizations.

II

Industries under ban by Motion Pictures' Greatest Year, Inc., to re-establish box-office patronage, improve public relations.

III

U. S. files a sweeping anti-trust suit in New York to require drastic changes in methods, practices, force divestment of theaters.

IV

Maurice "Murray" Silverstone becomes UA's top executive, following resignation of Dr. A. H. Giannini as prexy.

V

George J. Schaefer resigns as UA sales head to become president of RKO Pictures and other RKO subsidiaries.

VI

E. W. Hammond effects merger of Edu and Grand National.

FILM DAILY Year Book survey shows 16,251 film theater operating in U. S. at end of 1937.

The screen's cutoff marks the end for a 20th-Fox, Mexican union forces U. S. distr., payoffs of $258,800.

Low's drops national sales meet, at Lichtenau.

S.นม. enforcement tax revenue jumps $2,516,549 to $29,976,031 in 1937.

"Snow White and Seven Dwarfs" goes into fifth week in Radio City Music Hall, setting new high for playings, attendance and intake.

Beside Inticate Commerce Committee favorably reports Neely anti-block booking and anti-blind selling bill.

TOA ready to co-op with MPTRA on trade violations.

 Arbitration's return favored by William R. Rodgers, Low sales chief.

Low's arena's 25th film theater is all time high.

20th-Fox films in theaters, U. S. Department of Commerce survey shows.

10,095,172 to ASCAP from film houses in 1937.

Oddly, anti-composite play date law on.

John E. Otterson launches new Inter-Allied Films Corp.

Lewem bowls UMPTO president advocates conclusive board tests in Philly, Para, asks to block N. D. divorcement statue.

U. S. distributors face Argentine quota threat.

Propose drastic restrictions on film industry imports.

Three of the 580 features on American market in 1937.

Monogram reports $60,279 gross profit in first year.

R. R. McDonald named RKO vice-president and general manager.

Grand National placed under FBI by Federal Court.

Foreign features in production in 1937 up 409.

Warren Bros. consolidated income listed at $1,476,590.

Affected starts expansion move by forming New York unit.

Theodore Mitchell dies.

Industry honors Louis D. Meyer at AMPAs annual dinner.

Universal reports loss for year of $1,004,918.

British to import 450 pictures under new loanout deal.

Herman Wober becomes 20th-Fox distribution chief, following the death of John D. Clark.

James R. Grainger joins Republic as president and general manager in charge of distribution.

British Films Act is voted by Parliament.

David Sarnoff discloses U. S. commercial television is ready.

Needs anti-blocking and blind selling measure passed by U. S. Senate.

Hollywood realignment finds Pando S. Berman named RKO Radio production chief; Cliff Work succeeding Charles R. Rogers as Paramount's exec and Edward A. Golden named vice-president in charge of execution operations and executive assistant to President Ray Johnston of Monogram.

George W. Weeks named Monogram sales manager.

Jewish leader resigns as chairman and managing director of Warner Bros. and United National Pictures. Ltd.

Eleanor Todd's 1937 net at $22,947,345 for record.

Alan Goldwyn-Korda UA deal is said to be "Trans-Lux 1937 net climb to $349,882.

Majors file suit in U. S. Supreme Court denying Dallas conspiracy, in fight to reverse lower court decision in anti-trust suit.

$1,300,000 CAO net is slight increase in 1937.

Austin Parker dies.

British exhibitor's 1937 earnings of $728,025 large.

Ages Agnes 1937 earnings of $728,025 large.

Kords do business for 25 to 50 feature films in Technicolor for next season.

Self-regulation vital to industry, Will Hays tells annual meeting.

Hays re-elected for 17th term.

Committee to kill UMPTO conspiracy suit.

U. S. majors battle Polish "film tax." 1/2 of radio's net shows up as huge wartime, major Australian problem.

Canadian screenwriter adopts movies to needs of television.

Furness wins author's quota under new Films Act.

Wisconsin Attorney General suits for David A. Baron, Educational's comptroller.

Tent leagues mark 15 exct. 12 exct. under new films Act: double, triple quotas credits provided.

MARCH

Eastman Kodak employees will split $4,250,000.

Cly V. Hale succeeds Stanley S. Crow as managing director of Australia for 20th-Century Fox.

Reclaiming of Republic producing set-up makes Joe J. Siegel managing director of Republic Productions; Sol C. Siegel, producer of all features and Charles E. Ford producer of westerns and serials.

Check shows 1,217 film theaters now operating in Canada, with 1937 Canadian pix attendance estimated at 133,619.

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John R. O'Connor named RKO's vice-president and general manager of RKO theaters.

S. R. Kent was named Vice-president and general manager of RKO theaters.

Production resumes in Coast studies following completion of planned projects.

John J. O'Connor named RKO's vice-president and head of production.

MARCH

Board of appeals to consider case of John W. Dunmore.

Court extends five year suspension of John W. Dunmore.

Board of appeals orders his case dismissed.

March 20th, Hearst newspaper chain.

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It's a PULSE-STOPPER!

AND FIGHT
RESUME OF LEADING EVENTS DURING 1938

(Continued from Page 6)

Paramount plans 58 features, announces 16 for 1939.

WB reports biggest biz week in 10 years. Paul Green, chief mktg. for bank, mails to Bank Night, but ruling won't stop split

United Artists to reorganize operating setup: active producers to shift to greater profit distribution.

English bankers interest provide new "U." capital.


d B & O net $1,398,676; circuit adds 18 houses; officers and directors renamed.

Connecticut Supreme Court rules against Bank Night.

20th-Fox board re-elects Sidney R. Kent, presy.

RKO's fixed indebtedness reduced $2,282,009.

U. S. producers to spend $15,000,000 on British pita.

W. I. Hoyes reentered industry's stand against strikes.

U. S. Supreme Court sends Dallas anti-trust case back to District Court for fact finding.

UA producers to split $50 million gross net; share will be in proportion to receipts from picture.

Korda sets $8,000,000 budget for 1938-39.

Majors select S. A. Simon as chairman of UA executive committee.


W. F. Rodgers submits special boards for film sales in Boston address.

William Leblanc signs new 3-year Paramount contract to direct all production.

ITOA sets up special studio to shoot non-drawing films.

Only 15 per cent of list, six hours are perfect, SMPTE told at Washington convention.

K-A set offers $135,554 and profit-for-wait.

Roosevelt money message asks anti-trust study.

MAY

GR will sell 24 1938-39 features on program basis.

Republican announces complete title line-up for 1938-39 embracing 31 features, 24 westerns and four serials.

U. S. Supreme Court finds for Electricians in General Talking Pictures case by 5 to 1 decision.

"Magee's Cars" is Industry's Real Need," says Nathan Yamin, Allied president.

National Film Carriers, Inc., re-elects J. F. Clark president and treasurer.

United Artists sets consolidated income of $18,150,876 to the SEC.

Cartoons top exhibitor list of wanted shorts, FILM DAILY daily national price.


Production budget sharply increased.

General Theatres named exclusive to SEC net sales for 1937 of $9,934,479.

Walt Disney reviews titles of 56 features planned under Universal adopts flexible policy, lists titles of $8 to $39.

"Warner Circuit is Closed to Competitive Pictures," says Joseph Bernhard.

Standard Statistics sees films less hit by recession than other than others.

Columbia sales plans include multiple year pacts.

H九龙 signs eighth year contract with United Artists.

Nicholas M. and Joseph M. Schenk will back association, cancellation, they tell FILM DAILY.

Attorney General of Rhode Island rules Bank Night a cock-eyed racket.

Seven-man committee to run Music Hall and Cartoon Theater under RKO Bear, plan.

Columbia's 40 includes minimum of $15 box pix.

Contract of Musical Comedy and Music series publication goes to Warner Bros.

Deponent drives RKO's revenue account.

Allied asks United motion by majors on Concession.

Senate passes Neely Bill with two amendments. Warners cut program to 52 for 1939-38 with 48 under producing budget.

Studios agree to stop dubbing of sound tracks on TV shows

Major asks House on block-book buying.

Allied at Pittsburgh convention moves for industry probe but will talk with majors. United spree bid for Silverscreen, RKO's duties as vice-president in charge of production, and designates Clifford Work as studio head.

JUNE

John B. Clark, 20th Century-Fox sales head, testifies before Congressional sub committee.

United States Supreme Court grants General Foods Corp. approval of hearing of patents case.

Fox investing in South African motion picture field.

Iowa theater devisorment law does not protect rights, says Paramount as action testing statute's constitutionality goes to court.

Atlas RKO holdings at $2,203,536.

Paramount drops Jeff Lazarus studio unit.

Frank Spearman, Writer, Los Angeles.

AFL: 1-3


New York: 1-11


Ray Whitaker, publicity man, New York.


Charles Burnham, theatrical manager, New York.

Robert McWade, actress, Hollywood.

Emile COHL, inventor of animated cartoons, Paris: 1-24

Rosamond PINCHOT, actress, New York.

W. M. McKNIGHT, writer, Hollywood.

Matthew Betz, actor, Hollywood.


Howard Gould, actor, New York.

Charles T. Dazey, writer, Quincy, Ill.


Owen McKevitt, WB theater manager, Milwaukee.

Max Young, exhibitor, Canton, O. T.

Ike M. Hartzell, youngstown, Ohio.

Edward Smith, librettist, New York.

Edward Margolis, theater builder, New York.

Lyda Roberti, actress, Hollywood.

Kubec Glasmon, scenarist, Hollywood.

Donald Riley, actor, scenarist, Hollywood.

Robert Stueve, exhibitor, Findlay, O.

Austine Parker, writer, Hollywood.

Oscar C. Affel, director-actor, Hollywood.

Basil A. Barron, Educational Pictures' compiler, New York.

James Carew, actor, London.

Ike Blumenthal, Para. Mgr., in France.

Lodor Chaliapin, opera star, Paris.

Jacob Rosenthal, veteran exhibitor.

Michael Selwyn, stage manager, New York.

Edward Emery, actor, New York.

John Urine, movie pioneer, Montclair, N. J.

Ernst Harringer, scenarist, Hollywood.


John D. Clark, 20th-Fox sales chief, New York.

Michael Neilson, theater owner, Salt Lake City.

Harold Horwitz, theater owner, Cleveland, O.

Nathan Gordon, pioneer exhibitor, Weston, Mass.

Lucille Baron, motion picture inventor, Paris.

(Continued on Page 10)

Thursday, December 29, 1938

FILM EVENTS OF 1938 TRACED IN HEADLINES

Wages-Hours bill passes Congress.

Canadian copyright changes are international.

SAG and producers to arbitrate contract dispute.


Ken Kellman, Andrews, director-photographer, is named chairman, dies.

Herman Wolber signs five-year contract as 20th-Fox sales chief.

H. Warner urges studios to prune the box-office pump.

Scophony, Ltd. may enter American television market.

UA to delay naming new precy until Novem.

Florida court rules Bank Night a lottery in Tampa.

M-TOA wants mediation; holds arbitration im.

Paramount cash balance up a million and a half Jan.

Jack N. Healy, Jr. and Elin W. Leitl named to Paramount's board.

Paramount re-elects Barney Balaban president and Adeul Zuko chairman of the board.

State Treasury rules to like the executive committee and other incumbent officers re-designated.

Bill, H. Hayes and industry executives pledge full co-op to President on White House call.

Radio exhibitors getting new 5 year pact.

Majors act to end trade problems, with Sidney Bernstein heading the distributing committee.

British films council organizes; statute under attack.

Washington state's anti-ASCAP statute is up.

Orson Welles joins M.G-M executive staff.

Coast studio writers designate SWG as bargaining agency.

JULY

United States firms' 1937 Australian net placed at $4,350,000.

Laurel and Hardy, anti-ASCAP measure withdrawn.

37 series of features for '38-'39 set an all time record.

W. J. Eade, 20th-Fox comptroller, named to board.

24th States features released in the first six months.

The production of Japanese film market worries majors.

Joseph R. Kennedy, U. S. Ambassador to the Court of St. James, asks United States support for British producers, in London address at Maurice Silverstone farewell luncheon.

Allied States asks industry probe by the National Economic Commission.

Darryl F. Zanuck asks exhibitor appreciation of big films' value.

Lyn T. Ford named director of advertising and publicity for United Artists under larger setup.

Milbon H. Feld joins Universal as executive as.

Funeral services for Aaron A. Sporstein, Illin.

Hays, held.

Pathé renews contract of O. H. Briggs for three years.

United Artists 1938 budget set at $30,000,000.

British reports a profit of $13,500,000.

Will Hays, speaking at ASCAP lunches, urges films industry to step up advertising.

Majors take four out of fives in ASCAP awards.

Three-Judge court upholds constit.

industry defeat over labor "wage-hour" statute.

Majors plans concerted effort to build patronage.

Washington state's far east division under Marcus (Red) Silverstein.

La Violette Throgmorton, Elly Clayton anti-trust suit against 20th-Fox. United Artists, Para.
WALLACE BEERY
ROBERT TAYLOR

BIG STARS!

"STAND UP AND FIGHT"

GREAT PRODUCTION!

ADVERTISE!
EXPLOIT!
PROFIT!

Metro-Goldwyn-Mayer's New Record-Breaker!

In Memoriam

(Continued from Page 8)

A. H. SCHWARTZ, Century Circuit presi-
dent, New York, FD: 9-12
HARRY CARSON, former producer, Holly-
wood, FD: 8-27
CON RADON, song writer, Hollywood:
FD: 9-29
LAWRENCE JACOBS, publicity director and
former Film Daily editor, Pearl River, New
York, FD: 9-27
GEORGE BATTLELLER, producer, New:
York, FD: 9-30
CONWAY TURRALL, actor, Hollywood, FD:
10-3
GEORGE W. LEDERER, theatrical producer,
New York, FD: 10-10
ELMER J. BARNARD, Para, branch mgr.,
Indianapolis, FD: 10-11
MELVIN, actress, London, FD: 10-17
E. C. SEGAR, "Popeye" creator, Santa
Monica, FD: 10-17
SAMUEL A. SHERMAN, exhibitor, Chattano-
goo, FD: 10-18
FRED KOLHEIM, actor, Hollywood, FD:
11-3
ROBERT WOOLSEY, actor, Hollywood, FD:
11-2
LOUIS MYERS, veteran exhibitor, New York,
FD: 11-2
AMADEE J. VAN BUREN, producer, New
York, FD: 11-4
LEONID GODOWSKY, pianist, New York,
FD: 11-23
WILLIAM A. LEACH, pioneer exhibitor, Mila-
dy, FD: 11-30
EDWARD B. KOLHOUSE, Trans-Lux treas-
er, New York, FD: 12-5
JESS FISMAN, WB distributor, Cleve-
dale, FD: 12-5
EPES WINTHROP SARGENT, film trade
writer, New York, FD: 12-8
THOMAS E. SAGE, theater owner, Mila-
day, FD: 12-19
JACK R. BROOKS, film executive, London,
FD: 12-27
HARRY MYERS, actor, Hollywood, FD:
12-29
ZONA GAILE BRENE, novelist, Chicago,
FD: 12-29

SEPTEMBER

"Motion Pictures Greatest Year" drive gets
under way.

T. Kennedy, Stevenson elected ERIP president.

Columbia reports net profit for year at $138,-
392.

20th-Fox and GB discuss talent swap deal.

International Projector Corp. sells Radko Pat-
tests.

Anthony, Smith, Jr., resigns as UA's general sales
manager.

Allied News, America's pioneer, exhibitor, dies at
Lake Placid.

United Artists stand on circuits expansion;
government proposal would affect only
pre-existing laws.

Political situation in Europe is big industry
headache.

Lowell Fizer will fill Cornflower executive post.

Florida film studio opens.

Europe dependent upon U. S. pic if war comes.

State intervention acts in Italian-American pa-
take.

J. J. Milton named to head Ed Small's New York
office.

A service for Grand National merger calls for
new $5,500,000 corporation.

5 features slated for production at Astoria.

British picture being filmed in confident.

M. D. to distribute Gabriel Pascal's version of
"Pygmalion" in the western hemisphere.

Whitford Drake, ERIP president, dies.

Wrenn to concentrate on action pictures, with
18 scheduled.

British film veterans in Milwaukee reunion.

Not Lewins joins MGM as producer.

Educational-Grand National merger calls for
new $5,500,000 corporation.

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GET READY FOR THE BIGGEST SHOW YOU EVER HAD!
WORLD PREMIERE
RADIO CITY MUSIC HALL
THURSDAY, JAN. 26

GUNGA DIN

BACKED BY A NATIONAL ADVERTISING CAMPAIGN AS BIG AS THE PICTURE!

Watch trade papers for details

starring
CARY GRANT • VICTOR McLAGLEN
DOUGLAS FAIRBANKS, JR.
with
SAM JAFFE • EDUARDO CIANNELLI • JOAN FONTAINE

PANDRO S. BERMAN in charge of production - produced and directed by GEORGE STEVENS

From a Story by BEN HECHT and CHARLES MacARTHUR - Inspired by RUDYARD KIPLING'S Poem - Screen Play by Joel Sayre and Fred Guiol
Add "What's Wrong With the Box Office"

Muskogee, Okla.—Walter L. Smith, Muskogee county commissioner, saw his first motion picture in 20 years the other day. It was also the first talking picture he had seen.

**Boston Anti-Trust Trial Against Majors Under Way**

(Continued from Page 1)

by the foreign staff this year. Among those attended were Walter J. Huntington, director of foreign division of Samuel Goldwyn; L. Hailey, managing director for the United Kingdom, Ben Migrina, continental European manager, Irae, Mas. E. F. Lamba, L. W. M chaos, P. W. Amity, and other home office executives, B. T. J. F. Patterson and E. D. Cohen, of Brazilian, English and Mexican offices respectively were also present.

KDKA Radio, Herbert Wilcox concludes partnership deal for U. S. Division of Scopitone practically set.

Near Japs may nationalize film distribution.


Japanese government acquires five Bernard Shaw plays for pictures.


39 Technicolor features planned for 1939-40. National's new governor rules films are necessary.


Arcadia Pictures added to General National producers.

162 movie theaters now operating in U.S. FILM DAILY survey shows.

Paramount realigns distribution setup in the South. United approves distributors' plans in principle. Copyright violations rise: "bicycling" most prevalent.

20th Century-Fox will spend $5,000,000 on picture publicity. Nicaragua bidding for U. S. pictures, cuts foreign earnings.

J. F. Brockliss, European film exec., dies in Rome.

Broadway holiday biz up 5-7 per cent over last year.

**MO. LEGISLATURE MAY GET CENSORSHIP BILL**

(Continued from Page 1)

Theatrical outlook from the industry's viewpoint, the meeting authorized Wehrenberg to appoint two special committees. Designated were: Missouri—Ed. Rude, J. Jr., St. Louis, chairman; Clarence Kauffman, Tommy James, St. Louis; Henry J. Dowday, St. John; Sol Banks, Fulton; John Stapel, Columbia; A. C. Merton, Perryville; Everett H. Hayes, Sullivan; C. M. Harkness, Marsh; Flat River; H. E. Miller, Festus, and President Wehrenberg.

Illinois—Robert C. Cluster, Salem; chairman; I. W. Rodgers, Cairo; Fred Soutter, Fox West Coast Theaters; Leon Jarosky, Paris; Elmer Rodden, Para. Publix Theaters; Morris D. Leonard, Kansas City, and E. Perle, Jerseyville.

Cassil plans to appoint a similar protective group while co-operative efforts also have been pledged on behalf of the EAOC by President Morris D. Leonard.

**UMPTO Calls General Meeting for January 6**

(Continued from Page 1)

sequently the new board will organize and elect. Exhib, problems, trade reform developments, etc., are expected to get a thorough airing at the meeting.

**Bank Night Test Delays Theater License Action**

Middleboro, Mass.—The renewal of the license of the Key Theater was laid over for a week by the Selectmen, pending the final disposition of bank night. District Attorney Edward Devine recently directed theaters to shut down all "bank night" activities, after Dec. 21. The Selectmen of the Middleboro Key Theater conducted "bank night" last week with the intention of setting up a test case.
KENTUCKY
GREATEST HOLIDAY ATTRACTION IN THE HISTORY OF

ROXY, NEW YORK
and
RIALTO, LOUISVILLE
and
POLI, NEW HAVEN
and
KEITH'S, DAYTON
and
POLI, BRIDGEPORT
and
INDIANA, INDIANAPOLIS

SANGER, NEW ORLEANS
and
MALCO, MEMPHIS
and
MILLER, WICHITA
and
POLI, HARTFORD
and
FOX, ST. LOUIS
and
OLYMPIC, UTICA

THE KEYSTONE OF YOUR FUTURE
MPTO of Western Pa. Ready to Fight for Divorce

ROCKEFELLER CLAIM CUT MAY SPEED RKO'S REORG.

Industry Looks to Gov't for Encouragement—Schenck

'Refute' declaration we, "... we feel that the Government should give this industry this ..."

ROCKEFELLER'S "Greatest Parade"

The Daily Newspaper Of Motion Pictures
Now Twenty Years Old

THE DAILY

NEW YORK, FRIDAY, DECEMBER 30, 1938

TEN CENTS

Easy to Clarify Trade Reform Proposals, Says Pettitjohn

(See Column 3 Below)

Intimate in Character
International in Scope
Independent in Thought

THE FILM DAILY

FEBRUARY 138.

TO paraphrase Motion Pictures' 'Greatest Parade,' 1938 was Walt Disney's greatest year. His most recent motion pictures, "Snow White," received the States rights rights. He was back on Harvard and Yale; but his or five days for the season and accompanied them on the "Snow White" profit set a record for the best picture of the season, grossing $25,000,000, placing him sixth in the world. (Continued on Page 2)

Record Production Budgets for 1939 Forecast by AMPP President

Two sentences highlighted the radio address by Joseph M. Schenck, chairman of the board of 20th Century-Fox, and president of the Motion Picture Producers, broadcast over the NBC Blue Network last night as part of the nationwide discussion of "The Business Outlook for 1939." They were:

"... we feel that the Government should give this industry the (Continued on Page 1) ★ Happy New Year! ★

LOEW SUIT DECISION OFF UNTIL FEBRUARY

Hope faded yesterday for a decision by or about Jan. 1 in the Loew's minority stockholders' suit when it was learned that the Supreme Court Justice Louis A. Valentino will continue it in the New York Supreme Court on Jan. 1. (Continued on Page 1) ★ Happy New Year! ★

Bank Night No Lottery, Wisconsin Jury Holds

Milwaukee—Attempt by the State to declare Bank Night a lottery failed when William Freise, man (Continued on Page 1) ★ Happy New Year! ★

URGES DRAFT CLARIFICATION

Can Be Done Easily, Says C. C. Pettitjohn

Terming the trade reform negotiations and resulting proposals "the greatest stride forward in the right direction" ever taken by the distribution and exhibiting branches, C. C. Pettitjohn, MPPDA general counsel, yesterday said the door still open for "further understandings fair to all parties concerned."

Pettitjohn's statement, titled "Happy New Year and Let's Keep It," paid tribute to the negotiators' sincerity and continued:

"Here we are on the threshold (Continued on Page 1) ★ Happy New Year! ★

PIX PROFITS RISING, STREET VIEW WIDESCREEN

"The movie picture business is currently in a period of rising profits," says the Wall Street Journal, surveying the film industry.

Financial paper, pointing out that the bulk of amortization of high cost films was written off during the (Continued on Page 1) ★ Happy New Year! ★

LEGISLATIVE BATTLE FOR DIVORCE

Planned by Western Pennsylvania Unit

Name Plottel Named as WB Toronto Branch

Joseph Plottel, branch manager for Warners in Toronto, has been promoted to a similar post in the company's offices in Toronto, according to Roy Haines, the (Continued on Page 1) ★ Happy New Year! ★

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11,000 Seasonal Contracts Closed by 20th-Cent.-Fox

Chicago—William C. Gehring, 20th-Cent. Fox central division manager, at a meeting of branch managers here yesterday reported that the company had approximately 11,000 contracts already on the books for the 1938- (Continued on Page 1) ★ Happy New Year! ★

Depositions by Indies Sought in B & K Action

Chicago—Next move in the independents' anti-trust suit, brought against Balaban & Katz and the majors, ex-
FRI., DECEMBER 30, 1938

**ALONG THE LINES**

**WITH PHIL M. DALY**

- **ANALYSIS** of the year’s production achievements of M.G.M. and an outline of what pictures will highlight the early part of the new year for this company...prepared by Howard Dietz...also lists some special accomplishments, such as...the development of English production with release of “A Yankee At Oxford,” “The Citadel,” and starting on “Good-Bye, Mr. Chips”...in sound, the Douglas Shearer and Butler sound projection device was adopted as standard practice, taking the “butter” from sound in theaters...in photography, the studio developed color harmony principles, and adopted pastel shades as used in cartoons to real-life photography (to be seen in “Sweethearts”)....development of a new make-up principle by which a stunt actor can be photographed as cadaverous was accomplished by Jack Dawn, and this is to be the most important invention since make-up was first used (to be seen in Reginald Owen as Scorooge in “A Christmas Carol”).

- **QUITE AN exclusive cocktail party and luncheon for specially invited guests...**given by Maurice Silverstone of United Artists to Milton Brun of the Hal Roach studios...who arrived in New York to attend the premiere of his latest, “Topper Takes A Trip,” at the Music Hall...held in the Rainbow Room of Rockefeller Center...Lynn Farnol had a big novelty souvenir for the guests in the form of a “Topper” sachet and perfume ensemble to give to the wife or sweetheart, or vice versa...at the Music Hall studio apartment W. G. Van Schmus also gave a cocktail party to Bren later in the afternoon.

- **AND NOW, by way of saying Happy New Year in showmen language to all you boys and girls who have bored thru these kolyuns and been bored at times as who isn’t...we state definitely and positively...that the liv’l gal who will play Scarlet O’Hara in GWTW will be announced next week.**

**38 History Makers**

(Continued from Page 1)

**NEW YORK STOCK MARKET**

Net High Low Close

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<td>Gen. Eq.</td>
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<td>RKO</td>
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<tr>
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<tr>
<td>Univ. Pct.</td>
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<tr>
<td>Warner Bros.</td>
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**NEW YORK BOND MARKET**

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<td>Low 4.1-4.5</td>
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<td>Par. 6’s 4.5%</td>
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<td>Par. 6’s 4.5%</td>
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<tr>
<td>RKO 6’s 6%</td>
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<tr>
<td>Warner Bros. 6’s</td>
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**FILM STORAGE CORP.**

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<th>Storage by Reel or Vault</th>
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<td>Fox Thea. Bldg. 6’s 31st</td>
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<tr>
<td>Levey’s Thea. Bldg. 61st</td>
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<tr>
<td>RKO Thea. Bldg. 61st 1st</td>
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</tr>
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</table>

**SAFETY AND SECURITY**

ALONG THE LINES

COMING AND GOING

NICHOLAS M. SCHENCK

Loew’s presents a special screening of “The Coast” for the New York Stock Exchange.

W. RAY JOHNSON, Monogram publicity, left for a three-week stay in New York.

LYNN FARMER, director of advertising for United Artists, leaves for New York.

WALTER J. HUTCHINSON, director of distribution for United Artists, leaves for New York.

ALEXANDER KORDA is expected to leave for London this week.

WILLIAM J. CLARK, short subjects man for Fox, leaves for New York.

FRED DEMPSEY, Technicolor cameraman, returns from his trip to Chicago.

DIXIE DURAND flies to Los Angeles to appear on television.

LAURENCE W. SCHWARZ, stage and screen producer, is in Miami. FAY COMSTOCK is in New York.

DEAN EVANS, editor of Screenland magazine, who leaves for Hollywood later on.

HAROLD BEIN, Warner salesman in Cleveland, is in New York for vacation.

**Happy New Year!**

“**ALL THE WORLD’S A STAGE**”

Sketch from the Erich Pommer Movieton production of “**Beachcomber**” will have a world wide broadcast via the RCA Magil Key program Sunday with Charlie Laughton performing his role from a British studio and Elise Lanches practicing on the NBC mike here. Poll will be made on the pick of the side, and the arrangements yesterday.

**Happy New Year!**

**Lipstick Succeeds Morroco**

West Coast Bureau of THE FILM DAILY

**Hollywood** — Lipstick musical and production head for Balaban & Katz, has been made head of production in Merritt’s music depart- ment, succeeding Boris Moros who recently resigned.

**Best wishes on the**

**THE FILM DAILY**

**to the following on their birthdays:**

OCTOBER 30

John Littel

Laurence Weigelmann

NICHOLAS M. SCHENCK

Loew’s president, leaves for Florida and leaves for the Coast on business within the next few days, it was learned yesterday.
Get Behind Them and ...
Opening to big business as Laughton name blazed on Broadway for first time in three years, Paramount's "The Beachcomber" proves one of biggest Broadway business getters of 1938 with word of mouth adding to critical raves* to set this great Paramount release for a long run.

"Delightful comedy. A fascinating character study."  
—New York Journal American

"Sheer magic. Well worth your time and attention."  
—New York World-Telegram

"Persuasive acting, keen direction and a clever script. It has them all. One of the season's outstanding films."  
—N. Y. Sun

"Charles Laughton adds another brilliant character portrait to his gallery. Nothing quite like it this year or last."  
—N. Y. Post

"Sums up to delightful entertainment."  
—N. Y. Daily News

"As gaily impudent and captivating a production as has come to town—utterly delightful, ranks well up with his Rembrandt, Henry VIII or Captain Bligh."  
—N. Y. Herald-Tribune

"A magnificently exciting picture."  
—N. Y. Sunday Mirror

"Another of the year's superior productions. An experience emphatically not to be missed."  
—N. Y. Times

TERRIFIC NATIONAL BUILD-UP

1 800 big daily newspapers carried this United Press rave: "One of the best pictures of this or any other year; we urge that you see it."  
—Frederick C. Othman

2 Life Magazine (December 5th issue) carried 3-page rave review of "The Beachcomber" for its 17,300,000 readers.

3 News Week gives Laughton front page publicity plus rave review.

4 National Board of Review of Motion Pictures, calling it "first rate comedy", names "The Beachcomber" third best English-speaking picture of the year!
utmost in encouragement and support... the industry plans greater expenditures for production in 1939 than ever before in its history.

Address of Schenck, who represents the film industry, went on to air from Palm Springs. He pointed out that the industry ranks among the five largest in the nation, that it represents an investment of billions, that it benefits millions directly and indirectly and that it is the No. 1 salesman of American products and “the American way of life.”

It was upon the latter that Schenck predicted his appeal for Government encouragement and support. Declaring that the film industry has never permitted business recessions to keep it in check long,” he then voiced the forecast of record production budgets. Continuing, Schenck declared, “Americans have always been proud of the supremacy of their motion picture throughout the world. It is our purpose in 1939 to maintain that supremacy beyond question. But we propose also during the coming year to make the American public more proud than ever of their nation, their history and the system of free government under which we are privileged to live.”

**Happy New Year!**

Name Plottel Manager of WB Toronto Branch

(Continued from Page 1)

pany’s Eastern and Canadian sales head. Plottel succeeds Harry Paynter, resigned.

I. Coval, salesman in Winnipeg, has been promoted and replaced Plottel as branch manager in Vancouver.

**Happy New Year!**

11,000 Seasonal Contracts Closed by 20th Cent.-Fox

(Continued from Page 1)

99 season. Branch operations were stressed at the meeting, and William J. Clark, short subjects sales manager, outlined the shorts program and urged a concerted push on the Terryton’s and other new shorts.

**Happy New Year!**

Depositions by Indies Sought in B & K Action

(Continued from Page 1)

cept Columbia, is scheduled for Jan. 5-7 when 23 plaintiffs will make depositions before Master Charles McDonald. Paramount, Balaban & Katz and Balaban & Katz, through counsel, will quiz the Indies on their biz activities during the last 5 years.

**Happy New Year!**

Clarification of Trade Reform Draft Is Urged

(Continued from Page 1)

of a new year with many well intentioned people not fully comprehending the language which exists. Such language can easily be clarified, so that everybody in the business may clearly understand it. I have great faith in the integrity of the men on both sides of the fence who have traveled so far forward. I do not believe there is a single man among them who feels that his side has a joker contained in any of these paragraphs.

The distributors were asked to put in writing what they believed the understanding to be. They have done so fine job and if now pending further clarification, let this clarification be forthcoming. Let us go into 1939 believing in the sincerity and the honesty of purpose of every man who has a part in those negotiations.

“If further negotiations are necessary on some phases, let us have them. Let the same men negotiate. They have done fine job now. Let’s believe in them all of them, and let’s express to them now our thanks for what they have done and let the entire industry wish for them all that happy and prosperous 1939, which by their sincere efforts to help everybody they have so well earned.”

**Happy New Year!**

Bank Night No Lottery, Wisconsin Jury Holds

(Continued from Page 1)

ager of the Rivoli theater, LaCrosse, was found not guilty by a six-man jury after 22 minutes deliberation. Preise offered a settlement of $25,000.

**Happy New Year!**

Paramount Associates Give Dinner for Wilkes

(Continued from Page 1)

New Orleans — Representatives from all over the Southeastern division of Paramount converged upon New Orleans to attend a testimonial dinner for Harold Wilkes, who will be transferred Jan. 3 to Atlanta, Ga., to become Southeastern division manager. Wilkes was presented with a watch. Replacing Wilkes here will be E. Price, formerly at Jacksonville, Fla.

**Happy New Year!**

Florence Lawrence Dead

(Continued from Page 1)

West Coast Bureau of THE FILM DAILY

Beverly Hills — Florence Lawrence, 52, star of silent films and for the last three years a member of a stock company working on the M-G-M lot, is dead here. She became famous at a Biograph and in 1909 joined Biograph. Subsequently she became known as “the Biograph Girl.”

**Happy New Year!**

Picture Profits Rising, Says Wall St. Journal

(Continued from Page 1)

first nine months of the year, declares, “Rate of earnings in the films of 1937 and the first few months of 1939 for a number of companies will show a comfortable improvement over the first half of 1938.”

Journal comments that 20th-Fox “is having a good December quarter” and foresees $3-$3.25 a share net for the 1938 calendar year, says that Paramount “will have a sharp pick-up in net in the December quarter” and adds that “Columbia, after a loss in the September quarter, is in the black.”

**Happy New Year!**

Broadway Film Business Keeps Up Terrific Pace

(Continued from Page 1)

business is up 16 per cent ahead of this year 1937 and 25 per cent ahead of 1936.

“Dawn Patrol” and Abe Lyman’s band were doing standout business at the Strand with grosses holding pace with the heavy crowds of Tues. and Wednesday. “Young in Heart,” on the screen and Paul Whiteman on the stage at Loew’s State were drawing in near-record crowds. Other Broadway area houses reported similar prosperity.

**Happy New Year!**

Western Pa. MPTO Ready to Fight for Divorcement

(Continued from Page 1)

labor measures also are receiving consideration.

On a general piece of legislation being discussed by Indie exhibs throughout the territory is a bill designed to curb triples. Indies are aroused over the introduction of such a policy by one of the large circuits, the policy later being adopted by several independent operators.

**Happy New Year!**

Admissions Tax Increase Seen Possible in Ohio

Columbus — Pete J. Wood, secretary of the ITO of Ohio, in a current bulletin warns members that the “financial condition of the State is precarious” and that the new Republican-controlled Legislature may find it necessary to consider increasing the present admissions tax.

Wool suggests that ITO members immediately contact the representatives and senators, at the same time presenting annual passes.

**Happy New Year!**

To Demolish the Circle

The Circle Theater in Broadway and 90th St. will be demolished, giving way to a business structure, it was learned yesterday.

**Happy New Year!**

CLAIM CUT, MAY SPEED RKO REORG.

(Continued from Page 1)

Rockerell claim allowance of $8,270,337.55. In the amended plan, as revised by Special Master George W. Alger, the allowance was reduced to $5,000,000.

This new reduction is to be brought about, provided the move is ratified at another hearing slated to be held before Judge William Bondy next Thursday, by slicing down the number of shares of new common stock from 500,000 shares to 415,000 shares, valued at $10 each, which would be issued by RKO Corp, to be upon the order of Rockefeller Center, Inc., upon consummation of the plan and certain provisions thereunder.

Among other changes proposed were: the (a) the elimination of the provision that Rockefeller Center will enter into a contract with RKO Corp. providing for the operation of Radio City Music Hall and Center Theater for the term of approximately 12 years, under the direction of a committee of seven individuals, of whom four shall always be persons selected by Rockefeller Center, and three persons selected by RKO; (b) the striking out of the provision that RKO shall receive an annual fee of $25,000, chargeable as an operating expense, for consultant and advisory services rendered in connection with the operation of the Radio City Music Hall and the Center Theater; and (c) the cancellation of terms upon which revenue gained from the two theaters’ operation would be divided between Rockefeller Center and RKO.

Judge Bondy, who said the contents were now in proper form, again reiterated yesterday that speed is imperative, and declared that the proposed modifications mentioned by Rikaby are fair. The Court further stated that he considers the plan at large to be now both feasible and equitable, but that this declaration is not to be construed as a final determination. That adhesion is very, very desirable to approve or disapprove the plan in the shortest possible time.

This was interpreted as meaning that he intends, after the Rockefeller amendment matter is disposed of, to render a prompt decision. This may come on Thursday next.

Throughout yesterday’s hearing, Special Master George W. Alger sat on the bench with Judge Bondy.

**Happy New Year!**

Loew Stockholder Suit Decision off Till February

(Continued from Page 1)

not make a determination until the early February.

Informing sources told THE FILM DAILY that Justice Valente has indicated that he will give the length of time to study carefully the briefs and minutes of the recent trial.
TECHNICAL PROGRESS
AT METRO’S STUDIO

West Coast Bureau of THE FILM DAILY

Hollywood — Marked progress technically was a feature of 1938 at M-G-M’s Culver City studio.

The Douglas Shearer “anti-fluctuator” sound projection device was perfected and adopted.

Development of large chambers for recording buildings or orchestras obtained the “auditorium” effect in sound. First used in “The Great Waltz” for a 100-piece orchestral separate sections recorded on nine different tracks were balanced together to obtain this new effect.

In photography, the studio developed color harmony principles, and adapted pastel shades (as used in cartoons) to real-life photography. This was first employed in “Sweethearts,” and again in “Wizard of Oz,” now in production. Development of new air and lamp units made possible interior photography in Technicolor regardless of the nature of the set.

A formula by which various tints can be used in the John Nickolaus “Sepia, Platinum” toning process for relief prints was developed.

New silent “wind machines” were invented, making possible wind effects on sound stage with dialogue recorded simultaneously, saving much time and involved manipulation.

In make-up, Jack Dawn is credited with a new principle by which a stout actor can be photographed to appear cadaverous, if necessary. Micrometer indicators on camera cranes were developed to permit minute exactness in a series of scenes.

During the year, M-G-M executed the greatest building program of any studio. Result was a new administration building; the completion of six of the largest and most modern sound stages in Hollywood; a new special effects building; a color film laboratory; an additional dressing-room building; new and increased air conditioning, etc.

DISTINCTIVE FEATURES
FOR CLEVELAND THEATERS

Cleveland, O.—A $150,000 theater and a $100,000 commercial building designed for the Roosevelt-North Park Boulevard at Warrensville Center Road, will be as near domestica architecture as possible, announced George H. Burrows, architect.

The development will be 150 feet back from the corner, with the land in front made into a plaza with lawns and shrubbery, along with parking facility for 52 automobiles. There will be 10 store units all of Georgian colonial architecture, with the theater in the middle.

The theater will be in early American design, with a front facing two stories, a balcony and air-conditioning, to seat 1,800 persons. The early American idea will also be carried out in interior decorations. There will be parking facilities in rear of the buildings for 250 cars, and the theater will have an entrance from the rear as well as from the street.

Construction work is expected to last about 10 months. Henry S. Gottfried is making the development.

NEW SPARKS THEATER HAS SPANISH MOTIF

St. Augustine — Sparks Enterprises’ new Matanzas Theater, just opened, is an 1,100-seater whose architectural treatment is in the Spanish spirit, from plans drawn by Ray Benjamin, architect, of Jacksonville.

Wall finish in the arcade is in maroon tile and cream plaster, while lights are of orange neon. Under the large coat-of-arms just over the entrance doors to the promenade is the word “Matanzas” in glazed tile.

Auditorium is executed in shades of blue, tan, yellow and orange, giving a soft, cheerful and restful effect.

Seats are in red velvet, lighted with spotlights on the walls and the rows are spaced 33 inches apart. Some 20 outlets are provided for hearing aid devices.

Theater is heated by an automatic furnace, and a highly perfected air conditioning plant provides patron comfort during all seasons of the year. All sections of the theater are connected with intercommunication boxes for use by executives and the theater’s staff.

RCA High Fidelity Sound is used, and the screen is 17 by 21 feet and is one of the state’s largest.

CAPITOL M. P. SUPPLY CORP.
MARKS 20TH ANNIVERSARY

Capitol Motion Picture Supply Corp., of 630 Ninth Ave., this week concluded the celebration of its 20th year in business. The firm, founded in 1918 by J. V. Perse, is now headed by his son, Benjamin Perse. Other officers are Henry Perse, vice-president, and I. Perse, secretary.

Listed among Capitol’s business associates are a number of the largest motion-picture manufacturers and service organizations in the country, and the firm serves an extensive list of exhibitors in its trading territory.

CHARLES ROSS, INC.
Formerly Motion Picture Lighting and Equipment Corp.

WE FURNISH
Electrical Lighting and Equipment of Any Kind

244-250 West 49th Street
New York City Tel. Circle 6-5401-1

ENTHUSIASTIC reports from field trials and film studio equipment.
OPHONE — Laboratory

as the fine definition, for ex-
ample, of every instrument in or-
tera pick-up and the unusually
this excellent quality
is not only that built into each ele-
ment but also that resulting from
cardioid directionality being inde-
pendent of frequency. Prominence
to direct sound so that defini-
tion is not lost in a jumble of
and yet all reflected tones
are treated alike so that reverber-
sound is blended in perfect

high output level together with
all size is gained by the selec-
tion, for the pressure element, of
microphone unit of the well-
low Western Electric 630A
light-ball. Since this is matched
with a new design ribbon element of
ial output the 639A has output
t of 100% higher than the 630A.
Ordinary ribbon microphones are
stive to wind but in designing
new ribbon element for the 639A
was greatly improved by a high-
ility ribbon of special form,
times as stiff as those normally
plied in the past. Consequently
639A is as quiet in a breeze as
630A and may be "panned"

CONTACTNESS of unusual de-
gree is secured by utilizing
dynamic housing to enclose the
bon transformer and electrical
ulator; to give the basic frame
poring the ribbon element and
and screen; and to provide mount-
ing and terminal facilities in the
rm of a projecting cylindrical
ug. Fashioned of cast metal by a
ow process, the housing and wind
reeen are styled in an aerial dy-
amic motif to represent directiv-
. Finished in aluminum gray with
horizontal lines of polished metal,
639A is smart in appearance.

STUDIOS

- FURNISHINGS
- CARPETING
- SUPPLIES

GRC'S NEW REGISTER MEETS WIDE DEMAND

Chicago — The new Secret Cash
Control ticket register recently put
on the market by General Register
Corp. is meeting with wide demand
on the part of film outlets both here
and abroad, it is declared by or-
ganization spokesmen here.

Each unit, company points out, is
uncanny in its operation and acts
as its own policeman. As soon as
the last ticket is issued from any
of the units, the particular unit locks
up and it is impossible to do any-
th ing with it until new tickets are
threaded in. This, however, does
not affect the other units, since they
all work independently.

Many exhibitors all over the coun-
try are taking advantage of this
feature by using tickets without
numbers because this step prevents
anyone from checking their busi-
ness, it is declared.

In the mid-West, there have al-
ready been hundreds of installa-
tions. Most recent include the
Chicago, Chicago; Al Reinheimer Theaters,
Chicago; W. S. Butterfield Theaters,
Detroit; Riverside, Milwaukee; F & M
Fox, St. Louis; Empress, St. Louis;
Road, Chicago; Palace, Fort Wayne;
Riviera, Cleveland; Embassy,
Cleveland; Rialto and Rivoli, De-
troit; and several installations for the
Fox Midwest Circuit in Kansas City.

Joe Fleshin With TPS

Cincinnati—Joe Fleshin is newly
appointed representative for Theater
Poster Supplies for Kentucky and
West Virginia, with headquarters in
Charleston. Eddie Sonz has been
promoted to Southern Ohio.

Petchuck Forms Company

Detroit — Cadillac Sound Equip-
ment Co. is being organized by
Joseph A. Petchuck at 3647 Ben-
tes Ave. The company will handle
emergency work on theater sound
systems.

20,000,000 DEAF

TWENTY million people in the United
States are hard-of-
-hearing. This includes 10 per cent of all
the people in your town. They patronize
houses equipped with ACOUSTICON THEA-
TREPHONES, and want these local
rural customers—and this welcome extra
income. Ask your local National Theater
Supply or R.C.A., representative for free
capitalization booklet or write Dept. F.

ACOUSTIC THERAPHEPHONES

Distephano Products Co., Inc.
590 Fifth Ave., New York City

Red Glass Front

Detroit—Wisner & Wetmore are in-
stalling an outstanding new front, com-
posed entirely of structural glass in a
subdued red tone with a white brill-
antly lighted ceiling, at the Fenkell
Theater. Wright & Regan are the
architects.

Bell & Howell Reduces Projection Lamp Prices

Chicago—Appreciable price reduc-
in almost all of its more com-
monly-used projection lamps is an-
ounced here by Bell & Howell Co.
New price changes now in effect
cover all voltage 300, 400, 500 and
750-vatt lamps, and the new 1,200-
watt, 100-volt lamps as well.

Coincidentally, the company an-
ounced a 20 per cent price reduc-
ion on all Bell & Howell Photoflood
lamps.

Developing New Projector

Detroit — Wayne Juntunen, head of
the Ford Movie Co., announces
that his company is concentrating
on the development of a new low-
priced projector. Its equipment
sales division has been discontinued.

GE INTRODUCES NEW ADJUSTABLE ADAPTER

For use with the new Mazda pro-
jector and reflector lamps, recently
developed, the General Electric ap-
ppliance and merchandise department,
Bridgeport, Conn., has announced a
new adjustable angle adapter. The
new device can be inserted easily in
any existing outlet and it enables
the lamps to be adjusted over a wide
range of angles either for flood
lighting or spot lighting.

It adds immeasurably to uses of the
new lamps, giving them the flexi-

THE COWBOY AND THE LADY

Lots of theatres may be riding for a fall because they
fail to keep up appearances. One way to check such
disastrous trend is to install Alexander Smith Carpet
... the carpet found in most of the country’s most
successful theatres.

ALEXANDER SMITH CARPET
NEVER before have new negative materials been as enthusiastically received...as quickly put to use...as Eastman's three latest motion picture films. Fast, fine-grained Plus-X, for general studio work...high-speed Super-XX, for all difficult exposures...ultra-fine-grained Background-X, for backgrounds and all-round exterior work...Typically Eastman in uniformity and photographic quality, these films have won instant acceptance in the industry. Eastman Kodak Co., Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX...Background-X